

## Legal Analysis of Criminal Case Settlement Through Restorative Justice in The Jurisdiction of The Kepri Regional Police

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**Abstract.** *This study performs a juridical analysis of the implementation of Restorative Justice (RJ) in resolving criminal offenses within the jurisdiction of the Riau Islands Regional Police (Polda Kepri). Restorative Justice is positioned as an alternative approach to the traditional penal system, shifting the focus from retribution to the repair of harm caused by the crime and the needs of the victims and offenders. This method emphasizes dialogue, mediation, and active participation from the parties involved, aiming for a consensus-based resolution that offers a more holistic sense of justice. The research employed a normative juridical approach, drawing on primary and secondary legal materials, including laws, regulations, circular letters from the Indonesian National Police (POLRI), legal theories, and scholarly literature related to procedural criminal law and restorative justice. The primary objective was to examine the legal framework, mechanisms, and challenges encountered by investigators in applying RJ as a means of terminating or concluding investigations (seizing the investigation). The findings indicate that while the implementation of Restorative Justice in Polda Kepri is formally supported by POLRI regulations (eg, POLRI Chief's Circular Letter No. SE/2/II/2021 on the Implementation of Restorative Justice in the Judicial Process for Criminal Acts), its application remains highly reliant on the discretion of the investigators and is constrained by specific criteria, such as the type of crime, the value of the loss, and the absence of recidivism. The study concludes that the application of RJ successfully enhances the efficiency of the criminal justice system and fosters a more humane form of justice, but it requires further legislative reinforcement and standardized, mandatory procedural guidelines to ensure consistency, accountability, and legal certainty across all investigative units in the region.*

**Keywords:** *Criminal Offense; Dialogue and Mediation; Investigation Termination; Juridical Analysis; Restorative Justice .*

## 1. Introduction

CountryThe Unitary State of the Republic of Indonesia is a state based on law (Rechstaat). This means that the actions of its government and citizens are based on law. This is clarified in the 1945 Constitution. Therefore, the state is expected to be able to resolve legal issues that arise to prevent arbitrary actions by the government, a ruler, or actions by the people that deviate from applicable legal norms. From the perspective of the purpose of legal norms, the aim is to maintain peace between individuals, a state of inner and outer peace that creates a balance between peace and order in society. In Indonesia, legal events are currently developing very rapidly. This has led to the emergence of inequality in resolving criminal cases.

ActionCriminal law is a legal concept, in other words, "evil acts" or "crimes." Crime is often interpreted as behavior that violates the law, resulting in the perpetrator being subject to punishment. Crime takes many forms and types, and factors such as coming from a broken home, living in a poor social environment, not having a proper education, and living in an environment lacking legal literacy can all contribute to crime. For example, thieves, driven by limited means to survive, resort to any means necessary, even despicable, to combat these issues. Therefore, law enforcement officials need to work together to address current issues by developing methods and resolutions to mitigate negative consequences while still providing a deterrent effect on perpetrators.

Considering that criminal cases involve legal resolution, including dispute resolution through the courts and out-of-court dispute resolution, the judicial process has been inconsistent with expectations. This method sometimes creates new problems and has drawbacks, such as being lengthy, seemingly complicated, expensive, rigid, and resulting in irreversible consequences.

The definition of restorative justice is an effort to provide a restoration of relationships and redemption for mistakes that the perpetrator of a crime wants to make to the victim of the crime or is also called an effort to make peace outside the court with the aim and objective that legal problems that arise as a result of the crime can be resolved well by reaching an agreement and consensus between the parties.<sup>1</sup> It is hoped that with the implementation of restorative justice, this justice is a process where all parties involved in a particular crime

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<sup>1</sup>Hanafi Arief, et al., "Implementation of Restorative Justice Principles in the Criminal Justice System in Indonesia", Al'Adl Journal, Volume X Number 2, July 2018, p.1.

work together to solve the problem of what the consequences will be in the future.

