

Reconstruction of Regulations for the Position of Prosecutors in the Settlement of General Crimes Based on Restorative Justice Value

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Abstract

The Attorney General's Office released AGO Regulation Number 15 of 2020 concerning the Termination of Prosecution Based on Restorative Justice. According to this regulation, the Public Prosecutor (JPU) has the right to stop the process of prosecuting the accused in some instances, if there is an amicable agreement between the victim and the defendant. The purpose of this study is to examine and analyze the weaknesses of the regulation of the position of the Prosecutor in the current settlement of general crimes by *restorative justice* and to reconstruct the regulation of the position of the Prosecutor in the settlement of general crimes by *restorative justice* based on the value of justice. This study uses a constructivist paradigm with a *socio-legal* by examining secondary data and primary data by finding the legal reality experienced in the field, as well as a qualitative descriptive method, namely where the data obtained, are then arranged systematically so that a comprehensive picture will be obtained, where later the data will be collected. will be presented descriptively. Based on the findings of this dissertation research, it is found that in principle criminal cases can be closed. Prosecutions terminated based on restorative justice limited to perpetrators who have recently committed a crime, not recidivists, and only to minor crimes. The Weakness of the Prosecutor in the settlement of general crimes in *restorative justice* is the legal substance (*legal substance*) Article 5 paragraph (5), Article 9 paragraph (5), PERJA NO 15 of 2020. *Legal Structure*, namely the expertise of the Public Prosecutor in providing the best offer or introducing a restorative concept to the parties. *Legal culture* (*legal culture*) assumes that what is done by the perpetrator must end with a criminal penalty. So it is necessary to reconstruct Article 3 paragraph (5), Article 5, Article 9, Article 12, the Regulation of the Attorney General of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice.

Keywords: Crime, Prosecutors, Restorative Justice.

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INTRODUCTION

Restorative justice is a response to criminal acts that focus on recovering victims who have suffered losses, giving understanding to perpetrators to be responsible for the crimes they have committed, and building a peaceful society (Mulyani, 2016).

Restorative *justice* focuses on the needs of both victims and perpetrators of crime. In addition, *restorative justice* helps criminals to avoid other crimes in the future. One form of *restorative justice* is a dialogue that is better known among the Indonesian people as deliberation for consensus so that through the concept of *restorative justice* it becomes a very

important consideration in resolving criminal cases (Nuryanti, Gunarto, and Wahyuningsih, 2017).

With the termination of prosecution based on *restorative*, there are 3 mechanisms for stopping prosecution in addition to stopping prosecution for the sake of law and setting aside cases in the public interest (*Seponering*). It is necessary to observe here how the legal consequences following the termination of prosecution based on restorative justice are carried out, whether at some point there is a possibility that the prosecution can be resumed if there are certain circumstances, such as the termination of prosecution for legal reasons, or whether it cannot be continued again, such as the consequences of *sponsoring*. This can be clarified if examining the basis for the termination of

prosecution based on *restorative* refers to the values that live in society and not because of legal technicalities, then the consequences must be equated with *sponsoring* i.e. cannot be continued again under any conditions or circumstances so that justice can be achieved, followed by legal certainty downstream.

The practice of resolving criminal cases using *restorative justice* has been carried out, especially for the settlement of criminal cases that are included in minor crimes. Minor crimes (*Tipiring*) are crimes that are light or harmless. These minor crimes are not only in the form of violations but also include minor crimes written in Book II of the Criminal Code which consist of, minor animal abuse, minor insults, minor maltreatment, minor theft, light embezzlement, minor fraud, minor damage, and light detention (Soma, 2013).

Restorative justice carried out at the prosecution level shows that the settlement of criminal cases based on *restorative justice* is one of the efforts to settle criminal cases which is expected to reduce the accumulation of cases at the court level. In addition to the settlement process which is faster than through litigation, case resolution through *restorative justice* is considered more capable of realizing substantive justice as desired by the parties (perpetrators, victims, and the community) which in this case focuses more on the interests of the victims. *Restorative justice* focuses on restoring the condition of the parties before the occurrence of a crime.

