

Actor Deconstruction In The Integrated Criminal Justice System : Reintegration Of The Victim's Role Through A Restorative Justice Approach In Indonesia

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Abstract

System justice Indonesian criminal law that has been This based on paradigm retributive has place the victim in a systemic outside current main judicial process. Research This aim deconstruct role actors in Integrated Criminal Justice System (ICJS) at once offer paradigm new that repositions the victim as center and axis system, not just protected subjects. The methods used is study law normative with approach legislation and conceptual, based on the New Criminal Code (Law No. 1 of 2023), New Criminal Procedure Code (Law No. 20 of 2025), Regulations Police Number 8 of 2021, and Attorney General Regulation Number 15 of 2020. Research results reveal fundamental transformation of the whole ICJS actors : police transform become facilitator restorative justice, prosecutor's office integrate restitution in prosecution strategy, justice must consider victim recovery, and advocates now recognized as formal actor since stage investigation. Research This conclude that the victim's consent is condition sine qua non in every mechanism restorative, and victim recovery is gauge measuring main success system, not effect side punishment. Regulatory fragmentation and limitations capacity institutional Still become obstacle urgent structural For overcome.

I. INTRODUCTION

System justice criminal justice system in force in Indonesia during a number of decade final has built on foundation paradigm retributive, namely A method view that places the state as the most disadvantaged party in every incident crime (Risaputra & Gregorius, 2022). In construction paradigm this, crime No viewed as conflict between individual perpetrators and victims, but rather as violation to state authorities that must answered with fall sanctions criminal. As a result, all mechanism system justice criminal start from investigation and inquiry by the police, prosecution by the prosecutor's office, to court decision rotating on one question single : is perpetrator proven guilty and deserving punished ? The real question more fundamental, namely who is harmed and how restore loss said, in fact neglected in a way systemic in framework this. Condition thus create alienation structural for victims of crime, which is paradoxical become most interested parties in something case criminal, but in fact the least get room in the judicial process Alone (Nugroho, 2021).

Criticism of paradigm retributive This indeed No is idea new in knowledge law criminal law. Nils Christie, criminologist Influential Norway, in his monumental essay has mention that conflict that is essentially is owned by the parties involved has been " stolen " by professionals law and state apparatus, so that the victims lose control full on the matter alone. Ideas the in a way conceptual slap hard positivism law as conceptualized by Hans Kelsen, who viewed action criminal solely as disobedience towards state norms. Kelsen's approach is pure theory of law close meetings room settlement conflict between parties of a legal nature restorative, because in his views law only deal with relation between individuals and norms, not between The tension between these two perspectives is the starting point for academic debates regarding the paradigm reform of the modern criminal justice system, including in Indonesia (Ho, 2019).

Indonesian criminal law reform reached a historic milestone with the enactment of Law Number 1 of 2023 concerning the Criminal Code (New Criminal Code), which will come into effect in 2026. The presence of this regulation marks a fundamental paradigm shift: from a retributive approach to a more recovery-oriented approach, known as restorative justice. Furthermore, the New Criminal Code also explicitly provides broader space for the role of

advocates in the integrated criminal justice system (ICJS), which previously did not have a clear place alongside the police, prosecutors, and the judiciary (Jäggi et al., 2021). This expansion of space for advocates reflects the recognition that the modern criminal justice system can no longer operate monolithically and in a closed manner, but must be multi-stakeholder and inclusive. This paradigm shift aligns with the development of global restorative justice literature that emphasizes the importance of the active involvement of all stakeholders, including victims, perpetrators, and the community, in the process of resolving criminal cases (Saragih, 2020).