The Republic of Indonesia National Police (Polri) as part of the Integrated Criminal Justice System has a very important role in enforcing criminal law. In Law No. 2 of 2002 concerning the Indonesian National Police, Article 2 states that the function of the police is to carry out one of the functions of state government in the task of protecting, protecting and serving the community and enforcing the law. Article 14 paragraph (1) letter g of Law No. 2 of 2002 mandates that the Police have the authority to conduct investigations into criminal acts which are previously preceded by investigative actions by investigators.<sup>2</sup> Law enforcement must be carried out in accordance with statutory regulations (KUHAP), and also refers to the National Police Chief's priority program, which carries the concept of Transformation towards a Predictive, Responsible, and Transparent Police with Justice (PRESISI). In its explanation, Predictive is interpreted as predictive policing, which prioritizes the Police's ability to anticipate situations and conditions that become issues and problems, as well as potential disturbances to public order and security.

*Responsibility* is interpreted as a sense of responsibility manifested in words, attitudes, behavior, and responsiveness in carrying out duties, which are overall aimed at guaranteeing the interests and expectations of the community in creating security and order. Meanwhile, transparency with justice is interpreted as the realization of principles, ways of thinking, and systems that are open, accountable, humanistic, and easy to monitor. The transformation towards a Precision Police encompasses 4 areas, 16 priority programs, 51 activities, and 117 action plans. In the operational field, one of the priority programs of the Chief of Police is the Law Enforcement Performance Improvement Program. In this case, one of the Chief of Police's concerns is the existence of a law enforcement process that fulfills the community's sense of justice. This can be realized by prioritizing progressive law in resolving cases through restorative justice, which not only looks at aspects of legal certainty, but also benefits and justice.

This understanding aligns with that put forward by Gustav Radbruch. Gustav Radbruch identified justice, utility, and legal certainty as the three basic legal ideas or three objectives of law, and they can also be equated with legal principles. A court verdict or decision must be in accordance with the law because a judge must adjudicate based on the law. The decision must also be fair, objective, and impartial. Therefore, an ideal decision is one that contains

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<sup>2</sup>Pudi Rahardi, *Police Law (Professionalism and Police Reform)*, Laksbang Mediatama, Surabaya, 2007, 1st ed., p. 27.

justice, utility, and legal certainty in a proportional manner.<sup>3</sup> Among these three principles, the one that often comes under the spotlight is the issue of justice. Friedman stated that, "in terms of law, justice will be judged as how law treats people and how it distributes its benefits and costs," and in this connection Friedman also stated that, "every function of law, general or specific, is allocative." Furthermore, Prof. Tjip stated that law cannot ignore and close itself to the fundamental changes that occur in the world of science.

In reality, a societal system that is constantly undergoing change will undoubtedly significantly impact the progress of science. Therefore, if we want to avoid seeing the law faltering in keeping up with reality, we must understand that law is an integral part of the development of the scientific revolution.<sup>4</sup> Considering the background above, the author is interested in raising the problem for which a solution will be sought, so that in the future law enforcement carried out by the Police will be able to realize Justice, Benefit and Legal Certainty for the community.

The realization of legal order in Indonesian society is very important in order to achieve a prosperous, peaceful, calm and just society or in Javanese terms "tata tentrem kerta rahaja".<sup>5</sup> To realize this, a country cannot create prosperity, peace, tranquility, justice, and overcome crime by itself, so it requires state apparatus.

The resolution of criminal cases using a restorative approach has begun to be implemented in Indonesia, however, its implementation is only related to the resolution of child criminal cases and criminal acts that are included in complaint offenses.<sup>6</sup> In practice, the restorative justice approach is often applied in cases outside of these normative rules, such as the traffic case involving Dul, the son of musician Ahmad Dhani, and the domestic violence case involving Brigadier "E" in Tasikmalaya. The role of law enforcement in these cases deserves appreciation, given that many law enforcement officers still hold retributive views. The lack of a legal framework and the fear of investigators being blamed by superiors or supervisory committees are among the obstacles to implementing the concept of restorative justice.<sup>7</sup>

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<sup>3</sup>Arief Sidharta, *Judicial Reform and State Responsibility*, Judicial Commission Anthology, Judge's Decisions: Between Justice, Legal Certainty and Benefit, Judicial Commission of the Republic of Indonesia, Jakarta, 2010, p.3.

