

**CORRELATION BETWEEN THE MEASUREMENT OF  
PSYCHOLOGICAL ABUSE AND DETERMINATION  
OF CRIMINAL RESPONSIBILITY BASED ON  
THE INDONESIAN LAW AGAINST  
DOMESTIC VIOLENCE**

By:

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**ABSTRACT**

This Legal Research aims to analyze the types of evidence considered by judges in imposing sentences for the defendant as well as the challenges found in handling psychological abuse based on the Law No. 23 Year 2004 concerning The Elimination of Domestic Violence (UU PKDRT) .

Serves as a normative research, the literature study of the research is mainly conducted by a thorough assessment and analysis of primary, secondary and tertiary legal material. Therefore, it combines statute and case approach regarding the matter.

Essentially, this Legal Research argues that there is a direct correlation between the lack of measurement of evidence under psychological abuse in domestic violence cases based on UU PKDRT, and determination of criminal responsibility by the judges. Based on the said issue, there are still gaps and challenges in the usage of victim and witness testimony, issuance of Visum et Repertum, and the utilization of the marriage certificate in the proceeding, as well as the scope of aggravating and mitigating factors considered by judges.

**Keywords:** Psychological Abuse, Domestic Violence, Law Number 23 of 2004, Imposition of Sentence, Evidentiary Process.

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***Korelasi Antara Pengukuran Kekerasan Psikologis dan Penetapan Tanggung Jawab Pidana Berdasarkan Undang-Undang Anti Kekerasan Dalam Rumah Tangga Indonesia***

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**INTISARI**

*Penelitian Hukum ini bertujuan untuk menganalisis jenis alat bukti yang dipertimbangkan hakim dalam menjatuhkan hukuman kepada terdakwa serta tantangan yang ditemukan dalam penanganan kekerasan psikologis berdasarkan Undang-Undang Nomor 23 Tahun 2004 tentang Penghapusan Kekerasan Dalam Rumah Tangga (UU PKDRT).*

*Sebagai penelitian normatif, studi kepustakaan penelitian ini dilakukan dengan mengutamakan pengkajian dan analisis mendalam terhadap bahan hukum primer, sekunder dan tersier. Oleh karena itu, penelitian ini menggabungkan pendekatan undang-undang dan studi kasus.*

*Secara substantif, Penelitian Hukum ini berpendapat bahwa ada korelasi langsung antara kurangnya pengukuran alat bukti di bawah kekerasan psikologis dalam kasus kekerasan dalam rumah tangga (KDRT) berdasarkan UU PKDRT, dan penentuan pertanggungjawaban pidana oleh hakim. Berdasarkan permasalahan tersebut, masih terdapat kesenjangan dan tantangan dalam penggunaan keterangan korban dan saksi, penerbitan *Visum et Repertum*, dan penggunaan akta nikah dalam persidangan, serta ruang lingkup terkait hal-hal yang dipertimbangkan oleh hakim sebagai faktor memberatkan dan meringankan.*

***Kata Kunci:*** *Kekerasan Psikologis, KDRT, Undang-Undang Nomor 23 Tahun 2004, Penjatuhan Pidana, Proses Pembuktian.*

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