



## Optimizing the Role of the Gorontalo High Prosecutor's Office in Realizing Restorative Justice

Rafika Nur<sup>1\*</sup>, Syamsidar<sup>2</sup>, Marwan Djafar<sup>3</sup>.

<sup>1,2</sup> Faculty Hukum, University Ichsan Gorontalo, Indonesian

<sup>3</sup> Faculty Hukum, University Ichsan Gorontalo, Indonesia

\*Correspondence: [author\\_rafikanur2985@mail.com](mailto:author_rafikanur2985@mail.com)

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### ABSTRACT

Restorative justice is a legal approach aimed at repairing the effects of a criminal act by involving all parties in the conflict, including the perpetrator, the victim, and the community. The High Prosecutor's Office of Gorontalo plays a crucial role in realizing restorative justice in its region. This study aims to explore and optimize the role of the High Prosecutor's Office of Gorontalo in implementing restorative justice principles. This research aims to understand and optimize the role of the High Prosecutor's Office of Gorontalo in applying restorative justice principles. The method used is empirical research utilizing field data as the primary source, such as results from interviews and observations. The research findings indicate that optimizing the role of the High Prosecutor's Office of Gorontalo in realizing restorative justice in the Gorontalo Province turns the institution into a dignified law enforcement agency that enjoys high public trust in the law enforcement process, especially in criminal matters. Nowadays, the performance of law enforcement officers often becomes the focus of public scrutiny and criticism from the community and justice seekers who have long opined that the law is sharp towards the lower class and dull towards the upper class. This research provides a significant contribution to understanding how restorative justice can be an effective tool in the criminal justice system in Indonesia. It is expected that the process of case resolution based on restorative justice in the future will importantly see the range of bureaucratic control in its resolution shortened at the regional level up to the echelon II (High Prosecutor's Office) to expedite and make the case resolution process more flexible, and to maintain the accountability of the resolution of restorative justice cases, the prosecutorial ranks should strengthen supervision functions, both functional and inherent.

**Keywords:** Optimization, Role of Prosecution, Restorative Justice

## 1. INTRODUCTION

Justice is an important aspect of the legal process, yet it is also a point that is difficult to measure. Justice is abstract and subjective, as it involves the ethical values embraced by each individual. This happens because all cases, both big and small, are resolved through judicial mechanisms that culminate in prison sentencing. In most cases, a more limited range of types of restoration is relevant to offenders. Offenders have generally not suffered property loss or injury as a result of their own crime, though sometimes loss or injury is a cause of the crime. Dignity, however, is generally in need of repair after the shame associated with arrest.

As one of the law enforcement institutions, the Attorney General's Office of Indonesia is situated within the executive branch of power. One of the functions of the prosecutor's office includes both preventive and repressive measures (Nur et al. 2021). The Attorney General's Office of Indonesia, as a law enforcement agency, is responsible for upholding the law, protecting human rights, and combating corruption. In carrying out its duties

and functions, the prosecutor's office, as a governmental institution executing state power in the field of prosecution, must be able to realize legal certainty for the general public (Nur et al. 2020). Therefore, the role of the Attorney General's Office of Indonesia as a spearhead in law enforcement is expected to uphold the values of justice that prevail in society.

The resolution of criminal cases must prioritize restorative justice, which emphasizes restoring the original state and balancing the protection and interests of both victims and perpetrators of crime. This orientation is not towards revenge but towards fulfilling a legal need of the community and a mechanism that must be built in the exercise of prosecutorial authority and reform of the system in criminal justice (Nur et al. 2022).

The mechanism or procedure for handling common criminal cases in the prosecution stage can apply Restorative Justice based on the Regulation of the Attorney General of Indonesia No. 15 of 2020, regarding the Termination of Prosecution based on restorative justice. Law enforcement actions taken by the prosecutor's office are full enforcement, based on Article 35 letter (a) of Law No. 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia, which states that the Attorney General has the duty and authority to: "Determine and control the policy of law enforcement and justice within the scope of the prosecutor's office's duties and authority." With the optimization of the role of the High Prosecutor's Office of Gorontalo in accordance with the Attorney General's Regulation No. 15 of 2020, it is hoped that the judicial system in the Gorontalo region can operate more efficiently, transparently, and accountably, as well as provide better legal services to the community. This will have a positive impact on improving justice and legal security in the region.

