

LEGAL PROTECTION OF STUDENT VICTIMS OF VIOLENCE IN HIGHER EDUCATION GOVERNANCE

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ABSTRACT

Violence in higher education raises legal concerns because it may interfere with students' safety, dignity, access to education, and ability to seek justice. This article examines the legal construction of student protection, institutional responsibility in handling campus violence, and the relationship between university mechanisms, state legal processes, and victim recovery. The study employs doctrinal legal research combined with an academic literature review by examining higher education regulations, rules on campus violence, sexual violence legislation, and scholarly works concerning institutional responses to victimization. The synthesis shows that student protection extends beyond prohibiting violence or imposing sanctions. It requires accessible reporting mechanisms, confidentiality, protection against retaliation, continuity of education, competent and impartial examination, procedural safeguards, reasoned decisions, and appropriate recovery measures. Universities retain responsibility for educational safety even when reported conduct may also enter criminal proceedings, while internal mechanisms cannot substitute for the authority of state law-enforcement institutions. Effective protection consequently depends on a clear division of authority accompanied by coordinated referrals and sustained academic, psychological, medical, social, and legal support for affected students.

Keywords: Campus violence, student protection, higher education law, procedural justice, institutional responsibility, victim recovery, access to justice.

INTRODUCTION

Higher education is an educational space that brings students together with various academic, organizational, and social relations involving differences in status and authority. These relations enable the development of learning processes and the formation of intellectual capacity, but they can also introduce vulnerability when power is used to suppress, demean, coerce, or harm students. Violence in higher education cannot be narrowed down to physical attacks because it can manifest as psychological violence, bullying, discrimination, intolerance, or other behaviors that undermine student safety (Beggiato et al., 2023). Phipps and Smith (2012) show that violence against

students is related to social structures and power dynamics developing within the higher education environment. This issue places student protection as both a legal matter and an issue of educational governance concerning dignity, safety, and the continuity of the educational process.

The character of violence in higher education becomes increasingly complex because students may face perpetrators who come from peer groups or individuals with stronger academic and institutional positions. Bullying in higher education, for example, demonstrates that the completion of secondary education does not automatically eliminate patterns of intimidation and the abuse of power (O'Connor et al., 2021). Lund and Ross (2017) found through a review of prior research that bullying victimization and cyberbullying are still found in student populations, although estimates vary according to research methods and population characteristics. These findings show that the status of students as adults does not eliminate the need for a protection system capable of recognizing various forms of violence (Pratama et al., 2022). Legal protection needs to stem from an understanding of students' actual vulnerabilities and the power relations that affect a person's ability to refuse actions, submit reports, obtain assistance, and maintain the continuity of their studies after experiencing violence.

Sexual violence is one form of campus violence that has received widespread attention because it can occur through physical coercion, the exploitation of power imbalances, unwanted sexual contact, or other forms of compulsion (Pugh & Becker, 2018). Fedina, Holmes, and Backes (2018) found wide variations in estimated prevalence rates of sexual violence in higher education due to differences in definitions, sampling techniques, research designs, and measurement instruments. These variations serve as a reminder that incidence figures cannot be interpreted independently of the methods used to generate the data. What is more fundamental for legal science is the existence of students who experience violations of their bodily integrity and freedom of will. When violations occur within an educational environment, the legal issue evolves into questions concerning the obligation of higher education institutions to prevent, receive reports, protect involved parties, examine fairly, provide recovery, and connect campus mechanisms with the state legal system.

Student protection in cases of violence has a different dimension from punishing the perpetrator. The imposition of sanctions is one consequence that may arise after acts and accountability are established, whereas protection operates from the moment there is a risk of violence, when a report is submitted, during the investigation process, after a decision is made, up to the point when the victim requires academic or psychosocial recovery (Suardi et al., 2025). This separation is necessary because systems oriented solely toward proving violations may ignore students' needs to continue learning safely. Victims may require confidentiality of identity, arrangements for interactions with the reported party, companionship, healthcare services, academic adjustments, and information regarding the progress of handling. Reported parties and witnesses also

require procedural guarantees so that investigations do not turn into social punishment without due process. The legal protection framework must be able to unite safety, procedural justice, institutional accountability, and respect for the rights of every party.

The scientific problem arises when the protection of students is frequently discussed separately between legal norms, internal university policies, and the experiences of victims in utilizing complaint mechanisms. A normative approach can explain what is mandated by regulations, but the existence of norms does not inherently explain the quality of protection received by students when facing power relations, fear of retaliation, stigma, academic dependency, or distrust toward institutions. Literature regarding campus violence shows that forms of violence and patterns of disclosing experiences vary greatly. Legal studies need to position norms as standards that must be translated into institutional procedures that can be genuinely utilized. The meeting point between student rights, university obligations, investigation procedures, and access to the state legal system becomes an area that requires more structured explanation so that protection does not stop at the existence of written rules.

Discussions regarding victim rights often emphasize individual protection, whereas higher education governance is discussed as an administrative obligation (Rojak, 2024). This separation does not adequately explain how the right to safety, education, dignity, fair process, and recovery should shape the way universities handle cases. The next issue arises at the boundaries of campus authority. Higher education institutions have administrative and academic relationships with campus members, while certain acts of violence may simultaneously fall within the realm of criminal law. The relationship between these two pathways requires a construction that prevents universities from taking over state authority or handing over all student protection to criminal processes that have different objectives from educational governance.

This study aims to build a legal understanding of the protection of student victims of violence by positioning higher education norms, institutional obligations, procedural justice, and recovery as interconnected elements. The theoretical value of the discussion lies in positioning legal protection as a series of obligations encompassing prevention, response to reports, investigation, protection during the process, accountability, and recovery. Academically, the discussion connects the literature on campus violence with a doctrinal reading of applicable legal frameworks. Practically, this synthesis can serve as a basis to assess whether internal university mechanisms have been designed in accordance with the goal of student protection (Tampil et al., 2023). A focus on the relationship among these components enables a sharper assessment of the functions of task forces, complaint channels, investigation procedures, companionship, external coordination, and recovery services.

