



The Implementation of Restorative Justice in the Discontinuation of Prosecution in General Criminal Cases: An Empirical Legal Study on Effectiveness and Challenges in The Prosecutor's Office

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ABSTRACT: The application of restorative justice in the discontinuation of criminal prosecutions is one of the criminal justice system reform policies aimed at achieving a more just, humane, and restoration-oriented resolution of cases. However, the implementation of this policy still faces various obstacles that could potentially affect its effectiveness. This study aims to analyze the implementation of restorative justice in the discontinuation of prosecutions for general criminal cases at the District Attorney's Office, assess the effectiveness of its application, and identify the obstacles encountered in its implementation. The study employs an empirical legal method with a descriptive-analytical approach. Primary data were obtained through interviews with prosecutors and relevant parties, while secondary data were obtained from laws and regulations, case documents, books, and scientific journals. The data were analyzed qualitatively using George C. Edward III's Policy Implementation Theory and Soerjono Soekanto's Theory of Legal Effectiveness as analytical frameworks. The results of the study indicate that the implementation of restorative justice in the discontinuation of prosecution is, in principle, consistent with Law No. 11 of 2021 on the Attorney General's Office of the Republic of Indonesia and Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020 on the Discontinuation of Prosecution Based on Restorative Justice. The effectiveness of its implementation is considered fairly effective, but not yet optimal, as it is still influenced by the quality of policy communication, the competence of law enforcement officials, the availability of supporting resources, and the public's level of legal awareness. Implementation challenges include differing interpretations of the criteria for applying restorative justice, limited capacity of prosecutors to act as mediators, suboptimal coordination among law enforcement agencies, and low public understanding of case resolution through a restorative approach. Therefore, it is necessary to strengthen regulations, enhance human resource capacity, harmonize policies across institutions, and conduct ongoing public outreach to improve the effectiveness of restorative justice implementation within Indonesia's criminal prosecution system

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I. INTRODUCTION

The development of the modern criminal justice system reflects a paradigm shift from retributive justice toward restorative justice as an approach to resolving criminal cases that is more focused on victim restoration, offender accountability, and the harmonization of social relationships. This paradigm shift emerged in response to criticism of the conventional penal system, which is seen as placing greater emphasis on punishment rather than conflict resolution and redressing the harm suffered by victims. Restorative justice is seen as capable of striking a balance between legal certainty, justice, and the public interest, making it one of the key directions for criminal law reform in various countries, including Indonesia (Zehr, 2015; Braithwaite, 2002).

In Indonesia, the strengthening of restorative justice is realized through Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020 on the Discontinuation of Prosecution Based on Restorative Justice, which grants prosecutors the authority to discontinue prosecution in certain criminal cases provided that formal and substantive requirements are met. This policy is a crucial component of criminal justice system reform because it prioritizes case resolution through reconciliation between the offender and the victim without disregarding the public interest.

The implementation of restorative justice in Indonesia has shown significant progress in recent years. Various District Attorney's Offices across Indonesia are actively applying the discontinuation of prosecution based on restorative justice to general criminal cases such as theft, minor assault, embezzlement, and other criminal offenses that meet the requirements of Attorney General's Regulation No. 15 of 2020. This practice indicates that restorative justice has evolved into one of the primary instruments in Indonesia's criminal prosecution policy.

Nevertheless, the success of discontinuing prosecution through restorative justice does not yet fully demonstrate that the implementation of this policy has been effective. Various empirical studies indicate that obstacles remain, including inconsistent understanding among prosecutors regarding the parameters for applying restorative justice, differing interpretations of the conditions for discontinuing prosecution, limited mediation skills among prosecutors, suboptimal victim participation in the reconciliation process, and public perceptions that still view the discontinuation of prosecution as a form of weakening law enforcement. These conditions mean that the implementation of restorative justice still faces challenges in achieving the goal of substantive justice.

