

Implementation of Restorative Justice for Criminal Offence Resolution in Indonesia Based on Police Regulation No. 8 of 2021

Original Article

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Abstract

The implementation of restorative justice in the criminal justice system as regulated in Police Regulation No. 8 of 2021 aims to create a more humane case resolution by emphasizing victim recovery, perpetrator responsibility, and social balance. With this approach, the police can focus more on fair and balanced problem-solving so that justice is not merely about punishment, but also about restoring the social condition of society. This research uses a qualitative approach with a literature study method. The research results show that the implementation of restorative justice in Indonesia based on Police Regulation No. 8 of 2021 aims to resolve minor criminal cases through mediation between victims and perpetrators with certain conditions, namely general, material, formal, and specific requirements for certain criminal acts. This approach focuses on victim recovery and perpetrator responsibility, but is not applied to serious crimes such as terrorism and corruption. Although applied in cases such as domestic violence, assault by children, and minor traffic accidents, its implementation still faces obstacles related to legal understanding and resource limitations. The research implications show that the restorative justice approach based on Police Regulation No. 8 of 2021 reflects a paradigm shift in criminal law from a retributive model towards more humane substantive justice. This aligns with progressive and responsive legal theory, which positions law as a tool for social recovery and human rights protection beyond formal procedures.

Keywords: Criminal Acts, Police Regulation No. 8 of 2021, Restorative Justice.

1. Introduction

Indonesia is a constitutional state as stated in Article 1 Paragraph 3 of the 1945 Constitution, which requires all state administrators, government, and society to comply with legal principles in social life (Wahid, 2022). Law functions as a norm that regulates human behavior through binding commands and prohibitions with the aim of creating justice, utility, and legal certainty. Law enforcement becomes a crucial aspect in ensuring rules are applied consistently so as to maintain social order and protect individual rights. As stated by Wahjono (1983), a constitutional state requires the government to act based on legal provisions to guarantee social order and justice. Thus, legal principles become the main foundation in building a harmonious society and creating a just and well-ordered environment (Syahrin, 2018).

Based on Pancasila, especially the second principle which states "Just and civilized humanity" and the fifth principle which states "Social justice for the whole of the people of Indonesia," every member of society has the right to obtain justice (Azhar, 2019). This principle becomes the moral and ethical foundation in national and state life. In carrying out their duties, the police always adhere to applicable legal provisions, including the Indonesian National Police Law No. 2 of 2002 (Munthe et al., 2023). This law becomes the basis for



regulating police authority and responsibility to ensure protection, shelter, and service to the community professionally and with integrity (Tana & Nita, 2024). By prioritizing the values of justice and humanity, the police are expected to be able to create a safe and orderly situation while realizing equitable justice for all Indonesian people in accordance with the noble ideals of the nation (Widiatmika, 2023).

Criminal case resolution does not always have to go through punishment, but can be done with restorative justice that aligns with the "PRESISI" concept of National Police Chief General Pol. Listyo Sigit Prabowo. PRESISI, which includes predictive, responsibility, and transparent justice, can encourage predictive policing based on participation and problem-solving to improve community security and order (Widyana, 2022). With this approach, the police can focus more on prevention and conflict resolution through problem-solving methods, not just enforcement. Restorative justice in the PRESISI concept aims to shift focus from punishment to recovery where perpetrators, victims, and society are involved in fair and balanced resolution (Nikolas & Dewi, 2023). This enables the police to handle cases with a more humane, fast, and solution-oriented approach, creating justice that not only punishes but also restores social conditions and reduces the negative impact of criminalization on society (Donsu et al., 2025).

Justice is the core of legal science where every legal study and product is expected to reflect justice values in practice. However, Indonesia's criminal justice system is often considered unfair because it treats criminal acts with small destructive power equally with larger crimes (Pattinasarany, 2025). For example, petty thieves who steal food due to hunger are often given heavy sentences, while corruption cases with large losses often receive lighter treatment (Putri & Arifin, 2019). This condition shows an imbalance between legal procedures and the essence of justice. Restorative justice emerges as a solution with a more contextual approach where law enforcement officials prioritize the "soul of justice" in handling cases. By emphasizing recovery for victims, perpetrator responsibility, and social balance, restorative justice seeks to create a legal system that is more humane and oriented toward substantive justice (Zulfa, 2020).

