

RINGKASAN

Pemulihan kembali pada keadaan semula dan keseimbangan perlindungan serta kepentingan korban dan pelaku menjadi tujuan nyata dari sistem hukum pidana di Indonesia. Untuk itu perlu adanya penelitian terkait efektivitas Peraturan Kejaksaan Republik Indonesia Nomor 15 Tahun 2020 tentang Penghentian Penuntutan Berdasarkan Keadilan Restoratif di Kejaksaan Negeri Jakarta Barat, Kejaksaan Negeri Jakarta Timur, Kejaksaan Negeri Jakarta Selatan, dan Kejaksaan Negeri Jakarta Utara dan faktor-faktor penghambat dalam pelaksanaan Peraturan Kejaksaan Republik Indonesia Nomor 15 Tahun 2020 tentang Penghentian Penuntutan Berdasarkan Keadilan Restoratif di Kejaksaan Negeri Jakarta Barat, Kejaksaan Negeri Jakarta Timur, Kejaksaan Negeri Jakarta Selatan, dan Kejaksaan Negeri Jakarta Utara. Penelitian ini dilakukan dengan menggunakan metode penelitian yuridis sosiologis dan perbandingan.

Hasil penelitian menunjukkan bahwa Peraturan Kejaksaan Republik Indonesia Nomor 15 Tahun 2020 tentang Penghentian Penuntutan Berdasarkan Keadilan Restoratif di Kejaksaan Negeri Jakarta Barat, Kejaksaan Negeri Jakarta Timur, Kejaksaan Negeri Jakarta Selatan, dan Kejaksaan Negeri Jakarta Utara belumlah efektif. Peraturan Kejaksaan Republik Indonesia Nomor 15 Tahun 2020 tentang Penghentian Penuntutan Berdasarkan Keadilan Restoratif belum dilaksanakan sesuai dengan marwah tujuannya. Hal tersebut dipengaruhi oleh beberapa faktor, yakni struktur hukum kesulitan dalam menyelesaikan perkara dengan pendekatan keadilan restoratif karena kurangnya waktu dan adanya Surat Jaksa Agung yang mewajibkan Penuntut Umum melengkapi syarat-syarat administratif, substansi hukum yang belum mampu mengakomodir problematika-problematika dalam masyarakat, dan budaya hukum yang masih rendah.



Kata Kunci : Keadilan Restoratif, Efektivitas, Faktor.

SUMMARY

Restoration to its original state and balance of protection and interests of victims and perpetrators is the real goal of the criminal law system in Indonesia. For this reason, there is a need for research related to the effectiveness of the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice at the West Jakarta District Attorney, East Jakarta District Attorney, South Jakarta District Attorney, and North Jakarta District Attorney and the inhibiting factors in implementing the Regulations. The Attorney General's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice at the West Jakarta District Attorney, East Jakarta District Attorney, South Jakarta District Attorney, and North Jakarta District Attorney. This research was conducted using sociological and comparative juridical research methods.

The results of the study show that the Regulation of the Attorney General's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice at the West Jakarta District Attorney, East Jakarta District Attorney, South Jakarta District Attorney, and North Jakarta District Attorney has not been effective. The Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice has not been implemented in accordance with its purpose. This is influenced by several factors, namely the legal structure of difficulties in resolving cases with a restorative justice approach due to lack of time and the existence of the Attorney General's Letter requiring the Public Prosecutor to complete administrative requirements, legal substance that has not been able to accommodate problems in society, and culture. low law.

Keywords: Restorative Justice, Effectiveness, Factors.