Theoretical Review of Restorative Justice as a Breakthrough in Resolving Legal Cases by the Indonesian National Police

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<td>This research aims to analyze restorative justice as a breakthrough in resolving legal cases by the Police of the Republic of Indonesia from a theoretical perspective. Data was collected through literature study, observation, and analysis of legislation and other relevant documents. Data analysis uses the interactive model from Miles and Huberman. The research results show that, in the Indonesian context, there are several positive impacts that can be identified related to the application of restorative justice in resolving legal cases as follows: 1) Relationship Restoration, helping to restore the relationship between the perpetrator and the victim; 2) Reducing recidivism, restorative justice can reduce the rate of perpetrators returning to the world of crime; 3) Legal System Efficiency, speeding up the case resolution process, reducing the burden on an already congested legal system, and saving resources, including time and money; 4) Community Participation, involving the community in the case resolution process; 5) Psychological Support, providing psychological support for victims; 6) Alternatives for Young Offenders, a more useful alternative to prison for young offenders. However, the future challenge for the police is not to let restorative justice become a commercial product of the police.</td>
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I. Introduction

The resolution of legal cases by the Indonesian National Police (Polri) involves a series of actions carried out by the police to investigate, collect evidence and follow up on legal violations. Legal cases usually start with reports from the public or parties who feel they have been victims.1 This report can be submitted directly to the police station or through various official Polri communication channels.2 After receiving the report, the National Police will conduct an initial investigation to collect information and evidence related to the case. This investigation includes interviews with witnesses, collection of physical evidence, and analysis of the situation.

The police can examine suspects, witnesses and other related parties to obtain further clarification regarding the case.3 This inspection is usually carried out at a police station or appropriate location. If there is sufficient evidence and valid reasons, the National Police can detain the suspect to ensure the smooth running of the investigation process. This detention must be carried out in accordance with applicable legal regulations. The police will continue to collect the necessary evidence to support the case. This includes recordings, documents, evidence, and expert witnesses.4

After the investigation is complete, the National Police will compile a case file containing all information and evidence related to the case. This file will be used by the prosecutor in the trial later.5 After the case file is complete, the National Police will hand over the case to the public prosecutor. Prosecutors will assess whether there is enough evidence to charge the suspect in court. If prosecutors decide to prosecute, the case will go to trial. The suspect will face trial and have the opportunity to defend himself. The court will listen to evidence and arguments from both parties, then issue a decision. The verdict can be an acquittal or punishment depending on the outcome of the trial. If the suspect is found guilty, the sentence imposed by the court will be carried out in accordance with applicable law.

The process for resolving legal cases by the National Police can vary depending

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on the type of case and its complexity.\textsuperscript{6} It is important to note that human rights principles and the rule of law must remain respected throughout this process to ensure that justice is served. Public perception of the resolution of legal cases by the Indonesian National Police (Polri) can vary greatly.\textsuperscript{7} This can be influenced by various factors, including individual experiences, past cases, and mass media. The public will judge the National Police based on the extent to which they have succeeded in solving cases and providing justice to victims.\textsuperscript{8} Cases that are resolved quickly and suspects who are tried fairly and transparently tend to receive positive reception from the public.

Transparency in investigations and legal proceedings is essential. The public wants to know that the National Police is working professionally and unfairly in handling cases.\textsuperscript{9} Cases that are considered not transparent or are suspected of corruption or ethical violations can damage the image of the National Police. Protection of human rights in handling legal cases is key.\textsuperscript{10} Abuse of power by the National Police or violations of individual rights can create distrust and negative reactions from society.\textsuperscript{11}

Social media and mass media coverage play an important role in shaping public perceptions. Negative news or controversy surrounding the National Police can influence the public's view of this institution. Public perception can also be influenced by legal culture in Indonesia.\textsuperscript{12} If people believe that the legal system in the country is unfair or corrupt, they may be more skeptical of the National Police's ability to deliver justice. High-profile or controversial cases, especially those involving officials or public figures, can have a major impact on public perception. The correct and fair resolution of these cases will be closely monitored by the public,


such as the case of Ferdy Sambo, former Head of the National Police's Propam Division, Ferdy Sambo and others.