The implementation of restorative justice in criminal case resolution is regulated in Indonesian National Police Regulation No. 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice (Police Regulation No. 8 of 2021). This regulation provides guidelines for law enforcement officers in implementing case resolution outside court with certain conditions. Based on Article 4 of the Police Regulation, there are material and formal requirements that must be met before a case can be resolved through restorative justice (Hamdani et al., 2022). Not all criminal cases can be handled with this mechanism because the principle only applies to minor criminal acts or cases that allow for agreement between victims and perpetrators. Restorative justice emphasizes the restoration of disrupted social relationships and active involvement of all parties in creating fair solutions. With this approach, justice is not only oriented toward punishment but also toward social balance and recovery for all affected parties.

This research presents novelty by highlighting the implementation gap of Police Regulation No. 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice at the regional level. Unlike previous studies that tend to focus on normative approaches or general policy success, this research reveals contextual challenges faced in various regions in Indonesia. Through comparative approaches and critical analysis, this research evaluates how local variables such as institutional capacity, communication effectiveness, and regulatory clarity help determine the effectiveness of restorative justice policies in the field.

Additionally, this research emphasizes structural vulnerabilities in police bureaucracy and legal inconsistencies between regions, which can hinder the implementation of restorative justice evenly. By including case studies from regions such as Bali, Jakarta, and Trenggalek, as well as reviewing policy experiences from abroad such as Cusco (Peru), this research proposes the need to establish a more cohesive, adaptive implementation framework based on procedural and substantive justice. These findings provide important contributions to the development of restorative justice implementation models that are more responsive to socio-cultural conditions and legal governance at the regional level, which have rarely been raised in Indonesian legal literature. Unlike previous studies that focus on one type of case or region, this research comprehensively examines various types of minor criminal acts to understand the macro picture of Police Regulation No. 8 of 2021 implementation, while identifying implementation gap patterns at the national level.

2. Methods

This research uses a qualitative approach with a literature study method to analyze the implementation of restorative justice in criminal case resolution in Indonesia based on Police Regulation No. 8 of 2021. The qualitative approach is a research approach that aims to understand meaning, experience, and subjective perspectives in depth in certain contexts through descriptive analysis of non-numerical data (Creswell, 2014). Meanwhile, the literature study method is a research method conducted by collecting, examining, and analyzing various written sources such as books, journals, and official documents to obtain deep understanding of a topic (Zed, 2008). Data is collected from various sources such as legislation, academic journals, and related official documents. Data analysis is conducted through three stages: data reduction to select relevant information, data presentation in the form of systematic description, and conclusion drawing to obtain comprehensive understanding of the policy's effectiveness. Data analysis is conducted through three stages: (1) data reduction, namely selecting and categorizing important relevant information; (2) data presentation, namely arranging data in descriptive and argumentative narrative form; and (3) conclusion drawing, namely constructing findings based on theories used to assess policy effectiveness and implementation challenges.

3. Results and Discussion

Restorative justice is basically a simple concept that emphasizes that justice is no longer measured based on proportional retaliation against perpetrators, but more on restoring victim conditions through social support and perpetrator responsibility with family and community assistance if needed. This concept aims to restore social balance disrupted by criminal acts by prioritizing peaceful resolution between victims and perpetrators. Restorative justice differs from retributive approaches that only focus on punishment. This theory distinguishes between negative retributive that only emphasizes punishment and positive retributive that provides room for recovery and justice for victims. In implementation, this approach still must meet general and specific requirements established by regulations. General requirements apply throughout the investigation and inquiry process, while specific requirements are applied in certain contexts such as types of criminal acts that can be resolved through this mechanism.

