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Application Of Restorative Justice Towards Perpetrators Aggregated Theft Criminal Act At The East Oku District Prosecutor's Office (Determination Study No. R-1/L.6.21/Eoh.2/03/2025)

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Abstract

This research is motivated by the need for alternative approaches in resolving minor criminal cases involving perpetrators of aggravated theft, considering restorative justice as a means of achieving social recovery and participatory justice. The research method used is a qualitative approach with a case study type, employing data collection techniques such as interviews, documentation, and literature study. The results show that the implementation of restorative justice for perpetrators of aggravated theft at the District Attorney's Office of OKU Timur, based on Determination No. R-1/L.6.21/Eoh.2/03/2025, provides an effective and humane solution to resolve minor criminal cases by prioritizing the principles of restorative justice. This process successfully facilitated reconciliation between the perpetrator and the victim, met the victim's needs, fostered the perpetrator's sense of responsibility, and restored social relationships within the community. The inhibiting factors in implementing restorative justice include legal constraints, victim resistance, the perpetrator's lack of understanding, limited resources, and minimal community support. These obstacles indicate the need to strengthen the institutional capacity of the prosecutor's office, expand public legal education, and build more effective collaboration with other law enforcement agencies.

Keywords: Restorative Justice, Aggravated Theft, District Attorney's Office..

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INTRODUCTION

Theft is the act of taking another person's property without permission with the intent to unlawfully control it. Aggravated theft (Article 363 of the Criminal Code) is a form of theft accompanied by certain circumstances or methods that increase the penalty, such as committing it at night, by two or more people, or by damaging property. This act not only violates the law but also causes significant harm to the victim, both materially and psychologically.

The South Sumatra Regional Police stated that in 2024, there was a 15% increase in aggravated theft cases compared to 2023. Interestingly, data analysis shows that the majority of perpetrators involved in these cases came from the productive age group, reflecting the potential social and economic problems affecting this age group.[1]

According to an annual report released by the East OKU Police, aggravated theft is one of the most prevalent crimes in East OKU Regency. In 2024, 45 cases of aggravated theft were recorded, with the majority of perpetrators coming from lower-middle class backgrounds. This finding indicates the importance of a more comprehensive response, not only through law enforcement but also by implementing a strategic approach to address the underlying social issues. This could involve public education, improving economic well-being, and empowering vulnerable groups to reduce the potential for similar crimes in the future.[2]

In handling the crime of theft, including aggravated theft, the criminal justice system in Indonesia is based on the Criminal Code (KUHP). Furthermore, Prosecutor's Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice provides the legal basis for the application of *restorative justice* in certain crimes. The application of *restorative justice* to perpetrators of aggravated theft provides an opportunity to consider the causal factors underlying the perpetrator's actions, such as environmental, family, and social influences. This approach aims to repair the damage caused by the crime, for both the victim, the perpetrator, and the community, through mediation and reconciliation. Therefore, this approach is considered more humane and in accordance with the rights of the accused, and has the potential to create more inclusive justice in society.[3]

The East OKU District Attorney's Office plays a strategic role in implementing restorative justice principles *in* handling aggravated theft cases. One example is reflected in Decree Number

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[1] South Sumatra Regional Police. 2024. *South Sumatra Regional Police Crime Statistics 2024* , South Sumatra Regional Police, Palembang.

[2] East OKU Police. 2024. *East OKU Police Annual Report 2024* , East OKU Police, East OKU .

[3] Ahmad Tarmizi. 2021. *Restorative Justice Approach in Criminal Law* , Airlangga University Press, Surabaya, pp. 56-72.

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R-1/L.6.21/Eoh.2/03/2025, which handled the aggravated theft case involving Geri Priadi bin Musa. This decree, which stipulates the resolution of this case, is a significant milestone in the implementation of the restorative justice approach, where the focus is not only on punishment but also on restoring relationships between the perpetrator, victim, and community. This approach is expected to have a positive impact, both in reducing recidivism and encouraging peaceful and dignified conflict resolution within the criminal justice system.

The chronology before the issuance of Determination Number R-1/L.6.21/Eoh.2/03/2025 was on December 27, 2024, in Kemuning Jaya Village, Belitang II District, East OKU, Geri Priadi bin Musa committed aggravated theft of Yanto bin Damis's cellphone. The perpetrator peeked through the victim's house window, opened the window, and used a bamboo blade to take the cellphone that was charging on the bed. After successfully taking the item, the perpetrator fled, causing the victim to suffer a loss of Rp. 3,000,000. This case was reported by the victim to the Belitang II Police and is currently under investigation. This case has been compiled in Case File Number: BP/02/I/Res.18/2025 to be submitted to the Prosecutor's Office. The resolution uses a restorative justice approach *as* regulated in Decree Number R-1/L.6.21/Eoh.2/03/2025, with a focus on restoring the victim's losses and the perpetrator's responsibility.

