

CHAPTER V

CONCLUSIONS

A. Conclusion

1. The basis of the Judges' legal considerations in the imposition of punishment in Court Decision Number: 27/Pid.B/2023/PN Pbr has fulfilled the elements in the charges brought against the Defendant and has met the requirements of punishment and is in accordance with the theory of proof based on negative legislation (*negatief wettelijk*). However, the Judge's legal reasoning was not fully elaborated in detail, which resulted in the punishment imposed by the judge on the Defendant being relatively lenient.
2. Sentencing given by the Judge by only considering Article 302 paragraph (2) KUHP is not appropriate. This is because there are laws that specifically regulate the mistreatment of animals, namely Undang-Undang Nomor 41 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 18 Tahun 2009 Tentang Peternakan dan Kesehatan Hewan.

B. Advice

1. Judges should use more detailed and precise legal considerations and legal basis so that the criminal sanctions imposed can fulfill a sense of justice.

2. The judge should impose a heavier sanction against the perpetrator of the crime of animal abuse in order to have a deterrent effect on the perpetrator so that there will be no similar cases in the future.