## **2. METHOD RESEARCH**

This study employs empirical research (Irwansyah.2020) to analyze law as a pattern of societal behavior in community life, where people constantly interact and connect in social aspects. Therefore, the approach in this research utilizes qualitative methods, which is a way of analyzing research results that produce descriptive analytical data, namely data that are expressed in written or oral statements as well as actual behavior, investigated and studied holistically.

## **3. RESULT AND DISCUSSION**

### **3.1 Implementation of Restorative Justice in Prosecution by the Attorney General's Office of Indonesia**

Restorative justice principles are recognized as one of the traditional case resolution models. The case resolution model employing restorative justice principles, which is designed for resolving criminal cases within the context of modern criminal law, should be processed within the criminal justice system. The systemic approach in the enforcement of criminal law in Indonesia has led to the development of various procedural norms within the legal system, ensuring that the criminal justice process is carried out continuously from the investigation phase to the socialization process in penal institutions (Arofa 2020). Therefore, the construction of legal substance to implement the law enforcement concept with a restorative justice approach should be built systematically.

The restorative justice approach can be undertaken only if the perpetrator realizes and acknowledges their wrongdoing. In the restorative process, it is expected that the perpetrator will increasingly understand their mistake and its impact on the victim and society. (Braithwaite, J. (1998)) This awareness can lead the perpetrator to willingly take responsibility. Willingness should be understood to mean that the perpetrator can introspect about what they have done and is capable of self-evaluation, leading to an awareness to assess their actions from a proper perspective (Beritno 2021). The criminal case resolution process is expected to be a program where each stage is a process that can bring the perpetrator to an environment that fosters a space for awareness, encouraging the perpetrator to self-evaluate. In this regard, the perpetrator can be guided to realize that their criminal act is unacceptable in society and that such actions are detrimental to both the victim and the offender, thus the consequences of accountability imposed on the perpetrator are indeed to be accepted and endured.

Restorative justice, at its core, is simple. The measure of justice is no longer based on retribution from the victim to the perpetrator (whether physical, psychological, or punitive); rather, the hurtful act is healed by providing support to the victim and requiring the offender to be accountable, with the assistance of family and community if needed. In the Indonesian context, restorative justice means fair resolution involving the offender, the victim, the family, and other parties related to a crime, jointly seeking a resolution to the crime and its implications, emphasizing the restoration to the original state (Syukur, Badaru, and Baharuddin 2021).

Resolution with a restorative justice approach grants access for the victim to become one of the parties determining the final settlement of the crime because the victim is the most disadvantaged and suffering party. Hence, each stage of resolution should reflect that the process is a positive response for the victim, directed toward efforts for repair or compensation for the victim's experienced losses.

In the restorative process, it is expected that the perpetrator will increasingly understand their mistake and its consequences for the victim and society. This awareness can lead the perpetrator to willingly take responsibility. Willingness should be understood to mean that the perpetrator can introspect about what they have done and is capable of self-evaluation, leading to an awareness to assess their actions from a proper perspective. The criminal case resolution process is expected to be a program where each stage is a process that can bring the perpetrator to an environment that fosters a space for awareness, encouraging the perpetrator to self-evaluate. In this regard, the perpetrator can be guided to realize that their criminal act is unacceptable in society and that such actions are detrimental to both the victim and the offender, thus the consequences of accountability imposed on the perpetrator are indeed to be accepted and endured.

