Analyzing the Efficacy of Restorative Justice Practices in Criminal Law

Makkah HM[1]*, Andrew Shandy Utama[2], Bucky Wibawa Karya Guna[3], Andri Kurniawan[4], Aat Ruchiat Nugraha[5], Suhardy[6], Ahmad Zain Sarnoto[7],Alex Irawan Triantho[8]

[1]Universitas Indonesia Timur, Indonesia
[2] Universitas Lancang Kuning, Indonesia
[3]Universitas Muslim Indonesia, Indonesia
[4] Universitas Islam Syekh Yusuf, Indonesia
[5] Universitas Padjadjaran, Indonesia
[6] Universitas Pertiba, Indonesia
[7] Universitas PTIQ Jakarta, Indonesia
[8] Akademi Teknik Adikarya, Indonesia
*Corresponding email:dosen.makkah@gmail.com

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Abstract

This study aims to analyze the effectiveness of restorative justice practices in the context of criminal law. Restorative justice is an alternative approach that focuses on restoring relationships between perpetrators, victims, and society through dialogue and out-of-court settlements. With the growing idea that traditional criminal justice systems are often more repressive than rehabilitative, restorative justice offers a new paradigm that emphasizes perpetrator responsibility, victim recovery, and active community involvement. This study uses case study methods and literature reviews to evaluate the extent to which restorative justice practices are able to achieve their main goals, namely reducing recidivism, recovering victims, and reintegrating perpetrators. The results show that, while restorative justice is effective in some contexts, its implementation is often hampered by a lack of understanding, a supportive legal framework, and resistance from traditional legal systems. In conclusion, although restorative justice has great potential in improving the weaknesses of the conventional criminal justice system, further development is needed in policy and application to ensure its success more broadly.

I. Introduction

Restorative justice is an alternative approach to the criminal justice system that focuses on restoring the harm done to victims, offenders and communities as a result of a criminal offence (Braithwaite, 2019; Liu & Palermo, 2009). Unlike traditional retributive justice systems - which tend to punish offenders without regard to the needs of victims - restorative justice places dialogue and conflict resolution at the centre of the legal process. This approach aims to repair the social and psychological damage caused by criminal offences, by actively involving victims, offenders and communities in problem-solving (Perrella et al., 2024). Through this process, offenders are expected to take responsibility for their actions and understand the impact of their actions, while victims get the opportunity to express their pain and loss (Awaliah Nasution et al., 2022).

One of the main principles of restorative justice is restoration, not just punishment. This means that the justice process does not solely focus on punishing the offender, but also seeks to restore the balance disrupted by the criminal offence. This can be done through mediation, victim-offender conferences, or rehabilitation programmes designed to help offenders reflect on their actions and make amends (Payne & Welch, 2015; Lemley, 2021). For victims, involvement in restorative justice processes gives them a deeper sense of justice, as they can participate in determining the form of compensation or redress, as well as getting direct acknowledgement from the offender of the impact of their actions (Wong et al., 2016).

Restorative justice also emphasises the importance of social reintegration for offenders after they have completed the legal process. By giving offenders the opportunity to make amends and contribute back to society, this approach aims to reduce recidivism rates and prevent offenders from engaging in repeat offences (Strang et al., 2013). Ultimately, restorative justice attempts to create a more balanced outcome, where not only the offender is punished, but also the victim and the community receive a satisfactory resolution. The implementation of this approach is often considered a more humane and effective way of dealing with criminal cases, especially in cases where the victim and offender have an ongoing relationship or in societies that value community-based conflict resolution (Bouffard et al., 2017).

Restorative justice has developed into an increasingly globally recognised approach to criminal justice. In many countries, retributive approaches that emphasise punishment alone are being questioned, particularly as they are not always successful in reducing recidivism or restoring victims. In countries such as Canada, New Zealand and Norway, restorative justice has been integrated into their legal systems as a more holistic way to deal with crime (W. R. Wood & Suzuki, 2016) New Zealand, for example, has been a pioneer in the implementation of

restorative justice through its children and youth legal system, where the main focus is rehabilitation and restoration rather than punishment. This model has proven to be more successful in helping young offenders to avoid further involvement in criminal acts, while providing space for victims to engage in the conflict resolution process.