Apart from that, the National Police's efforts to increase professionalism, accountability and eradicate corruption can also influence the public's perception of this institution. The National Police has an important task in maintaining security and public order and providing legal protection. Therefore, efforts to improve and strengthen the legal system and apply the law fairly are very important to build public trust in the National Police.

Just for comparison, throughout 2001, the resolution of crime cases for the Regional Police (Polisi Daerah, Polda) of Metro Jaya (DKI Jakarta) and its surroundings was very low. Only half of criminal cases that have reached the investigation stage are successfully prosecuted in court. Meanwhile, in 2001 the number of crime cases actually increased. Not to mention, there are irregularities in the administrative system and control mechanisms, both at the Regional Police and the Prosecutor's Office. There is no confirmation between the National Police and the public prosecutor (JPU) regarding the case being handled. According to Adnan, the low level of resolution of criminal cases in Jakarta and its surroundings is inseparable from the weak administrative system for handling cases by law enforcement officers, the National Police and the Prosecutor's Office. The weakness of this system is often exploited by the National Police and prosecutors to commit fraud.

Apart from the weakness of the administrative system, the weakness of Polda Metro Jaya and its staff in resolving crime cases is due to the low operational costs of the police stations (at the sub-district level) to carry out investigations. The National Police's operational funds per year for one police station are only IDR 1 million. So, you can imagine spending IDR 1 million to provide good security. The implementation of restorative justice by the police or law enforcement agencies in Indonesia or in other countries usually aims to enable victims to be more actively involved in the process of resolving conflicts or criminal cases. This gives them the opportunity to express their feelings, get answers to their questions, and work with the perpetrator to reach an agreement that acknowledges the harm that has been done and seeks to repair it. By giving perpetrators the opportunity to face the impact of their actions and take responsibility for their actions, restorative justice can help reduce the likelihood of repeat crimes. This can involve a variety of actions that help the offender change his behavior and avoid returning to the world of crime.

Restorative justice can reduce the burden on the criminal justice system. In some cases, restorative justice settlements can allow cases to avoid more formal and expensive criminal justice, reducing the burden on the justice system and the

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resources required for case management. The application of restorative justice by police and law enforcement agencies can help improve relations between the community and the authorities. This can increase public trust in the legal system and promote collaboration in addressing social problems.

Restorative justice is often seen as an approach that is more in line with human rights principles because it emphasizes restoration, justice and active involvement of all parties involved. Although restorative justice has many benefits, its application may be limited in certain cases, especially in cases of serious crimes or when the perpetrator is unwilling to participate. However, in some cases of non-violence, petty theft, minor offenses, or community conflict, restorative justice can be an effective tool for achieving peace, healing, and community engagement.

2. Research Method

The type of research used in this legal research is normative research, namely research that focuses on norms and this research requires secondary data as the main data. Data Source is data obtained directly in the form of direct obstacles faced by the police in mass judgment as a primary source. Apart from that, there is data sourced from library materials which include legal regulations, doctrine and documents in the form of legal decisions and other sources that have relevance to the problems in this research as secondary sources. Data collection was carried out by reading and studying literature books and laws and regulations related to the problem under study, especially mass violence. The data analysis used in the research is an interactive analysis model adopted from Miles and Huberman. Miles and Huberman’s interactive data analysis model is an approach used to analyze qualitative data, especially in the context of qualitative research. This approach focuses on the systematic collection, analysis and interpretation of qualitative data. Miles and Huberman’s interactive data analysis model combines these steps repeatedly, interacting, and iteratively, thus enabling researchers to dig deeper and understand the phenomenon of restorative justice as a breakthrough in resolving

legal cases by the Indonesian National Police. This analysis consists of analyzing three activity flows that occur simultaneously, namely: data reduction, data presentation, drawing conclusions.