METHODS

This study employs doctrinal legal research combined with an academic literature review to examine norms concerning student protection as well as scholarly ideas regarding institutional responses to violence. Doctrinal research is used to identify rules, inter-norm relationships, legal obligations, and relevant normative consequences. Hutchinson and Duncan (2012) explain doctrinal research as a method that works through searching, organizing, reading, and synthesizing legal materials to produce statements regarding the law and its development. The materials examined include laws and regulations concerning higher education, the prevention and handling of violence, and sexual violence crimes. Document analysis is applied to read the purposes, scopes, rights, obligations, institutional mechanisms, and forms of recovery. Bowen's (2009) principles of document analysis are used to maintain a systematic reading of sources by paying attention to the origin, relevance, purpose, and interrelationship of document contents.

Literature searches were directed toward journal articles and methodological works discussing violence against students, disclosure of violence, university responses, victim protection, trauma, and the relationship between victims and institutional and legal systems. Sources were included if they possessed verifiable bibliographic identities, related directly to the research questions, and provided conceptual or empirical grounds for legal interpretation. Popular sources, writings without clear publication information, and works not directly related were excluded from the synthesis. The literature was compared according to the problems described, then connected to the structure of legal norms without equating empirical findings from other countries with the factual circumstances of higher education in Indonesia. Snyder (2019) positions literature reviews as a method that enables researchers to organize scattered knowledge and construct conceptual syntheses. The reading results are subsequently interpreted through the interconnections among student rights, institutional obligations, handling processes, legal access, and recovery.

RESULTS AND DISCUSSION

Construction of Rights and Legal Guarantees for Student Victims of Violence The legal protection of students stems from the character of higher education as an educational provider that bears obligations toward the continuity of the academic process and the existence of students as members of the academic community. Law Number 12 of 2012 concerning Higher Education positions the provision of higher education within the framework of the development of science, the formation of human beings, and the execution of academic activities that are subject to legal norms. From this structure, it can be understood that the relationship between students and higher education institutions does not end with the receipt of learning services (Sani et al., 2025). Higher education institutions bear institutional responsibilities to carry out academic activities through

governance that respects human dignity and provides certainty regarding the rights and obligations of academic citizens (Kurniati & El-Yunusi, 2023). Violence that disrupts student safety has a direct relevance to educational functions because it can diminish victims' ability to participate in learning, utilize facilities, engage in organizations, or maintain existence within the campus environment.

The relationship between violence and student rights must be read through the character of education as a process that requires academic freedom and a learning environment enabling students to participate without threat. Violence produces forms of restriction that differ from legitimate academic limitations. A student who avoids classes because the perpetrator is in the same room, refuses academic activities due to fear of encountering certain parties, or loses access to guidance after reporting violence substantively experiences disruption to the execution of their educational rights (O'Neill, 2025). Legal assessments concerning student protection should pay attention to these consequences. Protection cannot be measured solely by the existence of prohibitions against violence. A more meaningful metric lies in the capacity of the institutional system to maintain students' access to education before, during, and after the handling process takes place. This makes academic continuity one of the parameters of protection.

Regulation of the Minister of Education, Culture, Research, and Technology Number 55 of 2024 expands the regulation of the prevention and handling of violence in higher education and replaces previous regulations that focused on sexual violence. The regulation covers campus members, higher education leaders, and higher education partners, and regulates forms of violence, prevention, handling, task forces, handling procedures, recovery, the rights of victims, witnesses, and reported parties, data management, and funding. This indicates a shift in regulatory orientation from the regulation of a single type of violence toward a protection framework encompassing a broader spectrum of behaviors.

The expansion of this scope has conceptual consequences for the meaning of a victim in higher education law. Students can become victims through physical violence, psychological violence, bullying, sexual violence, discrimination, or intolerance (Sajjapong et al., 2022). Official government information regarding the implementation of the regulation in higher education institutions refers to these six categories as forms within the scope of the PPKPT policy. This construction prevents protection from depending on the presence or absence of physical injuries. Psychological distress, repeated degrading actions, differentiation that negates rights, and coercion related to beliefs can obtain institutional relevance even though their legal characteristics and consequences vary. For students, this expansion provides a basis to assess experiences of violence through the substance of the acts and power relations, rather than through stereotypes regarding the forms of violence considered most severe.

The right to protection is also closely related to the recognition of the risk of retaliation following reporting. Within the academic environment, various dependencies can affect a

student's decisions, including grades, academic guidance, research, organizations, scholarships, recommendations, facility access, and peer group relations. The abuse of any of these relationships can exacerbate a victim's vulnerability after a case becomes known. Adequate protection requires mechanisms to control such risks without shifting the burden onto the victim. Asking a victim to leave a class, change research topics, stop organizational activities, or stay away from certain facilities as the sole way to obtain safety can generate new forms of harm. Provisional action choices should consider both safety and the continuity of education, ensuring that the reporter does not bear the brunt of the consequences arising from another party's actions.

Confidentiality is another essential element in the construction of student rights, yet confidentiality is not equivalent to covering up a case. Information concerning identity, experiences, health, personal life, and examination documents must be managed based on handling needs. Uncontrolled dissemination of information can trigger stigma, intimidation, pressure from the social environment, and premature judgment before an investigation is completed (Salsabilla, 2023). At the same time, the institution still requires documentation that enables accountability and oversight. This balance can be established through access restrictions, the determination of data manager authorities, the logging of information usage, and communication that explains the purpose of data processing to relevant parties. Properly designed confidentiality functions to protect human dignity and the integrity of the process, rather than serving as an excuse for higher education institutions to hide the existence of violence problems from legitimate oversight mechanisms.