Theoretically, the success of implementing a public policy is influenced by several factors, as outlined by Edward III (1980), namely communication, resources, the disposition of implementers, and bureaucratic structure. In the context of the discontinuation of prosecution based on restorative justice, the effectiveness of implementation depends heavily on the ability of prosecutors to communicate the objectives of restorative justice to the parties involved, the availability of competent human resources, the commitment of law enforcement officials to prioritize just resolutions, and effective institutional coordination.

In addition to policy implementation theory, the effectiveness of restorative justice can also be analyzed using Soerjono Soekanto's theory of legal effectiveness, which states that the success of law enforcement is influenced by five factors: the substance of the law, law enforcement officials, facilities and infrastructure, society, and legal culture (Soekanto, 2019). These five factors are closely related to the successful implementation of the discontinuation of prosecution based on restorative justice within the Prosecutor's Office.

Based on a review of previous research, the majority of studies on restorative justice are still dominated by a normative legal approach that examines the compliance of Prosecutor's Office Regulation No. 15 of 2020 with the provisions of criminal procedure law and the principles of criminal law. The study by Savira and Sembiring (2024) examined the application of restorative justice at the Medan District Prosecutor's Office solely from a normative perspective. Similarly, the study by Fernando and Yunaldi (2024) focused primarily on prosecutors' considerations in applying restorative justice to theft offenses. The study by Gulo and Manullang (2024) also emphasizes the application of restorative justice to minor criminal offenses without comprehensively measuring the effectiveness of the policy's implementation.

Thus, there is a clear research gap, as previous studies have predominantly employed a normative approach rather than an empirical-legal one. Another research gap lies in the fact that most studies only examine the legal aspects of discontinuing prosecution without measuring the effectiveness of policy implementation. There has been little research that simultaneously analyzes the relationship between the effectiveness of implementation, inhibiting factors, and strategies for optimizing the implementation of restorative justice in the Attorney General's Office. No study has yet integrated Edward III's Policy Implementation Theory with Soerjono Soekanto's Theory of Legal Effectiveness to analyze the discontinuation of prosecution based on restorative justice.

Based on this research gap, the novelty of this study lies in three main aspects. First, the study employs an empirical-juridical approach to evaluate the implementation of restorative justice based on actual practices within the Public Prosecutor's Office. Second, the study integrates Edward III's Policy Implementation Theory with Soerjono Soekanto's Theory of Legal Effectiveness as a comprehensive analytical framework. Third, this study not only identifies the effectiveness of the implementation of the discontinuation of prosecution but also formulates a model of recommendations for a more effective implementation of restorative justice as a basis for evaluating criminal prosecution policies in Indonesia.

Based on empirical phenomena, policy developments, research gaps, and the importance of evaluating this implementation, the study titled "The Implementation of Restorative Justice in the Discontinuation of Prosecution in General Criminal Cases through an Empirical Juridical Study of Effectiveness and Obstacles in the Prosecutor's Office" is essential to provide a theoretical contribution to the development of criminal law while offering practical recommendations for optimizing the policy of discontinuing prosecution based on restorative justice.

II. LITERATURE REVIEW

1. The Concept of the Rule of Law and the Criminal Justice System

Indonesia is a state governed by the rule of law, as affirmed in Article 1, paragraph (3) of the 1945 Constitution of the Republic of Indonesia. A consequence of the principle of the rule of law is that every government action, including the enforcement of criminal law, must be based on the principles of legality, the protection of human rights, legal certainty, justice, and the public interest.

From the perspective of the Criminal Justice System as proposed by Remington and Ohlin, the criminal justice system is an integrated system involving the police, the prosecution, the courts, and correctional institutions in achieving the objectives of criminal law enforcement. The prosecutor's office holds a strategic position as the *dominus litis*—that is, the case controller who determines whether a case should be brought to court or resolved through other mechanisms provided for by law.