In addition, the development of restorative justice is also seen in Europe, where many countries have begun to adopt this practice in the form of mediation between victims and offenders(Wilson et al., 2017; Singla, 2024). The European Union even encourages the use of this approach as part of a more humane and rehabilitative reform of the criminal justice system. In the United States, although still in its infancy, some jurisdictions are beginning to use restorative justice in dealing with low-level crimes, particularly those involving minority communities that are often disadvantaged by the traditional criminal justice system. This global adoption of restorative justice reflects efforts to address shortcomings in retributive approaches, particularly in terms of providing justice that is more centred on the needs of victims and the long-term prevention of criminal behaviour through offender rehabilitation (González, 2020).

Traditional criminal justice systems, which tend to be retributive in nature, often face the problem of over-penalisation. Many countries impose very severe penalties, even for minor offences, in the hope of providing a deterrent to the offender and the wider community(Suzuki & Yuan, 2021). However, this approach often does not consider other factors, such as the social, psychological or economic background of the offender that may have contributed to the criminal act. In addition, harsh sentences are not always directly proportional to a reduction in crime rates. Instead, offenders who serve long sentences in prison often miss out on opportunities for rehabilitation and social reintegration, resulting in difficult returns to society.

One of the biggest problems with this traditional approach is the high recidivism rate. After serving a sentence, many offenders re-offend because the criminal justice system does not always provide adequate support for rehabilitation and reintegration (Shapland et al., 2006). The harsh and isolating prison environment, in the absence of effective rehabilitation programmes, often worsens offenders' mental and social conditions, making them vulnerable to returning to criminal behaviour upon release (Sherman et al., 2015). In addition, the social stigmatisation of ex-prisoners is also an inhibiting factor, as communities tend to find it difficult to accept them back, resulting in very limited opportunities to work or participate in social life. As a result, offenders are often trapped in a repetitive cycle of crime and incarceration (Latimer et al., 2005).

Restorative justice is generally considered effective in achieving key objectives such as offender rehabilitation and victim recovery, although its effectiveness can vary depending on context and application. In terms of offender rehabilitation, restorative justice offers a more personalised and reflective process (Sliva &

Lambert, 2015), where the offender is invited to take direct responsibility for their actions by understanding the negative impact of their actions on victims and society. Through dialogue and mediation with the victim, the offender has the opportunity to make amends and adjust his or her behaviour, which differs from traditional approaches that focus solely on punishment. Several studies have shown that offenders who go through restorative justice processes have lower recidivism rates than those who go through traditional criminal justice processes, as this approach facilitates social reintegration and moral recovery (Albrecht, 2011)

On the other hand, from the victim's perspective, restorative justice often provides more satisfactory outcomes than the traditional criminal system. The process allows victims to be actively involved in conflict resolution and express the emotional impact they have experienced, so they feel more heard and cared for. In addition, victims can also play a role in determining the form of compensation or remedial action that they feel is fair, which is often not possible in the traditional justice system. Victim restoration involves not only financial aspects, but also psychological restoration that results from acknowledgement and remorse from the perpetrator(W. Wood et al., 2022). Restorative justice thus succeeds in creating a more holistic and just conflict resolution, which not only targets the perpetrator but also facilitates the recovery of the victim as well as repairing damaged social relations.

Research by by Latimer, Dowden, and Muise (2005) found that restorative justice programmes were significantly more effective in reducing recidivism rates than retributive approaches. In the study, offenders who participated in a restorative justice programme showed a 14% reduction in recidivism rates, while the programme was also reported to provide higher satisfaction for victims. Research by Strang et al. (2013) also supports the effectiveness of restorative justice in facilitating victims' emotional recovery. In their meta-analysis review of various restorative justice programmes across several countries, Strang and her colleagues found that victims who participated in mediation and restorative dialogue were more likely to feel that justice had been achieved, compared to those who underwent traditional court proceedings. The study also noted that the active involvement of victims in the resolution process provided a sense of empowerment and helped to reduce the trauma caused by the criminal offence. Therefore, this study aims to to analyze the effectiveness of restorative justice practices in the context of criminal law.