<sup>4</sup>Satjipto Rahardjo, 2004, *Legal Science "Search, Liberation and Enlightenment"*, Surakarta, UMS Press, p. 11

<sup>5</sup>Andi Hamzah, *Introduction to Indonesian Criminal Procedure Law*, Jakarta: Ghalia Indonesia Publisher, 1998, p. 19.

<sup>6</sup>According to Article 72-75 of the Criminal Code, the person who files a complaint has the right to withdraw it within three months after the complaint is filed.

<sup>7</sup>Salim HS and Erlies Septiana Nurbani, 2016, *Application of Legal Theory in Theses and Dissertations*, Raja Grafindo Persada, Jakarta, p.7.

## **2. Research Methods**

In this study, the author uses the type of Juridical Sociological research, Juridical Sociological is legal research that uses primary or field data as its main data, which is then continued with secondary data as a continuation or supplement, Researching the effectiveness of a Law and Research that wants to find a relationship (correlation) between various symptoms or variables as a data collection tool consisting of observation and interviews.<sup>8</sup>

## **3. Results and Discussion**

### **3.1. Case Resolution Through Restorative Justice in the Riau Islands Regional Police Jurisdiction**

Restorative Justice is the resolution of criminal cases by involving the perpetrator, victim, the perpetrator/victim's family, and other related parties to jointly seek a fair resolution through a process of deliberation to reach consensus, with a focus on restoring the situation to its original state, and not on revenge.

#### **1. Main Legal Basis**

The implementation of RJ by the Indonesian National Police, including the Riau Islands Regional Police, is guided by: National Police Chief Regulation (Perpol) Number 8 of 2021 concerning Handling Criminal Acts Based on Restorative Justice. Other relevant provisions (for example, regarding cases involving children, the Prosecutor's Office, or the Supreme Court).

2. General Requirements for Implementing RJ (Based on Police Regulation No. 8 of 2021 and General Practice) Investigators in the Riau Islands Regional Police area can implement RJ if they meet the material and formal requirements:

a. Material Requirements Requirements related to the type of crime and its impact: Not a Recidivist: The suspect has committed a crime for the first time. Criminal Threat: A crime that is punishable by imprisonment of no more than 5 (five) years. Exceptions: RJ does not apply to certain crimes such as terrorism, corruption, crimes against state security, and others. Loss: The loss caused by the crime is relatively small (for example, material loss below a certain value). Impact: The crime committed does not cause major losses, unrest, or broad social impact. Confession: The suspect admits his mistake and expresses regret for his actions. Peace: A peace agreement has been reached between the victim and the suspect. Recovery: There are efforts to recover the victim's losses, for example, return of assets, compensation, or repair of damage.

b. Formal Requirements Administrative requirements for the handling process:

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<sup>8</sup>Amirudin. 2017, Introduction to Legal Research Methods, Raja Grafindo Persada, Jakarta, p. 9.

Request from the victim and/or suspect. Investigation. Mediation. A statement of peace and an agreement to recover losses. Recommendation from the investigator/investigator's superior.

### 3. RJ Implementation Process at the Riau Islands Regional Police

Case resolution through RJ is basically carried out at the investigation stage at the Police: Submission/Identification: The investigator identifies a case that has the potential to be resolved through RJ, or the victim/suspect submits a request. Mediation: The investigator facilitates a meeting between the perpetrator, victim, family, and related parties (community leaders, religious leaders, etc.) in a neutral location (often at a police station or an agreed-upon location). Agreement: The main goal is to reach a peace agreement and restitution of losses. The investigator ensures that the agreement is carried out without pressure. Case Termination (SP3): If the RJ agreement is met and approved by the investigator's superior, the case will be terminated by issuing a Letter of Determination to Terminate Investigation (SP3) based on Restorative Justice. Documentation: The entire process is fully documented, including the Minutes of Mediation and the Peace Statement.