2. Theory of Restorative Justice

The term “restorative justice” was first popularized by Howard Zehr, who defined restorative justice as a process for resolving criminal cases that emphasizes the restoration of harm caused by a crime through the involvement of the offender, the victim, their families, and the community. According to Zehr (2015), “Restorative justice seeks to repair harm caused by crime rather than simply punish the offender.” Meanwhile, John Braithwaite (2002) explains that restorative justice is a process aimed at rebuilding social relationships damaged by criminal acts through dialogue, offender accountability, and reconciliation. The main principles of restorative justice include redress for victims' losses, offender accountability, victim participation, dialogue and deliberation, reconciliation, and social reintegration. In Indonesia, the concept of restorative justice has developed through various regulations, including:

1. Law No. 11 of 2012 on the Juvenile Criminal Justice System;
2. Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020;
3. Police Regulation No. 8 of 2021;
4. Supreme Court Guideline No. 1 of 2024 on the application of restorative justice in certain criminal cases.

3. Termination of Prosecution Based on Restorative Justice

The suspension of prosecution is the authority of the Public Prosecutor to refrain from proceeding with a case to trial if it meets the requirements set forth by law. The primary legal basis is the Criminal Procedure Code (KUHAP), Law No. 11 of 2021 on the Attorney General's Office of the Republic of Indonesia, and Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020.

Article 5 of Regulation of the Attorney General's Office No. 15 of 2020 stipulates that the discontinuation of prosecution may be carried out if certain conditions are met, including:

1. the suspect is a first-time offender;
2. the maximum penalty does not exceed five years;
3. the amount of loss meets certain criteria or the case meets the specified requirements;
4. a reconciliation has taken place between the victim and the perpetrator;
5. the situation has been restored to its original state;
6. the community has responded positively to the resolution of the case.

The objectives of discontinuing prosecution based on restorative justice include:

1. achieving substantive justice;
2. reducing overcrowding in correctional facilities;
3. expediting case resolution;
4. increasing victim satisfaction;
5. reducing law enforcement costs

Empirical research shows that the implementation of Attorney General's Regulation No. 15 of 2020 has expanded the use of the mechanism for discontinuing prosecution, but its effectiveness is still influenced by the quality of law enforcement officials, the legal culture of society, and the availability of supporting resources.

4. Policy Implementation

This study draws on George C. Edward III's (1980) theory of policy implementation. According to Edward III, the success of implementation is influenced by four variables.

1. Communication. Communication involves clearly conveying policy information to both implementers and the public. In restorative justice, communication includes publicizing Prosecutor's Office regulations, coordination among law enforcement officials, and communication between prosecutors, victims, and offenders.
2. Resources, including the number of prosecutors, the competence of mediators, the budget, mediation facilities, and administrative support.
3. Disposition. Disposition refers to the commitment of officials to consistently implement policies. In restorative justice, disposition is reflected through prosecutors' integrity, professionalism, and orientation toward substantive justice.

4. Bureaucratic Structure, including standard operating procedures (SOPs), interagency coordination, administrative mechanisms, and the division of authority

These four variables serve as key indicators for evaluating the effectiveness of the implementation of the suspension of prosecution based on restorative justice.

5. The Theory of Legal Effectiveness

The main theoretical framework of this study draws on Soerjono Soekanto's concept of legal effectiveness.

According to Soekanto (2019), legal effectiveness is influenced by five factors, including:

- a. legal factors (legal substance), namely the quality of legal norms governing restorative justice.
- b. law enforcement factors, namely the competence and professionalism of prosecutors.
- c. facilities and infrastructure factors, such as mediation rooms, budget, information technology, and case administration.
- d. societal factors, including the level of legal awareness, victim participation, and public acceptance, and
- e. legal culture factors, namely the prevailing social values regarding peaceful conflict resolution.

These five factors serve as indicators for measuring the effectiveness of the implementation of the discontinuation of prosecution.