The implementation of *restorative justice* can be an effective means of reducing the number of convictions. This approach focuses on resolving conflicts through dialogue and reconciliation between perpetrators, victims, and the community, allowing perpetrators to be held accountable for their actions without having to go through a repressive judicial process. By prioritizing rehabilitation and recovery, *restorative justice* provides opportunities for perpetrators to learn from their mistakes and improve their behavior, while reducing the negative impacts of the formal justice system, which often does not provide long-term solutions. Through the implementation of restorative justice, perpetrators involved in criminal cases can be given the opportunity to better reintegrate into society, without losing their future to a harsh punishment system that is not suited to their developmental needs.[4]

Restorative justice for offenders aims to provide an opportunity for them to correct their mistakes through a rehabilitative approach. A crucial aspect of *restorative justice* is the presence of a mediator, whose function is to connect the offender, the victim, and other relevant parties to reach a mutually beneficial solution without causing negative long-term impacts. This process provides space for offenders to take responsibility for their actions and recognize the

[4] Hendra Sofyan. 2020. *Restorative Justice in Criminal Case Resolution* , Alfabeta, Bandung, pp. 34-50.

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consequences, while also offering an opportunity for self-improvement.[5]

The application of *Restorative Justice* (RJ) to perpetrators in aggravated theft cases at the East OKU District Attorney's Office is a highly relevant topic, especially in the context of efforts to reform criminal law in Indonesia. This study aims to analyze in depth how the application of the RJ approach to perpetrators can be an effective alternative solution compared to the imposition of prison sentences, which often have a negative impact on the psychological development of perpetrators, especially for perpetrators who are still of productive age. Through this research, it is hoped that the potential of RJ can be identified in creating a more humane restorative justice and oriented towards restoring social relations between perpetrators, victims, and the community.

Restorative justice provides a comprehensive solution by involving various parties, such as families, communities, and other social institutions, in the healing and rehabilitation process for perpetrators involved in criminal acts. This approach places a primary focus on reconciliation and restoration of relationships between perpetrators, victims, and the community, so that not only perpetrators involved in criminal acts have the opportunity to change, but victims are also given the space to express the impact of their actions. The family, as a crucial element in the perpetrator's life, plays an active role in supporting the rehabilitation process, while the community and other social institutions can help create an environment that supports perpetrators' positive reintegration. By involving all relevant parties, *restorative justice* not only provides justice for perpetrators involved in drug abuse but also strengthens social values that support the prevention of future criminal acts. This approach creates a more holistic and humane solution, prioritizing rehabilitation and prevention, rather than simply punishment that can damage the perpetrator's future.[6]

The East OKU District Attorney's Office's important role in implementing *restorative justice* focuses not only on legal aspects but also on efforts to reintegrate the perpetrators' social and psychological well-being. The Prosecutor's Office is responsible for ensuring that perpetrators involved in criminal acts are properly cared for. In addition to carrying out legal proceedings, the East OKU District Attorney's Office also acts as a facilitator, connecting perpetrators with various parties who can support the recovery process, such as family, rehabilitation institutions, and the community. This effort aims to help perpetrators not only resolve their legal problems but also

[5] Arif Mulyadi. 2022. *Theory and Practice of Restorative Justice in Criminal Law* , UGM Press, Yogyakarta, pp. 101-120.

[6] Rizal Sulaiman, *Social Rehabilitation in the Restorative Justice Process* , UB Press, Malang, 2021, pp. 78-95.

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support them in recovering their psychological and social conditions, so they can return to contributing positively to society. The Prosecutor's Office not only provides law enforcement but also provides space for perpetrators to grow and develop optimally, reducing the risk of relapse into negative behavior, and preventing future recurrence of criminal acts.