### 4. Synergy in Riau Islands

In the Riau Islands, the implementation of RJ often involves synergy between law enforcement (the Riau Islands Regional Police, the Riau Islands High Prosecutor's Office) and the local government. This is crucial to ensure post-trial sustainability, where perpetrators whose cases are dismissed can return and be accepted into the community, often through social interventions implemented by the local government.

The Circular Letter of the Chief of Police Number 8 of 2018 concerning the Implementation of Restorative Justice in the Settlement of Criminal Cases was issued in order to provide legal certainty for the investigation and inquiry process carried out, especially the process resolved with the Restorative Justice approach. This is seen in one of the considerations for issuing the Circular Letter of the Chief of Police, namely in order to respond to the development of the legal needs of the community and fulfill the sense of justice of all parties, the Police as an institution given the authority as investigators and investigators as well as coordinators and supervisors of criminal investigations, feels the need to formulate a new concept in the criminal law enforcement system that is able to accommodate the values of justice in society while providing legal certainty, especially certainty of process.

Restorative Justice actually reduces the government's role in monopolizing the formalism of the Criminal Justice System, which tends to be unsatisfying for justice seekers, especially victims. Restorative Justice places a higher value on the direct involvement of the parties, so that indirectly the victim is in a position

as a control element, while the perpetrator is encouraged to assume responsibility as a step in correcting the mistakes caused by the crime he committed and restoring his social value system. The mechanism for resolving cases outside the court (penal mediation) between the perpetrator and the victim is closely related to the existing criminal procedural law. As is well known, criminal procedural law is a process or procedure or procedure that must be carried out or applied by law enforcement officers when a crime occurs. This contains a logical consequence that the norms regulated by criminal procedural law are norms of authority.<sup>9</sup>Criminal cases as is known do not reach the trial, however the parties (the perpetrator and the victim) prefer to mediate (peace) regarding the existing criminal case, with the result of a Request for Withdrawal of the Report so that a criminal report is not continued to the next stage. Related to the issues that have been raised above, the resolution of criminal cases in a more effective and efficient manner is considered necessary as a control mechanism for the development of the crime itself. The involvement of perpetrators and victims in resolving conflicts as a result of criminal acts is the author's interest in studying it in this legal research. The many fundamental problems in the resolution of cases between victims and perpetrators are important for reformulation regarding the criminal justice system that emphasizes out-of-court settlements based on the Restorative Justice System.<sup>10</sup>

Restorative Justice is defined as a response to dissatisfaction with or failure of the criminal justice system. Restorative Justice is a conceptual framework that addresses the development of the criminal justice system by emphasizing the need for community involvement and the involvement of victims who feel marginalized by the mechanisms currently in place. A violation of criminal law is understood as a conflict between individuals that results in harm to the victim, the community, and the offender. Among these three groups, the interests of the victim are paramount, as the primary crime is a violation of the victim's rights.<sup>11</sup>Restorative Justice is a form of approach to resolving criminal cases by involving parties such as the perpetrator, victim, the perpetrator/victim's family, and other related parties to jointly seek a just solution by emphasizing restoration to the original state, and not revenge.<sup>12</sup>

In the process of resolving criminal acts using a restorative justice approach,

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<sup>9</sup>Didik Endro Purwoleksono, *Criminal Procedure Law*, Airlangga University Press, Surabaya, 2015, p.16.

<sup>10</sup>Agus Andrianto, *Strategy for Implementing Restorative Justice Principles to Improve Excellent Service in the Framework of Realizing Public Trust*, National Police Headquarters, 20th SESPIMTI Education, 2012, p. 12.

<sup>11</sup>Andrew Ashworth, *Victim Impact Statements and Sentencing*, *The Criminal Law, Review*, August, 1993, Pp. 23.