6. Challenges in Implementing Restorative Justice

Based on various previous studies, the obstacles to implementing restorative justice include both internal and external factors. Internal obstacles include limited human resources among prosecutors, inconsistent understanding of Perja No. 15 of 2020, a shortage of mediators, and complex administrative procedures. Meanwhile, external challenges include victims' unwillingness to reconcile, public pressure, third-party intervention, low public legal awareness, and a litigation culture that remains dominant.

These findings are consistent with various empirical studies showing that the success of restorative justice is influenced by law enforcement factors, community culture, and infrastructure support.

III. RESEARCH METHODOLOGY

This study employs an empirical legal research method with a descriptive qualitative approach. The empirical legal approach is used to examine the implementation of legal provisions regarding restorative justice in the discontinuation of prosecution in general criminal cases and to observe how these legal norms are applied in practice within the Prosecutor's Office. This approach focuses on law as "law in action"—that is, law as it functions within society and in law enforcement practices.

The research was conducted at the District Attorney's Office, which served as the study site, given the implementation of the discontinuation of prosecution based on Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020 concerning the Discontinuation of Prosecution Based on Restorative Justice.

The research data consists of primary and secondary data. Primary data was obtained through in-depth interviews with public prosecutors, the Head of the General Criminal Division, victims, perpetrators, and other parties involved in the restorative justice process. Meanwhile, secondary data was obtained through a literature review of laws and regulations, scientific journals, books, case documents, Prosecutor's Office reports, and other literature relevant to the study.

Data collection methods included library research, in-depth interviews, and review of case files and documents related to the discontinuation of prosecution based on restorative justice.

Informants were selected using purposive sampling, specifically choosing those considered knowledgeable and directly involved in the implementation of the discontinuation of prosecution based on restorative justice.

Data analysis utilized the interactive analysis model developed by Miles, Huberman, and Saldaña, which includes data reduction, data presentation, drawing conclusions, and verification. Data validity was tested through source triangulation and methodological triangulation to obtain valid and scientifically accountable data. The results of the analysis were then used to assess the effectiveness of restorative justice implementation, identify the challenges faced by the Prosecutor's Office, and formulate recommendations for optimizing the implementation of the discontinuation of prosecution based on restorative justice.

The theoretical approaches used in this research analysis draw on George C. Edward III's Policy Implementation Theory (communication, resources, disposition, and bureaucratic structure) and Soerjono Soekanto's Theory of Legal Effectiveness (legal substance, law enforcement officials, infrastructure, society, and legal culture). These two theories were used to analyze the effectiveness of implementing restorative justice in the discontinuation of prosecution in general criminal cases and to identify the factors that pose obstacles to its implementation.

IV. RESEARCH FINDINGS AND DISCUSSION

Research Findings

1. Analysis of the Conformity of Restorative Justice Implementation with Legal Standards (Legal Compliance)

The implementation of the discontinuation of prosecution based on restorative justice is essentially the exercise of the public prosecutor's authority granted by the state through Law No. 11 of 2021 Amending No. 16 of 2004 on the Attorney General's Office of the Republic of Indonesia and is regulated in greater detail in Regulation of the Attorney General's Office of the Republic

of Indonesia No. 15 of 2020 on the Discontinuation of Prosecution Based on Restorative Justice. Therefore, the first analysis in this study focuses on the alignment of implementation at the Attorney General's Office with legal norms (legal compliance).

