Jurnal HAM
Volume 13, Number 3, December 2022
DOI: http://dx.doi.org/10.30641/ham.2022.13.631-645
Submitted: 12-10-2022; Revised: 26-11-2022; Accepted: 06-12-2022
This paper is published under
Creative Commons Attribution-NonCommercial 4.0 International License

LEGAL PROTECTION FOR DISABILITIES PERSONS WITH LANGUAGE LIMITATIONS IN LAW ENFORCEMENT

Vera Bararah Barid; Dewi Analis Indriyani; Yeni Yulianti;
Sri Gilang Muhammad Sultan Rahma Putra; Penny Naluria Utami
National Research and Innovation Agency (BRIN)
vera003@brin.go.id

ABSTRACT

The Indonesian government has enacted various regulations aimed at protecting individuals with disabilities, yet significant gaps persist in their implementation. Discrimination against people with disabilities, particularly those with language impairments, remains prevalent, especially within the legal system. This study employs a sociolegal approach to examine the challenges faced by disabled individuals with language limitations in accessing legal protection. Key aspects analyzed include existing regulatory frameworks for disability protection, case studies of legal decisions involving disabilities, the handling of legal proceedings, challenges encountered by stakeholders in legal cases, and the impact of limited access to sign language and legal knowledge. The research reveals that individuals with hearing impairments often struggle to exercise their rights to assistance from sign language interpreters during legal proceedings. This deficiency is primarily attributed to a lack of awareness and understanding among various stakeholders regarding the specific needs of people with hearing impairments. Furthermore, the effectiveness of law enforcement processes for disabled individuals is hindered by regional variations in sign language, the existence of informal or non-standardized sign languages, and the limited proficiency of law enforcement personnel in communicating with and accommodating individuals with disabilities. In conclusion, the study underscores the urgent need for improved implementation of existing disability rights regulations in Indonesia, particularly within the legal context. Addressing these challenges requires enhancing awareness and training among legal professionals and stakeholders, ensuring consistent access to qualified sign language interpreters, and promoting standardized approaches to accommodating individuals with disabilities in legal proceedings. By bridging these gaps, Indonesia can move closer to fulfilling its commitment to upholding the rights and dignity of all individuals, including those with disabilities, within its legal system.

Keywords: legal cases; disabilities persons; language limitations; justice.

INTRODUCTION

In Indonesia, the number of people with disabilities is estimated at 22.5 million or 5 percent of the total population of Indonesia.[1] The complexity of the problems and the efforts that have been made, have not been able to change the stigma against people with disability. There are still many challenges that result in discriminatory treatment faced by people with disability, namely limited opportunities and access to education, health, economy, politics, and welfare, and even the right to protection from various forms of violence. Indonesia has enacted rules to protect the rights of people with disability. The presence of Law Number 8 of 2018 provides a new paradigm for guaranteeing and protecting the rights of people with disability.[2]

People with hearing impairment lack the ability to hear, hence they require specific assistance when interacting.[3] The severity of hearing loss, which ranges from slight to very severe, will lead to communication and language problems.[4] Their existence in Indonesia has received recognition

1 "Kemensos Dorong Aksesibilitas Informasi Ramah Penyandang Disabilitas," *Kemensos.Go.Id*, last modified 2020, accessed September 21, 2022, https://kemensos.go.id/kemensos-dorong-aksesibilitas-informasi-ramah-penyandang-disabilitas#:~:text=Adapun%2C berdasarkan data berjalan 2020,juta atau sekitar lima persen.

2 Ali Sodiqin, "Ambiguitas Perlindungan Hukum Penyandang Disabilitas Dalam Perundang Undangan," *Jurnal Legislasi Indonesia* 18, no. 1 (2021): 32.

3 Y.U Solikhatun, "Penyesuaian Sosial Pada Penyandang Tunarungu Di SLB Negeri Semarang," *Educational Psychology Journal* 2, no. 1 (2013): 67, https://journal.unnes.ac.id/sju/index.php/epj/article/view/2588.

4 Yulia S.H, "Anak Berkebutuhan Khusus, Seri Bahan Dan Media Pembelajaran Kelompok Bermain Bagi Calon Pelatih Paud" (2010); Aninditya Sri Nugraheni, Alma Pratiwi Husain, and Habibatul Unaya, "Optimalisasi Penggunaan Bahasa Isyarat Dengan SIBI Dan BISINDO Pada Mahasiswa DIfabel Tunarungu Di Prodi PGMI UIN Sunan Kalijaga," *Holistika Jurnal Ilmiah PGSD* V, no. 1 (2021): 29, jurnal.umj.ac.id/index.php/holistika.

and protection from the state. Based on the government regulation Law Number 39 of 2020 concerning Decent Accommodation for People with disability in the Judicial Process is a guideline for providing access and accommodation services for people with disability who face the law. However, there is still much discrimination faced by people with disability in fulfilling their rights, such as restrictions, obstacles, difficulties, and reduction or even elimination of rights. The state must recognize the legal capacity of people with disabilities and support people with disabilities to decide things for themselves. In addition, the right to justice needs to be interpreted by providing an accessible judicial mechanism in terms of facilities and procedural law.

The limited communication with verbal language experienced by a person is quite tricky, especially if it is experienced by people with disabilities who are not facilitated by proper accessibility. It further complements helplessness, especially when faced with situations involving legal cases. These conditions lead to the emergence of violations of human rights, so it is not uncommon for people with disability to become victims of discrimination or crime. Regarding discrimination, the most encountered are access to work[5] and the use of public facilities, while crimes experienced by people with disabilities include sexual harassment, persecution, and murder, which are usually committed by people closest to them or who have relatives.

Sign language is usually done by using body language and lip movements when communicating with others. This sign language is imperative for those with limitations and is hampered in speaking, so the way for the people with hearing impairment is to use sign language.[6] It is also indispensable when handling legal cases. If interpretation is improper, defendants may misunderstand what is taking place; the evidence heard by judge and jury may be distorted, if not significantly changed.[7] Along with more intense attempts to raise awareness of disabled people's rights, the presence of groups of persons with impairments is receiving increasing attention. Research on law and disability is emerging as a result of increased attention to rights and the challenges people with disabilities encounter when trying to obtain justice or dealing with the law enforcement system.

Equal status before the law and human rights equality are constitutional rights of all citizens, including people with disability. Therefore, the state is obliged to fulfill these constitutional rights by enacting Law Number 8 of 2016 concerning People with disability. If the previous regulation, namely Law Number 4 of 1997 concerning people with disability, still places people with disability as objects, the new law places them as subjects. Consequently, the central and regional governments must implement all the provisions of these laws and regulations, including the provision of supporting facilities and infrastructure.[8] As a result, there are still many cases of discrimination that people with disability accept in their position as legal subjects.