The implementation of restorative justice in Indonesia's criminal justice system has been regulated through Police Regulation No. 8 of 2021, which provides guidelines for law enforcement officers in handling criminal cases outside the judicial pathway while still

prioritizing principles of justice and social balance. However, this mechanism cannot be applied to all types of criminal acts. Exceptions are given for crimes considered disturbing to society, terrorism, state security, corruption, repeat offenses, and crimes against human life. In practice, this approach is implemented from the early stages of the legal process from investigation to inquiry with the aim of prioritizing faster, more effective resolution oriented toward substantive justice. To provide clearer understanding of the requirements that must be met in implementing restorative justice, the following presents provisions regulating general, material, formal, and specific requirements for certain criminal acts contained in Articles 4-7 of Police Regulation No. 8 of 2021.

Article 4 regulates general requirements that must be met in implementing restorative justice as referred to in Article 3 paragraph (1) letter a. These requirements consist of two main aspects: material and formal. Article 5 explains material requirements as mentioned in Article 4 letter a. These requirements include several provisions that must be met for a case to be resolved through a restorative approach. These provisions include the absence of unrest or rejection from society, not causing social conflict, and not having the potential to divide the nation. Additionally, criminal acts resolved restoratively must not be related to radicalism or separatism, and the perpetrator must not be a recidivist or repeat offender as decided in Court Decisions.

Article 6 outlines formal requirements as referred to in Article 4 letter b. These requirements consist of two main elements: peace between both parties except in Narcotics Criminal Acts cases and fulfillment of victim rights and perpetrator responsibilities. This peace must be proven with an agreement letter signed by both parties. Meanwhile, fulfillment of victim rights and perpetrator responsibilities can be done in various forms such as returning goods, compensating for losses, paying costs incurred due to criminal acts, or replacing damage that occurred. This fulfillment of rights must be proven through an agreement statement letter signed by the victim. Article 7 regulates specific requirements as referred to in Article 3 paragraph (1) letter b. These requirements are additional provisions that apply to certain criminal acts such as criminal acts related to information and electronic transactions, narcotics, and traffic.

The police have a central role in implementing restorative justice as regulated in Police Regulation No. 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice. Restorative justice is an approach in the criminal justice system that emphasizes victim loss recovery, perpetrator accountability, and restoration of social harmony in society. In the police system, restorative justice implementation is done through penal mediation mechanisms, namely the process of criminal case resolution by bringing together victims and perpetrators to reach peaceful agreements. Case resolution with this approach aims to avoid prolonged legal processes, reduce judicial burdens, and provide more humane and just solutions for all parties involved. The stages in restorative justice implementation by police include several following steps:

1) Case Identification

In the initial stage, investigators conduct analysis and assessment of whether a criminal act meets requirements to be resolved through restorative justice mechanisms. Not all cases can be resolved this way. Based on Police Regulation No. 8 of 2021, cases that can be handled with restorative justice approaches are generally minor criminal acts, criminal acts without violence elements, and criminal acts with punishment threats not exceeding 5 years imprisonment. Additionally, there is a requirement that victims and perpetrators must have agreements to make peace without coercion from any party.

2) Penal Mediation

After a case is deemed suitable for resolution through restorative justice, investigators then facilitate meetings between victims and perpetrators in a penal mediation process. In this stage, the police role is not only as facilitator but also as a party ensuring the mediation process runs fairly and transparently. This mediation often involves other parties who have important roles in conflict resolution such as victim and perpetrator families, community leaders, religious leaders, or customary institutions. The purpose of penal mediation is to create mutual agreements acceptable to both parties and avoid revenge or continued conflict.

3) Agreement Preparation

If victims and perpetrators reach common ground and agree to make peace in penal mediation, an agreement statement letter will be made. This letter becomes the basis for police to stop the investigation process against perpetrators. This document usually includes agreement points such as compensation that must be paid by perpetrators, public apologies, or other obligations that must be fulfilled as a form of accountability. After agreement, this statement letter is signed by both parties witnessed by related parties and validated by investigators.

4) Supervision and Evaluation

Although cases have been resolved through restorative justice, police remain responsible for monitoring and evaluating the implementation of agreements made. This supervision aims to ensure perpetrators truly fulfill their obligations according to agreements so that victim rights remain protected. If monitoring finds that perpetrators do not keep their promises or agreements do not work as intended, police can consider continuing legal processes according to applicable provisions.