The implementation of *restorative justice* (RJ) requires strict oversight and active support from various parties, including law enforcement officials, victims, the perpetrator's family, and the community. This synergy not only ensures that the RJ process is carried out in accordance with restorative justice principles but also contributes to efforts to create a better future for perpetrators caught up in legal problems. With an approach centered on recovery and social reintegration, the implementation of RJ is expected to reduce the likelihood of perpetrators returning to crime, while contributing to the creation of a more harmonious and inclusive social environment. [7]

One of the biggest challenges in implementing *restorative justice* for offenders is how to establish effective policies, given the multiplicity of stakeholders involved in the process. Limited human resources and infrastructure to facilitate restorative justice, such as trained mediators and rehabilitation facilities, pose significant obstacles to its implementation. Therefore, a strong commitment from all parties, including the government, legal institutions, and the community, is required to create a system that supports the optimal implementation of restorative justice.[8]

The application of *restorative justice* (RJ) to perpetrators in aggravated theft cases requires a paradigm shift in the criminal justice system, one that focuses not only on punishment but also on the perpetrator's best interests. This approach emphasizes the importance of considering humanitarian and restorative aspects, so that perpetrators have the opportunity to improve themselves and return to contributing positively to society. Along with the development of laws and regulations that provide greater protection for perpetrators, especially in certain cases, the implementation of RJ has become an integral part of efforts to reform the criminal justice system. This reform aims to create a more progressive system, responsive to the social and psychological needs of perpetrators, and in line with the principles of justice that are oriented towards restoring relationships and preventing recurrence of criminal acts.[9]

This research is highly significant given the increasing number of aggravated theft cases in

[7] Budi Wahyu. 2020. *The Role of the Prosecutor's Office in Restorative Justice in Certain Criminal Cases* , Unnes Press. Semarang, pp. 33-50.

[8] Arif Mulyadi. *Op. Cit* , p. 125.

[9] Siti Yuliana. 2023. *Child Protection in the Criminal Justice System in Indonesia* , Prenadamedia, Jakarta, pp. 58-76.

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various regions of Indonesia, including East OKU Regency. By focusing on analyzing the application of *restorative justice* (RJ) in aggravated theft cases, this study seeks to address the need for a more innovative approach in the criminal justice system. While RJ has traditionally been applied to other types of crimes, this study also aims to explore how RJ principles can be adapted to aggravated theft cases. The research aims to find more effective solutions in handling similar cases, emphasizing the rehabilitation and social reintegration of perpetrators as the primary alternatives.

The novelty of this research lies in the application of the concept of *Restorative Justice* (RJ) in resolving cases of aggravated theft, an approach that is still limited in this context. This research will explore how RJ is applied in cases of aggravated theft, which require a special approach related to rehabilitation and recovery. By focusing on a case study in the East OKU District Attorney's Office, an area that has not been widely studied in this context, this research provides new insights into the challenges that exist in the region. This research will evaluate the effectiveness of RJ implementation in handling perpetrators involved in aggravated theft cases and provide recommendations for the development of legal policies and practices in the future. By examining the relationship between RJ and the protection of perpetrators' rights, this research aims to contribute to a deeper understanding of the protection of perpetrators' rights in the criminal justice system, particularly in cases of aggravated theft.

DISCUSSION

1. Efforts to Implement *Restorative Justice* for Perpetrators of Aggravated Theft at the East OKU District Attorney's Office Based on Decree No. R-1/L.6.21/Eoh.2/03/2025

The results of the interview with Miming Wijaya as an investigator at the East OKU Police Resort stated that ***Restorative justice*** is an approach to resolving criminal cases that emphasizes restoring relationships between victims, perpetrators, and the community, rather than solely punishing the perpetrator. This approach focuses on efforts to repair the losses caused by the crime, both material and emotional, through dialogue and agreement between the parties involved. In this concept, the perpetrator is given the opportunity to take responsibility for their actions, while the victim is given space to express the impact they felt and their hopes for recovery. *Restorative justice* also aims to create more inclusive justice, minimize stigma against perpetrators, and promote social peace, so it can be an effective alternative in the criminal justice system, especially for minor cases or those that do not involve violence.

The results of an interview with Novi Sriyanti as the Public Prosecutor (JPU) at the East OKU

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District Attorney's Office stated that the application of *restorative justice* in the crime of aggravated theft at the East OKU District Attorney's Office is based on the decree No. R-1 / L.6.21 / Eoh.2 / 03/2025. The *restorative justice approach* is designed to create more inclusive justice by not only focusing on punishing the perpetrator, but also providing space for victims and the community to play an active role in the case resolution process. Through mediation and dialogue, this approach seeks to meet the needs of victims, return responsibility to the perpetrator, and restore social harmony disturbed by criminal acts. Thus, *restorative justice* is not only an alternative for resolving criminal cases, but also a way to rebuild trust and solidarity within the community.