The momentum for reforming Indonesian criminal law was further strengthened by the enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code (New Criminal Procedure Code), which represents a fundamental reform of criminal procedure law, which for more than four decades has relied on colonial regulations. While the New Criminal Code represents an update to the material legal dimension, the New Criminal Procedure Code represents an update to the formal legal dimension, directly regulating the mechanisms and procedures for the operation of all actors in the integrated criminal justice system (Rifai, 2021). One of the important breakthroughs of the New Criminal Procedure Code is the strengthening of the position of advocates as formal actors in the criminal justice system, who are no longer on the fringes of the process but are instead structurally integrated into the criminal justice system flow from the investigation stage. Moreover, the New Criminal Procedure Code also opens up wider space for victim involvement in the judicial process, by recognizing victims' procedural rights that previously did not receive adequate space in procedural law regulations. Thus, the presence of the New Criminal Procedure Code together with the New Criminal Procedure Code together form a new architecture for Indonesia's integrated criminal justice system that is more inclusive, multi-stakeholder, and recovery-oriented.

However, there is one conceptual gap that has yet to receive adequate attention in the discourse on reforming Indonesia's criminal justice system: the position of victims as formal actors in the ICJS. Previous studies have indeed extensively discussed the application of restorative justice at the police investigation level, particularly following the issuance of Indonesian National

Police Regulation Number 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice. Similarly, several studies have explored prosecutorial discretion through a restorative approach under Attorney General Regulation Number 15 of 2020. However, these studies are generally sectoral and partial, discussing the role of each institution separately without establishing an integrative framework that positions victims as active subjects within the system as a whole. As a result, victims remain passive objects, occasionally listened to but never truly at the center of the entire justice system (Khokhar et al., 2023).

gap becomes even more significant when faced with the fact that the New Criminal Code has implicitly opened up space for a transformation in the roles of all actors in the Indonesian Civil Code (ICJS). The police now not only conduct investigations to prove the perpetrator's guilt, but can also pursue restorative justice mechanisms to restore victims' losses early (Bijayanti et al., 2020). The prosecutor's office no longer merely prosecutes on behalf of the state but can integrate demands for restitution or compensation as part of the criminal charge. Judges, in turn, not only decide whether a crime is proven but are also required to consider restitution for the victim as part of a just decision. The question then becomes: has this normatively established paradigm shift been accompanied by an adequate conceptual reconstruction of the victim's position in the Indonesian ICJS? (Rosenbaum, 2020).

This research aims to fill this gap through a doctrinal and critical study, using a restorative justice approach as an analytical tool to deconstruct the roles of actors in the ICJS and reintegrate victims as formal pillars of the system. The novelty of this research lies in offering a new paradigm in understanding the integrated criminal justice system: a paradigm that firmly positions victims not only as subjects to be protected or considered, but as the center and axis of the entire criminal justice architecture. In this new paradigm, victims are the main actors whose presence determines the legitimacy of every restorative justice-based case resolution mechanism, their consent being an absolute requirement (*conditio sine qua non*), and recovery for their losses being the main benchmark for the success of the system, not merely a side goal outside the state's punishment agenda (Rachmad, 2021). The formulation of the problems to be answered are: first, how to deconstruct the roles of actors in the Indonesian ICJS

after the enactment of the New Criminal Code when analyzed through a restorative justice perspective ; and second, how the reintegration of victims as active subjects in the ICJS can be formulated conceptually and juridically. This research is expected to provide theoretical contributions to the development of criminal law science, as well as practical contributions for policy makers in perfecting derivative regulations of the New Criminal Code that are responsive to the needs of crime victims (Anwar et al., 2021).

THEORETICAL REVIEW

Limitations Kelsen's Legal Positivism in Context Justice Criminal

Foundation epistemological system justice criminal conventional No can released from influence big Hans Kelsen's thoughts through his known theory as pure theory of law. In construction Kelsen's thinking, law understood in a way exclusive as something order normative in nature hierarchical and autonomous let go from moral, sociological, and other considerations psychological (Adjie Rizky Ananda, 2022). Crime, in logic Kelsen's positivism, no more from incident disobedience a individual against the norms that have been determined by the state, so that the most logical and legitimate response towards him is imposition sanctions by state officials. Framework think kind of This in a way structural close room for settlement bilateral conflict between perpetrator and victim, because in paradigm the country has monopolize right For respond every violation law . The implications are very real : the victims are degraded. become just witness or source tool proof for interest state prosecution, while loss concrete things he experienced good in nature material and psychological No become variables determinant in the judicial process. Approach This overly rigid normative approach ultimately give birth to system technical and impersonal justice, where the truth procedural more prioritized than justice substantive for the parties most affected by the event crime That Alone (Citizen, 2022) .