Restorative justice is an approach in the criminal justice system that focuses on restoring relationships between perpetrators, victims, and society. This approach aims to achieve fairer and more balanced resolution by prioritizing dialogue and deliberation compared to punishment alone. In practice, restorative justice is only applied to certain cases that allow agreements between both parties such as minor criminal acts, cases involving children, and traffic violations. Through this mechanism, case resolution is done by considering victim interests, perpetrator responsibility, and social harmonization. The following are several examples of restorative justice implementation in Indonesia that reflect how this approach works in various cases.

1) Domestic Violence (DV) Cases

After understanding the concept of restorative justice in general, one example of its application can be found in efforts to address Domestic Violence (DV) cases. Domestic violence often takes the form of physical violence that has serious impacts especially for women and children ranging from physical injuries, psychological trauma, disability, to death. Restorative justice in DV cases is expected to be a more effective alternative resolution compared to litigation pathways considering lengthy, expensive court processes that consume time and energy. This approach emphasizes victim condition recovery and perpetrator responsibility to correct their mistakes. However, in practice, restorative justice potentially becomes a tool for perpetrators to avoid criminal punishment as regulated in Law No. 23 of 2004 concerning the Elimination of Domestic Violence. Therefore, the effectiveness of restorative justice implementation in DV cases depends greatly on law enforcement officer readiness and community education regarding gender justice and equality (Aminah & Rafsanjani, 2023).

One effort to implement restorative justice in Domestic Violence (DV) cases is shown through research by Ferdiansyah (2020) focusing on the Sukoharjo Police jurisdiction. This research explains the role of Women and Children Service Unit (PPA) investigators in

implementing restorative justice approaches that have not run optimally due to internal and external obstacles such as resource limitations, lack of special training, and minimal cross-sector cooperation. Within the framework of progressive legal theory and SWOT analysis, this study confirms that police discretion must be used wisely to realize more comprehensive protection for victims, especially women and children. Researchers recommend improving investigator capacity and synergy with social protection institutions as strategic steps to realize DV case resolution that is not only oriented toward punishment but also restoration of victim social and psychological relationships.

The implementation of restorative justice in handling DV criminal acts in Indonesia has experienced significant development since the enactment of Indonesian National Police Regulation No. 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice. This regulation marks a shift in criminal law approach from retributive paradigm emphasizing punishment toward restorative approaches more oriented toward restoring social relationships between perpetrators, victims, and society. In the context of DV, this approach becomes relevant considering the character of relationships between perpetrators and victims that are generally personal and ongoing, such as husband-wife or parent-child relationships, so resolution through litigation processes often causes more complex follow-up impacts, both psychologically and socially (Gani & Wardani, 2023).

The basic principles of restorative justice as regulated in Police Regulation No. 8 of 2021 include justice emphasizing victim condition recovery, perpetrator acknowledgment of mistakes, active party involvement, and deliberation-based resolution. This process is conducted voluntarily and based on mutual agreement, aimed at achieving substantive justice outside court forums. In DV cases, this approach is directed to restore victim physical and psychological welfare, create space for victims to voice their traumatic experiences, and enable perpetrators to take responsibility for their actions through educational and constructive mechanisms (Sutiawati et al., 2015). Furthermore, restorative justice in DV cases not only aims to resolve conflicts peacefully but also to restore balance of social relations in families and society sustainably.

The implementation of this approach has shown success in various regions, especially in customary communities with traditions of local value-based conflict resolution. As revealed by Wangga (2022), customary justice mechanisms such as village deliberations or customary courts have long adopted restorative principles, involving community leaders in case resolution to maintain social harmony. Adaptation of these values in formal legal frameworks not only strengthens resolution legitimacy but also increases community acceptance of restorative justice process results.