### **3.2 Prosecution Termination Procedure Based on PERJA NO 15 of 2020**

The prosecution termination procedure based on Restorative Justice, besides going through selective requirements, also undergoes supervision from leaders in a hierarchical manner or by superiors in handling or resolving a case, in accordance with the Attorney General's Circular Letter of Indonesia Number-01/E/EPJ/02/2022 dated February 10, 2022. Point 4 of the Circular requires that "The process of terminating a case based on restorative justice is carried out by seeking approval from the Deputy Attorney General for General Crimes through a case review with the following stages:

- a) Based on the prosecutor's report that a peace discussion has reached an agreement, the Head of the District Prosecutor's Office or the Chief Prosecutor submits a request for a case review to the Deputy Attorney General for General Crimes through the High Prosecutor's Office within a maximum of one (1) day after the peace agreement, using the fastest means.
- b) The application referred to in letter a is submitted by attaching the minutes of the peace discussion, the peace agreement, and the prosecutor's opinion note;
- c) The case review referred to in letter a is conducted within a maximum of two (2) days since the application is received by the Deputy Attorney General for General Crimes and is organized using electronic means (video conference);
- d) The case review as referred to in letter c is conducted by the prosecutor along with the leadership of the District Prosecution Office / Prosecution Office and the High Prosecution Office in front of the Deputy Attorney General for General Crimes;
- e) The case review as referred to in letter d is carried out by presenting a brief chronology of

### **3.3 Optimization of the High Prosecution Office of Gorontalo's Role in Achieving Restorative Justice**

The optimization of the High Prosecution Office of Gorontalo's role in achieving restorative justice is a significant effort within the criminal justice system in Indonesia. Restorative justice is an alternative approach in handling criminal cases that focuses on the restoration of losses, understanding, and reconciliation between the offender, the victim, and the community. The role of the Prosecution Office in realizing restorative justice is critically

important within the context of the criminal justice system. Restorative justice is an approach focused on restoration, reconciliation, and understanding between the offender, the victim, and the community.

In carrying out its role in realizing restorative justice, the High Prosecution Office of Gorontalo must comply with all applicable legal provisions and ensure that every action taken aligns with the principles of justice, reconciliation, and restoration in accordance with the regulations and legislation in force in Indonesia. The optimization of the High Prosecution Office of Gorontalo's role in the implementation of restorative justice is a crucial step in improving a justice system that is more oriented towards recovery, reconciliation, and conflict resolution rather than mere punishment. Below is a discussion on how the optimization of the High Prosecution Office of Gorontalo's role in this context can provide significant benefits:

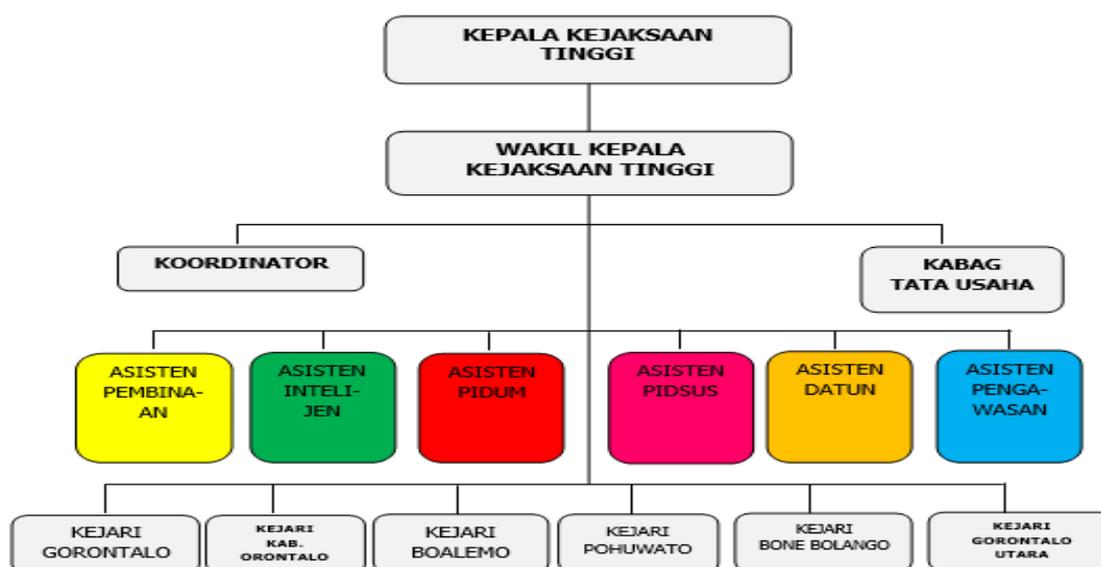
1. **Facilitating Mediation Processes:** The High Prosecution Office of Gorontalo can play a key role in facilitating mediation processes between victims and offenders. This involves the presence of prosecutors as mediators who help both parties reach a fair and beneficial agreement.
2. **Victim Support:** The High Prosecution Office can provide effective support to crime victims. This includes ensuring that victims' rights are respected and that they have access to information about the legal process, their rights, and the support available.
3. **Alternative Sanctions:** The High Prosecution Office of Gorontalo can play a role in proposing and implementing alternative sanctions for offenders, such as community service, restitution to victims, or remedial programs. This helps offenders understand the consequences of their actions and provides an opportunity to rectify their mistakes.
4. **Legal Education and Awareness:** The institution can contribute to the legal education of the community and understanding of the concept of restorative justice. They can hold educational programs, seminars, or awareness campaigns to increase public understanding of this approach.
5. **Policy Development:** The High Prosecution Office of Gorontalo can play a role in developing policies that support the implementation of restorative justice. They can collaborate with relevant parties to formulate guidelines and procedures effective for applying this approach in the justice system.
6. **Evaluation and Assessment:** It is important for the High Prosecution Office to regularly evaluate and assess the effectiveness of the restorative approaches they implement. This allows them to identify areas needing improvement and enhance the quality of services they provide.
7. **Cross-Sectoral Collaboration:** The High Prosecution Office of Gorontalo can collaborate with other institutions, such as the police, courts, social agencies, and other relevant parties, to create an effective restorative justice approach. Cross-sectoral cooperation is vital in addressing crime cases with this approach.
8. **Human Rights Protection:** In the context of restorative justice, the High Prosecution Office also has the responsibility to protect the human rights of all parties involved in the legal process, including victims, offenders, and the community at large.