Conflict as Individual Property : Nils Christie's Critique

Responding disability fundamental positivism law said, Nils Christie offers perspective far- reaching criminology more humane and emancipatory. Christie argued that every conflict including the later ones categorized as action criminal in essence is owned by individuals directly involved in it. When the state and professionals law take over conflict the through mechanism system formal

justice, which is actually happen is a process of dispossession (theft of conflict): the victim is dispossessed from his position as party main interest and replaced by the state as actor dominant. Christie emphasized that consequence from robbery This No only dimensionless procedural, but also has an impact on recovery psychologically the victim is hampered, because the victim does not Once get room For speak up, have a dialogue, or confirm his needs in a way direct in the judicial process. The idea This become runway strong argumentative for movement global restorative justice, which in essence make an effort return conflict to the parties concerned while still guard order public (Sari & Pratama, 2021). In other words, Christie doesn't just criticize existing system, but also offers reimagination fundamental about what it should be become objective main from A system justice fair and dignified criminal law .

Justice Restorative as Paradigm Alternative in ICJS

Synthesis between criticism to Kelsen's positivism and Christie's thesis on ownership conflict give birth to what is now We know as paradigm restorative justice. Different with approach retributive which asks " law what is violated and the sanctions What should dropped ?", justice restorative submit same question very different : who is harmed, what need them, and how recovery can realized in a way dignified for all parties ? In context Integrated Criminal Justice System (ICJS) Indonesia post the enactment of the New Criminal Code, shifts this fundamental question own implications direct to role all over actor in police system No Again just gather proof For build construction error perpetrators, but also play a role facilitating healing dialogue since stage investigation (Widyawati et al., 2022). Prosecutor's Office No Again demand solely in the name of state interests, but rather can integrate mechanism restitution as part organic of the prosecution strategy. The court, at that point finally, no only cut off question Correct or the mistake something deeds, but also obligatory consider to what extent the decision contribute to recovery real for the victims. Transformation role all actor This only Possible happen if the victim is recognized formally as subject active No object passive in new ICJS architecture (Budianto, 2019).

2. RESEARCH METHODS

Study This use type study law normative (normative legal research),

namely a research model that focuses on the study rules law, principles law, as well as the doctrines contained in system law positive. Choice on type study This based on the essence the problems studied, namely How deconstruction role actor in The Integrated Criminal Justice System (ICJS) can formulated in a way conceptual and juridical in framework paradigm restorative justice post the enactment of the New Criminal Code. Because of the question study This related close with legal norms and structures conceptual system justice, then the approach used covers two paths main : first, approach statute approach which analyzes provisions law relevant positive ; second, the approach conceptual approach that explores and builds framework theoretical from doctrine, ideas of experts, as well development knowledge law criminal contemporary (Hambali, 2019) .

Source material law in study This shared to in two categories primary legal materials are sourced from from regulation applicable and relevant legislation in a way direct with main study, namely : Law Number 1 of 2023 concerning the Criminal Code (New Criminal Code) as paradigm reform instruments criminalization ; as well as Constitution Number 20 of 2025 concerning the Criminal Procedure Code (New Criminal Procedure Code) as instrument update law formal which is direct arrange mechanism Work all over actor in integrated criminal justice system; Regulation Republic of Indonesia National Police Regulation Number 8 of 2021 concerning Handling Action Criminal Based on Justice Restorative as regulations operational restorative justice at the level investigation ; and Attorney General Regulation Number 15 of 2020 concerning Termination Prosecution Based on Justice Restorative as runway discretion prosecution based recovery. As for the materials law secondary sourced from journals scientific law national which includes results research and analysis conceptual related system justice criminal law, restorative justice, and legal reform Indonesian criminal law, which was obtained through scientific databases such as Google Scholar, Garuda, and SINTA (Arimuladi, 2024).