3. Results and Discussion

The Nature of Restorative Justice

Restorative Justice, when loosely translated, means Restorative Justice, which, according to Article 1 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, is the resolution of criminal cases involving the perpetrator, victim, family of the perpetrator/victim, and other parties. Other parties involved to jointly seek a just solution by emphasizing restoration to the original situation, rather than retaliation.

Restorative justice is a counter to retributive theory, which emphasizes retribution, and neoclassical philosophy, which emphasizes the equivalence of criminal and action consequences. Action sanctions are intended to be more educative and focused on community protection. Many individuals regard retributive justice as “a philosophy, a process, an idea, a theory, and intervention.” Restorative justice is a type of justice that focuses on mending harm caused by criminal acts. Restorative justice is implemented through a collaborative approach that involves all parties (stakeholders).

In terms of victim protection in the criminal justice system, the criminal justice system as regulated by the Criminal Procedure Code is basically not ideal in terms of granting rights and positions to crime victims in a fair and humane manner. Even when contrasted to the rights and position of the perpetrator in the criminal justice system, the victim’s rights and position are not equivalent, both normatively and philosophically. The fundamental rights, such as recovery for pain caused by a criminal act in the form of restitution, compensation, and rehabilitation, cannot be fully fulfilled holistically, either openly or implicitly. In actuality, the entitlement to compensation for victims does not account for insignificant losses experienced by victims. Meanwhile, the criminal decision handed down to the perpetrator has no direct correlation to the victim’s improvement or recovery after the crime occurred; even in retributive justice punishments, the justice distributed by the judge in court is only oriented towards retaliation against the perpetrator.

This fundamental problem must be addressed as soon as possible through improved criminal law policies and criminal law enforcement that is better and more accommodating for victim protection. This is a fundamental step in the context of improving criminal law policy through accommodating restorative justice values. These values are not essentially new values, but are values that actually exist and are contained in the nation’s philosophy of life, and are practically still maintained by our customary law. The need, or reuse of this paradigm is interpreted as an effort to re-philosophy of legal justice. The implication of applying this paradigm is the emergence of legal bias towards victims, society and perpetrators in a balanced and proportional manner. Thus, the concept of crime which is only based on violations of the public or state interest must be transformed into a violation of the interests of the parties, in this case the victim, perpetrator and society.

Restorative justice, in the context of the juvenile criminal justice system, is an approach to law enforcement that emphasizes restoration and improvement, as well as providing opportunities for juvenile offenders to take responsibility for their actions. This approach differs from traditional approaches that are more oriented towards punishment or separation from society. This approach prioritizes the recovery of the victim and the reinstatement of the child perpetrator into society. The main goal is to ensure that victims feel they have received justice, while child perpetrators of crimes are given the opportunity to understand the impact of their actions and make improvements.

Restorative justice promotes active participation from all parties involved, including victims, children of perpetrators, and the community. They are invited to participate in the conflict resolution and recovery process. Children who commit crimes are expected to admit their actions and take responsibility for them. They are also expected to contribute to compensating for losses experienced by victims or the community. Restorative justice aims to restore relationships damaged by criminal acts and facilitate victim recovery. This may include an apology, restitution, or other actions that support healing.

A juvenile criminal justice system based on restorative justice seeks to find solutions that are beneficial to all parties involved, not just providing retaliatory

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punishment. Restorative justice often involves mediation or meetings where children who commit crimes, victims, and other related parties can talk and find solutions together. This approach aims to reduce the rate of repetition of criminal acts, better return child perpetrators to society, and provide a better sense of justice to victims.

Article 5 Paragraph 1 of the Juvenile Criminal Justice System Law explains "The juvenile criminal justice system must prioritize a restorative justice approach". That Restorative Justice in the sense of Encounter Conception must be prioritized. Community participation in child protection ranging from prevention to social reintegration of children by participating in resolving children's cases through diversion and restorative justice approaches is regulated in Article 93 of the SPPA Law (Juvenile Criminal Justice System Law).