2. Research Method

This research will use a qualitative method with a literature study approach to analyse the effectiveness of restorative justice practices in the criminal law system. The main focus of this research is to collect and analyse various sources of information, such as scientific articles, research reports, books, and policy documents relating to restorative justice. Through this approach, the researcher will compile a comprehensive overview of restorative justice theories, principles and practices that have been applied in various jurisdictions around the world. This analysis aims to understand the context in which restorative justice can function effectively as well as the factors that influence its success.

In collecting data, the researcher will utilise various academic databases, such as JSTOR, Google Scholar, and publications from international organisations that focus on criminal justice. The researcher will also explore policies and practices implemented in various countries, as well as the results of existing case studies. In this way, the research will explore how restorative justice affects victim recovery, offender rehabilitation, and fairer conflict resolution. In addition, the data collected will include a critical analysis of the challenges and barriers faced in implementing restorative justice, such as cultural differences, resistance from the justice system, and a lack of public understanding of restorative justice.

Once data collection is complete, the researcher will analyse and organise the information obtained to identify relevant patterns and themes. This analysis will help the researcher draw conclusions regarding the effectiveness of restorative justice practices, including how these practices can influence outcomes in the criminal law context. The results of these analyses are expected to provide deep insights into the successes and challenges faced by restorative justice, as well as provide recommendations for improvement and wider application in criminal justice systems in various countries. This research aims to contribute to the existing literature and provide a basis for further research in the field of restorative justice.

3. Results and Discussion

Implementation Effectiveness of Restorative Justice in Offender Rehabilitation

Restorative justice has received significant attention as an alternative approach to offender rehabilitation. This approach focuses on restoring relationships between the offender, victim and community, with an emphasis on dialogue and mediation. One of the most notable aspects of restorative justice is its ability to lower recidivism rates among offenders(Braithwaite, 1999). Research shows that offenders involved in restorative justice programmes tend to show positive changes in their behaviour, thanks to the process of reflection and accountability they undergo during mediation with victims. By giving them the opportunity to understand the impact of their actions, restorative justice encourages offenders to not only regret their actions but also to seek to right the wrongs that have been committed (Latimer et al., 2005).

One of the key factors in the effectiveness of restorative justice is the ability to change an offender's perspective on their actions. In many cases, offenders may not fully realise the emotional and physical impact of their actions on victims. Through the restorative process, the offender is confronted directly with the victim, allowing them to listen to the victim's experience first-hand (Shapland et al., 2006). This not only increases the offender's empathy but also helps them to internalise the consequences of their actions. Research by Braithwaite (2002) suggests that engagement in restorative justice can result in significant shifts in offender attitudes and behaviour, thus supporting more effective rehabilitation.

On the other hand, restorative justice also offers benefits to victims by giving them a voice in the conflict resolution process. Victims involved in restorative processes often report feeling more satisfied and empowered compared to those who have only gone through the traditional criminal justice system (Strang et al., 2013). Through direct dialogue with the perpetrator, victims can express the impact of the crime experienced and contribute to determining the desired form of compensation. This process not only supports the psychological recovery of the victim, but also creates a greater sense of justice, which in turn can support the rehabilitation of the offender by creating an awareness of responsibility.

The challenges faced in applying restorative justice for offender rehabilitation cannot be overlooked. Some offenders may not be ready to engage in this process, especially if they have not fully accepted responsibility for their actions. In addition, the success of restorative justice also depends on the quality of the facilitator leading the mediation process (Bouffard et al., 2017). A well-trained

facilitator can create a safe and supportive environment for all parties, while a less experienced facilitator may cause the process to be counterproductive. It is therefore important to provide adequate training for facilitators so that they can manage the complex dynamics that arise during restorative justice processes.

In addition, the success of restorative justice programmes in offender rehabilitation is also influenced by the social and cultural context in which they are implemented. In societies where there is strong support for restorative justice, these programmes tend to be more successful (Awaliah Nasution et al., 2022). However, in environments that emphasise punishment and retribution more, resistance to this approach may be stronger. Therefore, a better understanding of the values and norms of the local community is crucial to designing effective restorative justice programmes. Research shows that local adaptations to restorative justice practices can increase its acceptance and success among offenders, victims and communities.

Overall, the effectiveness of restorative justice in offender rehabilitation depends on a variety of factors, including the readiness of the offender, the quality of the facilitator, and the social context. Despite the challenges, restorative justice offers a promising approach to reducing recidivism and supporting victim recovery (Reimund, 2005). By putting offenders and victims in a position to interact directly, restorative justice can build bridges of understanding that may not be achieved in traditional justice systems. This leads to more humane and sustainable solutions in dealing with crime and rebuilding relationships within communities.