Many research related to law and disability, one of them referred to in this study is research conducted by the Indonesian Judicial Monitoring Society, Faculty of Law, University of Indonesia (MaPPI FHUI). This research is entitled "Disability in Criminal Justice: An Analysis of the Consistency of Verdicts" which was conducted in 2016. In this research, the disability that is the focus of the research is the entire disability, not

5 Sodiqin, "Ambiguitas Perlindungan Hukum Penyandang Disabilitas Dalam Perundang Undangan," 40.

6 Nugraheni, Husain, and Unaya, "Optimalisasi Penggunaan Bahasa Isyarat Dengan SIBI Dan BISINDO Pada Mahasiswa DIfabel Tunarungu Di Prodi PGMI UIN Sunan Kalijaga."

7 W.E. Hewitt, "Court Interpretation: Model Guides for Policy and Practice in the State Courts," *U.S. Department of Justice, Office of Justice Program*, 17, last modified 1995, accessed September 20, 2022, https://www.ojp.gov/ncjrs/virtual-library/abstracts/court-interpretation-model-guides-policy-and-practice-state-courts.

8 A. Trimaya, "Upaya Mewujudkan Penghormatan, Perlindungan, Dan Pemenuhan Hak Penyandang Disabilitas Melalui Undang-Undang Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas," *Jurnal Legislasi Indonesia* 13, no. 4 (2016): 401–409.

just limited to certain types of disabilities, so it also includes mental disabilities. This research focuses on the consistency of court decisions. The second research related to parties with sensory disabilities facing the law can be seen in the research conducted by Faiq Tobroni with the title "The urgency of the Affirmative Judicial Process for Disabled Women Victims of Rape." The research specifically discusses a court decision, namely precisely Decision No. 33/Pid.B/2013/ PN.Kdl . The verdict relates to a criminal rape case with a female victim who is a person with hearing impairment . In his research, it was found that during the trial the victim did not get an interpreter so that thus the victim lost his formal rights as stipulated in article 98 paragraph 1 KUHAP.[9] The third research was conducted by Bronagh Byrne, Brent Elder, and Michael Schwartz under the title *"Enhancing the Access for People with Hearing Impairment to Justice in Northern Ireland: Implementing Article 13 of the UN Convention on the Rights of People with disability "* . This research focuses on the implementation of article 13 of the UN Convention on the Rights of people with disabilities, in this case the community of people with hearing impairment in the judicial system. The gap research in this article is more specific of the fulfillment and handling of legal cases for the people with hearing impairment involving several parties.

Based on the description above, this paper will explain how legal protection for people with disability with language limitations can be applied in Indonesia. The extent to which each party is involved is influential in protecting them and what are the obstacles faced so far in realizing justice. This article also has a novelty for legal writing that comprehensively discusses legal protection for the people with hearing impairment when dealing with legal cases.

9 Faiq Tobroni, "Urgency Process Judicial Affirmative for Woman Disabled Victim Rape : Study Verdict Number 33/Pid.B/2013.PN.Kdl," *Journal Judicial* 8, no. 3 (2015): 339–359.

METHOD

This article is legal research with a socio-legal perspective that seeks to critically analyze legal norms and legal reality by considering non-legal aspects that can assist researchers in seeing and analyzing how the law is implemented in society.[10] This socio-legal research aims to obtain information and data to solve problems with legal norms. This methodology focuses on the case concept of the problem of how people interact with the components of the phenomenon.[11]

This study uses a qualitative approach with descriptive analysis to outline legal protection for the people with hearing impairment when dealing with legal cases. The data used are primary and secondary data from various sources.

FINDING AND DISCUSSION

A. Existing Regulations on Disability Protection

Current disability, admittedly or not, is still excluded from almost every aspect of life. Society's stigma against people with disabilities has hampered them in various fields. As a result, it reduces or even negates the rights of people with disabilities in their protection and fulfillment. Cases in which there are people with disability —who are faced with the law are not passed on in the judiciary, because families prefer to use informal legal channels or settlement of cases by means of kinship or deliberation, so that people with disabilities as victims are further away from getting justice.

Developments and efforts to fulfill the rights of people with disability after the ratification of the Convention on the Rights of People with disability through Law Number 19 of 2011, and the passage of Law number 8 of 2016 concerning People with disability, legal products no longer revolve

10 Max Banakar, Reza; Travers, *Theory and Method in Socio-Legal Research* (London: Bloomsbury Publishing, 2005).

11 Stephen D. Lapan and Marylynn T. Quartaroli, *Qualitative Research: An Introduction to Methods and Design*, ed. Frances Julia Riemer, 1st ed. (San Fransisco: Jossey-Bass, 2012).

only on social welfare issues but are already multiculturalism in nature, including the sector of protecting access to justice, political participation, and other civil rights such as the right to population, the right to expression and opinion, and the right to association and assembly. In the right to justice, the state is obliged to guarantee recognition of the legal capacity of people with disability, and support for people with disability to be able to make decisions about themselves. In addition, the right to justice needs to be interpreted by creating an accessible judicial mechanism, both in terms of facilities and procedural law. Whether they admit it or not, people with disabilities have not yet been treated as legal individuals. Information regarding people with disabilities is frequently disregarded because of the communication hurdles that limit how information is shared.

People with disability are also often used as an excuse for "forgiving". Forgiving reasons remove the guilt of the perpetrator of a criminal act, while the actions remain unlawful. Penal Code Article 145 confirms that persons with mental disabilities or referred to as lunatics cannot be heard in court as witnesses. So, this reason makes some "convicts" use the excuse of incompetence due to psychiatric disorders. The current perspective of law enforcement also cannot be categorized as being able to provide services that are friendly to people with disabilities. Some cases involving people with disability, their testimony or testimony are not forwarded to evidence, most of them are ignored so that people with disability who are in the position of victims become weakened. The police are the first point of call-in cases of people with disability, either as witnesses or victims. For this reason, it requires the ability of the police to be able to understand and be free from stigma.

Every nation has a right to protection, equality under the law, and access to justice for people with and without disabilities. The government ensures the right to justice and legal protection for people with disabilities by article 9 of Law Number 8 of 2016 regarding people with disability. The government offers accessible and reasonably priced legal assistance for those with disabilities who are dealing with the legal system. Article 29 of Law Number 8 of 2016 relates to disability legal assistance. Article 29 states that, "The Government and Local Governments shall provide legal assistance to people with disability in every examination at every law enforcement agency in civil and/or criminal matters in accordance with the provisions of laws and regulations". But in its implementation, several obstacles and challenges were found. The process of handling it is good for the victims themselves, their families, accompanying advocates, and law enforcement officials who generally do not have the perspective and knowledge in assisting people with disability who face the law. In addition, the unavailability of doctors, psychologists/psychiatrists needed to conduct *profile assessments* for disabilities facing the law certainly has an impact on their non-fulfillment of access to justice.