If done correctly, it is believed that this method will change the perpetrator's behavior (rehabilitation), prevent (deterrence), make parties aware of the importance of the norms that have been violated (reinforcement of norms), and enable recovery for the victim through restitution. Through Restorative Justice, there should be no more Children in Conflict with the Law (ABH) who are seen as social trash. This stigma must be eradicated. Nevertheless, there are still general obstacles to achieving Restorative Justice in accordance with the SPPA Law, including low attention to children, the absence or lack of availability of alternative means, often there are only 2 options: punish or not at all, the ability to see deeply. Long-term, the attitude of community leaders or religious leaders who often look down on ABH, as well as the legalistic attitude of law enforcement officials.

Restorative justice processes can take various forms, including victim-offender mediation, family group conferences, circle processes, and restorative sentencing in the criminal justice system. These processes are used in a wide range of contexts, from criminal justice to schools, workplaces, and community disputes. The effectiveness of restorative justice depends on various factors, including the willingness of all parties to participate, the skill of facilitators, and the context in which it is implemented. Proponents of restorative justice argue that it can lead to more satisfying outcomes for victims, reduce recidivism among offenders, and contribute to building more compassionate and connected communities. However, it's not a one-size-fits-all solution and may not be suitable for all situations or individuals.

Implementation of Restorative Justice by the police of the Republic of Indonesia

The Chief of Police of the Republic of Indonesia (Kepala Polisi Republik Indonesia, Kapolri) General Listyo Sigit Prabowo revealed that 11,811 cases were

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27 Estherina Ferdinand M, "PENERAPAN PRINSIP RESTORATIVE JUSTICE DALAM PENYELESAIAN TINDAK PIDANA PENGANAYAAN YANG DILAKUKAN OLEH ANAK TERHADAP ANAK (STUDI KASUS POLRESTABES MAKASSAR TAHUN 2020-2022)" (Universitas Hasanuddin, 2023), http://repository.unhas.ac.id/id/eprint/27093/.
resolved through the Restorative Justice mechanism throughout 2021. So, he asked the police to always prioritize this mechanism in enforcing the law. Restorative justice is an effort to resolve cases outside of legal or judicial channels, by prioritizing mediation between the perpetrator and the victim. In the future, cases that are of public concern, that touch on social justice, will increasingly be resolved using Restorative Justice.

The four-star general detailed that 11,755 cases completed through the Restorative Justice mechanism were resolved at the Regional Police level. Meanwhile, 56 other cases are at the Criminal Investigation Agency (Bareskrim, Badan Reserse Kriminal). The number of cases handled in this way, he said, had increased compared to 2020. A significant increase reached 28.3 percent from 9,199 cases to 11,811 cases. According to him, the restorative justice approach is a different effort in understanding and dealing with criminal acts as a condition for the existence of certain conditions. This approach, said Listyo, is one of the work programs launched to follow the dynamics of development in the legal world which is starting to shift from positivism to progressiveness. Indonesia’s Clean, Healthy and Productive Digital Space dated 19 February 2021.

National Police Chief Listyo issued a number of guidelines in the telegraph to ensure that matters involving the Information and Electronic Transactions Law (UU ITE) are handled in a way that promotes a sense of fairness for the community. The top leadership of the Bhayangkara Corps emphasizes that criminal law is a last resort in law enforcement. So, in the process it can prioritize restorative justice. On the other hand, Listyo emphasized that restorative justice must be excluded from cases that have the potential to divide, SARA (Suku, Agama, Ras dan Antar Etnis, Ethnicity, Religion, Race and Inter-Ethnicity), separatism and radicalism. “Victims who still want their case to be submitted to court but the suspect has realized and apologized, the suspect is not detained and before the file is submitted to the public prosecutor, space is given for mediation again,” said Listyo in the first paragraph of the circular that was released.