<sup>12</sup>Apong Herlina, *Restorative Justice*, *Indonesian Journal of Criminology* Volume 3 No.III September 2004, p. 19.



individuals are required to play an active role in problem-solving, and the state is positioned as a party that must provide support for individuals or communities who desire to resolve their conflicts. In the restorative perspective, it is individuals who must play their roles and responsibilities in resolving conflicts collectively, not the state. The state is considered not to have an exclusive or dominant role in the resolution process. The dispute resolution mechanism based on restorative justice is based on deliberation and consensus, where the parties are asked to compromise to reach an agreement.<sup>13</sup> Every individual is asked to compromise and put the interests of society above personal interests in order to maintain communal harmony. The concept of deliberation has proven effective in resolving disputes within society amidst the failure of the state and the courts to provide justice.<sup>14</sup> The current justice system, based on retributive and restitutive justice, only grants state authority, delegated to law enforcement. Perpetrators and victims have little opportunity to express their desired version of justice. The state determines the degree of justice for victims by imposing prison sentences on perpetrators. Therefore, the restorative justice approach to resolving criminal offenses is a novelty in our current criminal justice system. The current restorative justice process requires a resolution that leads to peace for both parties in achieving its goals. Therefore, a restorative justice approach to resolving criminal offenses can reduce prison sentences and provide justice for both perpetrators and victims, preventing them from having to resort to legal proceedings.

### **3.2. Obstacles and Solutions in Resolving Cases Through Restorative Justice in the Riau Islands Regional Police Jurisdiction**

Obstacles and Solutions in resolving cases through Restorative Justice, presented in the general context of law enforcement in Indonesia, including in jurisdictions such as the Riau Islands Regional Police. Specifically, the details of implementation in the Riau Islands Regional Police will be greatly influenced by internal policies and the socio-cultural conditions of the region, but the main obstacles and solutions tend to be similar to national challenges. The implementation of Restorative Justice (RJ) in the police often faces complex challenges, both from within law enforcement and from external parties (the community, perpetrators, and victims).

Differences in Understanding the Concept of RJ: Many law enforcement officers still do not fully understand the philosophy of RJ. This concept is often misinterpreted as merely "peace" or "peace in place," without paying attention

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<sup>13</sup>Stephen Benton and Bernadette Setiadi, *Mediation and Conflict Management in Indonesia in Conflict Management in the Asia Pacific, Assumptions and Approaches in Diverse Cultures*, Singapore, 1998, p. 228.

<sup>14</sup>Bruce E. Barners, *Culture, Conflict, and Mediation in the Asian Pacific*, University Press of America, Maryland, 2007, Pp. 109.



to the aspects of victim recovery and the perpetrator's responsibility as a whole. Concerns about Abuse of Authority (Legal Loopholes): There are concerns that RJ will be used as a tool to expedite case handling for efficiency without prioritizing true justice, and even has the potential to be misused to "secure" perpetrators by irresponsible individuals (for example, there are indications of bargaining or pressure). Non-uniformity of Procedures: The absence of standard operating procedures (SOPs) and strong evaluation mechanisms at all levels, causing the implementation of RJ to be non-uniform, prone to manipulation, and lacking transparency.

Limited Case Scope: There are limitations to the types of cases that can be resolved through RJ (for example, minor/non-widespread crimes, not serious cases such as sexual violence or terrorism). This limits the flexibility of law enforcement. Retributive Culture (Revenge Punishment): Indonesian society generally still tends to adhere to the paradigm of retributive justice (revenge/punishment). This makes it difficult for victims or their families to accept the concept of peace or recovery without seeing the perpetrator imprisoned. Power Imbalance: In the mediation process, power imbalances often occur, especially in certain cases. Victims, who are in a weaker position (socially, economically, or psychologically), may feel pressured to reconcile for social interests or institutional pressures. Lack of Public Understanding: The concept of RJ has not been fully socialized to the wider community. As a result, there is resistance or distrust towards settlement processes that do not end up in court.

Human Resources (HR) Quality: Lack of training and capacity of investigators/assistant investigators in the field to facilitate the mediation process and effective communication between victims and perpetrators. Availability of Facilities: Ideal restorative justice requires a neutral facilitator, a conducive mediation space, and, for certain cases (e.g., drugs), adequate rehabilitation infrastructure. This availability is often uneven. Weak Monitoring and Evaluation (Monev): There is no strong monitoring and evaluation mechanism to measure the success of RJ, ensure that victims' rights are met, and prevent the repetition of criminal acts (recidivism).