Through the optimization of their role in implementing restorative justice, the High Prosecution Office of Gorontalo can help create a justice system more aligned with recovery than harsh punishment. This not only benefits victims and offenders but also has the potential to enhance harmony and security within society. Restorative justice is a progressive approach to law enforcement aimed at achieving reconciliation and recovery, and the High Prosecution Office plays a vital role in making it a reality.

### **1. Role and Function of the Gorontalo High Prosecutor's Office**

- a. The Gorontalo High Prosecutor's Office plays a crucial role and function within the Indonesian judicial system. Some of these include:
- b. **Investigation and Prosecution** The Gorontalo High Prosecutor's Office is responsible for conducting investigations and prosecuting criminal offenders within the Gorontalo Province. They collaborate with police investigators to gather evidence and ensure that criminal offenders are brought to trial.

- c. Providing Legal Advice The Gorontalo High Prosecutor's Office provides legal advice to local governments, government agencies, and other bodies within its jurisdiction. This includes offering legal guidance related to policies and decisions made by the local government.
- d. Defense and Case Supervision The Gorontalo High Prosecutor's Office is tasked with defending the government in legal cases involving local government or other government agencies. Additionally, they oversee ongoing court cases to ensure that the judicial process runs fairly and in accordance with the law.
- e. Management of Witnesses and Victims The Gorontalo High Prosecutor's Office must ensure adequate protection and care for witnesses and victims in the judicial process. They also play a role in facilitating mediation and reconciliation between offenders and victims in certain cases.



## 2. Targets for Work Units (Satker) within the Gorontalo High Prosecutor's Office

The targets for Work Units (Satker) within the Gorontalo High Prosecutor's Office are performance goals that each unit or division must achieve. Some possible targets within the Gorontalo High Prosecutor's Office include:

- a. Case Resolution Targets Satker in the Gorontalo High Prosecutor's Office may have specific targets related to the resolution of criminal cases. This might include the number of cases that must be completed within a certain time period.
- b. Compliance with Laws Satker may also have targets related to the level of compliance with laws and regulations in their jurisdiction. They can focus on better enforcement of the law within the community.
- c. Mediation Implementation Targets If the Gorontalo High Prosecutor's Office is active in achieving restorative justice, they might have targets related to the number of successful mediations conducted between offenders and victims.
- d. Provision of Legal Advice The number of requests for and the provision of legal advice to local governments and other government agencies can also be a measured target to ensure better implementation of the law.