Collection material law done through technique studies library research, namely with method identify, classify, and document all over material law both primary and secondary secondary which has relevance conceptual and normative with topic research (Zariah Nur & Mahzanian, 2022). Every material

primary law is studied in a way textual For map substance of norms, space scope settings, as well as relation inter-provisions in One system integrated law. Legal materials secondary from journal scientific reviewed in a way thematic For identify development thinking, gap conceptual, as well as arguments that can be strengthen or test framework built analysis in study This.

Analysis material law done with use method prescriptive analytical, ie something methods that do not only aim describe condition existing norms (ius constitutum), but also formulate How should law developed to front (ius constituendum) so that it is more responsive to need victim recovery. Primary legal materials analyzed use logic deductive For interesting thread red between change paradigm normative in the New Criminal Code with implications juridical to the role of each actor in ICJS. Meanwhile that, material law secondary analyzed in a way critical For build argumentation theoretical support reintegration of victims as subject active in system justice criminal. The entire analysis process This culminates in a construction conceptual in nature integrative and prescriptive, as common in tradition study law normative which is not just explain but also contribute to development more laws justice (Garcia et al., 2020).

3. RESULTS AND DISCUSSION

Deconstruction of the Retributive Paradigm towards the Restorative Paradigm in ICJS Indonesia

The Indonesian criminal justice system has been built on the foundation of a retributive paradigm that positions the state as the sole authority to respond to every crime. In this construction, crime is viewed solely as a violation of state norms, rather than as a real conflict between individuals requiring concrete redress (Karyatin & Sinaga, 2024). As a result, the justice system's energy is drained to prove the perpetrator's guilt and impose punishment, while the victims, who are truly most affected, are systematically marginalized from the processes that matter most to them. This condition reflects the structural failure of the retributive paradigm to achieve substantive justice, as demonstrated by numerous studies confirming that a retributive-based approach not only fails to restore victims but is also ineffective in reducing the recidivism rate of criminals (Sutrisno, 2021).

The paradigm shift has begun to become normatively apparent with the issuance of several regulations that accommodate the restorative justice approach in the Indonesian criminal justice system. Attorney General Regulation No. 15 of 2020 concerning the Termination of Prosecution Based on Restorative Justice marked a significant milestone, granting prosecutors discretion to discontinue prosecution once a reparation agreement has been reached between the perpetrator and victim. This regulation explicitly shifts the orientation of prosecution from solely pursuing corporal punishment to restoring relationships between affected parties. Furthermore, Indonesian National Police Regulation No. 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice expands the scope for the application of restorative justice to the investigative level, allowing restoration mechanisms to be pursued long before a case enters the courts . This multi-layered regulatory strengthening demonstrates that the paradigm shift is not merely academic discourse but has received concrete legal legitimacy within the Indonesian legal system (Pujiani et al., 2022).

The culmination of this paradigmatic transformation is reflected in Law Number 1 of 2023 concerning the Criminal Code (New Criminal Code) . Unlike the colonial legacy of the Criminal Code, which rigidly relied on corporal punishment as the primary response to crime, the New Criminal Code explicitly recognizes a more pluralistic purpose of punishment: not only deterrence and community protection, but also restoration of balance between the perpetrator, the victim, and society. This normative recognition represents a fundamental conceptual revolution, because for the first time in the history of Indonesian criminal law codification, victim recovery is positioned as one of the official goals of the punishment process itself. This is in line with research findings that confirm that the implementation of restorative justice consistently shows a shift from a paradigm of retribution to a paradigm of restoration that aligns with the principles of substantive justice .

Although this paradigmatic shift has been normatively codified, various implementation challenges still hinder the realization of true transformation in practice. Empirical research shows that law enforcement officials' understanding of the philosophy and mechanisms of restorative justice remains very limited, resulting in its implementation often being merely a formality

without addressing the substance of recovery. Furthermore, cultural resistance to non-punitive approaches remains quite strong among a society that has become accustomed to identifying justice with the imposition of severe punishment. This gap between norms and practice emphasizes that the deconstruction of the retributive paradigm cannot be resolved solely through regulatory reform but must be accompanied by a comprehensive transformation of legal culture at all levels of the criminal justice system .