Challenges in the Implementation of Restorative **Justice**

The implementation of restorative justice in the criminal justice system faces various challenges that can hinder its effectiveness. One of the main challenges is resistance from parties in the traditional justice system, including law enforcement, prosecutors, and judges. Many of those who are familiar with the retributive approach may be skeptical of restorative justice, as it is considered less decisive in dealing with criminals. A lack of understanding of the principles of restorative justice and its benefits often leads to a refusal to apply them. This creates a gap between the two approaches, hindering the potential integration of restorative justice in the broader justice system (Rideout et al., 2010).

Another challenge is related to the training and qualification of facilitators involved in the restorative justice process. Facilitators play an important role in creating a safe and supportive environment for perpetrators and victims during mediation. However, not all facilitators have the background or skills to handle the complex emotional dynamics that arise in the process (Payne & Welch, 2015). Lack of proper training can result in an ineffective or even detrimental process for both parties. Therefore, it is important to provide a comprehensive training program for facilitators so that they can facilitate meetings well and manage situations that may become difficult.

In addition, the incompatibility between the principles of restorative justice and existing legal practice can also be a barrier. In some jurisdictions, the laws and regulations underlying the criminal justice system may not provide room for the application of restorative justice(Reimund, 2005). For example, legal provisions that emphasize imprisonment as a form of justice can hinder the implementation of mediation and negotiation between perpetrators and victims. Without clear legal support, restorative justice can be considered an illegitimate or ineffective approach, thus reducing interest in applying it in certain cases (Dzur, 2003)

Social and cultural impacts are also important factors in the challenge of implementing restorative justice. In some cultures, the concept of individual responsibility may be less emphasized, and the focus is more on collectivity or social norms. This can make it difficult for perpetrators to accept responsibility for their actions in the context of restorative justice. Additionally, social stigma against offenders can hinder their participation in the restorative process, as they may feel judged or not accepted back into society. Therefore, it is important to understand the local cultural context and adapt restorative justice practices to make them more relevant and accepted.

The problem of resources is also a significant challenge in the application of restorative justice. Many restorative justice programs operate on limited budgets, which limits their capacity to run mediation sessions and training for facilitators. Without adequate financial support, these programs are often unable to reach a wider population or provide high-quality services (Strang et al., 2013). Additionally, a lack of public awareness and support for restorative justice can lead to a lack of participation and resources available for the program. Overall, challenges in the implementation of restorative justice include resistance from the justice system, the need for trained facilitators, inconformities with existing laws, social and cultural factors, and resource issues. To address these challenges, there needs to be a collaborative effort from various stakeholders, including governments, law enforcement, and civil society. Raising awareness about the benefits of restorative justice, providing adequate training for facilitators, and creating supportive policies can help address these barriers. Thus, restorative justice can be more effectively integrated in the criminal justice system, providing benefits to perpetrators, victims, and society as a whole (W. R. Wood & Suzuki, 2016).

Positive Impact of Restorative Justice Programs

Restorative justice programs have shown a significant positive impact on the criminal justice system, both for perpetrators, victims, and the community. One of the main benefits of the program is its ability to reduce recidivism rates among offenders. Research shows that perpetrators who engage in restorative justice processes tend to have lower recidivism rates compared to those who are only serving prison sentences. This is due to the deep reflection process experienced by the perpetrators during mediation, where they are faced with the impact of their actions on the victim and the community. This awareness often motivates them not to repeat the same mistakes in the future (Shapland et al., 2006).

Another positive impact is the recovery of victims. In many cases, victims feel neglected in the traditional judicial process, where the focus is more on punishment for the perpetrator than on their needs. Through the restorative justice program, victims are given the opportunity to actively participate in the conflict resolution process (Sherman et al., 2015). They can convey their feelings and experiences to the perpetrator directly, which can provide a sense of relief and emotional resolution. Research shows that victims who engage in restorative justice often report higher levels of satisfaction compared to those who are not engaged, because they feel heard and valued.