The protection of victims does not eliminate the need to protect witnesses. Witnesses may face pressure for providing information that is detrimental to influential individuals or certain groups. Such risks can take the form of direct threats, exclusion, attacks via digital media, a decrease in academic access, or pressure to alter testimony. Student protection systems need to recognize that the ability to uncover facts heavily depends on the possibility for witnesses to provide statements without undue fear. Guarantees for witnesses also serve an institutional function because they help the campus obtain information that can be more rigorously examined. When witnesses anticipate that participating in the process will lead to uncontrollable consequences, the institution loses one of its primary sources of information and a culture of silence will grow stronger. Witness protection is therefore part of the quality of internal rule enforcement.

The protection of reported parties has a different basis. The status of a reported party is not yet identical to the determination of guilt. An institution oriented toward victim protection remains obligated to maintain procedures that enable reported parties to know the substance of the accusations, provide explanations, present relevant information, and receive decisions formulated through justifiable reasoning (Cowan et al., 2024). This protection does not mean equating the positions of victims and reported parties in all circumstances or ignoring provisional safety measures. Provisional actions

may be necessary if there are risks to safety or the integrity of the investigation, but their purpose and proportionality need to be explained. The separation between provisional protection and final sanctions keeps the system capable of responding to risks without presuming guilt before the investigation is concluded. Such qualities strengthen the legitimacy of the protection mechanism in the eyes of all campus members.

The concept of legal protection also requires accessible mechanisms. Rights formulated in regulations lose their practical power if students do not know where to report, do not understand procedures, or face difficult-to-use channels (Rochman et al., 2024). Accessibility encompasses the clarity of information, the diversity of reporting channels, the ability to provide assistance for persons with disabilities, companionship options, and initial responses capable of explaining the next steps. Higher education institutions need to distinguish between information intake, safety assessment, investigation, and decision-making so that students are not burdened with the demand to understand the entire procedure from the very first communication. Complainants may arrive in a state of fear or may not yet be able to construct a complete chronology. A responsive system provides space to obtain initial information while ensuring that the fact-finding process proceeds in a disciplined manner once formal investigation begins.

The temporal dimension holds great significance for protection. Delays in handling can increase the risk of contact between the victim and the reported party, eliminate evidence, prolong uncertainty, and heighten social pressure. Speed, nonetheless, cannot be achieved at the expense of proper investigation. A good system requires a distinction between safety measures that can be taken immediately and decisions regarding accountability that require deeper examination. Such a separation allows campuses to address urgent needs without turning temporary measures into final verdicts. Processing deadlines, notifications regarding case developments, and reasons for any extensions serve as tools to reduce uncertainty. From the perspective of legal protection, time is not merely an administrative issue because the duration of the process can determine the magnitude of disruption experienced by students in their education and social life.

The legal construction of student protection ultimately shows that protection is a combination of substantive norms and procedural guarantees. Substantive norms determine unacceptable behaviors and protected interests, whereas procedural guarantees determine how claims of violations are examined and how the safety of the parties is maintained (Santina et al., 2023). Higher education regulations provide universities with the space to manage academic life, while PPKPT regulations clarify the obligations for the prevention and handling of violence. The relationship between the two directs protection toward an educational environment that enables students to continue carrying out academic activities safely (Rojak et al., 2024). Institutions must assess risks, provide reporting channels, maintain confidentiality, protect victims and witnesses, guarantee due process for reported parties, and provide recovery according to needs that can be fulfilled through their authority.

The legal protection of students is an obligation arising from the function of higher education institutions as educational providers and clarified through specific regulations concerning the prevention and handling of violence (Sani et al., 2025). Protection encompasses physical and psychological safety, educational continuity, dignity, confidentiality, reporting access, protection against retaliation, fair investigation, and recovery. These guarantees apply through different legal positions for victims, witnesses, and reported parties. The existence of rights requires an institutional structure capable of translating norms into action. The subsequent issue is no longer whether higher education institutions bear responsibility for violence occurring within the scope of their education, but rather how that responsibility is executed through mechanisms that are trustworthy, fair, and do not generate additional harm for those who utilize the system.

Responsibility of Higher Education Institutions and Procedural Justice in Handling Violence

The responsibility of higher education institutions in handling violence can be understood through the dependency relationship between students and the institution. Students surrender a portion of their academic interests to the university system, including assessments, administration, facility access, academic guidance, and grievance resolution. This dependency creates a reasonable expectation that the institution will not use its authority to exacerbate harm after violence is reported (Kennedy et al., 2024). Smith and Freyd (2014) use the concept of institutional betrayal to explain the harm that arises when an institution upon which a person depends fails to prevent preventable actions or provides unsupportive responses after a violation occurs. This framework is relevant to education law because institutional failure can manifest through active actions or negligence, including the dismissal of reports, incomprehensible procedures, victim-blaming treatment, conflicts of interest, or prioritizing organizational reputation over safety needs.

Institutional accountability does not mean that higher education institutions guarantee that violence will never occur. Such a standard is unrealistic because institutions cannot control all individual actions. Responsibility is more appropriately assessed based on reasonable preventive efforts, readiness to receive reports, the quality of actions taken after information is obtained, and the ability to remediate identifiable risks (Schulze & Budd, 2020). This distinction shapes the assessment of institutional negligence. The occurrence of violence does not automatically indicate a failure of overall governance, whereas a response that ignores known risks can reveal institutional problems even if the initial act was committed by an individual. This responsibility framework encourages higher education institutions to build systems that study case patterns, vulnerable locations, power relations, procedural weaknesses, and user experiences without concluding that prevention is adequately achieved solely through moral campaigns or statements of prohibition.