Repositioning the Victim as Subject Active in the Integrated Criminal Justice System

One of the most fundamental weakness from Conventional Integrated Criminal Justice System (ICJS). is the absence of the victim as subjects who have rights and voice in the judicial process. During this, the victim only involved limited to needs technical as reporter, witness, or source tool proof temporary interest substantive in the form of recovery loss material and psychological No become consideration central in taking decision judiciary. Conditions This No just individual injustice, but rather A disability systemic that reflects how the state has " monopolized " the conflict that is actually dimensionless interpersonal approach survivor - centered development in literature transformative justice global affirms that autonomy and needs of victims must be become point leave design system justice, not just variables additional considerations after all state mechanisms running (Fata, 2022).

Regulation Republic of Indonesia National Police Regulation Number 8 of 2021 normative has open significant space for repositioning the victim at the stage investigation. Regulation This obligatory investigator For strive settlement based restorative justice with involving the victim in active in the mediation process, not just request information as witness. The victim's consent becomes condition constitutive that is not can set aside : without willingness and consent of the victim, mechanism restorative justice No can executed. This is a leap very important conceptual, because For First the first time in system Indonesian investigation, the victim's will has strength laws that can determine direction settlement matter. However, in in practice, implementation regulations This Still face constraint Serious in the form of limitations capacity of trained mediators and the lack of means adequate mediation in many regional police unit (Hikmawati, 2017).

At the level prosecution, Attorney General Regulation Number 15 of 2020 opens formal channels for victims to influence decision prosecution through mechanism agreement peace. The prosecutor was given discretion For stop prosecution if has happen recovery real for the victim, which is proven through agreement written between perpetrators and victims who have verified in a way law (Zarkasi et al., 2022). In context repositioning of victims, regulation This own transcendent meaning just efficiency court : he confirm that prosecution No Again solely state actions of a nature autonomous, but also must be responsive to interests and wishes of the victim. Integration of approaches This with the New Criminal Code which recognizes recovery as objective criminalization strengthen argumentation that ICJS Indonesia is currently in the process of transformation going to a system that places the victim as subject active, even though the formulation Still need strengthening more regulations integrated and coordinated (Pradityo, 2016).

On a higher level operational, repositioning the victim as subject active also demanding existence mechanism empowerment that allows victims to understand their rights, expressing his needs, and make a real decision reflect its autonomy No just follow the flow that has been determined apparatus. Experience from development system based restorative justice in various context show that effective victim empowerment need guide structured, support based community, as well as mechanisms that preserve victim agency throughout the process (Witasari & Arif, 2019). In the context of ICJS Indonesia, this This means needed No only update regulation, but also development infrastructure supporters start from training apparatus, provision of independent mediators, to service integrated victim assistance in system justice criminal in a way overall.

Victims as the Center of the New Paradigm of the Integrated Criminal Justice System

Study This offer One leap conceptual beyond just repositioning the victim as subject active : namely something paradigm new where the victim does not Again treated as one of the stakeholders necessary interests considered, but rather placed in a way firm as center and axis from all over architecture Integrated criminal justice system. In the conventional paradigm, the criminal justice system revolves around the relationship between the state and the

perpetrator, while the victim is merely present on the periphery of the process as a witness or reporter (Akbar, 2021). The new paradigm offered here fundamentally reverses this logic: the legitimacy of each case resolution mechanism is measured not by the fulfillment of state procedures, but by the extent to which the victim's interests and reparations are actually realized substantively (Wicaksono & Kusriyah, 2018).

This shift is not merely a technical change in judicial procedures, but rather a deconstruction of the dominant perspective that has monopolized the discourse on the criminal justice system. The survivor-centered approach, developed in global transformative justice literature, emphasizes that victim autonomy must be the starting point for system design, not a variable that is only considered after the wheels of state bureaucracy have turned. In the Indonesian context, this new paradigm gained its legal footing through the New Criminal Code, which recognizes restoring balance between perpetrators, victims, and society as the official goal of punishment, and the New Criminal Procedure Code, which strengthens victims' procedural rights at every stage of the criminal justice system in a formal and structured manner. The presence of these two legal instruments together forms a normative foundation that allows this new paradigm to be not only conceptual-academic, but also operationalized in real-life judicial practice (Cahyaningtyas, 2020).