The implementation of Restorative Justice by the Indonesian National Police (Polri) or law enforcement agencies often receives criticism from various parties. One of the main criticisms is that understanding and training regarding Restorative Justice among police officers may be inadequate. This can result in a lack of consistency in implementing this approach and reduce its effectiveness. Criticism also arises because the Restorative Justice approach may not always be applied evenly throughout Indonesia. Some regions may be more advanced in implementing this concept than others.

Limited capacity and resources in several regions of Indonesia can become obstacles in implementing Restorative Justice effectively. So this can affect the availability of restorative programs and other supporting equipment. In the context of juvenile criminal justice, Restorative Justice must ensure the protection of the rights of children who commit criminal acts. Criticism may arise if these protections are inadequate, or if children are treated unfairly in the restorative
process. Restorative Justice may not be suitable for all types of crimes or cases. In some cases, such as very serious crimes or cases where the child offender is unwilling to participate in the restorative process, this approach may not be effective.

There are concerns that monitoring and evaluation of the implementation of Restorative Justice may be lacking, making it difficult to assess its effectiveness and ensure that the rights of all parties are properly protected. The public may be skeptical of Restorative Justice and favor more traditional approaches to punishment. This may be a barrier to wider acceptance and implementation of this approach. It is important to remember that Restorative Justice is an approach that can be effective if implemented well and with a deep understanding of its principles. Criticisms often relate to challenges in implementation, and continued efforts to refine and improve this approach in Indonesia could help overcome existing problems.

Head of the Criminal Investigation Agency of the Republic of Indonesia Police, Commissioner General, Agus Andrianto, noted that the police resolved 15,039 cases using restorative justice mechanisms from 2021 to March 2022. This number increased by 28.3 percent from the previous year which amounted to 9,199 cases.\(^{28}\) Agus also noted that 1,052 Sector Police (sub-district level, *Polsek*) in 343 Polres were no longer carrying out investigations. He believes that the Sector Police are the spearhead of the Bhayangkara Corps in terms of services that have the most direct contact with the community. Sector police must be the basis for resolving cases fairly by means of dialogue or mediation in resolving minor cases, such as community disputes or other social security disturbances.

In the case experienced by the artist, Lesti Kejora, she reported a case of domestic violence (KDRT) against her husband, Rizky Billar, in 2022. In her report, Lesti admitted that she had experienced physical violence.\(^ {29}\) Rizky pushed and slammed the victim onto the mattress and strangled the victim so he fell to the floor. The physical violence experienced by Lesti is a crime in accordance with the contents of Article 44 paragraph (1) of Law No. 23 of 2004 concerning the Elimination of Domestic Violence: "Every person who commits an act of physical violence within the household sphere shall be punished with imprisonment for a maximum of 5 (five) years or a fine of up to a lot of IDR 15,000,000.00 (fifteen million rupiah)." It was quite dramatic when previously Lesti showed off being in the hospital wearing a neck pillow.

The police then stopped the legal process under the pretext of using Restorative Justice. Even though this case is already at the investigation stage,

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accompanied by efforts to forcibly detain Rizky Billar. Of course, when someone is named a suspect, the police/investigators have two valid pieces of evidence as regulated in Article 184 of the Criminal Procedure Code. There are five types of valid evidence, namely witness statements, expert statements, letters/documents, instructions, defendant’s statements.

The concept of Restorative Justice emerged as a development from positivism to progressiveness. In Restorative Justice, all parties involved in legal violations choose to settle together without a court process. This means that both parties have the same view to resolve legal issues amicably. In fact, Restorative Justice is a method, not a form of decision on crimes as a resolution to solve problems by improving the situation or losses for the victim. The principle of Restorative Justice is to restore good relations between the perpetrator and the victim, taking into account the victim’s suffering.