Solutions to Overcome Obstacles To overcome the above obstacles, strategic and comprehensive steps are needed that involve increasing the capacity of officers, strengthening regulations, and public education. Alignment of Perception and Understanding: Conducting regular intensive training and outreach to all law enforcement officers, from investigators to leaders, regarding the philosophy, principles, and correct RJ procedures, emphasizing victim recovery (restitution/compensation) and perpetrator accountability. Implementation of Strict and Transparent SOPs: Creating and implementing detailed and mandatory Standard Operating Procedures (SOPs) to guide the RJ process, including case eligibility criteria, mediation procedures, and documentation/reporting

mechanisms, to minimize abuse.

**Establishment of a Special Team and Certified Facilitators:** Establish a special team or appoint investigators/facilitators who are certified in mediation and RJ to ensure neutrality and professionalism in the negotiation process. **Prioritizing Victim Recovery:** Ensuring that victims' rights, including restitution (compensation for material damage) and symbolic recovery (apology, admission of guilt), are truly the main focus and are fulfilled before the RJ process is approved.

**Protection and Advocacy Mechanisms:** Provide legal and psychological assistance to victims, especially in cases with significant power imbalances, to prevent pressure or intimidation to reconcile. **Education and Public Campaigns:** Conduct massive public education on the benefits of RJ, the importance of perpetrator accountability, and the concept of justice that focuses on recovery, not just revenge, to change the retributive culture. **Budget and Facility Increase:** Allocate a budget to support the RJ process, such as providing appropriate and conducive mediation spaces, and supporting the availability of necessary rehabilitation facilities.

**Monitoring and Evaluation (Monev) Mechanism:** Establish a structured Monev system to monitor each RJ case, evaluate the results, and identify areas for improvement, thereby ensuring the process is fair, transparent, and accountable. **Cross-Sector Collaboration:** Strengthen cooperation with relevant institutions, such as the Prosecutor's Office, Courts, Correctional Institutions, Ministries/Social Services, and community/traditional leaders, to ensure equality and balance in RJ regulations across all stages of the criminal justice system.

**Barriers and Solutions to Restorative Justice in the Riau Islands Regional Police**  
The implementation of Restorative Justice (KR) by the Police, including in the Riau Islands Regional Police area, is guided by Police Regulation (Perpol) Number 8 of 2021 concerning Handling of Criminal Acts Based on Restorative Justice. However, in its implementation, there are a number of challenges and solutions that can be applied. In general, obstacles in the implementation of KR in the police environment include legal, institutional, and socio-cultural aspects: **Incomplete Understanding of the Concept (HR): Barriers:** There are still members of the National Police, especially investigators, who do not fully understand the concept and philosophy of Restorative Justice as a whole, so that it has the potential to make KR only an administrative "shortcut" or a regular case termination, not a true recovery.<sup>15</sup> **Solution:** Improving the quality of Indonesian Police Human Resources (HR) through continuous training and outreach on

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<sup>15</sup>Based on a general analysis of the understanding of the concept of KR which is often incomplete among law enforcement officers, and the existence of legal needs in society for its implementation.

restorative mediation philosophy, procedures, and skills.<sup>16</sup>Inequality of Position between Victim and Perpetrator (Procedural Injustice): Obstacles: In practice, there is often an imbalance of power between the victim and the perpetrator.

Victims may feel pressured to “forgive” or accept restitution for the sake of efficiency or institutional/social pressure, which does not result in true healing.<sup>17</sup>Solution: Ensure that the KR process is conducted voluntarily, without pressure, coercion, or intimidation, and maintains a balance between the parties. In sensitive cases (e.g., sexual violence), a face-to-face approach should be used with great care or avoided if it creates a balance.<sup>18</sup>Lack of Monitoring Mechanisms and Standards: Obstacles: The absence of standard procedures and strong evaluation mechanisms to ensure that the restorative process is fair and transparent, making it vulnerable to potential manipulation or abuse (for example, simply for the sake of efficiency in handling cases).<sup>19</sup>Solution: Establishment of strong internal and external monitoring mechanisms (including involving the community and independent institutions) and drafting more detailed and stringent Standard Operating Procedures (SOPs). Material Requirements Constraints (Police Regulation No. 8/2021): Constraints: There are constraints in fulfilling material and formal requirements (such as material/symbolic losses have been restored and there is peace) comprehensively in the field, especially in certain cases.<sup>20</sup>Solution: Investigators must actively facilitate mediation and ensure that there is an admission of guilt from the perpetrator and the consent of the victim to carry out KR, with a focus on restitution efforts (compensation) provided to the victim.<sup>21</sup>