Task forces or handling units occupy a critical position as they serve as the bridge

between norms and student experiences. The quality of these units cannot be judged solely by their establishment. A structure that is administratively available can still fail if its members lack sufficient competence, time, independence, and support to execute their mandate. The ability to understand trauma, power-relation-based violence, discrimination, bullying, fact-finding, data management, and procedural communication is necessary because each case may present distinct issues. Independence is also tied to conflicts of interest (Dani et al., 2025). Investigators who have direct relationships with the reported party, the victim, the unit where the incident occurred, or parties with a vested interest in the organization's reputation can undermine trust in the process. Mechanisms for recusal from investigations and the replacement of members are components of sound institutional design.

Literature regarding the disclosure of sexual violence among students shows that the existence of campus services does not guarantee that students will use them. Halstead, Williams, and Gonzalez-Guarda (2017) found that literature on sexual disclosure encompasses informal reporting, formal reporting, barriers to disclosure, social support, student knowledge of resources, and the utilization of campus services. These findings indicate that protection design must pay attention to the experiences of prospective system users. Students who do not know the function of a task force or anticipate that the process will be difficult, lacking in confidentiality, or detrimental to their academic standing may choose to remain silent. Consequently, a low number of reports cannot automatically be interpreted as a low incidence of occurrences. Higher education institutions require channels that are recognized, accessible, and have boundaries of authority clearly explained from the outset.

The reporting intake stage needs to be distinguished from the investigation to prevent initial responses from turning into interrogations. Intake officers require sufficient information to understand safety needs, the types of assistance needed, and available follow-up pathways. Premature questions regarding traumatic details can make students feel from the outset that they must prove the entire event. Conversely, formal investigations require disciplined information-seeking methods and opportunities for relevant parties to provide statements. This distinction of functions allows initial responses to be oriented toward safety while the process of determining accountability continues to use testable procedures. Students also need to obtain information regarding confidentiality, the potential use of data, who will know about the report, and circumstances where the institution has an obligation to forward information to other parties according to applicable regulations (Poole & Gray, 2024).

Procedural justice requires providing victims with the opportunity to be heard without making them the sole source of proof who must shoulder the entire process. A victim's statement needs to be placed alongside documents, digital communications, witness testimonies, relevant academic records, or other evidence that can be legally used. This approach reduces the tendency to make the personal credibility of the victim the sole

center of the investigation. In cases occurring without direct witnesses, investigators can still assess the consistency of information, chronological relationships, communications before and after the incident, and other supporting facts. Evidentiary discipline serves a dual protective function. Victims receive a process not based on stereotypes, while reported parties receive decisions that do not solely depend on prejudice or public pressure. Procedural justice becomes a means to maintain the legitimacy of outcomes.

The right of a reported party to know the accusations must be balanced with the safety of victims and witnesses. The information provided must be sufficient to allow a meaningful response, but institutions can regulate the manner of document delivery so that irrelevant personal data is not disseminated. Within a campus where the community is relatively small, merely conveying certain identities can increase the risk of ostracism or intimidation. Information management requires principles of need-to-know, relevance, and limitation of purpose. Higher education institutions also need to prevent the use of investigation procedures as a retaliatory tool against reporters. Counter-reporting may have a valid basis in certain circumstances, but every report must be examined based on its substance and must not automatically be used to halt previous processes (Sainsbury, 2023). Such regulations preserve space for the rights of all parties without letting procedures turn into instruments of pressure.

Decisions constitute a highly decisive part of trust in the mechanism. Decisions that merely state outcomes without reasons can make both victims and reported parties struggle to understand how facts and rules were considered. Explanations do not need to disclose all confidential information, but at least they can indicate the accusations examined, the standards used, facts deemed relevant, and the basis for the conclusions. The structure of reasons also facilitates evaluation if objection or review mechanisms are available. For institutions, written decisions form an institutional memory that helps maintain consistency in case handling. Consistency does not mean that all cases must result in the same sanctions (Turner & Beers, 2021). Differences in severity levels, behavioral patterns, perpetrator positions, impacts on victims, and other factors can produce different consequences as long as the reasons for the differences can be rationally explained.

The concept of institutional betrayal serves as a warning that a formally available process can still worsen trauma if students experience rejection, humiliation, unjustified disbelief, or prolonged ambiguity. Smith and Freyd (2014) show that institutional actions and omissions can add to harm following initial trauma. This perspective does not demand that investigators accept every report without evaluation. A supportive response differs from the automatic acceptance of all claims. Support means treating reporters with respect, providing information, maintaining safety, and conducting investigations free from stereotypes. Institutions can maintain an open attitude toward the results of an investigation while acknowledging that someone reporting an experience of violence requires humane treatment. This separation helps avoid the false choice between victim

protection and a fair process.

The existence of services needs to be accompanied by evaluations regarding whether students know about and trust them. Halstead et al. (2017) show that knowledge and utilization of campus resources are central components in the literature on sexual violence services. Higher education evaluations can pay attention to response times, channel accessibility, case resolution, the use of provisional protection measures, the academic continuity of victims, and user experiences with procedures. Aggregate data can help identify weaknesses without disclosing individual identities. Evaluations of this kind are more valuable than administrative metrics that merely calculate whether a task force has been established. Institutions need to know whether such structures can genuinely be used when students face problems. The results of evaluations can then be directed toward procedural changes, improving personnel competence, strengthening services, or improving coordination across working units.