In this new paradigm, victim consent serves as a constitutive condition *sine qua non* : without it, no restorative justice- based settlement mechanism can be legitimately implemented. Furthermore, restitution for victims' material and psychological losses is established as the primary measure of the system's success, not simply a side effect of the state's punitive process (Aminah & Rafsanjani, 2023). The practical implication is that all actors within the ICJS—the police, prosecutors, judiciary, and advocates—must recalibrate their work orientation by placing the question "has the victim truly recovered?" as central, rather than secondary. Experience from various contexts shows that systems designed with the victim at the center actually result in higher levels of perpetrator compliance, lower recidivism rates, and victim satisfaction far exceeding what conventional punishment-based systems can offer.

Transformation of the Role of Actors in ICJS: Police, Prosecutor's Office, and Judiciary

Transformation paradigm from retributive going to restorative No can come true without followed by reconstruction the role of each actor in ICJS. Police as gate First system justice criminal hold position strategically decisive, because it is in the hands of investigators fate beginning A case determined. After the enactment of Regulation Police Number 8 of 2021, the role of police No Again solely nature repressive in the sense of collecting proof For build indictment, but also nature restorative in the sense of trying recovery victim's losses since early. Investigator now own authority even obligation For evaluate whether something case potential completed through track restorative justice, with consider among other things, nature action crime, victim's condition, willingness perpetrator For responsible answer, and prospects achievement agreement meaningful recovery. This shift transforms the police from an institution solely focused on enforcement to one that also acts as a facilitator of restorative justice (Wesely, 2018).

The Prosecutor's Office, as the dominant authority in the Indonesian criminal justice system, has undergone a significant transformation in its role. Attorney General Regulation No. 15 of 2020 has shifted the orientation of prosecution from merely pursuing corporal punishment to ensuring restitution for victims. In this new structure, prosecutors not only act as prosecutors on behalf of the state but also as guardians of victims' interests in the legal process. The prosecutorial discretion granted by this regulation allows prosecutors to discontinue prosecution once the victim's recovery has been achieved in a tangible and verifiable manner. Furthermore, in the context of the New Criminal Code, prosecutors have the potential to integrate demands for restitution or compensation as an organic part of the prosecution strategy, not merely as optional additional demands, but as substantive elements reflecting a shift in the paradigm of criminal justice. However, this transformation requires prosecutors to have sufficient capacity to understand and professionally manage restorative justice mechanisms.

The judiciary, as the pinnacle of the ICJS, is also inseparable from the demands of role transformation. The New Criminal Code implicitly broadens the horizon of judges' considerations in rendering decisions: not only deciding whether or not a crime is proven and its sanctions, but also considering the extent to which the decision contributes to real recovery for the victim. This

represents a significant expansion of substantive jurisdiction, as judges are now expected to ask not only "is the perpetrator proven guilty?" but also "is this decision fair to the victim?". In practice, this expanded role requires judges to have a deeper understanding of the needs of victims, the impact of the crime, and available recovery mechanisms—competencies that have not been systematically developed in the education and training of judges in Indonesia. Comparative research shows that optimizing the role of judges in the restorative justice system requires strengthening more integrated regulations and building consistent institutional capacity (Lee et al., 2021).

Overall, the transformation of the roles of the three main actors in the ICJS indicates that Indonesia is moving towards a more integrative and recovery-oriented criminal justice architecture. However, recent research highlights that the implementation of restorative justice in Indonesia remains fragmented and sectoral, with each institution operating within its own regulatory framework without adequate coordination. This institutional fragmentation not only reduces the effectiveness of victim recovery but also opens up space for subjectivity and abuse of discretion, which can be detrimental to all parties. Therefore, an integrated restorative justice system is needed that unites restorative justice mechanisms at all levels of the ICJS within a unified, coordinated, and accountable regulatory framework. (Canada et al., 2021)

Strengthening the Role of Advocates as a Formal Actor in ICJS Based on the New Criminal Procedure Code