In order to understand the duties and functions of the Gorontalo High Prosecutor's Office, it is important to refer to Law Number 11 of 2021 regarding Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia. This law was enacted on December 31, 2021, and came into force on the same date. This law has become the main legal source regulating the duties and functions of the Prosecutor's Office in Indonesia.

Previously, the Prosecutor's Office Law had been subject to constitutional challenges by the public regarding several articles, such as Article 30C letter h paragraph 1 which is related to the "Authority to submit a Reconsideration." This challenge resulted in the Constitutional Court Decision Number 20/PUU-XXI/2023, which declared that Article 30C letter h paragraph 1 was unconstitutional.

Additionally, there was also a challenge regarding the retirement age limit for prosecutors regulated in Article 12 letter c. This article stipulates that prosecutors retire at the age of 60, while previously, Law Number 16 of 2004 set the retirement age at 62. The Constitutional Court, in Decision Number 70/PUU-XX/2022, partially granted the petition of prosecutors nearing retirement, stating that the retirement age limit stipulated in Article 12C of Law Number 11 of 2021 would take effect 5 years after the decision was read, allowing prosecutors currently aged 60 or above to follow the provisions of Law Number 16 of 2004 regarding the retirement age of 62.

Following an understanding of the legal developments encompassing Law Number 11 of 2021 regarding the Prosecutor's Office, the next step is to understand the duties and functions of the Gorontalo High Prosecutor's Office. Essentially, the duties and functions of the Gorontalo High Prosecutor's Office remain in line with this law, as it is stated that the Prosecutor's Office of the Republic of Indonesia is one and indivisible.

Article 2 of the new Basic Prosecutor's Law emphasizes that the Prosecutor's Office, in carrying out its functions related to judicial power, is to be performed independently and as an indivisible unit. This reflects the determination to maintain the independence of the Prosecutor's Office from the influence of any external powers and to carry out its duties and authorities independently.

NO	IDENTITY OF RJ CASE	REMARKS
1	Hidjarati Bau Alias Jiko (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
2	Djafar Muhtar Asiari Alias Djafar (Violation of Article 378 of the Criminal Code)	Approved
3	Prayudi Haib Alias Anes (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
4	Rahman Ahaya Alias Cun (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved

Furthermore, Article 3 of the law states that the functions related to judicial power are carried out by the Attorney General's Office, the High Prosecutor's Office, the District Prosecutor's Office, and Branch District Prosecutor's Offices. Article 4 of the law outlines the jurisdictions of the Attorney General's Office, the High Prosecutor's Offices, the District Prosecutor's Offices, and the Branch District Prosecutor's Offices based on their respective legal areas.

From these provisions, it can be concluded that the duties and functions of the Gorontalo High Prosecutor's Office align with Law Number 11 of 2021 concerning the Prosecutor's Office of the Republic of Indonesia. According to this law, the main functions of the Prosecutor's Office include prosecution and other authorities based on the law. Additionally, the Prosecutor's Office must perform its duties independently, as an indivisible unit, and free from the influence of any external powers.

Moreover, it is important to note that the duties and functions of the Gorontalo High Prosecutor's Office will also reflect the general duties and functions of the Prosecutor's Office as stipulated in the law. In carrying out its duties and functions, the Gorontalo High Prosecutor's Office will play a role in upholding justice and law within its jurisdiction. Performance Achievement Data on Case Resolution through Restorative Justice (RJ) by Prosecutor's Offices in the Gorontalo Region in 2022

The performance achievement data on case resolution through Restorative Justice (RJ) by the Prosecutor's Offices in the Gorontalo region in 2022 reflect efforts to implement a more recovery-oriented legal approach rather than punitive measures. Here is an explanation of the data:

1) Gorontalo City District Prosecutor's Office

There were four cases resolved through the Restorative Justice approach at the Gorontalo City District Prosecutor's Office in 2022. These cases involved violations of Article 351 paragraph 1 of the Criminal Code and Article 378 of the Criminal Code. All these cases were approved for processing through the Restorative Justice approach.