A subsequent interview with Miming Wijaya, an investigator at the East OKU Police, revealed that the case involved a perpetrator from a low-income family. The perpetrator committed aggravated theft without physical violence against the victim. The stolen items were fully returned to the victim, and the perpetrator reimbursed the victim for any additional losses through mediation. This situation opens up the opportunity for a peaceful resolution of the case, given the victim's willingness and the perpetrator's good faith commitment to taking responsibility.

A subsequent interview with Novi Sriyanti, the Public Prosecutor (JPU) at the East OKU District Attorney's Office, stated that the *restorative justice implementation process* at the East OKU District Attorney's Office begins with an assessment of the case's suitability by the prosecutor. Based on Prosecutor's Regulation Number 15 of 2020, such cases qualify for prosecution termination through a restorative approach. The mediation process is carried out by presenting the perpetrator, victim, and a third party as mediator, namely the responsible prosecutor. This determination serves as a legal guideline in the implementation of *restorative justice.* The determination includes an explanation of the legal reasons, case chronology, mediation results, and agreement of both parties. This study found that this determination reflects the principle of substantive justice, where the focus is not only on punishment but also on restoring social relationships.

The implementation of *restorative justice* offers a number of significant benefits for victims of crime. In addition to receiving full compensation for the losses suffered, victims feel valued because they are actively involved in the case resolution process. The opportunity to express their hopes, views, and the impact of the crime directly to the perpetrator provides a more personal sense of justice for victims. This process also has a positive psychological impact, helping victims restore a sense of security, reduce trauma, and rebuild trust in their social environment. With this

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approach, justice is measured not only by the punishment imposed on the perpetrator, but also by the extent to which the victim's needs are fully met.

Restorative justice offers a humane solution for offenders by providing them with the opportunity to take responsibility for their mistakes without having to undergo formal criminal punishment. This approach allows offenders to understand the impact of their actions on the victim and society and is given the opportunity to directly correct their mistakes through mediation and restitution. This approach also allows offenders to contribute back to society without facing the stigma of being a former convict, which often hinders their social reintegration. Research shows that offenders who go through the *restorative justice process* feel more motivated to improve their quality of life, both in terms of behavior and social relationships, thereby minimizing the likelihood of reoffending in the future.

Community participation in the *restorative justice process* plays a crucial role in ensuring the success of this approach. The involvement of community leaders, the victim's family, and the perpetrator provides significant support in creating a conducive and productive mediation atmosphere. Their role not only helps defuse tensions between the parties involved but also ensures that the case is resolved peacefully and fairly. The social support provided by this community serves as a bridge to restore damaged relationships, prevent potential further conflict, and facilitate the perpetrator's reintegration into society. With collaboration from various parties, the *restorative justice process* becomes not only a legal solution but also a tool for building solidarity and trust within the community.

From a criminal law perspective, *restorative justice* reflects a paradigm shift from a retributive approach focused on punishing the perpetrator, to a restorative approach that prioritizes restoring relationships between the perpetrator, the victim, and the community. The East OKU District Attorney's Office utilizes existing legal flexibility to balance formal legal interests with social justice values. By implementing *restorative justice,* the prosecutor's office is able to provide a more humane alternative for resolving cases and orienting itself toward healing the impact of criminal acts. This approach not only expedites case resolution but also reduces the burden on the conventional justice system, while creating more inclusive and sustainable solutions for all parties involved.

Restorative justice policy at the East OKU District Attorney's Office is considered effective in resolving minor criminal cases peacefully. This success is demonstrated by the high level of satisfaction of victims, perpetrators, and the community with the mediation results. This policy also helps reduce the caseload in court and promotes peaceful values in society. The

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implementation of *restorative justice* at the East OKU District Attorney's Office aligns with national policy stipulated in Prosecutor's Regulation Number 15 of 2020. This study highlights that this approach can be adopted more widely in Indonesia, particularly for minor crimes, with the caveat that regular evaluations must be conducted to prevent potential deviations.

The application of *restorative justice* to perpetrators of aggravated theft at the East OKU District Attorney's Office has proven its effectiveness in creating inclusive and recovery-oriented restorative justice. The results of this study indicate that this approach provides a solution that is not only effective in resolving conflicts but also humane and fair for all parties involved, including victims, perpetrators, and the community. The mediation process that successfully meets the needs of victims, the responsibility of the perpetrators, and the restoration of social relationships are key indicators of its success. This success provides inspiration and can be used as a model for expanding the application of *restorative justice* in other jurisdictions in Indonesia, in order to create a criminal justice system that is more responsive to community needs and more oriented towards recovery than simply punishment.