One of dimensions transformation integrated criminal justice system which often escape from attention study academic is shifting position advocate from just accompanying party suspect or defendant become recognized formal actors in a way structural in system justice criminal law Number 20 of 2025 concerning the New Criminal Procedure Code firm strengthen position advocate in every stages of the judicial process criminal, starting from stage investigation until implementation decision. Strengthening This No solely expansion right procedural, but rather reflection from confession that system fair trial requires balance between state power as claimants and rights individual For get mentoring effective law . In context restorative justice, role advocates also experience transformation : no only as defender interest client in the narrow sense, but also as facilitator who can push achievement agreement recovery

between perpetrators and victims in dignified. With thus, advocate in new ICJS architecture No just complement system, but rather actor active participants determine whether mechanism justice criminal truly walk in a way fair and restorative for all party (Yampolskaya, 2023).

Legal Implications of Restorative Justice in Updates System Justice Indonesian Criminal Code

Integration restorative justice to in ICJS Indonesia brings implications broad and multidimensional juridical, transcending just change procedural in handling matter. The first and most fundamental implication is shift characteristic victim's consent : from just information that is " considered " to be *conditio sine qua non* which is constitutive in every mechanism settlement case based restorative justice. Both Perpol Number 8 of 2021 and Perja Number 15 of 2020 in particular consistent put agreement and consent of the victim as condition absolute that is not can substituted by will apparatus enforcer law. This means that For First the first time in history law Indonesian criminal law, the victim has a kind of " veto right " in the settlement process the matter Alone A confession juridical that reflects fundamental shift in relation between the victim, the perpetrator, and the state in context justice criminal .

The second legal implication relates to the repositioning of restitution and compensation within the Indonesian criminal justice system. Until now, compensation for crime victims has been viewed as a separate civil legal matter from the criminal process. Victims must file a separate civil lawsuit to obtain material restitution, an additional burden that already traumatized victims often cannot afford (Piquero et al., 2020). The New Criminal Code, read in conjunction with Regulation No. 15 of 2020, opens up the legal possibility of integrating restitution mechanisms directly into the criminal process. This means that restitution for victims' losses is no longer an optional post-judgment matter but can become a substantive part of the resolution of criminal cases themselves. This integration has major implications for the future design of the ICJS: a mechanism for verifying victims' losses, a standard for calculating restitution, and an effective enforcement mechanism are needed to ensure that victims' right to restitution does not become merely an empty normative clause (Fileborn & Loney-Howes, 2020).

The third legal implication concerns the prevention of re-victimization

within the restorative justice process itself. One of the most substantial criticisms of restorative justice mechanisms is their potential to create re-victimization if not properly designed and implemented. Victims can feel pressured to "forgive" or "make peace" to resolve the case, without truly achieving meaningful reparation. Experience across contexts demonstrates that a truly victim-friendly system must be designed with robust mechanisms to protect victims' autonomy, including the right to refuse restorative justice mechanisms without negative consequences for the legal process. In the Indonesian context, this implication demands the creation of regulations that explicitly regulate standards for victim protection in the restorative justice process, including the right to assistance, the right to information, and the right to withdraw consent at any time during the process (Iman et al., 2022).

Legal implications fourth is need urge will formulation integrated restorative justice system that is comprehensive and codified in instrument law same level law. Currently, the regulation restorative justice in Indonesia is still spread in various regulation sectoral issued by each institution enforcer law in a way independent, without existence umbrella unifying law standards, procedures and mechanisms supervision in a way integrated. Regulatory fragmentation This No only create uncertainty law, but also opens up opportunity inconsistency applications that can be harm the victim. Research latest in a way firm recommend urgency formation regulations integrated restorative justice which includes criteria action criminal offenses that can be completed through track restorative, standard mediator qualifications, time limits implementation, mechanism compensation, as well as integrated database system inter-institutional enforcer law (Rifai, 2021).