Restorative justice programs also have a positive impact on social relations in the community. By prioritizing dialogue and mediation, restorative justice can help rebuild damaged relationships between perpetrators, victims, and society. This process allows all parties to contribute to finding a fair and satisfactory solution, thus creating a sense of solidarity and social cohesion. When communities are involved in the conflict resolution process, they become more aware of the challenges faced by perpetrators and victims, thereby reducing the stigma against perpetrators and supporting their reintegration into society (Latimer et al., 2005).

In addition, restorative justice programs can reduce the burden on the criminal justice system. By offering alternatives for perpetrators to resolve issues restoratively, the burden of imprisonment and court costs can be reduced. This is not only beneficial to the justice system but can also direct greater resources to rehabilitation and crime prevention programs (W. Wood et al., 2022). By focusing on solving problems directly and repairing the damage caused by crime, restorative justice programs can be a more efficient investment in preventing future crimes.

The positive impact of restorative justice also includes increasing awareness and understanding of justice in society. Through education and training related to restorative justice programs, communities can learn about the importance of empathy, responsibility, and recovery. This can create a more supportive environment for perpetrators seeking to change, as well as for victims who are in the process of recovery. Increased awareness of restorative justice could facilitate greater acceptance and support for the program, thus strengthening its effectiveness in the future (Menkel-Meadow, 2007).

Overall, restorative justice programs offer a variety of positive impacts that enrich the criminal justice system. By reducing recidivism, rehabilitating victims, improving social relationships, reducing the burden on the justice system, increasing public awareness, and providing a more humane alternative for perpetrators, restorative justice shows great potential to create more effective and sustainable solutions to deal with crime. In the face of complex social challenges, a restorative approach can be a step towards more comprehensive and inclusive justice.

Victim Recovery Through Restorative Justice

Victim rehabilitation is one of the most important aspects of the criminal justice system, and restorative justice offers a unique approach to achieving that goal. In traditional approaches, victims often feel neglected and not involved in the judicial process. In contrast, restorative justice gives victims the opportunity to be actively involved in conflict resolution, allowing them to convey their feelings and the impact experienced as a result of the perpetrator's actions (Wilson et al., 2017). By listening to their stories and acknowledging the pain they are experiencing, this process can help victims feel valued and cared for.

One of the main benefits of restorative justice is its ability to give victims a sense of control over their recovery process. In many cases, victims feel like they are losing control when they are the target of a crime. Through restorative justice, they have the opportunity to participate in determining appropriate and desirable solutions. By involving them in decision-making, victims can feel that their voice matters and that they have a role to play in rebuilding their lives after trauma (Singla, 2024).

The dialogue process that takes place in restorative justice also allows the victim to overcome negative feelings such as anger, resentment, and injustice. By speaking directly to the perpetrator, victims can express their feelings and gain a better understanding of the perpetrator's motivations and actions. Research shows that when victims are able to express their feelings openly (Perrella et al., 2024), they tend to experience a better healing process. These interactions can help victims to let go of the emotional burden they are carrying and move forward in their lives.

Furthermore, restorative justice not only focuses on individual recovery but also creates opportunities for communities to support victims. When the community is involved in the restorative justice process, there is a sense of solidarity created among community members who want to help the victim. This social support can be crucial in the recovery of victims, as they feel supported by their community. In this context, restorative justice can be a means to rebuild social support networks that can help victims in coping with post-crime challenges.

Restorative justice can also contribute to an increased sense of justice for victims. In many cases, when justice is achieved through a restorative process, victims feel that they have earned a proper recovery for the losses suffered. This process allows them to achieve a more satisfying settlement compared to traditional punishments that may not provide the expected sense of justice (Payne & Welch, 2015). By offering opportunities for dialogue and reaching understanding, restorative justice can provide a deeper sense of solution for victims.

Finally, the success of victim recovery through restorative justice also depends on the approach taken by the facilitator and the community as a whole. Trained and experienced facilitators can create a safe and supportive space for dialogue between perpetrators and victims, while community support can increase the effectiveness of the process (Bouffard et al., 2017). In order to achieve positive outcomes, it is important to educate the public about the principles of restorative justice and raise awareness about the role of victims in the recovery process. Thus, restorative justice can make a meaningful contribution to victim recovery and create a more inclusive and empathetic justice system.