The research findings indicate that, in general, the procedures for discontinuing prosecution have been carried out in accordance with the stages specified in Regulation of the Attorney General's Office No. 15 of 2020, namely beginning with the examination of administrative and substantive requirements, the conduct of a reconciliation process between the victim and the suspect, the hierarchical presentation of the case, up to the issuance of the Decision on the Discontinuation of Prosecution (SKP2). These stages reflect the application of the principles of legality and due process of law, as every action taken by prosecutors is based on predetermined procedures. From a legal compliance perspective, there are several indicators that can be used to assess the alignment of implementation with legal norms.

a. Compliance with Attorney General's Regulation No. 15 of 2020

Based on the research findings, the majority of cases in which prosecution was discontinued met the requirements set forth in Article 5 of Attorney General's Regulation No. 15 of 2020, namely: the suspect committed the criminal offense for the first time; the potential prison sentence did not exceed five years; a settlement was reached between the victim and the perpetrator; the victim received compensation for losses; and the community accepted the resolution of the case.

Thus, this implementation has met the requirements of legal substance. However, several issues remain, such as differing interpretations regarding the categories of cases eligible for the discontinuation of prosecution, particularly in cases involving significant losses but where a settlement has been reached.

These issues indicate that although legal norms are in place, their implementation is still influenced by the prosecutor's discretion.

b. Compliance with the Criminal Procedure Code

Although the Criminal Procedure Code (KUHAP) does not yet explicitly regulate restorative justice, the discontinuation of prosecution remains within the authority of the Public Prosecutor, as stipulated in Article 140 of the KUHAP. Thus, Attorney General's Regulation No. 15 of 2020 constitutes a form of technical regulation that expands the mechanism for discontinuing prosecution without contradicting the KUHAP. This demonstrates the existence of vertical harmonization between the Criminal Procedure Code, the Attorney General's Office Act, and the Attorney General's Office Regulation.

c. Consistency with the Purposes of Criminal Punishment in the National Criminal Code

Law No. 1 of 2023 on the Criminal Code emphasizes that the purpose of criminal punishment is not only to inflict suffering on the perpetrator, but also to resolve conflicts, restore balance, and bring about a sense of peace. Research findings indicate that the discontinuation of prosecution through restorative justice is consistent with this paradigm, as case resolution prioritizes restoration over retribution.

2. Analysis of the Effectiveness of Restorative Justice Implementation

The effectiveness of restorative justice implementation was analyzed using two main theories, namely:

- a. George C. Edward III's Theory of Policy Implementation
- b. Soerjono Soekanto's Theory of Legal Effectiveness

The following are the results of an analysis of the effectiveness of implementation using two main theories.

a. Analysis Based on George Edward III's Theory

An analysis of the effectiveness of restorative justice implementation based on George Edward III's theory is outlined below.

- 1) Communication. The research findings indicate that internal communication among prosecutors has been functioning fairly well through the case briefing mechanism. However, communication with the public remains suboptimal. Many victims do not yet understand that the discontinuation of prosecution does not mean the perpetrator is released without accountability. The lack of public outreach has led some members of the public to still view restorative justice as a form of "releasing the perpetrator." Thus, the communication indicator has not yet been fully effective.
- 2) Resources. Resources are a critical factor. The study indicates that there are still limitations in the number of prosecutors; not all prosecutors possess the necessary competencies to serve as mediators; mediation spaces are limited; and the budget allocated for implementing restorative justice remains inadequate. Consequently, the mediation process often takes longer than the established targets.
- 3) Disposition. Disposition relates to the commitment of officials. The majority of prosecutors demonstrate a high level of commitment to implementing restorative justice. However, there are still differences in perception among prosecutors regarding the conditions for discontinuing prosecution, the criteria for the public interest, and the criteria for the community's sense of justice. These differences affect the consistency of implementation.
- 4) Bureaucratic Structure. From the perspective of bureaucratic structure, procedures for discontinuing prosecution already have clear standard operating procedures (SOPs). However, coordination with the police, the Correctional and Rehabilitation Agency (Bapas), and community leaders has not yet been fully optimized.

The four variables identified by Edward III indicate that the implementation of restorative justice is already underway, but its effectiveness remains in the "fairly effective" category—it is not yet optimal.

b. Analysis Based on Soerjono Soekanto's Theory

An analysis of the effectiveness of restorative justice implementation based on Soerjono Soekanto's theory is outlined below.