#### 2) Gorontalo District Prosecutor's Office

NO	IDENTITY OF RJ CASE	REMARKS
1	Anwar Idrus Alias Kano alias Ka Kano (Violation of Article 80 paragraph 1 of Law No.35 of 2014 on the Amendment to Law No.23 of 2002 on Child Protection)	Approved
2	Muliyanto Musa Alias Ijin (Violation of Article 362 of the Criminal Code)	Approved
3	Samsurizal B Napu Alias Rizal (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
4	Defriyanto Tinulele Alias Epi (Violation of Article 362 of the Criminal Code)	Approved
5	I Kadek Slamet Saputra Alias Kadek (Violation of Article 310 paragraph 4 of Law Number 22 of 2009)	Approved
6	Moh.Taufik Badu Alias Ufik and Erik Salam Alias Erik (Violation of Article 170 of the Criminal Code)	Not approved

There were six cases resolved through the Restorative Justice approach at the Gorontalo District Prosecutor's Office in 2022. These cases involved various violations, including child protection (Article 80 paragraph 1 of Law No.35 of 2014), theft (Article 362 of the Criminal Code), and violations of Article 351 paragraph 1 of the Criminal Code. All cases, except one, were approved for processing through the Restorative Justice approach.

#### 3) Boalemo District Prosecutor's Office

NO	IDENTITY OF RJ CASE	REMARKS
1	Mohammad Thoha Zumair (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
2	Melan Polomalo Alias Melang (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
3	Ronaldi Marthin Alias Bade (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved

There were three cases resolved through the Restorative Justice approach at the Boalemo District Prosecutor's Office in 2022. These cases involved violations of Article 351 paragraph 1 of the Criminal Code. All these cases were approved for processing through the Restorative Justice approach.

#### 4) Pohuwato District Prosecutor's Office

NO	IDENTITY OF RJ CASE	REMARKS
1	Riski Sidiki Alias Iki (Violation of Article 351 of the Criminal Code)	Approved
2	Masrikah Alias Santi (Violation of Article 372 or 378 of the Criminal Code)	Approved

There were two cases resolved through the Restorative Justice approach at the Pohuwato District Prosecutor's Office in 2022. These cases involved violations of Article 351 of the Criminal Code and Article 372 or 378 of the Criminal Code. All these cases were approved for processing through the Restorative Justice approach.

#### 5) Bone Bolango District Prosecutor's Office

NO	IDENTITY OF RJ CASE	REMARKS
1	Sumira Abdjul Alias Eti (Violation of Article 351 of the Criminal Code)	Approved
2	Maryam Ismail Alias Odo (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
3	Nursia Katili Alias Elen (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
4	Kaisar Alias Kaisar (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
5	Ramli Abdul Azis Alias Ram (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved
6	Kimam Patuti Alias Kiman (Violation of Article 351 paragraph 1 of the Criminal Code)	Approved

There were six cases resolved through the Restorative Justice approach at the Bone Bolango District Prosecutor's Office in 2022. These cases involved violations of Article 351 of the Criminal Code. All these cases were approved for processing through the Restorative Justice approach.

In 2022, the Gorontalo Utara District Attorney's Office resolved two cases through the Restorative Justice (RJ) approach. These cases involved violations of Article 80 paragraph 2 in conjunction with Article 76C of Law Number 35 of 2014 or Article 351 paragraph 1 of the Indonesian Penal Code (KUHP). All of these cases were approved for processing using the RJ approach. Of the 24 cases processed with the RJ mechanism throughout 2022, based on Prosecutor Regulation Number 15 of 2020 on Termination of Prosecution Based on Restorative Justice, 23 cases were approved by the leadership, while 1 case was not approved. The case that was not approved involved Moh. Taufik Badu alias Ufik and Erik Salam alias Erik, who were charged with violating Article 170 paragraph (1) of the KUHP. The reasons for the rejection are as follows:

1. The alleged offense, which involved violence committed jointly in public, carries a prison sentence of 5 years and 6 months, thus not meeting the criteria for termination of prosecution based on RJ.
2. The facts in the case files showed that the victim, Alfian Frans Adam, suffered physical injuries due to the actions of the suspects, as indicated by the medical report from RSUD Boliyohuto signed by Dr. Rezky Fitriany AM.
3. Based on Article 170 paragraph (2) point 1 of the KUHP, violence resulting in injury carries a prison sentence of up to 7 years.
4. Therefore, it was recommended that this case be forwarded to the court.