One of the basic regulations used in implementing Restorative Justice is the existence of a Memorandum of Cooperation between law enforcement agencies, namely a Memorandum of Joint Agreement regarding Number 131/KMS /SKB/X/2012, Number M-HH-07.HM.03.02 of 2012, Number KEP-06/E/EJP/10/2012, Number B/39/X/2012. Restorative Justice is employed as a guiding principle in the resolution of criminal cases. The developed collective agreement serves as the foundation for settling a criminal case using restorative justice principles. In order to implement it, each state institution, such as the Supreme Court, the Attorney General’s Office, and the National Police, issued additional regulations to be used as guidelines in criminal cases, such as Circular Letter from the Chief of Police No. SE /8 / VII/ 2018 of 2018, National Police Chief Regulation no. 6 of 2019, PERJA no. 15 of 2020, and Decree of the Director General of the Supreme Court General Justice No. 1691/ DJU/ SK/ PS.00/ 12/ 2020.30

The arrangements made by each law enforcement agency above regulate the principles of restorative justice which are used in resolving criminal cases starting from the investigation, investigation, prosecution until the final stage at the trial in court. In the Decree of the Director General of the Supreme Court General Justice No. 1691/ DJU/ SK/ PS.00/ 12/ 2020, regulates the application of Restorative Justice in handling cases of minor crimes, women in conflict with the law, children and narcotics in district courts.31

Minor criminal cases can be resolved through Restorative Justice, according to Articles 364, 373, 379, 384, 407, and 482 of the Criminal Code, which carries a maximum prison sentence of 3 months or a fine with a loss value of no more than IDR 2,500,000. The chairman of the district court works with the district attorney’s

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office and the police chief to transfer files in accordance with Supreme Court Regulation No. 2 of 2012 on Restorative Justice. Minor criminal cases can be settled through Restorative Justice if peace has been established between the culprit, victim, perpetrator’s/victim’s family, and significant community figures involved in the case, with or without compensation. If the settlement agreement fails, the examination procedure is resumed by a single judge. Throughout the trial, the judge worked to maintain peace and prioritized Restorative Justice in his judgment.

Handling of Criminal Acts Based on Restorative Justice, National Police Chief Regulation No. 8 of 2021, Article 2 states that Handling of Criminal Acts Based on Restorative Justice is carried out in activities such as: a. carrying out the Criminal Investigation function; b. investigation; or c. investigation. Furthermore, criminal acts can be dealt with by ending the investigation or inquiry. Restorative Justice cases must meet material requirements such as: not causing unrest and/or rejection from the community; not impacting social conflict; not having the potential to divide the nation; radicalism and separatism; not being a repeat perpetrator of a criminal act based on a court decision; and not criminal acts of terrorism, criminal acts against state security, criminal acts of corruption, and criminal acts against people’s lives. Meanwhile, the formal resolution of cases utilizing Restorative Justice takes the form of: a. peace from both sides, except for Narcotics Crimes; and b. fulfillment of victims’ rights and offenders’ obligations, except for Narcotics Crimes.

The problem that arises is that the termination of cases by the Police (SP3) is not in accordance with the provisions of the Criminal Procedure Code which have been stipulated through Law Number 8 of 1981. The reasons for implementing restorative justice do not include reasons for stopping case investigations. Moreover, there is a principle that the regulations below do not conflict with the regulations above. The author is of the opinion that, because the position of the Criminal Procedure Code is higher than the Memorandum of Cooperation between law enforcers and the National Police Chief’s Regulations, it would be better if a case that has already been investigated and identified a suspect cannot be terminated other than for the reasons set out in the Criminal Procedure Code. With various pieces of evidence, at the trial stage, it will be up to the judge to decide the severity of the sentence. It is also necessary to limit cases that can be resolved using Restorative Justice, as regulated in the Decree of the Director General of the

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Supreme Court General Justice No. 1691/ DJU/ SK/ PS.00/ 12/ 2020. National Police Chief Regulation No. 8 of 2021 gives the impression that there are no case limits for implementing Restorative Justice. This carries the risk that settling cases in the police could lead to over-decriminalization. In order to obtain legal certainty, a judicial review of this National Police Chief’s Regulation can be carried out at the Supreme Court.