Disability guarantees for disability meaningful participation in law, politics and other civil rights still need to be affirmed in their implementation. Some legal rules do not seem to have been harmonized with Law Number 8 of 2016 on People with disability. In our opinion, some of the Government's policies below need to be strengthened by the harmonization of disability-related regulations/policies so that guarantees of disability meaningful participation in law, politics and other civil rights can be fulfilled fairly:

1. Law Number 8 of 2016 on People with disability is a new paradigm for the guarantee and protection of the rights of people with disability [12].
2. Law Number 19 of 2011, concerning ratification of the Covenant on the Rights of People with Disability. CRPD is an international and national human rights instrument to Respect, Fulfill and Protect the Rights of Disabilities in Indonesia . The purpose of the convention is to promote,

12 *Undang-Undang Republik Indonesia Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2016 Nomor 69, TLN RI Nomor 5871* (Indonesia, 2016).

protect, and guarantee the equal rights and freedoms fundamental to all people with disability, as well as respect for the dignity of people with disability as an integral part.[13]

3. Law Number 12 of 2022 concerning the Crime of Sexual Violence, provides protection for disabilities for acts of sexual violence. This law provides guarantees for protection against disabilities who are sexually assaulted. Especially in Article 45 Paragraph 4 which states, the testimony of victims or witnesses of people with disabilities has the same power as the testimony of victims and witnesses other than people with disabilities.[14]
4. Government Regulation of the Republic of Indonesia Number 70 of 2019 concerning Planning for the Implementation and Evaluation of the Respect, Protection, and Fulfillment of the Rights of people with disability which is a guideline for ministries/institutions/local governments and Stakeholders to prepare action plans in the implementation of more inclusive development for people with disability.[15]
5. Government Regulation of the Republic of Indonesia Number 39 of 2020 concerning Decent Accommodation for People with disability in the Judicial Process is a guideline for providing access and accommodation services for people with disability who face the law.[16]

B. Disability Cases on The Court Decision

People with disability are one of the justice-seeking groups that have the potential to be involved in various cases in the judiciary in various judicial settings. This article focuses on groups of people with disabilities who have language disabilities . In various types of processes in the judicial system, language skills have a role to communicate the various interests of the justice-seeking parties with the various parties who provide judicial services or with other parties involved in a case in court. However, the need for such Language does not necessarily reduce the right of people with disabilities who have language limitations to obtain judicial services as part of the seeker of justice.

This section of the article will discuss how groups of people with disabilities who have language limitations when dealing with the law in judicial proceedings, especially in criminal case. The data used in the discussion of this section is a document in the form of a court decision that has permanent legal force. Based on a search of data in the Supreme Court decision directory using the keyword “disability” found a total of 612 data. However, the 612 data cannot necessarily illustrate that there are 612 disability cases facing the law that have been decided by the courts. This is because after a more detailed search, there are the same cases but different levels of justice, namely cases in the first level, appeals to Cassation that have three court decision data on the judgment directory but the parties involved are the same . In addition, there is also data in the form of decisions that are classified as determinations, such as determinations related to heirs or determinations as guardians/custodian.

Accurate data on the number of cases related to disability facing the law until now cannot be truly known exactly. The problem occurs because in the case registration system in the courts there is no special register code for cases involving parties from the disability group. So that searches in the

13 *Undang-Undang Republik Indonesia Nomor 19 Tahun 2011 Tentang Pengesahan Convention on The Rigts of People with disability (Konvensi Mengenai Hak-Hak Penyandang Disabilitas), Lembaran Negara Republik Indonesia Tahun 2011 Nomor 107, TLN RI Nomor 5251* (Indonesia, 2011).

14 *Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual, Lembaran Negara Republik Indonesia Tahun 2022 Nomor 120, Tambahan Lembaran Negara Republik Indonesia Nomor 6792* (Indonesia, 2022).

15 *Peraturan Pemerintah Republik Indonesia Nomor 70 Tahun 2019 Tentang Perencanaan, Penyelenggaraan, Dan Evaluasi Terhadap Penghormatan, Perlindungan, Dan Pemenuhan Hak Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2019 Nomor 184, TLN RI N* (Indonesia, 2019).

16 *Peraturan Pemerintah Republik Indonesia Nomor 39 Tahun 2020 Tentang Akomodasi Yang Layak Untuk Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2020 Nomor 174, TLN RI Nomor 6538* (Indonesia, 2020).

court decision directory and on the Case Tracing Information System (SIPP) can display different amounts of data depending on the keywords used in the search. Based on such circumstances, in the future, it seems that it is necessary to consider providing a special register code for cases in which there is an involvement of people with disabilities groups. The existence of a special register code will make it easier for the judiciary to have accurate data on cases involving disability groups and can help judicial services to be able to provide the needs of the disabled group more optimally during the judicial process.

In this section, three criminal case decisions will be discussed in which there is disability involvement in the face of the law. The three cases consist of groups of special criminal cases, general criminals and *jinayat* cases. Special criminal cases and general criminal cases are cases that are the jurisdiction of the general court and *jinayat* cases are cases that become the jurisdiction of sharia courts in the region the provincial law of Nanggroe Aceh Darussalam . The court decisions of the cases discussed include the following:

1. **Court decision Number: 34/Pid.B/2021/ PN. Pwd[17]**

   Case with register number 34/Pid.B/2021/ PN. Pwd is a criminal case of theft that occurred in the jurisdiction of the Purwodadi District Court . In this case, based on the reading of the judgment documents, it was found that the defendant was a person with disabilities, namely people with hearing impairment and speech disability. Under such circumstances, the defendant certainly has language limitations. In order to overcome these obstacles and in order to give a fair court decision, in this case the panel of judges has presented a sign language interpreter to assist communication between defendants with the parties involved such as, the panel of judges, the public prosecutor, and the witnesses . Based on the record as stated in the judgment, all the testimony of the witnesses was translated by the sign Language interpreter to the defendant, so that the defendant could confirm the truth testimony of those witnesses in the course of the trial.

2. **Court decision Number: 697/Pid.Sus/2020/ PN. Bpp[18]**

   The case with register number 697/Pid. Sus/2020/PN.Bpp is a special criminal case for child protection with the crime of sexual violence against minors in the jurisdiction of the Balikpapan district court. In this case, it was discovered that the victim was a speech-impaired person. In this case, based on the records on the court decision documents, it is known that the victim during the examination from the time he was in the police to the court that the victim had been accompanied by a language translator gestures to assist communication from victims with parties at trial such as judges, public prosecutors and attorneys. The circumstances of the victims who are people with disabilitas are also considered by the panel of judges as matters that incriminate the defendant.