Currently, there has been Prosecutors' Regulation Number 5 of 2020 concerning Termination of Prosecution Based on Restorative Justice. This provision is a "guideline" for perpetrators, victims, and the community who want a settlement process through mediation with various considerations of course. The main provisions for stopping prosecution for the sake of implementing restorative justice and preventing the potential for abuse of the restorative justice article by unscrupulous persons, need to be included in the Bill on Amendments to Law no. 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia and is regulated in the Criminal Procedure Code as a source of law in criminal proceedings in Indonesia. By incorporating the main provisions into the law, the legal umbrella is stronger and its implementation in the field is more secure and the government in providing justice is not abused by certain elements. In the hierarchy of statutory regulations, the position of the Act is much stronger than that of the Attorney General's Regulations (Waluyo, 2020).

Article 2 of the Prosecutor's Office Law has confirmed the position of the Prosecutor's Office or Public Prosecutor who is under the Indonesian Prosecutor's Office as one and inseparable in terms of implementing state power in the field of prosecution and other authorities based on an independent law. The

matter of the prosecutor's office or the public prosecutor under the Indonesian Attorney's Office can be further distinguished through the understanding in Article 1 number 6 letter a of the Criminal Procedure Code (KUHAP) and Article 1 number 1 of the Prosecutor's Law which has confirmed that the Prosecutor is an official authorized by law to act as public prosecutors and implement court decisions that have permanent legal force (Priyambudi *et al.*, 2020).

At this time, there has been Prosecutors' Regulation Number 5 of 2020 concerning the Termination of Prosecution Based on *Restorative Justice*. This provision is a "lighting star" for perpetrators, victims, and the community who want a settlement process through mediation with various considerations of course. The main provisions for stopping prosecution for the sake of implementing *restorative justice* and preventing the potential for abuse of the *restorative justice* by unscrupulous persons, need to be included in the Bill on Amendments to Law no. 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia and is set out in the Criminal Procedure Code as a source of law in criminal proceedings in Indonesia. By incorporating the main provisions into the law, the legal umbrella is stronger and its implementation in the field is more secure and the government in providing justice is not abused by certain elements. In the hierarchy of statutory regulations, the position of the Act is much stronger than that of the Attorney General's Regulations.

Article 2 of the Prosecutor's Office Law has confirmed the position of the Prosecutor's Office or Public Prosecutor who is under the Indonesian Prosecutor's Office as one and inseparable in terms of implementing state power in the field of prosecution and other authorities based on an independent law. The matter of the prosecutor's office or the public prosecutor under the Indonesian Attorney's Office can be further distinguished through the understanding of Article 1 number 6 letter of the Criminal Procedure Code (KUHAP) and Article 1 number 1 of the Prosecutor's Law which has confirmed that the Prosecutor is an official authorized by law to act as public prosecutors and implement court decisions that have permanent legal force (Priyambudi *et al.*, 2020).

The process of law enforcement in Indonesia is always a dialectic and dichotomy between legal certainty, justice, and expediency. Some people are skeptical that the three legal goals cannot be achieved and go hand in hand. Among the three there will be left behind if one of them is fulfilled. If you prioritize legal certainty, then the goals of justice and benefit will not be fulfilled. Vice versa, on the other hand, some people still believe that the three legal objectives can be achieved simultaneously in every case of law enforcement without denying other objectives. So that the current problem and challenge is how to realize a

law enforcement process that can fulfill the legal objectives, namely achieving legal certainty that is just and beneficial.

Based on the description of the background above, the authors are interested in analyzing this problem using the following 2 (two) problem formulations:

1. What are the weaknesses of the regulation on the position of the Prosecutor in the settlement of general crimes in *restorative justice*?
2. How is the reconstruction of the regulation on the position of the Prosecutor in the settlement of general crimes by *restorative justice* based on the value of justice?

METHOD OF RESEARCH

This study uses a constructivist legal research paradigm approach. The constructivism paradigm in the social sciences is a critique of the positivist paradigm. According to the constructivist paradigm of social reality that is observed by one person cannot be generalized to everyone, as positivists usually do.