Nevertheless, implementing restorative justice in DV cases also faces several challenges. One main issue is social stigma toward victims, who are often considered to tarnish family reputation when bringing violence cases to public domains, even in mediation mechanisms. Additionally, limited understanding of law enforcement officers regarding restorative justice principles and the absence of cross-sector regulatory harmonization cause this approach to not be fully institutionalized effectively (Gani & Wardani, 2023). Moreover, in serious DV cases containing serious physical violence elements or life threats, restorative approaches may risk negating victim protection principles and weakening deterrent effects for perpetrators if not accompanied by strict evaluation and accountable legal supervision.

Thus, although restorative justice provides more humanistic and recovery-oriented case resolution alternatives, its implementation in DV contexts requires strengthening in terms of regulation, institutional capacity, and legal protection for victims. There needs to be a more comprehensive and integrative legal framework that not only provides legitimacy for

restorative approaches but also ensures that the process truly reflects substantive justice, upholds victim rights, and does not sacrifice legal protection principles and security guaranteed by the state.

2) Assault Cases Committed by Children

The implementation of restorative justice in child assault cases generally aims to resolve criminal cases with a justice approach emphasizing restoration of relationships between perpetrators, victims, and society. In cases of children as perpetrators, this approach aligns with child protection principles in the juvenile criminal justice system as regulated in Law No. 11 of 2012. Restorative justice efforts are made through diversion mechanisms at investigation, prosecution, and court examination stages with certain conditions such as punishment threats below seven years and not being repeat criminal acts. The success of this process depends greatly on the willingness of all parties, including victims and victim families to reach peaceful agreements.

In practice, as studied in a journal by Galingging et al. (2020), the implementation of restorative justice at Dairi Police Station for child assault cases still encounters various obstacles. One example is the case of Amrezal Widodo who assaulted another minor. Although investigators had attempted to offer diversion and explain the benefits of peaceful resolution, the process failed because the victim's side refused to make peace and demanded severe punishment for the perpetrator. Investigators then only played the role of facilitator and could not force peace. The absence of LPAS and LPKS also worsened the situation because detained children had to be in investigation rooms with inadequate facilities. Other obstacles that emerged were high compensation demands from the victim's side and emotional reluctance to make peace, causing resolution with restorative justice to not be implemented ideally.

The implementation of restorative justice in resolving assault criminal acts committed by children in Indonesia reflects a shift in criminal law enforcement orientation from retributive approaches toward more humane restorative approaches. Indonesian National Police Regulation No. 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice provides legal and procedural basis for law enforcement officers, especially police, to resolve criminal cases through mechanisms outside the formal criminal justice system. This aligns with the principle of the best interest of the child as regulated in the Convention on the Rights of the Child and Law No. 11 of 2012 concerning the Juvenile Criminal Justice System. This approach positions children not merely as crime perpetrators but also as vulnerable individuals needing legal protection, guidance, and comprehensive social recovery (Sirait & Cahyaningtyas, 2019).

Restorative justice in assault cases committed by children emphasizes dialogue and recovery processes between perpetrators, victims, and affected communities. This approach becomes significant considering assault actions by children often do not fully arise from evil intent (*mens rea*) but as responses to environmental pressures or relational conflicts. Therefore, resolution through formal litigation processes potentially causes stigmatization effects and hinders children's social rehabilitation processes. Conversely, resolution through restorative mechanisms enables educational and transformational accountability for perpetrators and provides space for victims to obtain justice in the form of recovery (Anwari et al., 2024). In practice, several minor assault cases by children have been successfully resolved through this approach, such as occurring in Central Java region, where police facilitated penal mediation involving perpetrators, victims, and their families, resulting in legally valid peaceful agreements (Safira & Susila, 2023).

However, implementing restorative justice in cases of children committing criminal acts, including assault, is not separate from conceptual and technical challenges. Main challenges

include limited understanding of law enforcement officers regarding restorative principles, uneven implementation across regions, and resistance from victims or victim families toward mediation processes. Additionally, cases involving children as repeat perpetrators (recidivists) have not been fully accommodated in the framework of Police Regulation No. 8 of 2021, which tends to limit restorative justice implementation to minor criminal acts and perpetrators who have never been punished before (Septiana & Sinthiya, 2024). Therefore, norm reformulation and policy improvement are needed to be more contextual and able to accommodate various case complexities occurring in the field. For example, in intimidation cases leading to physical violence in school environments, resolution protocols are needed that not only guarantee victim protection but also provide space for guidance and legal education for perpetrators who are still categorized as children (Anwari et al., 2024).