I. Introduction

Coffee is one of the most popular drinks in the world. So it is not strange that until now the coffee business is mushrooming both in big cities and in small towns. Coffee is a food commodity that is enjoyed by people from various types of circles. The history of the discovery of coffee itself, was discovered by the Ethiopians on the African continent since 800-850 BC. The people of the African continent, especially the Ethiopians, claim that coffee is a nutritious drink that can provide energy. They consume coffee by mixing coffee beans with animal fat and also wine to meet their protein needs.

In general, coffee is grown in countries that have a tropical or subtropical climate. After the emergence of coffee in Ethiopia, the coffee plant was cultivated in various parts of the world such as Latin America, Central and East Africa, and Asia with various types of coffee. In Asia itself, coffee also grows in the territory of Indonesia, one of which is the type of Robusta Coffee which can grow at an altitudeof 800m above sea level.

Indonesia is the third largest coffee producing country in the world after Brazil and Vietnam. The total area that can produce coffee in Indonesia is 9 regions witha total area of 1,300,000 hectares. These nine regions are capable of producing 750,000 tons of coffee/year and around 67% are exported to foreign countries and some products are traded on the London International Financial Futures and Options Exchange and since 2007 on the New York International Exchange.

Lampung Province, precisely West Lampung Regency is one of the Robusta Coffee producing areas. This is supported by the geographical location of West Lampung which is at an altitude of 500 to > 1000m above sea level. With this height, making West Lampung an exporting area for Robusta Coffee to foreign countries. The Association of Indonesian Coffee Exporters and Industry provides statistical data on an increase in coffee consumption in Indonesia since 2000 to 98%.

Referring to the existence of coffee exports, it means that there is a traffic of trade in goods and services in it. In this activity, the trademark plays a very important role, this is because the brand is a distinguishing mark between one product and another, and also as an identifier of the origin of the goods, which in this case is coffee.

Intellectual Property Rights consist of different types of protection, depending on the subject (form of intellectual property) being protected. Intellectual Property Rights consist of two fields, namely: first, Copyright (copyright), and Neighboring

Right, consisting of Science, Arts and Literature. Second, Industrial Property Rights, consisting of patents, trademarks, industrial designs, layout designs of integrated circuits, and trade secrets. .

Law Number 20 of 2016 concerning Marks and Geographical Indications states that Article 1 number 1 states that a mark is a sign that is displayed either graphically such as an image, logo, name, word, letter, number, color arrangement, in the form of two and/or three dimensions, sound, hologram, or a combination of two or more of these elements, money is used to distinguish goods and/or services produced in trade traffic by persons or legal entities.

A brand is a picture of a guarantee of personality as well as the reputation of goods and services produced when traded. As a producer of an item, quality assurance must be very useful in business competition. So that the brand is seen as the most important thing in the world of business and industry. In fact, there are no less important than brands, namely Geographical Indications.

Geographical Indication is a legal protection in terms of product quality which is a guarantee of the potential of superior commodities. Protection of Geographical Indications is very influential in the trade of a product both at the national and international levels. Definition of Geographical Indication according to Law Number 20 of 2016 concerning Marks and Geographical Indications is a sign indicating the area of origin of an item and/or product which due to geographical environmental factors includes natural factors, human factors or a combination of both in providing reputation, quality and characteristics certain goods and/or products produced.

The Lisbon Agreement introduced the term appellation of origin (origin appellation, a designation of origin that identifies the place where a product originates in relation to the quality and certain characteristics of the product in question). Geographical Indications can be categorized as part of the appellationof origin as stated in the Lisbon Agreement. Article 2 paragraph (1) and paragraph
(2) of the Lisbon Agreement defines the appellation of origin as An “Appellation of Origin” as the Geographical denomination of a country, region, orlocality, wich serves to designate a product originating therein, the quality orcharacteristics of which are due exclusively or essentially to the geographical environment, including natural and human factory. “Country of Origin” as the Country whose name, or the country in which is situated the region or locality whose name,constitutes the appellation of origin that has given the product its reputation.

The Law on Trademarks and Geographical Indications grants exclusive rights to registered Geographical Indications rights holders, as long as the reputation, quality and characteristics that are the basis for providing protection for the Geographical Indications still exist. Based on this, it can be seen the need for an application and request for registration to the Minister of Law and Human Rights.