This research uses descriptive-analytical research. Analytical descriptive research is a type of descriptive research that seeks to describe and find answers on a fundamental basis regarding cause and effect by analyzing the factors that cause the occurrence or emergence of a certain phenomenon or event.

The approach method in research uses a method (*socio-legal approach*). The sociological juridical approach (*socio-legal approach*) is intended to study and examine the interrelationships associated in real with other social variables (Soekanto, 1984).

Sources of data used include Primary Data and Secondary Data. Primary data is data obtained from field observations and interviews with informants. While Secondary Data is data consisting of:

1. Primary legal materials are binding legal materials in the form of applicable laws and regulations and have something to do with the issues discussed, among others in the form of Laws and regulations relating to the freedom to express opinions in public.
2. Secondary legal materials are legal materials that explain primary legal materials.
3. Tertiary legal materials are legal materials that provide further information on primary legal materials and secondary legal materials.

Research related to the socio-legal approach, namely research that analyzes problems is carried out by combining legal materials (which are secondary data) with primary data obtained in the field. Supported by secondary legal materials, in the form of writings by experts and legal policies (Toebagus, 2020).

RESEARCH RESULT AND DISCUSSION

1. The Weakness of Regulations for the Position of Prosecutors in Restorative Justice Based On the Settlement of General Crimes

Efforts to settle criminal cases outside the court by prosecutors through a *restorative justice approach* are essentially a mechanism or legal system that has many advantages so that it is feasible to be applied in the criminal justice system in Indonesia. As a system, the effectiveness of the settlement of criminal cases outside the court through *restorative justice* is strongly influenced by the elements that make up the system in question. Therefore, the implementation of a case settlement system outside the court through *restorative justice* will be influenced by several factors, as well as factors that affect other law enforcement efforts (Waluyo, 2020).

The theory of legal effectiveness according to Soerjono Soekanto states that whether or not a law is effective is determined by 5 (five) factors, namely:

- a) The legal factor itself (law)
- b) Law enforcement factors, namely the parties that form and apply the law.
- c) Factors of facilities or facilities that support law enforcement.
- d) Community factors, namely the environment in which the law applies or is applied.
- e) Cultural factors, namely as a result of work, creativity, and taste based on the human initiative in social life.

These five factors are interrelated because they are the essence of a law enforcement system and are also a measure of the effectiveness of the law enforcement system (Soekanto, 1983).

Referring to Lawrence M. Friedman's description, the discussion about the prosecutor's obstacles in handling the settlement of criminal cases in *restorative justice* will be reviewed from the three elements, namely elements of legal substance, legal structure, and legal culture.

Based on the results of the author's interviews with resource persons from the Kajari of the Boalemo District Prosecutor's Office, the Head of the Boalemo District Attorney's Office, and the Public Prosecutor who successfully handled cases of *restorative justice* at the Boalemo District Attorney's Office, we can summarize the conclusion that the influencing factors in legal construction are related to peace as a legal umbrella in implementation of *restorative justice* at the prosecutor's office as follows:

a. Legal Substance

The substance of the law is the rules, norms, and real human behavior patterns that are in the system.

Legal substance also means the products produced by people who are in the legal system, both in the form of decisions they issue, as well as new rules that they formulate. It is important to remember that the substance of this law is not only centered on written law (*law in the book*) but also includes the law that lives in society (*the living law*).

Looking at the discussion above, we understand that the legal substance in this discussion is the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning the Termination of Prosecution Based on Restorative Justice. The first order or rule of restorative regulations is contained in the regulation, which is contained in Article 3 paragraph (1) of the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice "The public prosecutor has the authority to close cases for legal purposes". This authority is clarified by Article 5 paragraph (5) of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice states "The provisions as referred to in paragraph (3) and paragraph (4) do not apply if there are criteria/conditions of a casuistic nature which according to the Prosecutor's consideration In general, with the approval of the Head of the District Attorney's Branch or the Head of the District Attorney's Office, the prosecution cannot be stopped based on " Meanwhile, in the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice, there is no information regarding the parameters used by the Public Prosecutor in deciding whether a criminal case is casuistic or not. cannot be stopped based on *Restorative justice* is still uncertain. Therefore, Article 5 paragraph (5) can be a gap for multiple interpretations in the application of criminal acts in paragraphs (3) and paragraph (4)