Thus, the success of implementing restorative justice in assault cases by children depends greatly on inter-agency synergy, human resource capacity improvement, and active community and family involvement in resolution processes. The restorative justice process should not be considered merely as a procedural alternative but must be understood as a substantive approach aimed at building social justice, strengthening humanitarian values, and supporting children's reintegration into complete social life. In the long term, strengthening restorative justice in Indonesia needs to be accompanied by more adaptive regulations, continuous training for law enforcement officers, and provision of psychosocial support services for both child victims and perpetrators (Sonia & Prakasa, 2024).

3) Traffic Accident Cases

The implementation of restorative justice in general in traffic accident cases aims to resolve criminal cases outside litigation pathways by emphasizing victim loss recovery, perpetrator responsibility, and reconciliation between both parties. This approach is considered more humane because it does not merely punish perpetrators but encourages fair resolution through mediation, peace, and compensation. In traffic accident cases, restorative justice is generally applied to minor cases such as accidents without fatalities or with losses that can be agreed upon for resolution by the parties.

In research conducted by Narayani et al. (2023), it was found that restorative justice implementation at Buleleng Police Station has been applied to minor traffic accident cases through mediation processes between victims and perpetrators. However, this implementation still faces various challenges, one of which is low community understanding of applicable laws. Many people still believe that the party who hits is always wrong without considering context and existing legal evidence. This complicates mediation processes and peaceful decision-making because prejudice and uncooperative attitudes emerge from the victim's side.

The implementation of restorative justice in resolving traffic accident criminal acts in Indonesia based on Indonesian National Police Regulation No. 8 of 2021 reflects a shift in criminal law enforcement paradigm from retributive approaches toward more humane and participatory restorative approaches. This regulation provides authority to police officers to resolve cases through mediation mechanisms, emphasizing restoration of social relations between victims and perpetrators, and prioritizing reconciliation values and proportional loss recovery (Kurnia & Ali, 2023; Syarifuddin et al., 2024)

In practice, as implemented in the Metro Bekasi City Police jurisdiction, restorative justice implementation is carried out through systematic stages, including mediation processes between parties, requests for legal process termination by victims, to issuance of Investigation Termination Orders (SP3) as formal legality of peaceful resolution (Chairunnisa et al., 2024). This mechanism substantially aims to reduce judicial institution burdens,

accelerate case resolution, and improve criminal justice system efficiency. However, restorative justice implementation is not separate from various obstacles. One main problem that often emerges is high compensation demands from victims, which are often disproportionate to perpetrators' ability to fulfill them, thus hindering agreement achievement (Chairunnisa et al., 2024). Additionally, human resource limitations, minimal training regarding restorative justice principles for law enforcement officers, and low community understanding of this approach also become inhibiting factors in its optimal implementation (Ilham et al., 2024).

Despite facing several challenges, restorative justice implementation has significant potential benefits. Case resolution through mediation is believed to increase community trust in law enforcement institutions and create more substantive justice for victims and perpetrators (Ilham et al., 2024). Additionally, case resolution outside formal litigation pathways can reduce judicial institution workloads and improve case handling efficiency (Syarifuddin et al., 2024). Therefore, restorative justice implementation effectiveness depends greatly on institutional capacity strengthening, improving law enforcement officer human resource quality, and public education regarding basic principles of restorative justice, to realize a criminal justice system that is fairer, more efficient, and recovery-oriented.

Although Indonesian National Police Regulation No. 8 of 2021 has become a normative basis in implementing restorative justice, evaluation of this policy's effectiveness has not been based on structured analytical frameworks. This study has not included evaluative indicators that can be used to assess the extent to which this policy successfully achieves its objectives. For example, there is no elaboration on variables such as case resolution rates through penal mediation, party satisfaction (victims and perpetrators), recidivism rates, or efficiency of time and costs in case handling processes.