3. **Court decision Number: 1/JN/2020/ MS.Sab[19]**

   The case with the register number 1/JN/2020/ MS. Sab is a criminal case of "*jarimah* rape" in the jurisdiction of the Sabang Sharia Court. In this case, based on the records in the court decision document, it is known that the victim is a person with a disability who has language limitations . Based on the court decision documents, it is also known that in the trial process the victim has also been accompanied by a sign language interpreter

17 "Putusan Pengadilan Negeri Purwodadi Nomor: 34/ Pid.B/2021/PN.Pwd," *Direktorat Jenderal Kekayaan Intelektual*, last modified 2021, accessed July 14, 2022, https://putusan3.mahkamahagung.go.id/direktori/putusan/zaebf99be30e389e951a313232393038.html.

18 "Putusan Pengadilan Negeri Balikpapan Nomor:697/ Pid.Sus/2020/PN.Bpp," *Direktori Putusan Mahkamah RI*, last modified 2020, accessed July 14, 2022, https://putusan3.mahkamahagung.go.id/direktori/putusan/zaeb53c386495bdaac4b313131343430.html.

19 "Putusan Mahkamah Syariah Sabang Nomor 1/ JN/2020/MS.Sab," *Direktori Putusan Mahkamah RI*, last modified 2020, accessed July 14, 2022, https://putusan3.mahkamahagung.go.id/direktori/putusan/68c74a89ba01cf5456d2f1d647ac8359.html.

to assist the victim's communication as a witness during the trial process . In imposing the court decision on the accused, the panel of judges has also included the condition of the victim's disability as a burdensome matter in the consideration of the panel of judges.

Based on the three above-mentioned court decision documents, it can be known if the court through a panel of judges, has tried to fulfill good judicial services to seekers justice that comes from a disability group with language limitations. The service is provided in the form of providing sign language translators to help people with disabilities with language limitations to be able to communicate their information in trial process. In addition, if a person with a disability is a victim of a criminal act, the panel of judges includes the state of disability that the victim has as a burdensome matter as one of the bases for the judge's consideration in deciding the court decision for the defendant. This shows that the panel of judges has been aware that people with disability are a vulnerable group that requires certain efforts that are different from ordinary people to be given legal protection to get justice like other seekers of justice.

Based on secondary data sourced from various judges' rulings, it is known that the court has met the needs of people with sensory disabilities with communication limitations. The fulfillment of such needs is indicated by the presence of a sign language interpreter. The fulfillment of the needs as provided by the court through the panel of judges, as stated in this judgment is important because with this facilitation, the person with sensory disabilities has avoided discrimination over the right to obtain justice. However, the fulfillment of needs through the provision of needs for sign language interpreters is necessary to do carefully, because it turns out that sign language interpreters must be adapted to sign language users. Such a condition can also be seen as the case in South Africa, where it turns out that the defendant cannot use the standard sign language of South Africa, so the availability of a sign language interpreter cannot fulfill the defendant's rights.[20] This condition also needs to be observed because in Indonesia there are also two types of sign language, namely SIBI and BISINDO. With this situation and learning from the experience in South Africa, the courts in Indonesia need to be careful when facilitating sign language interpreters for justice seekers.

This research is based on court decisions, because it is based on secondary data, so this research has not been able to show how judges experience interacting with people with sensory disabilities. The experience of judges and professional workers in the field of law needs to be further researched. This is because the data on practice can help to see the readiness of other factors in the implementation of the fulfillment of the rights of persons with sensory disabilities in the judicial system, namely the training factor. One of the studies that captured the experiences of legal professionals in Northern Ireland in interacting with people with sensory disabilities showed that legal professionals in the country still have difficulty communicating with people with sensory disabilities when it comes to providing justice services to them. These difficulties cause the rights of persons with sensory disabilities to not be fulfilled to the fullest. [21] Such conditions also need to be considered regarding Indonesian law enforcement officials, it is also necessary to know how their experience interacts with people with sensory disabilities, whether they can properly accommodate the special needs of users of these justice services or not. If not then of course there needs to be an increase in training. Such studies certainly need to be developed in

20 Robyn White, Johnson Ensa, and Juan Bornman, "Investigating Court Accomodations for Persons with Severe Communication Disabilities: Perspective of International Legal Experts," *Scandianvian Journal of Disability Research* 23, no. 1 (2021): 224–35, https://doi.org/https://doi.org/10.16993/sjdr.779.

21 Bronagh Byrne, Brent Elder, and Michael Schwratz, "Echancing Deaf People's Access to Justice in Northern Ireland: Implementing Article 13 of the UN Convention on the Rights of People with disability," *Scandianvian Journal of Disability Research* 23, no. 1 (2021): 74–84.

subsequent research, which is not based solely on secondary data.

C. Handling of Legal Cases for People with disability Who Have Language Limitations

People with disability, especially those with hearing impairment, are vulnerable to being victims of violence, including sexual violence and rape. Apart from being a vulnerable group, the condition of people with disability who are victims of sexual violence[22] is even more worrying because many do not get legal protection. Based on the previous discussion of the rules regarding people with disability in Indonesian legislation, Article 126 of Law no 8 of 2016 concerning Persons Disabilities states that "*The Government and Regional Governments are obliged to provide special protection for women and children with disabilities in accordance with the laws and regulations*". The regulation explicitly states that people with disability are entitled to legal protection whether they are witnesses, victims, or perpetrators of crimes. Legal protection is the protection of human rights for those who suffer losses due to the actions of others. This protection is given to the community so they can exercise all the rights obtained from the law. So it can be seen that legal protection is a legal method provided by the authorities to provide a sense of security to the community.[23] Protection given to victims or witnesses can be given at the stage of investigation, investigation, prosecution, and or examination in court based on the initiative of law enforcement officers, security forces or from requests submitted by victims.[24]

According to Fiqry, the settlement of the case must require assistance from competent experts in their fields, such as sign language experts and others, to obtain convenience in carrying out evidence. So, in providing legal protection for children with disabilities, they must reduce limitations with applicable legal mechanisms (there must be assistance) because the disability's ability to sense is not very good, which makes it challenging to fulfill legal rights.[25]

Protection, as referred to in Article 1, paragraph 5 of the law, is a conscious effort to protect and strengthen the rights of people with disabilities. Article 3-point C of the Law on People with disability states that: "Ensure the implementation of efforts to respect, promote, protect, and fulfill the rights of people with disability to develop themselves and utilize all abilities according to their talents and interests to enjoy, participate and contribute optimally, safe, accessible, and dignified in all aspects of the life of the nation, state and society.

People with disability should have a special place and protection, such as in the family or community environment, so they still feel they have the same place and position as Indonesian people.[26] In reality, there are still many weaknesses in legal protection for people with disabilities, the offense used by the public prosecutor is also still using the Criminal Code as stated in Article 285. Based on in-depth interview with the police, there is a case theft in 2008 at Ogan Ilir (South of Sumatera). The case was assisted by a sign language interpreter in the investigation process at the police, but when in court there was an error in understanding sign language which had been stated in the police

22 Violations of human rights occur in all legal subjects, including women and children where this group is a vulnerable subject, especially sexual violence; this can be seen from the increasing number of cases and various types of violence that occur, Ani Purwanti and Marzelina Zalianti, "Strategi Penyelesaian Tindak Kekerasan Seksual Terhadap Perempuan Dan Anal Melalui RUU Kekerasan Seksual," *Masalah-Masalah Hukum* (2018).