This data demonstrates the commitment of the prosecutors in the Gorontalo region to applying Restorative Justice to various legal violations, aiming to achieve recovery, reconciliation, and fair resolution for all parties involved. It is hoped that this approach can contribute to the creation of a more harmonious society in the Gorontalo region.

#### 6) House of Restorative Justice

A Restorative justice is a facility used for the implementation of restorative justice programs, serving as a venue for meetings between offenders, victims, and other related parties in the mediation process. Its purpose is to create an environment that supports the processes of reconciliation and recovery. A Restorative House is typically equipped with mediation rooms, mediation facilitators, and comfortable spaces for participants. Additionally, a Restorative House also symbolizes the significant commitment of the Gorontalo High Prosecutor's Office in realizing restorative justice in its region. To achieve more optimal restorative justice, policy changes, increased public awareness, and a more inclusive approach in the judicial process are necessary. This is crucial for providing more holistic and profound solutions in addressing conflicts and crimes in society.

#### 4. CONCLUSION

Restorative justice is a legal approach that seeks to repair the harm caused by criminal activities by engaging all parties involved, including perpetrators, victims, and the community. In Gorontalo, the High Prosecutor's Office has been pivotal in implementing these principles, aiming to foster reconciliation and recovery rather than merely punishing offenders. Empirical research, involving field data from interviews and observations, highlights that the office's efforts have transformed it into a respected law enforcement entity with high public trust. This study underscores the necessity of enhancing the High Prosecutor's Office's role in applying restorative justice, which can lead to more efficient, transparent, and accountable case resolutions. It also addresses public concerns about biased law enforcement, striving for a system where justice is equitably served.

Restorative justice focuses on healing and restoring relationships rather than retribution. It involves mediation between victims and offenders, offering support to victims, and implementing alternative sanctions that encourage offenders to acknowledge and rectify their wrongdoings. The Gorontalo High Prosecutor's Office's commitment to these principles demonstrates the potential for a more harmonious society. To achieve optimal restorative justice, the study suggests several measures: facilitating mediation, supporting victims, proposing alternative sanctions, educating the public about restorative justice, developing supportive policies, regular evaluation, and cross-sectoral collaboration. These efforts aim to balance the interests of victims and offenders, protect human rights, and enhance community harmony and security.

The performance data from 2022 shows the successful resolution of numerous cases through restorative justice, highlighting the Gorontalo High Prosecutor's Office's dedication to this approach. This aligns with the broader goals of the Indonesian legal system to provide fair, restorative, and accountable justice, reflecting a significant shift towards a more inclusive and rehabilitative legal framework.