The responsibility of higher education leaders remains necessary even when case handling is delegated to specialized units. Delegation provides professional space for investigators, but it does not erase the institution's responsibility to provide resources, ensure independence, execute decisions falling within its authority, and rectify systemic weaknesses discovered (Yadav et al., 2024). Institutional leaders also have a role in preventing interference in the process, especially when reported parties hold high positions or influence. A structure that depends entirely on the will of leadership figures can generate uncertainty. Conversely, written procedures, the division of authority, mechanisms for managing conflicts of interest, and decision documentation help make student protection an institutional function that continues to operate when leadership changes.

Institutional responsibility and procedural justice must ultimately be understood as mutually reinforcing elements. Institutions wanting to protect victims require credible processes so that outcomes can be accounted for, while fair processes require institutional support so that victims and witnesses can participate without bearing excessive risks (Ring & Ring, 2025). Protection that ignores procedures can produce fragile decisions, while procedures that ignore safety can render students unable to access justice. Trust grows when students know that reports will be received, risks will be managed, investigations will be conducted by competent parties without conflicts of interest, decisions will be delivered with reasoning, and channels will exist to reassess material procedural errors.

The responsibility of higher education institutions is manifested through a handling system that is accessible, independent, competent, procedurally transparent, maintains confidentiality, and is capable of providing protection during investigations. Procedural justice requires a fair opportunity to present information, disciplined evidence evaluation, conflict of interest management, decision reasoning, and the separation of provisional safety measures from the determination of guilt. Institutional responses must

also avoid treatments that could increase psychological or academic harm. This framework brings the discussion to subsequent issues. Not all violence can be resolved through the authority of higher education. Some acts enter the realm of state law, necessitating a clear relationship between campus mechanisms, law enforcement, and victim recovery.

Relationship between Campus Mechanisms, State Legal Processes, and Victim Recovery

The internal mechanisms of higher education institutions and state legal processes possess different bases of authority and objectives. Campus mechanisms primarily operate to maintain the security of the educational environment, assess violations of institutional rules, protect campus members, and determine administrative or academic consequences within their authority. Criminal processes operate to determine accountability for criminal offenses based on procedural law and the authority of state apparatus. These differences mean that campus decisions cannot be treated as substitutes for criminal judgments (Kaplan, 2017). The same applies in reverse. The absence of a specific criminal process does not automatically eliminate the need for higher education institutions to assess whether reported behavior violates internal rules or poses risks to safety. A separation of authority is necessary to prevent protection vacuums and prevent universities from exercising criminal law enforcement functions that lie outside their mandate.

This relationship is clearly evident in sexual violence cases that may fulfill the elements of a criminal offense. Law Number 12 of 2022 concerning Crimes of Sexual Violence establishes a national framework encompassing prevention, handling, protection, victim recovery, and law enforcement against sexual violence crimes. For student victims, the existence of campus mechanisms does not eliminate access to that system. Higher education institutions need to provide information regarding external reporting choices and ensure that student decisions regarding the use of available pathways do not incur academic retaliation. In cases that generate specific legal obligations for the institution or its officials, actions must comply with applicable regulations. Assistance should help victims understand their options rather than pressure victims into choosing the pathway deemed most advantageous to the university's reputation.

Coordination does not mean the exchange of all information without restriction. Data collected through campus mechanisms may relate to privacy, health, personal communications, or witness testimonies. When there are requests from authorized institutions, higher education institutions must manage information according to the legal basis, purpose, and authority of each party (Giuffrida & Hall, 2023). Evidence management also requires caution so that internal actions do not damage materials potentially relevant to legal proceedings. Campus units are not criminal investigators, meaning internal examinations should not perform actions that fall under the authority of law enforcement apparatus. Such a division actually enhances protection because each

institution operates within its competence. The campus maintains security and educational continuity, while the state apparatus conducts criminal processes according to legal authority.

The protection of victims in sexual violence law demonstrates that handling does not stop at punishment. The Law on Crimes of Sexual Violence pays attention to the handling, protection, and recovery of victims as part of its legal construction. Such an approach is relevant for students because the impacts of violence can persist during and after legal proceedings (Salsabillah et al., 2025). A victim may face psychological distress, medical needs, changes in social relations, academic difficulties, or threats from the environment. The higher education system possesses a certain capacity to respond to education-related needs, for instance through academic adjustments, changes in interaction arrangements, counseling, and professional service referrals. Campus actions can run concurrently with services available through the legal system and public services.

Subsequent regulatory implementation is reinforced through Government Regulation Number 30 of 2025 concerning the prevention of sexual violence crimes as well as the handling, protection, and recovery of victims. This regulation was issued to implement several provisions of Law Number 12 of 2022 and demonstrates that recovery is an integral part of the state's response to sexual violence. For higher education institutions, the existence of this national apparatus reinforces the need to build clear referral pathways. Campus task forces do not need to replace psychologists, medical personnel, advocates, or law enforcement officers. A more appropriate function is to recognize students' needs, provide assistance within educational authority, and connect victims with other services when their needs require external competence.

Recovery must take into account that the experience of dealing with systems can affect a victim's psychological state. Campbell (2008) examined the experiences of rape victims when seeking help from legal, medical, and mental health systems, showing that interactions with institutions can either be helpful or result in secondary victimization. These findings hold significance for the design of campus handling. Victims can experience new harms when asked to repeat their experiences multiple times without clear reasons, treated with suspicion due to stereotypes, given contradictory information, or left uninformed about case developments. A trauma-informed approach does not mean lowering evidentiary standards. Its purpose is to regulate interactions so that proof-gathering needs are not executed through treatment that magnifies suffering.

Companion support can reduce burdens when victims deal with multiple systems simultaneously. Campbell (2008) showed that how institutions respond to help-seeking relates to the psychological experiences of victims after violence. In campus cases, companions can assist victims in understanding internal stages, preparing documents, obtaining healthcare services, and communicating with other agencies according to their choices and legal needs. Companions do not replace the victim's decisions or act as investigators. This separation ensures that support functions do not become entangled

with fact-finding duties. Students also need to be given the opportunity to choose companions in accordance with applicable regulations because a sense of safety and trust heavily influences a person's ability to undergo a lengthy process.