In terms of the implementation procedure, there are also obstacles in terms of the substance rules. However, this is not directly proportional to the litigants in this general criminal case. At the beginning of the process of implementing a restorative termination of prosecution, there is a coordination phase with the parties or the process of offering an attempt to terminate the prosecution to each party concerned by the Public Prosecutor, this process illustrates that the authority of a Public Prosecutor collides with the approval of each party if there is only one party who does not want it, the process of stopping the restorative prosecution has failed to be attempted by the Public Prosecutor, the same thing was also expressed by the Public Prosecutor who said that the regulation of the Republic of Indonesia Prosecutor's Office Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice cannot be optimally implemented

because the implementation depends on each party, this is seen as a weak point of the Prosecutor's Regulation.

b. Legal Structure

The legal structure is a framework that provides definitions and limits and forms for the operation of the system within the limits that have been determined as a whole. This is as stated by Friedman; "*The structure of a system is its skeletal framework, it is the permanent shape, the institutional body of system, the thought, rigid bones that keep the process flowing within bound*".

In simple terms, the legal structure is related to institutional arrangements and institutional performance along with their apparatus in implementing and enforcing the law, including the pattern of how the law is implemented and enforced following its formal rules (regarding legal performance).

The legal structure can be said as an institution that carries out law enforcement with all the processes that take place in it. This institution in the enforcement of criminal law is incorporated into the criminal justice system, which consists of the police, prosecutors, courts, and correctional institutions, which guarantees the criminal justice process.

In this case, we have understood together that the enforcement officers at this stage are the Prosecutors who have been appointed by the Head of the Prosecutor's Office through a warrant for appointment as Public Prosecutors who handle cases. In practice, according to the author's observation, the Public Prosecutor has not been optimal in carrying out his duties in the process of trying to stop the prosecution in a restorative manner, some things cause the Public Prosecutor to be not optimal, namely from the failure of the termination of a restorative prosecution itself, namely in the Coordination phase or the bidding phase. To the parties involved, the process relies on the expertise of the Public Prosecutor in providing the best offer or introducing restorative concepts to the parties, this is where the skills, mentality, and personality of the Public Prosecutor will be tested. The mentality or personality of law enforcement officers plays an important role, if the regulations are good, but the quality of the officers is not good, there is a problem. It often happens that some legal regulations cannot be implemented properly. One of the keys to success in law enforcement is the mentality or personality of law enforcement. Talking about the quality of law enforcement, especially in the realm of implementing restorative termination of prosecution, it seems that there are weaknesses that are quite influential on the success of restorative law enforcement.

In the description of the failure of a restorative prosecution above, in the cooperative factor of the

suspect and the victim, it turns out that the role of the facilitator is none other than law enforcement itself. The facilitator is certainly expected to be able to provide counseling, input, and views to convince the parties to reach an agreement so that a process can be successful. To be able to provide input, the facilitator must have special expertise in their field. This expertise can be honed by holding alternative *dispute resolution*. *Alternative Dispute Resolution* is a concept that includes various forms of dispute resolution apart from the judicial process through legal means, whether based on a consensus approach or not based on a *consensus*.

Seeing this reality, law enforcers should not only prioritize formal legal aspects. Law enforcement which only starts from the substance of formal legal norms contained in the law (*law in a book*), will tend to injure people's sense of justice. The emphasis should also be on the living law (*living law*). Furthermore, law enforcers must pay attention to legal *culture*, to understand attitudes, beliefs, values, and expectations as well as people's thoughts about the law in the applicable legal system.