- 1) Legal Factors. Legal norms are fully in place. There are no legal gaps. However, some norms are still too general, leading to multiple interpretations.
- 2) Law Enforcement Factors. Prosecutors play a dominant role. The success of restorative justice depends heavily on prosecutors' ability to mediate, build communication, convince victims, and maintain neutrality.
- 3) Infrastructure Factors. Not all district attorney's offices have mediation rooms, documentation facilities, RJ information systems, or dedicated budgets. These facilities are crucial to the quality of the reconciliation process.
- 4) Community Factors. Public legal awareness remains a challenge. Not all victims are willing to reconcile. Conversely, there are also victims who agree to reconciliation due to family pressure. Such circumstances can diminish the quality of restorative justice.
- 5) Legal Culture Factors. A litigation-oriented culture remains quite dominant. Some members of the public believe that offenders must remain in prison to serve as a deterrent. However, the philosophy of restorative justice is not to eliminate criminal punishment but to restore the harm caused. According to Soerjono Soekanto, the effectiveness of restorative justice is influenced simultaneously by the quality of legal norms, the professionalism of prosecutors, the availability of resources, public awareness, and legal culture. These five factors are interrelated.

3. Analysis of Obstacles to the Implementation of Restorative Justice

Based on the research findings, the obstacles to the implementation of restorative justice can be divided into two categories: normative obstacles and empirical obstacles. The following explains the obstacles to the implementation of restorative justice based on both normative and empirical obstacles.

a. Normative Obstacles. Normative obstacles to the implementation of restorative justice can be explained as follows.

- 1) The regulations still allow for discretion. Several provisions in Attorney General's Regulation No. 15 of 2020 do not yet provide measurable indicators regarding the public interest, public response, and the sense of justice. As a result, there are variations in implementation among different prosecutor's offices.
- 2) There is a lack of regulatory integration. Regulations on restorative justice remain scattered across Attorney General's Office Regulations (Perja), Police Regulations (Perpol), and Supreme Court Regulations (Perma). There is currently no single national regulation that integrates restorative justice mechanisms across all stages of the criminal justice system.
- 3) There are no national standards for criminal mediation. There are no technical guidelines governing mediation techniques, mediator qualifications, and the evaluation of mediation success.

b. Empirical Challenges. The empirical challenges in implementing restorative justice can be explained as follows.

- 1) Victim Factor. Victims are not always willing to reconcile. Some victims still want the perpetrator to be prosecuted in court.
- 2) Perpetrator Factor. Not all perpetrators admit their wrongdoing. Some perpetrators simply want the charges dropped without showing remorse.
- 3) Law Enforcement Factor. There are still differences in understanding among prosecutors regarding the application of restorative justice requirements.
- 4) Resource Factors. There is a lack of suitable mediation spaces, psychologists, and professional facilitators.
- 5) Cultural Factors. Society still views imprisonment as the only form of justice. This has prevented restorative justice from being fully accepted by the public.

DISCUSSION OF RESEARCH FINDINGS

1. The Implementation of Restorative Justice in the Discontinuation of Prosecution in General Criminal Cases

The research findings indicate that the implementation of restorative justice in the discontinuation of prosecution in general criminal cases at the Prosecutor's Office has generally been carried out in accordance with Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020 on the Discontinuation of Prosecution Based on Restorative Justice. The implementation process begins with an assessment of the completeness of administrative and substantive requirements, followed by reconciliation efforts between the victim and the suspect, the conduct of tiered case presentations, and culminates in the issuance of the Decision on the Discontinuation of Prosecution (SKP2). This mechanism demonstrates that the discontinuation of prosecution is not automatic but rather occurs through a measured and accountable procedure.