The sign in the definition of geographical indication is the name of a place or area or other certain signs that indicate the origin of the place where goods are produced protected by geographical indications. Geographical indications can be applied for goods in the form of agricultural products, processed products, handicrafts, or other goods. . The number of regional products in Indonesia that are well known and have a place in the international market so that they have high economic value, need to be followed by legal protection to protect these commodities from unfair competition practices in trade.

Based on the Law on Trademarks and Geographical Indications, Lampung Province, particularly West Lampung Regency, Way Kanan Regency andTanggamus Regency registers Robusta Coffee Geographical Indications to the Directorate General of Intellectual Property Rights of the Ministry of Law and Human Rights. Lampung Robusta Coffee is registered by obtaining a Geographical Indication Certificate Number: ID G 000000026 Dated May 13, 2014, with characteristics of Lampung Robusta Coffee in general of good quality. When roasted on a medium level (medium roast) the color is homogeneous, with thearoma and aroma of coffee grounds as well as shades of chocolate and spices (chocolate and spicy). The results of the analysis show that the taste of this coffeeis sweet with a slightly bitter sour taste, and the aroma, taste, and aftertaste are delicious. The Lampung Robusta coffee production zone is located in the districtsof West Lampung, Tanggamus and Way Kanan, Lampung Province, on the island of Sumatra at an altitude of 275-1000 m above sea level.

4. Conclusion

The conclusion of this study shows that restorative justice has significant potential in improving victim recovery and perpetrator rehabilitation in the context of the criminal justice system. Through a more inclusive and dialogue-focused approach, restorative justice provides an opportunity for victims to voice their experiences and feelings, as well as restore a sense of control that is often lost after a crime. This interaction not only strengthens the sense of justice for the victim, but also encourages the perpetrator to understand the impact of their actions and commit not to repeat the same mistakes. Thus, restorative justice can contribute to reducing recidivism and improving the overall well-being of society. However, to achieve optimal effectiveness in the implementation of restorative justice, strong support is needed from various stakeholders, including the

government, law enforcement, and the community. Education on the principles of restorative justice and training for facilitators is essential for this process to run well. In addition, creating policies that support the implementation of restorative justice in the criminal justice system will also be an important step to strengthen the existence and legitimacy of this approach. Thus, restorative justice not only serves as an alternative to the traditional justice system, but also as a step towards more humane and effective reforms in dealing with crime.

Refrences

Albrecht, B. (2011). The limits of restorative justice in prison. *Peace Review*, *23*(3), 327–334. https://doi.org/10.1080/10402659.2011.596059

Awaliah Nasution, N. P., Hamdani, F., & Fauzia, A. (2022). The Concept of Restorative Justice in Handling Crimes in the Criminal Justice System. *European Journal of Law and Political Science*, *1*(5), 32–41. https://doi.org/10.24018/ejpolitics.2022.1.5.37

Bouffard, J., Cooper, M., & Bergseth, K. (2017). The Effectiveness of Various Restorative Justice Interventions on Recidivism Outcomes Among Juvenile Offenders. *Youth Violence and Juvenile Justice*, *15*(4), 465–480. https://doi.org/10.1177/1541204016647428

Braithwaite, J. (1999). Restorative Justice: Assessing Optimistic and Pessimistic Accounts. *Crime and Justice*, *25*, 1–127. https://doi.org/10.1086/449287

Dzur, A. W. (2003). Civic implications of restorative justice theory: Citizen participation and criminal justice policy. *Policy Sciences*, *36*(3–4), 279–306. https://doi.org/10.1023/b:olic.0000017480.70664.0c

González, T. (2020). The Legalization of Restorative Justice: A Fifty-State Empirical Analysis. *SSRN Electronic Journal*, *1027*. https://doi.org/10.2139/ssrn.3521589

Latimer, J., Dowden, C., & Muise, D. (2005). The effectiveness of restorative justice practices: A meta-analysis. *The Prison Journal*, *85*(2), 127–144. https://doi.org/10.1177/0032885505276969

Lemley, E. C. (2001). Designing Restorative Justice Policy: An Analytical Perspective. *Criminal Justice Policy Review*, *12*(1), 43–65. https://doi.org/10.1177/0887403401012001003