Academic recovery is a domain directly linked to the obligations of higher education institutions. Violence can affect attendance, concentration, assignment completion, research, interactions with lecturers, organizational activities, or the ability to be present in specific spaces. Academic responses should be designed individually because victims' needs vary (Yates et al., 2024). Some students need schedule changes, some require the relocation of activities, while others need academic breaks or support to catch up on delayed work. Policies should not treat withdrawal from academic activities as the primary option. If victims are always relocated while the source of risk maintains equal access, protection can generate a disproportionate burden. Adjustments need to assess safety, the victim's wishes, institutional authority, and the continuity of their studies.

Recovery also possesses a social dimension. Campus violence frequently occurs within closely acquainted communities, allowing information to spread through student organizations, class groups, friendship networks, or social media. Once a report emerges, both victims and reported parties can experience public judgment well before the process is completed. Higher education institutions cannot control all private communications, but they can establish boundaries against intimidation, threats, retaliation, and data dissemination that violate rules. Institutional communication needs to be handled carefully to avoid disclosing identities, influencing investigations, or creating the impression that organizational reputation is the primary interest (Elbers, 2025). In cases receiving widespread attention, conveying information regarding procedures and protection commitments is safer than discussing individual facts still under investigation.

Inter-agency coordination requires the principle of continuity. Victims should not be forced to restart the entire support process from the beginning every time they transition between services. With valid and rule-compliant consent, certain information can be managed to facilitate referrals without excessively disseminating data. Institutions also need to maintain a list of accessible external services, emergency procedures, and officers who understand the limits of their authority. Clear working relationships with healthcare services, legal aid, and related institutions help reduce the risk of victims being tossed back and forth between one unit and another (Liwak et al., 2023). Such a coordination model views access to justice as a journey that may involve multiple institutions. Higher education institutions bear the responsibility of ensuring that the portion of the process within their authority does not create additional barriers.

The success of handling cannot be measured solely by the number of sanctions. Sanctions can serve as an element of accountability, but student protection must also be evaluated based on post-process safety, academic continuity, the fulfillment of recovery needs, the prevention of retaliation, and the reduction of the risk of recurrence (Soenarto -Putri et al., 2024). At the institutional level, each case can provide information regarding oversight

weaknesses, power relation patterns, risky locations or activities, and the need for rule modifications. The utilization of institutional learning must be carried out through data that does not expose victims. Institutions capable of transforming handling experiences into procedural improvements have a greater opportunity to prevent similar incidents. This orientation places individual accountability and institutional reform as two outcomes that can run concurrently.

The relationship between internal mechanisms and state processes must ultimately maintain three boundaries. First, the campus must not make internal processes a reason to close student access to state authorities or services. Second, the existence of state processes does not eliminate campus responsibilities for safety and educational continuity falling within its authority. Third, recovery must proceed based on victim needs and should not wait until all accountability processes are completed if assistance can be provided earlier in a legitimate manner. This framework creates a clearer division of functions. The education system handles safety and academic relations, the legal system exercises law enforcement authority, and professional services provide support according to their competence (Shields et al., 2022). Coordination connects these functions without blending their authorities.

Campus mechanisms, state legal processes, and victim recovery need to run in parallel according to their respective authorities and be connected through coordinated information, referrals, and protection. Internal processes do not replace criminal accountability when the elements of a criminal offense are met, while criminal processes do not eliminate the responsibility of higher education institutions to maintain students' safety and academic continuity. Recovery encompasses psychological, medical, legal, social, and academic needs and needs to be provided as early as possible according to circumstances. This framework positions victims as rights-holders who can utilize multiple protection channels without having to choose one at the expense of another. Mature legal protection is achieved when institutional authority is clearly limited yet connected through a continuous support system.

CONCLUSION

Student protection in cases of campus violence is a series of legal and institutional obligations beginning from prevention to recovery. Student rights encompass safety, dignity, educational continuity, complaint access, confidentiality, protection against retaliation, and guarantees of due process. Higher education institutions bear the responsibility of establishing mechanisms that are accessible, competent, independent, capable of managing conflicts of interest, disciplined in fact-finding, and able to deliver accountable decisions. There is a necessary division of functions between the campus and the state legal system. Internal mechanisms maintain security and educational relationships, while state agencies exercise the legal authority vested in them. Recovery

must proceed throughout the process and encompass academic, psychological, medical, social needs, as well as legal assistance according to the victim's circumstances.

Theoretically, this discussion broadens the understanding of legal protection from a model centered on prohibitions and sanctions toward a model that connects substantive rights, procedural justice, institutional accountability, and recovery. Academically, this framework demonstrates that legal studies regarding campus violence require a reading of norms alongside an understanding of how institutional procedures affect students' ability to exercise their rights. The practical implication is that the mere existence of regulations and task forces is insufficient as a measure of protection quality. Higher education institutions need to evaluate access to complaint channels, investigator competence, conflict of interest management, the speed of safety actions, the quality of decisions, data protection, and the academic continuity of victims. Relationships with external agencies must also be structured as referral and coordination mechanisms that respect the jurisdictional boundaries of each institution.