The absence of evaluation parameters causes analysis of this policy to tend to be descriptive and normative. Whereas, to obtain more comprehensive and objective understanding, systematic evaluative approaches are needed. One model that can be applied in this context is the CIPP model (Context, Input, Process, Product). This model enables assessment of policy implementation background (context), resources and capacity used (input), implementation stages (process), and results and impacts (product). By using such evaluation frameworks, policy assessment is not only based on legal principles but also touches on implementation success aspects at practical levels.

Besides evaluation aspects, another challenge not optimally addressed in this study is the minimal interdisciplinary approach. Analysis elaboration in this article is still focused on normative juridical perspectives, whereas restorative justice is a multidimensional approach requiring involvement of various disciplines. Social, psychological, and institutional aspects play important roles in the success or failure of restorative justice implementation in the field.

For example, relationship dynamics between perpetrators and victims cannot be understood only through legal texts but also through sociological analysis explaining power structures, social norms, and community perceptions of mediation processes. Additionally, psychological approaches are highly relevant in understanding trauma experienced by victims and perpetrators' emotional readiness to take full responsibility. On the other hand, institutional management also needs to be analyzed to determine the extent to which police organizations have adequate capacity, training, and resources in implementing penal mediation mechanisms effectively. Thus, interdisciplinary approaches are greatly needed so that restorative justice policies are not only legally valid but also able to answer substantive justice needs in society. Combining legal, social, psychological, and institutional perspectives

will strengthen analysis and provide more appropriate direction in forming restorative justice systems responsive to Indonesia's socio-cultural realities.

Based on relevant legal theories, this research results have important implications for national criminal law system development and orientation. First, this approach shows a legal paradigm shift from retributive orientation toward restorative that emphasizes more on victim condition recovery, perpetrator responsibility, and social reconciliation. This shift aligns with substantive justice theory proposed by Aristotle and John Rawls, where justice is not merely measured through formal equality but also through real efforts to create concrete social balance and recovery. Second, if viewed from responsive legal theory perspective by Nonet and Selznick, this Police Regulation presence reflects legal response to community needs demanding fast, humane, and efficient resolution in minor cases. This simultaneously strengthens law's role as a social mechanism adapting to community need dynamics.

Furthermore, the restorative justice approach also illustrates actualization of Satjipto Rahardjo's progressive legal theory, emphasizing the importance of human-sided law. In this context, police discretion becomes a means to uphold substantive justice, not merely carry out formal procedures. Thus, law is no longer understood as a closed system but as a means of social transformation sided with humanitarian values. Additionally, restorative approaches also reflect classic tension in Gustav Radbruch's theory regarding three law purposes: certainty, justice, and utility. In practice, Police Regulation No. 8 of 2021 tries to balance all three by providing space for non-litigative resolution for justice and utility, although sometimes potentially reducing procedural legal certainty. Finally, restorative justice implementation considering local and cultural contexts of society (such as customary values and community leader roles) shows that Indonesia's criminal law is moving toward a more plural and contextual system, aligning with legal pluralism theory views. This approach strengthens state law legitimacy by accommodating value systems living in society, while bridging between formal justice and community-based substantive justice.

4. Conclusion

The implementation of restorative justice in criminal case resolution in Indonesia as regulated in Police Regulation No. 8 of 2021 shows that this approach has begun to be applied in various types of cases such as domestic violence, assault by children, and minor traffic accidents. These three cases illustrate police efforts to prioritize resolution oriented toward victim loss recovery and social relationship restoration compared to punishment approaches alone. However, this implementation is not separate from various challenges both from internal sides such as resource limitations and investigator training and external sides such as lack of community understanding and victim reluctance to make peace. Police Regulation No. 8 of 2021 provides clear legal basis for police to use discretion in resolving cases through restorative justice, but its effectiveness depends greatly on law enforcement officer readiness and inter-agency synergy as well as community acceptance of new paradigms in criminal law enforcement.

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