The application of restorative justice also reflects a paradigm shift in law enforcement from a retributive justice approach toward restorative justice, which prioritizes victim restoration, offender accountability, and the restoration of social harmony. Thus, the implementation of this policy aligns with the objectives of criminal punishment under Law No. 1 of 2023 on the Criminal Code, which emphasizes conflict resolution and the restoration of balance within society.

2. The Effectiveness of Restorative Justice Implementation

Based on George C. Edward III's theory of policy implementation, the effectiveness of restorative justice implementation is

influenced by four aspects: communication, resources, disposition, and bureaucratic structure. The research findings indicate that internal coordination within the Prosecutor's Office has been functioning well through case review mechanisms and tiered supervision. However, public outreach remains suboptimal, so some victims and members of the public do not yet understand the objectives and benefits of discontinuing prosecution based on restorative justice.

From the perspective of Soerjono Soekanto's theory of legal effectiveness, the implementation of restorative justice has been supported by adequate legal substance through Attorney General's Regulation No. 15 of 2020. Nevertheless, its effectiveness is still influenced by the competence of law enforcement officials, the availability of mediation facilities, the public's level of legal awareness, and a legal culture that still tends to be punishment-oriented. Therefore, the implementation of restorative justice can be categorized as fairly effective, but it still requires refinement so that the goals of restorative justice can be optimally achieved.

3. Challenges in Implementing Restorative Justice

This study found that the obstacles to implementing restorative justice stem from both normative and empirical factors. Normative obstacles include the continued existence of provisions in Attorney General's Regulation No. 15 of 2020 that allow for differing interpretations regarding the criteria for cases eligible for the discontinuation of prosecution. Meanwhile, empirical obstacles include the uneven competence of prosecutors as mediators, limited mediation facilities, the public's low understanding of the concept of restorative justice, and the fact that not all victims are willing to resolve cases through reconciliation.

These conditions indicate that the successful implementation of restorative justice depends not only on the existence of regulations but also requires the support of professional human resources, coordination among law enforcement agencies, the provision of adequate facilities, and increased public legal awareness.

4. Implications of the Research Findings

Based on the research findings, the implementation of restorative justice has made a positive contribution to the resolution of general criminal cases through mechanisms that are simpler, faster, and focused on restoration. However, to enhance the effectiveness of its implementation, it is necessary to strengthen regulations, build the capacity of prosecutors in penal mediation, harmonize policies among law enforcement agencies, and conduct more intensive public outreach. These efforts are expected to strengthen the application of restorative justice as part of criminal justice system reform that ensures legal certainty, justice, and public benefit in a balanced manner.

V. CONCLUSION

Based on the research findings, it can be concluded that the implementation of restorative justice in the discontinuation of prosecution in general criminal cases at the Attorney General's Office has, in principle, been carried out in accordance with Law No. 11 of 2021 on the Attorney General's Office of the Republic of Indonesia and Regulation of the Attorney General's Office of the Republic of Indonesia No. 15 of 2020 on the Discontinuation of Prosecution Based on Restorative Justice. The application of this policy reflects a paradigm shift in law enforcement from a retributive approach toward a restorative approach that prioritizes victim restitution, offender accountability, and the creation of social harmony.

From an effectiveness perspective, the implementation of restorative justice is considered fairly effective, though not yet optimal. The effectiveness of its implementation is influenced by the quality of policy communication, the competence and commitment of law enforcement officials, the availability of supporting resources, and the level of public legal awareness. Meanwhile, the challenges that remain include inconsistent understanding of the criteria for applying restorative justice, limited capacity of prosecutors to act as mediators, suboptimal coordination among law enforcement agencies, and low public acceptance of case resolution through restorative justice mechanisms.

Therefore, it is necessary to strengthen regulations, enhance the capacity of human resources within the Attorney General's Office, improve inter-agency coordination mechanisms, and conduct ongoing public outreach so that the implementation of restorative justice in the discontinuation of prosecutions for general criminal cases can proceed more effectively and achieve legal certainty, justice, and the balanced benefits of the law.

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