REFERENCES

- Beggiato, S., Casper Hackenberg, C., de Oliveira, V., & Vagetti, G. C. (2023). *Violência No Contexto Do Ensino Superior: Uma Revisão De Escopo. Revista InCantare*, 16(1), 22–40. <https://doi.org/10.33871/2317417X.2022.16.1.8174>
- Bowen, G. A. (2009). Document Analysis as A Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27–40.
- Campbell, R. (2008). The Psychological Impact of Rape Victims' Experiences with The Legal, Medical, And Mental Health Systems. *American Psychologist*, 63(8), 702–717.
- Cowan, S., Munro, V. E., Bull, A., DiSantis, C. J., & Prince, K. (2024). Data, Disclosure and Duties: Balancing Privacy and Safeguarding in The Context of UK University Student Sexual Misconduct Complaints. *Legal Studies*, 44(3), 478-497. <https://doi.org/10.1017/lst.2024.9>
- Dani, A. A., Fathan, F., Budiasih, B., Purnomo, D. T., Merliana, N. P. E., Dani, A. A., Fathan, F., Budiasih, B., Purnomo, D. T., & Merliana, N. P. E. (2025). Challenges and Strategies in the Implementation of Sexual Violence Prevention and Response Task Forces in Religious Higher Education Institutions in Indonesia. *Khazanah Sosial*, 7(2), 506–523. <https://doi.org/10.15575/ks.v7i2.46385>
- Elbers, N. (2025). Restorative Justice as a Response to Interpersonal Harm in Academia. *The International Journal of Restorative Justice*, 1–30. <https://doi.org/10.1163/25890905-bja010002>
- Fedina, L., Holmes, J. L., & Backes, B. L. (2018). Campus Sexual Assault: A Systematic Review of Prevalence Research From 2000 To 2015. *Trauma, violence, & abuse*, 19(1), 76-93.
- Giuffrida, I., & Hall, A. (2023). Technology Integration in Higher Education and Student Privacy Beyond Learning Environments—A Comparison of The UK And US Perspective. *British Journal of Educational Technology*, 54(6), 1587-1603. <https://doi.org/10.1111/bjet.13375>

- Halstead, V., Williams, J. R., & Gonzalez-Guarda, R. (2017). Sexual Violence in The College Population: A Systematic Review of Disclosure and Campus Resources and Services. *Journal Of Clinical Nursing*, 26(15–16), 2137–2153.
- Hutchinson, T., & Duncan, N. (2012). Defining and Describing What We Do: Doctrinal Legal Research. *Deakin Law Review*, 17(1), 83–119.
- Kaplan, M. (2017). Restorative justice and Campus Sexual Misconduct. *Temple Law Review*, 89(4), 701–745.
- Kementerian Pendidikan, Kebudayaan, Riset, dan Teknologi Republik Indonesia. (2024). Peraturan Menteri Pendidikan, Kebudayaan, Riset, dan Teknologi Nomor 55 Tahun 2024 tentang Pencegahan dan Penanganan Kekerasan di Lingkungan Perguruan Tinggi.
- Kennedy, K., Malinen, K., & Gunn, V. (2024). Increasing Sexual Violence Reporting and Disclosure in Higher Education Institutions. *Journal of Forensic Nursing*. <https://doi.org/10.1097/jfn.0000000000000490>
- Kurniati, N., & El-Yunusi, M. Y. M. (2023). Methods for Cultivating Students' Personality and Morals Through Islamic Religious Education. *Bulletin of Science, Technology and Society*, 2(2), 25–30. <https://inti.ejournalmeta.com/index.php/inti/article/view/27>
- Liwak, S., Darmawan, D., & El-Yunusi, M. Y. M. (2023). Adaptation Readiness and Resilience Building of Novice Teachers in Navigating the World of Education Professional Work. *Journal of Social Science Studies*, 3(1), 213–222. <https://jos3journals.id/index.php/jos3/article/view/235>
- Lund, E. M., & Ross, S. W. (2017). Bullying Perpetration, Victimization, and Demographic Differences in College Students: A Review of The Literature. *Trauma, Violence, & Abuse*, 18(3), 348–360.
- O'Connor, P., Hodgins, M., Woods, D. R., Wallwaey, E., Palmen, R., Van Den Brink, M., & Schmidt, E. K. (2021). Organisational Characteristics That Facilitate Gender-Based Violence And Harassment In Higher Education?. *Administrative sciences*, 11(4), 138. <https://doi.org/10.3390/ADMSCI11040138>
- O'Neill, M. (2025). Responding Educationally to Violence in Schools: Transformative Justice As Education Now. *Ethics and Education*. <https://doi.org/10.1080/17449642.2025.2490880>
- Phipps, A., & Smith, G. (2012). Violence Against Women Students in the UK: Time to Take Action. *Gender and Education*, 24(4), 357–373.
- Poole, N. Q., & Gray, M. J. (2025). Mandatory Reporting: An Exploration of Student Perceptions of University Response to Sexual Misconduct. *Violence Against Women*, 31(15–16), 4089–4112.
- Pratama, K. W., Darmawan, D., & Saputra, R. (2022). Legal Protection for Victims of Sexual Violence in the Perspective of Indonesian Criminal Law. *Bulletin of Science, Technology and Society*, 1(3), 25–29. <https://inti.ejournalmeta.com/index.php/inti/article/view/46>
- Pugh, B., & Becker, P. (2018). Exploring Definitions and Prevalence of Verbal Sexual Coercion and Its Relationship to Consent To Unwanted Sex: Implications For Affirmative Consent Standards On College Campuses. *Behavioral sciences*, 8(8), 69. <https://doi.org/10.3390/BS8080069>
- Republik Indonesia. (2012). Undang-Undang Nomor 12 Tahun 2012 tentang Pendidikan Tinggi.
- Republik Indonesia. (2022). Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana

Kekerasan Seksual.