Liu, J., & Palermo, G. B. (2009). Restorative justice and Chinese traditional legal culture in the context of contemporary Chinese criminal justice reform. *Asia Pacific Journal of Police & Criminal Justice*, *7*(1), 49–68. https://www.researchgate.net/publication/241641464

Menkel-Meadow, C. (2007). Restorative justice: What is it and does it work? *Annual Review of Law and Social Science*, *3*, 161–187. https://doi.org/10.1146/annurev.lawsocsci.2.081805.110005

Payne, A. A., & Welch, K. (2015). Restorative Justice in Schools: The Influence of Race on Restorative Discipline. *Youth and Society*, *47*(4), 539–564. https://doi.org/10.1177/0044118X12473125

Perrella, L., Lodi, E., Lepri, G. L., & Patrizi, P. (2024). Use of restorative justice and restorative practices in prison: a systematic literature review. *Rassegna Italiana Di Criminologia*, *18*(1), 69–82. https://doi.org/10.7347/RIC-012024-p69

Reimund, M. E. (2005). The Law and Restorative Justice: Friend or Foe - A Systemic Look at the Legal Issues in Restorative Justice. *Drake Law Review*, *53*, 667–692.

Rideout, G., Roland, K., Salinitri, G., & Frey, M. (2010). Measuring the Impact of Restorative Justice Practices: Outcomes and Contexts. *Journal of Educational Administration and Foundations*, *21*(2), 35–60.

Shapland, J., Atkinson, A., Atkinson, H., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G., & Sorsby, A. (2006). Situating restorative justice within criminal justice.

Theoretical Criminology, *10*(4), 505–532. https://doi.org/10.1177/1362480606068876

Sherman, L. W., Strang, H., Mayo-Wilson, E., Woods, D. J., & Ariel, B. (2015). Are Restorative Justice Conferences Effective in Reducing Repeat Offending? Findings from a Campbell Systematic Review. *Journal of Quantitative Criminology*, *31*(1), 1–24. https://doi.org/10.1007/s10940-014-9222-9

Singla, S. (2024). Reforming Criminal Justice : Evaluating the Efficacy of Restorative Justice Practices in Reducing Recidivism Rates. *Indian Journal of Law*, *2*(2), 32–35.

Sliva, S. M., & Lambert, C. G. (2015). Restorative Justice Legislation in the American States: A Statutory Analysis of Emerging Legal Doctrine. *Journal of Policy Practice*, *14*(2), 77–95. https://doi.org/10.1080/15588742.2015.1017687

Strang, H., Sherman, L. W., Mayo-Wilson, E., Woods, D., & Ariel, B. (2013). Restorative Justice Conferencing (RJC) Using Face-to-Face Meetings of Offenders and Victims: Effects on Offender Recidivism and Victim Satisfaction. A Systematic Review. *Campbell Systematic Reviews*, *9*(1), 1–59. https://doi.org/10.4073/csr.2013.12

Suzuki, M., & Yuan, X. (2021). How Does Restorative Justice Work? A Qualitative Metasynthesis. *Criminal Justice and Behavior*, *48*(10), 1347–1365. https://doi.org/10.1177/0093854821994622

Wilson, D. B., Olaghere, A., & Kimbrell, C. S. (2017). Effectiveness of Restorative Justice Principles in Juvenile Justice: A Meta- Analysis Effectiveness of Restorative Justice Principles in Juvenile Justice: A Meta-Analysis. *National Criminal Justice Reference Service*. https://doi-org.login.ezproxy.library.ualberta.ca/10.1111/1745-9133.12613

Wong, J. S., Bouchard, J., Gravel, J., Bouchard, M., & Morselli, C. (2016). Can At-Risk Youth Be Diverted From Crime?: A Meta-Analysis of Restorative Diversion Programs. *Criminal Justice and Behavior*, *43*(10), 1310–1329. https://doi.org/10.1177/0093854816640835

Wood, W. R., & Suzuki, M. (2016). Four Challenges in the Future of Restorative Justice. *Victims and Offenders*, *11*(1), 149–172. https://doi.org/10.1080/15564886.2016.1145610

Wood, W., Suzuki, M., & Hayes, H. (2022). Restorative Justice in Youth and Adult Criminal Justice. In *SSRN Electronic Journal* (Issue September). https://doi.org/10.2139/ssrn.4223856