This means that restorative justice is an approach in the legal system that focuses on recovery and reconciliation, not just punishment or retaliation against criminals. This approach seeks to understand and address the social, emotional, and psychological impacts of crime on victims, perpetrators, and communities, and to rebuild relationships damaged by criminal acts. Key principles of restorative justice include:

a. Participation

Restorative justice encourages active participation from all parties involved, including victims, perpetrators and related communities. They have the opportunity to talk, listen, and contribute to the resolution process.

b. Impact Considerations

This approach prioritizes understanding and addressing the social, emotional, and psychological impacts of crime on victims, perpetrators, and communities, as well as seeking ways to improve these conditions.

c. Restitution and Reparations

Restorative justice promotes acts of restitution, where the perpetrator is expected to compensate for the harm that has been caused to the victim. In addition, this approach prioritizes improving relationships and the social environment.

d. Dialogue and Mediation

Open dialogue and mediation between victims and perpetrators can be an integral part of the restorative process. This helps in achieving understanding, agreement, and reconciliation.

e. Accountability

Restorative justice encourages perpetrators to recognize their responsibility for their actions and to bear the consequences. This may include an apology to the victim.

f. Prevention Efforts

This approach focuses not only on solving cases, but also on preventing further

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crimes. By understanding the root causes of crime and working with perpetrators to prevent reoffending, restorative justice seeks to create safer communities.

Restorative justice can be applied in a variety of contexts, including minor crimes to more serious cases. The primary goal is to promote reconciliation, healing and repair of relationships, thereby minimizing the damaging effects of crime and reducing the likelihood of similar crimes occurring in the future. This approach is gaining increasing attention in many legal systems around the world as an alternative or complement to traditional punishment approaches.

4. Conclusion

Restorative justice is an alternative approach in resolving legal cases that focuses on restoring relationships between the perpetrator, victim and society, rather than just punishing the perpetrator. In the Indonesian context, there are several positive impacts that can be identified related to the application of restorative justice in resolving legal cases as follows: 1) Relationship Restoration, restorative justice helps restore the relationship between the perpetrator and the victim. Through dialogue and meetings between the two parties, they can understand the impact of the perpetrator’s actions and find ways to improve their relationship. This can help reduce the anger and resentment the victim may feel; 2) Reducing recidivism, restorative justice can reduce the rate of perpetrators returning to the world of crime. When perpetrators better understand the consequences of their actions and feel responsible for their actions, they are more likely to change and not repeat criminal behavior; 3) Legal System Efficiency, a restorative justice approach can speed up the case resolution process, reduce the burden on an already congested legal system, and save resources, including time and money; 4) Community Participation, restorative justice involves the community in the case resolution process. So that it can create a sense of ownership in the local community, which in turn can encourage people to be more concerned about law enforcement and crime prevention efforts; 5) Psychological Support, Restorative justice also provides psychological support for victims. They can feel heard and appreciated, and this process can help in their healing process after being victims of crime; 6) Alternatives for Young Offenders, restorative justice can be a more useful alternative to prison for young offenders. The principles can help them understand their mistakes, learn from those experiences, and improve their behavior without being trapped in a harsh prison environment. However, it is important to remember that restorative justice is not a universal solution for all types of legal cases. There are cases that still require conventional legal processes, especially in cases of serious crimes. In the Indonesian context carried out by the Republic of Indonesia police, the implementation of restorative justice can also face challenges, including community

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understanding and the legal system that needs to be changed or adjusted. However, with a better understanding of the benefits of restorative justice, this process can become an important part of efforts to resolve legal cases more holistically and fairly. Don’t let restorative justice become a trade product of the Republic of Indonesia police only for rich people and Indonesian politicians.

References