#### 5. REFERENCES

- Ali, A. (2009). *Menguak Teori Hukum dan Teori Peradilan*. Jakarta: Kencana.
- Algra Dkk. 1983. *Mula Hukum*. Penerbit Bina Cipta. Jakarta
- Arofa, Endi. 2020. "Penghentian Penuntutan Dalam Perkara Pidana Berdasarkan Restorative Justice." *Jurnal Surya Kencana Dua: Dinamika Masalah Hukum & Keadilan Vol 7(2)*: 319–338.
- Barda Nawawi Arief, *Kebijakan Hukum Pidana*, Bandung: PT. Citra Aditya Bakti, 2002, hal. 109
- Braithwaite, J. (1998). Restorative justice. *The handbook of crime and punishment*, 323-344.
- Beritno, Pratomo. 2021. "Penghentian Penuntutan Berdasarkan Peraturan Kejaksaan Republik Indonesia Nomor 15 Tahun 2020 Tentang Penghentian Penuntutan Berdasarkan Keadilan Restoratif." *Jurnal Ilmu Hukum Tambun Bungai Palangka Raya 6(2)*: 190–206.
- Hanapi, Y., Bilondatu, A., & Adam, T. S. (2023). PEMBIAYAAN DENGAN AKAD QARDH YANG DILAKUKAN OLEH BANK SYARIAH INDONESIA CABANG GORONTALO: PEMBIAYAAN DENGAN AKAD QARDH YANG DILAKUKAN OLEH BANK SYARIAH INDONESIA CABANG GORONTALO. *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 95-107.
- Irwansyah. (2020). *Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel*. Mirra Buana Media
- Nur, Rafika et al. 2021. "Model Of Punishment: Juvenile Justice Systems." *Jambura Law Review 3*: 35–56.
- Nur, Rafika, Handar Subhandi Bakhtiar, Prayitno Imam Santosa, and Nurhayati Mardin. 2022. "Reformulation of the Recidivist Concept in the Juvenile Criminal Justice System in Indonesia." 7(1): 16–21.
- Nur, Rafika, Marwati Riza, Andi Pangerang Moenta, and Handar Subhandi. 2020. "Sanctions on Children: Comparative Studies of Indonesia and Netherlands." *Journal of Law, Policy and Globalization 98*: 225–29.

- Rusmana, A. D. N., Mulyani, A. S., & Fitriah, T. (2023). Legal Protection Of Unlicensed Online Arisan Victims Reviewed From Article 1243 Of The Civil Code Concerning Tort. *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 70-76.
- Salam, S. N. (2023). Perlindungan Hukum Terhadap Pekerja Migran Indonesia Di Jepang. *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 112-126.
- Salam, S., Gurusi, L., Kaswandi, K., Tonny, F., & Dewi, R. (2024). The Concept of "Austin and Jeremy Bentham" and Its Relevance to the Construction of Indigenous People. *Journal of Transcendental Law*, 6(1), 32-43.
- Salam, S., Suhartono, R. M., Nurcahyo, E., & Bason, E. (2024). Pengakuan Hak Atas Tanah Ulayat Masyarakat Hukum Adat di Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja: Perspektif Teori Hukum Kritis. *Jurnal Interpretasi Hukum*, 5(1), 721-732.
- Syukur, Muh., Baharuddin Badaru, and Hamza Baharuddin. 2021. "Penerapan Restorative Justice Terhadap Tindak Pidana Yang Dilakukan Oleh Anak Di Kejaksaan Tinggi Gorontalo." *Journal of Lex Generalis (JLS)* 2(1): 32-47.
- Silambi, E. D., Rahim, D., & Pakaya, F. M. (2023). PELAKSANAAN GANTI RUGI DALAM PENGADAAN TANAH UNTUK KEPENTINGAN UMUM (Studi Pembangunan Proyek Jalan Lingkar Gorontalo). *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 77-86.
- Warjiyati, S., Ibrahim, K. M., Salam, S., & Faruq, U. (2022). Complaint Authority for Constitutional Complaint by Indonesia's Constitutional Court. *Jurnal IUS Kajian Hukum dan Keadilan*, 10(2), 303-315.
- Warjiyati, S., Salam, S., Sybelle, J. A., & Fida, I. A. (2023). The Legalization and Application of Osing Indigenous People's Customary Law Model in the Legal System. *Lex localis-Journal of Local Self-Government*, 21(4), 853-875.
- Widyastuti, E. (2023). Praktik Persekongkolan Dalam Pelaksanaan Tender Pengadaan Barang/Jasa Pemerintah. *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 63-69.
- Yasser, F., Dewi Kartika, E., Harpa, A., & al Atlas, M. (2023). Ratio Decidendi Hak Gugat Perselisihan Kepentingan Pada Putusan Nomor 3/Pdt. Sus-Phi/2018/Pn Mam. *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 87-94.
- Yulestari, R. R. (2023). Perlindungan hak asasi manusia masyarakat Rempang atas investasi Eco-City. *JUDICATUM: Jurnal Dimensi Catra Hukum*, 1(2), 108-111.