Limitations Study

Study This in a way Honest confess a number of limitations inherent in the approach and scope his study. As study law normative based on analysis material law literature, research This in a way inherent No reach dimensions empirical from implementation restorative justice in practice justice real Indonesian crime (Jing, 2022). Field data like number success mediation, level post-victim satisfaction settlement case based restorative justice, as well as dynamics negotiation between parties in the process of recovery real, no can arrested through method the doctrine used in study this. Consequently, the

resulting conclusion nature prescriptive-conceptual and more strong in explain what it should be happen in a way normative than what is real happened in the field. Besides that, study this is also limited by scope the regulations analyzed, namely only three instrument law main New Criminal Code, Police Regulation Number 8 of 2021, and Perja Number 15 of 2020 so that regulations derivative others that have potential relevant, such as Supreme Court rules and regulations area related, not yet integrated in a way full in framework analysis study This (Santoso & Satria, 2023).

Limitations second related with study This Not yet use approach comparative and recommend study continued use of it. Comparative study law (comparative legal study) in fact will be very enriching analysis, especially in context identifying the integrated restorative justice system model from countries that have more formerly succeed implement it in a way comprehensive such as New Zealand, Canada, and several European countries Continental (Adjie Rizky Ananda, 2022). Absence dimensions in -depth comparative This make recommendations generated more nature contextual-local and not yet fully enriched by practice global best practices that have been tested (Sari & Pratama, 2021). In addition, research this is also not yet fully explore victim perspective in general direct as the most interested subject, considering method normative No allows researchers For dig experiences, perceptions, and needs of victims in general first-hand (Citizen, 2022). Limitations This No reduce validity contribution conceptual results generated, but at a time open very spacious room for study continuation of a nature empirical, comparative, and mixed-method to perfect framework a more integrated restorative justice system holistic and down to earth in context system justice Indonesian criminal law (Hartati et al., 2022).

4. CONCLUSIONS AND SUGGESTIONS

Based on results analysis to formulation problem first, deconstruction role actor in Integrated Criminal Justice System (ICJS) Indonesia post its validity Constitution Number 1 of 2023 concerning the New Criminal Code shows that has happen shift the fundamental paradigm of orientation retributive going to orientation restorative. Shift This manifested in a way juridical through three instrument mutually reinforcing regulations complete : Regulations Republic of

Indonesia National Police Regulation Number 8 of 2021 which transforms role police from institutions repressive solely become facilitator recovery since stage investigation ; Attorney General Regulation Number 15 of 2020 which shifts orientation prosecution from national interests towards victim recovery through mechanism discretion based restorative justice ; and the New Criminal Code which specifically explicit confess recovery balance between perpetrators, victims, and society as one of the objective official criminalization. With Thus, the police, prosecutors and judiciary No Again can understood solely as instrument state punishment, but rather must reconstructed as actors who are integrative Work For restore victim's losses in every stages of the judicial process criminal.

As for answering formulation problem second, reintegration of victims as subject active in ICJS Indonesia in general conceptual and juridical demand formal recognition that the victim's consent is condition sine qua non in every mechanism settlement case based restorative justice, at the same time require existence integration restitution as element substantive No just optional in the judicial process criminal. The victim does not Again can positioned as object passive which only functioning as witness or source tool evidence, but rather must recognized as a formal pillar of ICJS which has veto rights, rights on recovery material and psychological, as well as right For involved active in all over stages settlement the matter. However Thus, the realization reintegration the Still face obstacle structural in the form of fragmentation regulations that are sectoral, limitations capacity apparatus enforcer law, as well as absence umbrella law same level laws that specifically integrated arrange standards, procedures and mechanisms supervision restorative justice at all levels of ICJS.

Presence Constitution Number 20 of 2025 concerning the New Criminal Procedure Code is increasingly strengthen architecture integrated criminal justice system in Indonesia which is more inclusive and oriented recovery. If the New Criminal Code updates dimensions law material, then the New Criminal Procedure Code completes it in the material dimension law formal with integrate rights victim procedures and strengthening position advocate as formal actors in every stages of the judicial process criminal. More from that, research This in a way firm offer paradigm new in understand integrated criminal justice system : a paradigm that is not Again placing the state and the

perpetrators as axis main, but rather in a way explicit put the victim as center and benchmark measuring success all over mechanism justice criminal. In paradigm new this, restorative justice No just alternative settlement matter, but rather fundamental principles underlying method Work all over ICJS actors in integrative and equitable substantive.

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