- Republik Indonesia. (2025). Peraturan Pemerintah Nomor 30 Tahun 2025 tentang Pencegahan Tindak Pidana Kekerasan Seksual serta Penanganan, Pelindungan, dan Pemulihan Korban Tindak Pidana Kekerasan Seksual.
- Ring, K. L., & Ring, K. L. (2025). 'The Court Ought to Be in Control Of That': Producing Victimhood At The International Criminal Court. *International Review of Victimology*. <https://doi.org/10.1177/02697580251383045>
- Rochman, H. N., Hardiansah, R., & Gautama, E. C. (2024). Transforming the Protection of Women from Sexual Violence through Legal Reform, Patriarchal Cultural Deconstruction, and Social Change. *Studi Ilmu Sosial Indonesia*, 4(2), 79-96. <https://sisijournals.id/index.php/sisi/article/view/55>
- Rojak, J. A. (2024). The Relationship of Transformational Leadership and Organizational Commitment in Higher Education. *Bulletin of Science, Technology and Society*, 3(1), 14–20. <https://inti.ejournalmeta.com/index.php/inti/article/view/37>
- Rojak, J. A., Fajar, A. S. M., & Darmawan, D. (2024). A Comprehensive Review of Counseling's Contribution to Student Character Development in University Education. *International Journal of Service Science, Management, Engineering, and Technology*, 6(1), 13–18. <https://ejournalisse.com/index.php/isse/article/view/144>
- Sainsbury, N. (2023). Research Misconduct: Maintaining the Anonymity of a Complainant. <https://doi.org/10.37672/ukrio.2023.11.anonymityinmisconductcases>
- Sajjapong, T., Darmawan, D., & Marsal, A. P. (2022). The Role of Social Stereotypes in Shaping Opportunities and Inequalities in Society: Their Impact on Education, Employment, and Intergroup Interactions. *Bulletin of Science, Technology and Society*, 1(1), 44–49. <https://inti.ejournalmeta.com/index.php/inti/article/view/79>
- Salsabilla, F. P. (2023). Literature Review: Confidentiality Issues Between Guidance and Counseling Teachers and Colleagues. *Psikoeduko: Jurnal Psikologi Edukasi dan Konseling*, 3(2), 1-16. <https://doi.org/10.17509/psikoeduko.v3i2.64387>
- Salsabillah, R., Ismail, Y., & Sulatri, K. (2025). Perlindungan Hukum Korban Kekerasan Seksual di Satuan Pendidikan dalam Perspektif Tujuan Hukum. 1(2), 176–187. <https://doi.org/10.52429/zzqa4b95>
- Sani, M. U., Akili, R. Hs., & Moonti, R. M. (2025). Juridical Aspects Of Protecting Students And Teaching Staff From Sexual Violence in Higher Education. *International Journal of Law, Crime and Justice*, 2(1), 40–51. <https://doi.org/10.62951/ijlcj.v2i1.339>
- Santina, R. E., Suparno, S., & Riswadi, R. (2023). Legal Protection for Lecturers in Running Their Professions as Educators in Higher Education. <https://doi.org/10.4108/eai.12-11-2022.2327285>
- Schulze, C., & Budd, L. (2020). Institutional Commitment to Combating Sexual Violence: The Practices and Policies Of U.S. Universities. *Journal of Community Psychology*, 48(8), 2692–2701. <https://doi.org/10.1002/JCOP.22446>
- Shields, R. T., Tabachnick, J., & Becker, L. T. (2022). Campus Information Sharing and Responses to Sexual Misconduct Violations: An Exploratory Study. *Journal of Interpersonal Violence*, 37(17–18), NP14970–NP14995. <https://doi.org/10.1177/08862605221106188>
- Smith, C. P., & Freyd, J. J. (2014). Institutional Betrayal. *American Psychologist*, 69(6), 575–587.

- Snyder, H. (2019). Literature Review as A Research Methodology: An Overview and Guidelines. *Journal Of Business Research*, 104, 333–339.
- Soenarto-Putri, T. W., Gaus, N., Rolobessy, M. J., Soputan, G. J., Mulyani, W. P., Pramuwardhani-Dewi, M., Sulistiyani, A. T., Sispariyadi, S., & Suwarjiyanto, S. (2024). Developing and Strengthening the Role of Institutions in Preventing and Addressing Sexual Violence in Higher Education. *Géneros*, 13(13), 119–136. <https://doi.org/10.17583/generos.12424>
- Suardi, Ramlan, H., Hashim, S. bin, Nursalam, Nur, R., Nur, H., Suardi, Ramlan, H., Hashim, S. bin, Nursalam, & Nur, R. (2025). Academic And Social Sanctions as Effective Strategies for Preventing Sexual Violence by Faculty Members in Higher Education Institutions. *Sociological Education*, 6(2), 150–158. <https://doi.org/10.59098/socioedu.v6i2.2617>
- Tampil, V. C., Mubasyiroh, A., Khayru, R. K., Darmawan, D., & Prasetyo, B. A. (2023). Legal Protection for Patients in Health Services at Community Health Centers. *Studi Ilmu Sosial Indonesia*, 3(2), 85-100. <https://sisijournals.id/index.php/sisi/article/view/41>
- Turner, L. A., & Beers, M. C. (2021). When the Process Fails: Restoring Trust in a# MeToo Workplace. In *Cases on Critical Practices for Modern and Future Human Resources Management*, 96-117. <https://doi.org/10.4018/978-1-7998-5820-1.CH005>
- Yadav, U., Pitchai, R., Gopal, V., KUMAR, K., Talukdar, M., & Boopathi, S. (2024). Powers of Higher Education Leadership. *Advances in Educational Marketing, Administration, and Leadership Book Series*, 103–136. <https://doi.org/10.4018/979-8-3693-9215-7.ch004>
- Yates, J., Nagra, R., & Mantler, T. (2024). “It Was Kind of Like Everything Was Hitting Rock Bottom All at Once”: The Impacts of Gender-Based Violence on Undergraduate Student Academic Success. *Journal of College Student Retention: Research, Theory and Practice*. <https://doi.org/10.1177/15210251241289910>