23 Rahardjo, *Ilmu Hukum* (Bandung: Citra Aditya Bakti, 2000), 74.

24 Muhadar, *Perlindungan Saksi Dan Korban Dalam Sistem Peradilan Pidana* (Surabaya: PMN, 2010), 69.

25 Andy Aziz Al Fiqry and Yeni Widowaty, "Analisis Terhadap Penyebab Dan Perlindungan Tindak Pidana Perkosaan Terhadap Anak Penyandang Disabilitas," *Indonesia Journal of Criminal Law and Criminology (IJCLC)* 2, no. 2 (2021): 103–114.

26 Yulianti Ningsih Cahyani, Alfa Galih Verdiantoro, and Febriyanti Utama, "Perlindungan Hukum Bagi Korban Tindak Pidana Kekerasan Seksual Kaum Tunarungu Dalam Perspektif Hukum Pidana," *Mimbar Keadilan* 13, no. 2 (2020): 86–102.

report.[27] For this reason, understanding language and translating sign language is very crucial for the people with hearing impairment, starting from the investigation stage to the court process.

In addition, based on in-depth interviews with investigators at the Banyu Asin Police, South Sumatra, the case is still under investigation with a victim who is also a person with hearing impairment. The presence of a Sign Language Interpreter to help the victim turned out to be unable to translate due to differences in sign language, so another tool was needed to help understand the victim's language and communication. Teaching aids are one of the tools used by investigators. Finally, the sequence of events in the case can be understood.[28] The next case is where a sexual victim (a person with hearing impairment) by one of the residents of OKI South of Sumatra. This case was successfully supported by the women's empowerment and child protection services (PPPA), where the involvement of sign language interpreters was one of the success factors in uncovering the truth and information from victims. This problem requires an adjustment of understanding of sign language among friends with hearing impairment and the understanding of law enforcement officers.[29]

Furthermore, based on other interviews conducted by the author with informants, community involvement in providing legal protection assistance, such as family, surrounding communities, paralegals, and sign language interpreters, have an essential role in solving this problem. Not every law enforcement officer has a Sign Interpreter for every criminal act or case involving a hearing disability. The existence of differences in sign language is also one of the obstacles in efforts to resolve cases. Assistance for the people with hearing impairment from family and hearing friends is beneficial in the investigation process and during the trial. People with hearing impairment who are witnesses, victims, and perpetrators are entitled to the same legal protection as other humans.

D. Constraints of Parties in Legal Cases Experienced by People with disability

People with disabilities are a diverse group of people, including those with physical disabilities, mental disabilities, or a combination of physical and mental disabilities. The limitations experienced by people with disabilities can directly or indirectly affect their daily activities. The disabilities experienced by people with disability depend on the type of disability.

Indonesia is a law-abiding country that respects human rights and there is an urgent need to optimize the role of the judiciary and make it accessible to people with disability. As the problems faced by people with disability in Indonesia are vast and complex, affecting many fundamental aspects of their lives.

Many cases involving people with disability as victims-witnesses are resolved unilaterally by law enforcement and/or non-litigation channels. A case of sexual violence by a teacher to a girl with disabilities (speech and intellectual) in Sukoharjo. The police refused to investigate the case due to communication problems and the victim's memory. Another incident occurred in Surakarta, where six men raped and stole money from a woman who is a person with hearing impairment. The police were constrained by sign language, so they interpreted and drew their own conclusions without expert assistance and determined there was no rape, so only theft was investigated.[30]

Evidentiary difficulties are due to people with disabilities, especially people with hearing impairment, because exchanging information with people with hearing impairment involves

27 In-depth interview with the police in OKI, South of Sumatera, November 7th 2022

28 In-depth interview with the police in Banyu Asin, South of Sumatera, November 9th 2022

29 In-depth interview in Ogan Komering Ilir police station, South of Sumatera, November 8th 2022

30 Pito A. Rudiana., "Sebab Difabel Yang Berhadapan Dengan Hukum Butuh Pendampingan," *Https://Difabel.Tempo.Co*, last modified 2019, accessed October 5, 2022, https://difabel.tempo.co/read/1233991/sebab-difabel-yang-berhadapan-dengan-hukum-butuh-pendampingan.

spoken language, sign language, and body language.[31]Language barriers and cultural misunderstandings can make defendants virtually absent from their trials. This reinforces the importance of court interpretation in the context of court management, as courts are increasingly required to use language translation in court proceedings. However, interpreters employed in courts are often not qualified to interpret within the court and justice system.[32] Therefore, the testimony of a person with hearing impairment is just as convincing as ordinary testimony, provided that the person fulfills the witness requirements and when giving evidence as a witness, he or she is accompanied by a neutral interpreter.

When reporting experiences of sexual violence against people with disabilities, the complex justice system and the incompetence of law enforcement officials present a challenge. Law enforcement officials do not fully understand the legal rights of people with disabilities and their needs in court. As a result, very few sexual violence cases are brought to court.[33] This means that victims do not want to deal with their sexual assault cases but prefer to settle them amicably. Sometimes victims only understand their mother tongue. This usually causes the judge to dismiss the case.

In addition, the lack of a common understanding of the situation of people with disabilities among investigators, prosecutors, and judges is an important factor in all cases where people with disability are victims of criminal offenses. Currently, law enforcement officials rely on disability organizations or institutions. If victims with disabilities do not receive assistance, their rights will not be fully protected.[34] Due to a lack of understanding, law enforcement officers often commit discriminatory acts in the judicial process.

Investigators have limited time to process files on criminal offenses. Given the limited time available to uncover such crimes, investigators find it difficult to complete case files within the target time of one month. On the other hand, investigators had difficulty examining victims of crime who are people with hearing impairment and speech disability.[35] Due to their limited hearing and speaking abilities, this makes it very difficult for them to communicate with others. However, it is not uncommon for victims of crime to be unable to speak sign language and write, often because they do not have access to regular education or special schools (SLB).

Legal protection efforts for people with disabilities need more attention because these constraints are known to make interactions with people with disabilities quite difficult. In providing legal protection to people with disability, there is a need to reduce the restrictions imposed by existing legal mechanisms, as their ability to recognize their disability is not very good, making it difficult for them to exercise their legal rights.[36] This means that disability cases that are not handled properly due to victim witnesses are not considered more intensely, on the grounds that victim witnesses are unable to provide testimony.