In terms of the legal structure, based on the experience of the Prosecutor in the jurisdiction of the Central Java High Court, there are challenges in implementing the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice. The unavailability of a monitoring and evaluation mechanism can create gaps in the application of the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning the Termination of Prosecution Based on Restorative Justice. Deviations are very likely to occur when the process of resolving criminal acts with *Restorative justice* is made transactional. Supervision through monitoring and evaluation mechanisms is an important pillar in preventing this deviation.

c. Legal Culture

Legal culture is a human attitude (in this case society) toward the law and the legal system itself. These people's attitudes regarding beliefs, values, and ideas, as well as their expectations about the law and the legal system. Legal culture is part of the general culture of society. Legal culture is also an atmosphere of social thought and social forces that determine how the law is used, avoided, or even abused. Legal culture has a big role in the legal system, so without legal culture, the legal system will lose its power. *"people's attitudes toward law and legal system? Their beliefs, values, ideas, and expectations... The legal culture, in other words, is the climate of social thought and social force which determines how the law is used, avoided, or abused. Without legal culture, the legal system is inert? a dead fish lying in a basket, not a living fish swimming in its sea"* (Friedman, 1984).

The legal culture system includes the values that underlie applicable law, values which are abstract conceptions of what is considered good (so that it is embraced) and what is considered bad (so that it is avoided). The culture of the people in Indonesia sees a criminal act as a despicable act. Therefore, it is natural for this action to be punished, in this case, the community sees "law enforcement officials" as the law itself.

This was also met by the author during an interview with the Prosecutor at the Boalemo City Prosecutor's Office, in his statement the Prosecutor said that the main inhibiting factor was the victim himself. Court. If we understand the concept of forgiving each other until there is peace, of course, there will be more positive sides than forcing the perpetrator to sit on the bench in court.

The current legal culture of a society in Indonesia is considered difficult to forgive if there is a loss. In making peace efforts it is considered difficult, including the matter of getting the word peace, this is because many people have the perception that justice can be realized by the way people who commit crimes are punished as severely as possible.

The legal culture of the community is also an obstacle if a person or society continues to think retributively. This means that the community still considers justice to be achieved when a person who conflicts with the law is given punishment according to his actions so that it can provide a deterrent effect for the child. The legal culture of the community which is considered to be still lay and has the view that people who commit crimes must be punished is one of the obstacles that must be faced in achieving the effectiveness of the implementation of restorative justice in law enforcement efforts through the peace route.

Community culture also influences the implementation of a restorative termination of prosecution. It should be realized that the victim and the victim's family will determine the restorative termination of prosecution because the process of restorative termination of prosecution occurs if there is an agreement between the reporting party (victim/victim's family) and also the perpetrator.

The results of the research show that the reported party (perpetrator and perpetrator's family) certainly wants the process of stopping the prosecution in a restorative way because it benefits the reported party but the reporting party (victim and victim's family) is not necessarily the case. Restorative termination of prosecution will be easy to do for mild cases, in this case, the reporting party wants to resolve the case through a restorative termination of prosecution and generally does not demand

compensation, especially if the reported party or suspect is in a weak economy. On the other hand, it will be difficult to stop a restorative prosecution in more severe cases, such as an accident that resulted in death, even though the sentence is 6 years so that a restorative termination of prosecution can be attempted, but in some cases, a restorative termination of prosecution has failed. This is because the victim's family or parents do not agree to stop the prosecution in a restorative way. After all, lives cannot be exchanged, unlike property that can be sought. The culture of the Indonesian people is basically in line with the termination of restorative prosecutions because deliberation is the culture of the Indonesian people in solving problems that occur in society, but the termination of restorative prosecutions can still fail to be carried out. Optimization can be done by maximizing "victim recovery" as a tangible form of *restorative justice* so that public trust will increase. The legal culture of the community also needs to be improved through the socialization of the importance of a restorative termination of the prosecution to be carried out.

2. Reconstruction of the Prosecutor's Position Regulations in the Settlement of General Crimes in Restorative Justice based on the Value of Justice

The restorative justice approach is assumed to be the most recent shift from the various models and mechanisms that work in the current criminal justice system. United Nations through *Basic Principles* that it has outlined considers that a restorative justice approach is an approach that can be used in a rational criminal justice system.