Solutions for Strengthening Restorative Justice Specific solutions to improve the implementation of KR in the Riau Islands Regional Police: Strengthening the Role of Bhabinkamtibmas and Community Development: Conducting intensive outreach to the community, perpetrators, and victims about the concept of KR and its benefits, placing peaceful case resolution as part of efforts to maintain public order and security.<sup>22</sup>Integration with Related Institutions: Strengthening

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<sup>16</sup>This solution is based on the importance of improving the quality of the Indonesian National Police's Human Resources (HR) as the key to the success of KR.

<sup>17</sup>Based on critical notes that the imbalance of power between the victim and the perpetrator can cause the victim to feel pressured to reconcile

<sup>18</sup>The principle of KR must adhere to voluntary action without pressure (See: Source 1.3), and it is necessary to understand that the best solution is not always the same as bringing the accused and the victim together.

<sup>19</sup>Based on the lack of supervisory mechanisms and standard procedures, which are prone to misuse if only used as an efficiency instrument.

<sup>20</sup>Obstacles faced by Polri members in implementing KR through Perpol No. 8/2021, especially in fulfilling material requirements

<sup>21</sup>The role of the investigator must be to facilitate mediation and ensure there is an admission of guilt and restitution (compensation) to the victim.

<sup>22</sup>Based on the need to socialize the KR concept and its important role in creating a conducive situation of security and public order.

coordination and synergy between National Police investigators and the Prosecutor's Office, Courts, and other related institutions (such as Correctional Institutions/Bapas and Social Services) to ensure a common view and consistency in KR regulations (balance).<sup>23</sup>Optimizing Mediation and Victim Recovery: Focus on restitution of material losses and symbolic reparations. Ensuring victims' rights are met not only stops the case but also encourages perpetrators to take responsibility for their harm.<sup>24</sup>

#### **4. Conclusion**

Based on the results of the research and analysis of the discussion of each chapter above, we present conclusions as answers to the problems that have been formulated as follows: The application of Restorative Justice (RJ) in resolving criminal cases within the jurisdiction of the Riau Islands Regional Police (Polda Riau Islands) essentially has a strong legal basis and aligns with national criminal law policy. The primary basis includes Police Regulation (Perpol) No. 8 of 2021 concerning the Handling of Criminal Offenses Based on Restorative Justice and other Circular Letters. Legal Aspects: Legally, RJ at the Riau Islands Regional Police can be applied to minor criminal cases, child cases, or other cases that meet the requirements (such as losses below a certain limit, not causing unrest, and the existence of a peace agreement between the perpetrator and the victim). Implementation: The implementation of RJ shows that there are settlement efforts that are oriented towards restoring relationships and compensation for victims, rather than solely seeking revenge. This helps reduce the burden of caseload at the investigation level. Challenges: The main challenges faced are the lack of uniformity in understanding and implementation in the field, as well as the potential for pressure or intervention that can diminish the essence of RJ, making it merely a formality of termination of investigation (deponing). In addition, more detailed and integrated standard operating procedures (SOPs) are still needed between units. Overall, the implementation of RJ in the Riau Islands Regional Police is a progressive step toward realizing more humane, effective, and recovery-oriented law enforcement, but requires institutional and social strengthening. Effectiveness: RJ is effective in certain cases because it provides more tangible substantive justice for victims and provides an opportunity for perpetrators to be held accountable without having to go through a lengthy criminal justice process.

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<sup>23</sup>This solution is driven by the need to find common ground and balance in the arrangements between institutions.

<sup>24</sup>The aim of KR is to repair material and symbolic losses (See: Source 1.1) and to educate perpetrators to be responsible.

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