Lack of awareness of the surrounding environment, such as indifference to the condition of people with disabilities, makes them vulnerable to criminal acts and families who still hide the

31 I. B. Aditya Dana & A. A. Ketut Sukranatha., "Perlindungan Hukum Bagi Penyandang Disabilitas Tuna Rungu Yang Bekerja Sebagai Driver Gojek Dalam Perspektif Hukum Ketenagakerjaan," *Kertha Semaya:Journal Ilmu Hukum* 8, no. 1 (2019): 4.

32 William E. Hewitt., *Court Interpretation: Model Guides for Policy and Practice in the State Courts* (Williamsburg: State Justice Institute, 1995).

33 Safitri W. N. Sari., "Penegakan Hukum Pidana Dalam Melindungi Perempuan Dan Anak Penyandang Disabilitas Sebagai Korban Kejahatan Seksual," *Jurnal Jantera Hukum Borneo* 4, no. 1 (2020): 10.

34 M. Bayu Saputro., "Perlindungan Hukum Terhadap Penyandang Disabilitas Korban Tindak Pidana Asusila: Studi Di Sasana Inklusi Dan Gerakan Advokasi Difabel (SIGAB)," *Jurnal Jurisprudence* 10, no. 1 (2020): 84.

35 Agnes Fajri., "Penerapan Ilmu Kriminalistik Pada Penyidikan Tindak Pidana Cabul Dengan Korban Tuna Wicara," *UNES LAW REVIEW (Desember 2020)* 3, no. 2 (2020): 191.

36 Andi A. A. Fiqry & Yeni W., "Analisis Terhadap Faktor Penyebab Dan Perlindungan Tindak Pidana Perkosaan Terhadap Anak Penyandang Disabilitas," *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 2, no. 2 (2021): 109.

events that happen to their family members with disabilities to the point of not reporting the incident, can conclude that they are so stigmatized that they do not want to be confronted with situations that affect their family members.[37] The lengthy legal process is often tiring for families, who prefer to solve their family problems quickly.

Policy implementation always involves the target group and the bureaucrats themselves, with their own complexities, so implementation sequence issues are equally or even more complex. Not only in the policy implementation process, but also in practice, it is difficult to obtain information on cases experienced by women and children with disabilities, which is often encountered in implementing policies for the protection of people with disability. The availability of valid data that is not owned by the city government which makes some people with disabilities untouched by the policy.[38]

E. Effect of Limitations on Sign Language and Knowledge of The Law in Law Enforcement Processes

Most of the available literature discusses the use of Indonesian Sign Language (ISL/BISINDO) which is more often used by people with hearing impairment as a natural language development, but BISINDO which is considered slow, has an effect on the inhibition of providing access to information, education, and public services for people with hearing impairment.[39]

Understanding related to the fulfillment of their rights, particularly in this case related to legal knowledge in obtaining justice when proceeding with the law, must be understood individually by people with hearing impairment. Even though sign language varies between regions, there is at least one sign language that is generally understood together through BISINDO. So, when there is advocacy or outreach from hearing people through [40]interpreters or sign language interpreters (SLI) to people with hearing impairment, the information conveyed is uniform and easy to understand.

The linguistic diversity in the sign language used by people with hearing impairment needs to be understood at least by those closest to them. So that they can share important information for people with hearing impairment to know. Considering the vulnerability of people with hearing impairment to child sexual abuse, their educational background, and development of their language and communication abilities, these are all factors that could have an impact on people with hearing impairment committing violent crimes. For example, many[41] Children with hearing impairment do not receive the sex education that adults should provide in sign language. So that some of the children with hearing impairment or people are not able to process knowledge related to body parts or actions that lead to sexual harassment, either as victims or as perpetrators. For this reason, the role of parents or adults in the immediate environment of people with hearing impairment greatly influences how people with hearing impairment grow and understand their social environment.[42]

In a 2002 study in America which featured the experiences of 46 certified professional SLIs who worked as legal translators in the criminal justice system, it seems that the difficulties experienced are not only about the understanding of people with hearing impairment in using sign language and the lack of knowledge of people with hearing

37 Ibid.

38 M. Afdal Karim., "Implementasi Kebijakan Pemenuhan Hak-Hak Penyandang Disabilitas Di Kota Makassar," *Government: Jurnal Ilmu Pemerintahan* 11, no. 2 (2018): 101.

39 Juniati Effendi, "Penjurubahasaan Dalam Bahasa Isyarat" (Jakarta: Kementerian Pendidikan dan Kebudayaan, 2018), 1, http://kbi.kemdikbud.go.id/kbi_back/file/dokumen_makalah/dokumen_makalah_1540354711.pdf.

40 Ibid., 2.

41 Katrina R. Miller, McCay Vernon, and Michele E. Capella, "Violent Offenders in a Deaf Prison Population," *Journal of Deaf Studies and Deaf Education* 10, no. 4 (2005): 417.

42 Harry Knoors, "Educational Responses to Varying Objectives of Parents of Deaf Children: A Dutch Perspective," *The Journal of Deaf Studies and Deaf Education* 12, no. 2 (2007): 246, https://academic.oup.com/jdsde/article/12/2/243/451773?searchresult=1.

impairment about the law, but also about the lack of knowledge from the police, judges, lawyers and other professionals in behaving and understanding the conditions or needs of people with hearing impairment, so that many people with hearing impairment are powerless in undergoing legal processes.[43] Although there is a special SLI for the courts in Europe, there is no uniform approach to training and certification of legal sign language interpretation in Europe, and there is also no accreditation system that guarantees quality SLI in Courts. There is a lot of literature that has researched the provisions and practices of sign language interpretations in legal contexts in various countries, but the availability of SLI is inadequate and translation services are of low quality in terms of lack of training, as well as legal sign language standards and accreditation. This [44] [45]situation shows that there are still numerous challenges for SLIs who work as professional SLIs in the legal sector. We can probably see how difficult it is to find qualified SLIs in Indonesia, especially those who can interpret legal language for the people with hearing impairment. This is also due to the fact that SLI is still considered a voluntary activity, not a profession, because there is no legal basis and no specialized organization.[46]

The government, through laws and regulations, tries to fulfill the rights and needs on people with disabilities, including by ratifying the Convention on the Rights of Persons with the Disabilities (UNCRPD) into Law Number 19 of 2011 concerning the ratification of the UNCRPD and Law Number 8 of 2016 concerning People with disability (hereinafter abbreviated as "Law 8/2016").