In responding to problems related to the settlement of criminal cases that always lead to imprisonment, alternative solutions appear related to the authority of the public prosecutor to stop prosecutions based on the concept of restorative justice, namely RI Prosecutor's Regulation No. 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice, it is necessary to give appreciation because this concept involves perpetrators, victims, and the community in the process of resolving these criminal cases. This "restorative justice approach" is more focused on the peace agreement between the perpetrator and the victim and how the procedural law recognizes the existence of the peace agreement as an agreement that has legal force.

The policy of criminalization or decriminalization that occurs in the development of the law should not hinder the noble purpose of this Prosecutor's Regulation. The policy of decriminalization by eliminating a criminal act to be no longer a crime must be a concern of the process of stopping prosecution.

Legal certainty regarding justice in handling a case is one of the main things. Fulfillment of the

principle of certainty in Perja Number 15 of 2020, based on the theory of legal ideals by Gustav Rudbruch, in Purwoleksono (2014) that justice, certainty, and expediency cannot be fulfilled at one time. Therefore, the Prosecutor's Office issued a Perja in terms of its legal content to uphold justice. As for legal certainty, this Perja must be adjusted to the provisions contained in the Criminal Procedure Code so as not to deviate or violate it so that it has strong legal certainty.

The author has a view regarding the fulfillment of the conditions for the termination of prosecution through the reconciliation of victims and suspects (*restorative justice*) regulated in the provisions of Article 5 paragraph (1) of the Attorney General's Regulation Number 15 of 2020 in principle the author agrees with the provisions contained in Article 5 paragraph (1) but with some changes regarding qualifications in more detail regarding age limits, and or what criminal acts can be classified as an effort to make peace. According to the author, it is better if the formulation of Article 5 paragraph (1) and so on, to be changed, namely in Article 3 paragraph (5), Article 5, Article 9, Article 12, Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution. Reconstruction activities include the termination of prosecutions based on restorative justice, the mechanism for stopping prosecutions in stages to the Head of the High Prosecutor's Office, the authority of the public prosecutor who only acts as a facilitator, and the 14 (fourteen) day time limit for the completion of a restorative termination of prosecution. Thus presenting restorative justice to restore public trust or public trust.

CONCLUSION

Based on the discussion described above, it can be concluded as follows:

1. Weaknesses in the current regulation of the position of the Prosecutor in the settlement of general crimes in *restorative justice* include the following factors: *Legal substance which* indicates that Article 5 paragraph (5) of the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice, There is no information regarding the parameters used by the Public Prosecutor in deciding whether a criminal case is casuistic or not, so when referring to this article, the size of the case that can or cannot be terminated based on *Restorative justice* is still uncertain. Article 9 paragraph (5) of the Regulation of the Prosecutor of the Republic of Indonesia Number 15 of 2020 according to the Public Prosecutor is considered to be one of the obstacles in the process of implementing the termination of prosecution based on restorative justice. Because these 14 days are

counted from the time the case file has been transferred from the investigator to the Attorney General's Office. Based on the legal *Structure*, it shows that the practice, according to the author's observation, the Public Prosecutor has not been optimal in carrying out his duties in the process of seeking a restorative termination of prosecution because, at the Coordination phase or bidding phase to the parties involved, the process relies on the expertise of the Prosecutor. The Public Prosecutor in providing the best offer or introducing the concept of restorative to the parties is where the expertise, mentality, and personality of the Public Prosecutor are tested. Meanwhile, based on legal *culture*, the main inhibiting factor is the victims themselves, they assume that what the perpetrators do must end in criminal penalties or be resolved through an examination mechanism in court.

2. Reconstruction of the regulation on the position of the Prosecutor in the settlement of general crimes in *restorative justice* based on the value of justice, namely Article 3 paragraph (5), Article 5, Article 9, Article 12, Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution. Reconstruction activities include the termination of prosecutions based on restorative justice, the mechanism for stopping prosecutions in stages to the Head of the High Prosecutor's Office, the authority of the public prosecutor who only acts as a facilitator, and the 14 (fourteen) day time limit for the completion of a restorative termination of prosecution. Thus presenting restorative justice to restore public trust or *public trust*.

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