

<b>THEMATIC TITLE</b>	PROBLEMS OF PSYCHOLOGICAL COMPENSATION IN RAPE CASE: CASES STUDY IN DISCRETION OF COURT
<b>KEYWORDS</b>	COMPENSATION/MIND/RAPE
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### **ABSTRACT**

This independent study had the purpose for studying the idea and the legal measurement about the compensation remedies for mind in the rape case in part of the court's discretion. This study used qualitative research which were the study on documents, the legal measurement, and the court's judgement. The received response led to make the original bill saying that the court had the authority to judge exceedingly the request appended to the plaint about the compensation remedies for mind in the rape case.

The results were found that at the present time, to determine the compensation remedies for mind in the rape case used the court's discretion, there was still the problem which the sufferers becoming victims of sexual crimes did not receive the proper compensation and justification from effect and damage the sufferers encountered. Moreover, in order to solve the problem on the sufferers' burden of proof after the prosecution, if the sufferers could prove the mental damage which was more than the compensation identified according the request, the court could judge more than the request. It resulted to force the law efficiently.

According to the study, there was a suggestion for improving and correcting the criminal procedure code so that the court enabled to judge more than the request in case that the sufferers could prove that the damage was more than the amount in the plaint or the request. It was for protecting the rights, the freedom, the equality, and the dignity of human of the sufferers becoming the victims of sexual crime.