The rights of people with disability are stated in Article 5 to Article 26 of Law 8/2016, which basically regulates the right to life, freedom from stigma, privacy, justice and legal protection; education; employment; entrepreneurship and cooperatives; health; politics; religion; sports; culture and tourism; social welfare; accessibility; public services; protection from disasters; habilitation and rehabilitation; concessions; data collection; independent living and involvement in society; expression; communication and obtaining information; change of place and citizenship; and freedom from action; discrimination; neglect; torture; and exploitation. Regarding the right to justice and legal protection, it is regulated in Article 9 of Law 8/2016[47] . This right should be fulfilled when people with hearing impairment are in conflict with the law, either as witnesses, victims, or perpetrators of violations or crimes. The fulfillment of the rights of the people with hearing impairment cannot be separated from the government's obligation to fulfill these rights, specifically related to justice and legal protection as regulated in Articles 28 to 39 and Article 95, which states the government's obligation to provide access to legal aid. This means that the fulfillment of these rights and obligations must occur in both directions: people with hearing impairment must understand what rights they have, and the government, through service providers to the community, must also understand and comply with these obligations.

In Article 29 of Law 8/2016, there should be further explanation regarding the technical provision of legal aid from the government or regional government, and it must be clear whether

43 Katrina R. Miller and McCay Vernon, "Assessing Linguistic Diversity in Deaf Criminal Suspects," *Sign Language Studies* 2, no. 4 (2002): 382 & 388.

44 Maya de Wit, *Sign Language Interpreting in Europe* (Baarn: Create Space, 2012); Özgür Şen Bartan, Mehtap Aral, and Şahin Karabulut, "Sign Language Court Interpreters in Turkey: Professionalization and Impartiality," *transLogos* 4, no. 1 (2021): 49.

45 Napier Jemina and Tobias Haug, "Justisign: A European Overview of Sign Language Interpreting Provison in Legal Settings," *Law, Social Justice and Global Development* 2 (2016): 1.

46 Ade Nasihudin Al Ansori, "The Dilemma of Sign Language Interpreters Between Professions And Volunteers," *Liputan6.Com*, last modified 2020, accessed October 4, 2020, https://www.liputan6.com/disabilitas/read/4178978/dilema-juru-bahasa-isyarat-antara-profesi-dan-sukarela.

47 *Undang-Undang Republik Indonesia Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2016 Nomor 69, TLN RI Nomor 5871*. see Article 5

the legal aid referred to is merely assistance by legal advisors or lawyers or all with SLI who understand the language . Legal cues, as well as the costs of the two professional services. This is necessary so that things that are quite burdensome to people with hearing impairment do not occur, such as the handling of legal aid in Ireland, when lawyers are reluctant to pay for SLI services, forcing people with hearing impairment to communicate through paper and pen, which actually complicates people with hearing impairment's access to the justice system because people with hearing impairment really need visual media. However, it is also possible that the SLI presented does not guarantee that it can accommodate the linguistically diverse sign language of people with hearing impairment.[48]

CONCLUSION

The government's efforts in terms of providing legal protection for people with disability with language limitations have been carried out by issuing several regulations that try to accommodate the needs and fulfillment of the rights of people with disability; however, the regulations are still needed regarding procedures and specifically trial processes for people with disability that are adapted to the variety of people with disabilities. But keep in mind that the number of rules alone does not fulfill the rights of people with disabilities if they are not implemented in a concrete form.

In several cases, people with disability with limited language who conflict with the law, both as perpetrators and victims, have had sign language interpreters provided during the trial process, but the provision of sign language interpreters alone is not enough; special attention must be paid to how the interaction process occurs during investigations and court proceedings. In addition, one of the biggest problems is that often the sign language interpreters provided do not have the same abilities and knowledge as persons with hearing disabilities, bearing in mind that persons with hearing disabilities have different sign languages between different regions, so that in some cases the judicial process cannot be continued. As a result, the state fails to complete the process of seeking justice for victims with hearing disabilities.

Another obstacle that is also very much felt is the knowledge, ability, and concern of law enforcers in communicating with people with hearing disabilities, who also need to get serious attention by implementing special education and training in dealing with cases of vulnerable groups, in this case people with disabilities. Community involvement is also very important in providing legal protection assistance, such as families, local communities, paralegals, and sign language interpreters, have an important role in resolving this problem. So, people with disabilities are anticipated to benefit from collaboration across stakeholders in providing legal protection.

ACKNOWLEDGMENT

The researchers conveyed their gratitude, especially to the "Rumah Program" Research Organization for Archeology, Language and Letters, National Research and Innovation Agency (BRIN) for supporting this study's funding. Gratitude is also to all the informants for giving insight and information during data collection. The researcher hopes the results of the research can contribute to the development of knowledge about disabilities, especially regarding the fulfillment of the rights of people with disability who conflict with the law.

REFERENCES

Al Ansori, Ade Nasihudin. "Dilema Juru Bahasa Isyarat Antara Profesi Dan Sukarela." *Liputan6.Com*. Last modified 2020. Accessed October 4, 2020. https://www.liputan6.com/disabilitas/read/4178978/dilema-juru-bahasa-isyarat-antara-profesi-dan-sukarela.

48 Brent C. Elder and Micahel A Schwartz, "Effective Deaf Access to Justice," *The Journal of Deaf Studies and Deaf Education2* 23, no. 4 (2018): 331–340; Katrina R. Miller and McCay Vernon, "Linguistic Diversity in Deaf Defendants and Due Process Rights," *The Journal of Deaf Studies and Deaf Education* 6, no. 3 (2001): 226–234.

Banakar, Reza; Travers, Max. *Theory and Method in Socio-Legal Research*. London: Bloomsbury Publishing, 2005.

Byrne, Bronagh, Brent Elder, and Michael Schwratz. "Echancing Deaf People's Access to Justice in Northern Ireland: Impelementing Article 13 of the UN Convention on the Rights of Persons with Disabilities." *Scandianvian Journal of Disability Research* 23, no. 1 (2021): 74–84.

Cahyani, Yulianti Ningsih, Alfa Galih Verdiantoro, and Febriyanti Utama. "Perlindungan Hukum Bagi Korban Tindak Pidana Kekerasan Seksual Kaum Tunarungu Dalam Perspektif Hukum Pidana." *Mimbar Keadilan* 13, no. 2 (2020): 86–102.

Effendi, Juniati. "Penjurubahasaan Dalam Bahasa Isyarat." Jakarta: Kementerian Pendidikan dan Kebudayaan, 2018. http://kbi.kemdikbud.go.id/kbi_back/file/dokumen_makalah/dokumen_makalah_1540354711.pdf.

Elder, Brent C., and Micahel A Schwartz. "Effective Deaf Access to Justice." *The Journal of Deaf Studies and Deaf Education2* 23, no. 4 (2018): 331–340.

Al Fiqry, Andy Aziz, and Yeni Widowaty. "Analisis Terhadap Penyebab Dan Perlindungan Tindak Pidana Perkosaan Terhadap Anak Penyandang Disabilitas." *Indonesia Journal of Criminal Law and Criminology (IJCLC)* 2, no. 2 (2021): 103–114.

Hewitt, W.E. "Court Interpretation: Model Guides for Policy and Practice in the State Courts." *U.S. Department of Justice, Office of Justice Program*. Last modified 1995. Accessed September 20, 2022. https://www.ojp.gov/ncjrs/virtual-library/abstracts/court-interpretation-model-guides-policy-and-practice-state-courts.

Jemina, Napier, and Tobias Haug. "Justisign: A European Overview of Sign Language Interpreting Provison in Legal Settings." *Law, Social Justice and Global Development* 2 (2016): 1–16.

Knoors, Harry. "Educational Responses to Varying Objectives of Parents of Deaf Children: A Dutch Perspective." *The Journal of Deaf Studies and Deaf Education* 12, no. 2 (2007): 243–253. https://academic.oup.com/jdsde/article/12/2/243/451773?searchresult=1.

Lapan, Stephen D., and Marylynn T. Quartaroli. *Qualitative Research: An Introduction to Methods and Design*. Edited by Frances Julia Riemer. 1st ed. San Fransisco: Jossey-Bass, 2012.

Miller, Katrina R., and McCay Vernon. "Assessing Linguistic Diversity in Deaf Criminal Suspects." *Sign Language Studies* 2, no. 4 (2002): 380–390.

———. "Linguistic Diversity in Deaf Defendants and Due Process Rights." *The Journal of Deaf Studies and Deaf Education* 6, no. 3 (2001): 226–234.

Miller, Katrina R., McCay Vernon, and Michele E. Capella. "Violent Offenders in a Deaf Prison Population." *Journal of Deaf Studies and Deaf Education* 10, no. 4 (2005): 417–425.

Muhadar. *Perlindungan Saksi Dan Korban Dalam Sistem Peradilan Pidana*. Surabaya: PMN, 2010.

Nugraheni, Aninditya Sri, Alma Pratiwi Husain, and Habibatul Unaya. "Optimalisasi Penggunaan Bahasa Isyarat Dengan SIBI Dan BISINDO Pada Mahasiswa DIfabel Tunarungu Di Prodi PGMI UIN Sunan Kalijaga." *Holistika Jurnal Ilmiah PGSD* V, no. 1 (2021): 28–33. jurnal.umj.ac.id/index.php/holistika.

Purwanti, Ani, and Marzelina Zalianti. "Strategi Penyelesaian Tindak Kekerasan Seksual Terhadap Perempuan Dan Anal Melalui RUU Kekerasan Seksual." *Masalah-Masalah Hukum* (2018).

Rahardjo. *Ilmu Hukum*. Bandung: Citra Aditya Bakti, 2000.

S.H, Yulia. "Anak Berkebutuhan Khusus, Seri Bahan Dan Media Pembelajaran Kelompok Bermain Bagi Calon Pelatih Paud" (2010).

Şen Bartan, Özgür, Mehtap Aral, and Şahin Karabulut. "Sign Language Court Interpreters in Turkey: Professionalization and Impartiality." *transLogos* 4, no. 1 (2021): 26–56.

Sodiqin, Ali. "Ambiguitas Perlindungan Hukum Penyandang Disabilitas Dalam Perundang Undangan." *Jurnal Legislasi Indonesia* 18, no. 1 (2021): 31–44.

Solikhatun, Y.U. "Penyesuaian Sosial Pada Penyandang Tunarungu Di SLB Negeri Semarang." *Educational Psychology Journal* 2, no. 1 (2013): 65–72. https://journal.unnes.ac.id/sju/index.php/epj/article/view/2588.

Tobroni, Faiq. "Urgency Process Judicial Affirmative for Woman Disabled Victim Rape : Study Verdict Number 33/Pid.B/2013. PN.Kdl." *Journal Judicial* 8, no. 3 (2015): 339–359.

Trimaya, A. "Upaya Mewujudkan Penghormatan, Perlindungan, Dan Pemenuhan Hak Penyandang Disabilitas Melalui Undang-Undang Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas." *Jurnal Legislasi Indonesia* 13, no. 4 (2016): 401–409.

White, Robyn, Johnson Ensa, and Juan Bornman. "Investigating Court Accomodations for Persons with Severe Communication Disabilities: Perspective of International Legal Experts." *Scandianvian Journal of Disability Research* 23, no. 1 (2021): 224–235.

Wit, Maya de. *Sign Language Interpreting in Europe*. Baarn: Create Space, 2012.

"Kemensos Dorong Aksesibilitas Informasi Ramah Penyandang Disabilitas." *Kemensos.Go.Id*. Last modified 2020. Accessed September 21, 2022. https://kemensos.go.id/kemensos-dorong-aksesibilitas-informasi-ramah-penyandang-disabilitas#:~:text=Adapun%2C berdasarkan data berjalan 2020,juta atau sekitar lima persen.

Peraturan Pemerintah Republik Indonesia Nomor 39 Tahun 2020 Tentang Akomodasi Yang Layak Untuk Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2020 Nomor 174, TLN RI Nomor 6538. Indonesia, 2020.

Peraturan Pemerintah Republik Indonesia Nomor 70 Tahun 2019 Tentang Perencanaan, Penyelenggaraan, Dan Evaluasi Terhadap Penghormatan, Perlindungan, Dan Pemenuhan Hak Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2019 Nomor 184, TLN RI N. Indonesia, 2019.

"Putusan Mahkamah Syariah Sabang Nomor 1/JN/2020/MS.Sab." *Direktori Putusan Mahkamah RI*. Last modified 2020. Accessed July 14, 2022. https://putusan3.mahkamahagung.go.id/direktori/putusan/68c74a89ba01cf5456d2f1d647ac8359.html.

"Putusan Pengadilan Negeri Balikpapan Nomor:697/Pid.Sus/2020/PN.Bpp." *Direktori Putusan Mahkamah RI*. Last modified 2020. Accessed July 14, 2022. https://putusan3.mahkamahagung.go.id/direktori/putusan/zaeb53c386495bdaac4b313131343430.html.

"Putusan Pengadilan Negeri Purwodadi Nomor: 34/Pid.B/2021/PN.Pwd." *Direktorat Jenderal Kekayaan Intelektual*. Last modified 2021. Accessed July 14, 2022. https://putusan3.mahkamahagung.go.id/direktori/putusan/zaebf99be30e389e951a313232393038.html.

Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual, Lembaran Negara Republik Indonesia Tahun 2022 Nomor 120, Tambahan Lembaran Negara Republik Indonesia Nomor 6792. Indonesia, 2022.

Undang-Undang Republik Indonesia Nomor 19 Tahun 2011 Tentang Pengesahan Convention on The Rigts of Persons With Disabilities (Konvensi Mengenai Hak-Hak Penyandang Disabilitas), Lembaran Negara Republik Indonesia Tahun 2011 Nomor 107, TLN RI Nomor 5251. Indonesia, 2011.

Undang-Undang Republik Indonesia Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas, Lembaran Negara Republik Indonesia Tahun 2016 Nomor 69, TLN RI Nomor 5871. Indonesia, 2016.