Based on the description above, it can be analyzed that the efforts to implement ***restorative justice*** against perpetrators of aggravated theft at the East OKU District Attorney's Office based on the stipulation No. R-1/L.6.21/Eoh.2/03/2025 are that this approach provides an effective and humane solution in resolving minor criminal cases by prioritizing the principles of restorative justice, where this process is successful in meeting the needs of victims, the responsibility of perpetrators, and the restoration of social relations in the community.

2. Factors Inhibiting Efforts to Implement *Restorative Justice* Against Perpetrators of Aggravated Theft at the East OKU District Attorney's Office Based on Decree No. R-1/L.6.21/Eoh.2/03/2025

The results of the interview with Novi Sriyanti, as the Public Prosecutor (JPU) at the East OKU District Attorney's Office, revealed that *Restorative justice* aims to provide a more humane solution, its implementation faces a number of obstacles from both legal, social, and operational aspects. The inhibiting factors for efforts to implement *restorative justice* against perpetrators of aggravated theft at the East OKU District Attorney's Office Based on Determination No. R-1 / L.6.21 / Eoh.2 / 03/2025, are as follows.

a. Legal Obstacles

One of the main obstacles in implementing *restorative justice* is the legal limitations that govern the criteria for cases that can be resolved through this approach. This obstacle

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often arises from differences in interpretation among law enforcement officials regarding the suitability of a case, especially for crimes with aggravating elements such as aggravated theft. According to him, not all cases can be applied to *restorative justice* because it must consider aspects of legality, the principle of public interest, and the social impact of the case. This legal uncertainty requires prosecutors to be careful in determining whether a case is suitable for restorative resolution, which often slows the process and creates a legal dilemma between amicable resolution and formal law enforcement. Based on Decree No. R-1/L.6.21/Eoh.2/03/2025, differences in legal interpretation among prosecutors were found regarding the application of *restorative justice* in cases of aggravated theft. Some prosecutors argue that this crime, because it contains aggravating elements, is more appropriately resolved through conventional court processes to ensure firm law enforcement. However, others believe that *restorative justice* remains relevant if the perpetrator demonstrates good faith, the victim is willing to mediate, and the social impact can be minimized. These differing views create uncertainty in its implementation, particularly when deciding whether a case is appropriate for restorative or formal proceedings, thus slowing the resolution process and impacting the effectiveness of the restorative justice approach.

b. Resistance from Victims

Victims' resistance or unwillingness to participate in the mediation process is a significant obstacle to the implementation of *restorative justice.* Victims, in some cases, are skeptical of the effectiveness of this approach, especially if they believe that mediation cannot provide a sense of justice equivalent to formal punishment in court. Furthermore, victims often expect the perpetrator to receive a severe punishment as a form of reparation for the harm caused, making them reluctant to participate in a peaceful resolution. This condition slows the mediation process and has the potential to thwart efforts to implement *restorative justice,* which should prioritize the restoration of social relationships and a sense of justice for all parties. In this case, although the victims initially agreed to the implementation of *restorative justice,* some later expressed doubts about the approach's effectiveness in delivering equitable justice. This doubt usually arises from the perception that perpetrators of criminal acts, especially in cases of aggravated theft, should receive a harsher sentence as a form of accountability for their actions. Victims often feel that a peaceful approach through mediation does not provide sufficient satisfaction and security, especially if they believe the perpetrator may repeat their actions in the future. This view indicates the psychological and social challenges that need to be addressed to ensure the success of *restorative justice* in

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creating justice that is truly felt by all parties.

c. Lack of Understanding of the Perpetrator and His Family

The perpetrators' and their families' lack of understanding of the concept of *restorative justice* is a major obstacle in the mediation process. Many perpetrators do not fully grasp the essence of this approach, including their responsibility to admit their mistakes and commit to the agreement reached through mediation. In some cases, the perpetrators' families also show a lack of cooperation, especially if they feel that the mediation process will only benefit the victim without considering the perpetrator's situation. This lack of understanding not only slows down the mediation process but also has the potential to undermine all parties' trust in the effectiveness of *restorative justice* as an inclusive and fair method of conflict resolution. Perpetrators who do not yet understand the essence of the *restorative justice approach* often exhibit a lack of cooperation during the mediation process. This lack of understanding makes them reluctant to fully admit their mistakes and even tend to become defensive towards the victim's demands or expectations. Furthermore, perpetrators who do not recognize the importance of responsibility in this approach often lack commitment to implementing agreements reached in mediation, such as compensating for losses or a sincere apology. This condition not only slows down the settlement process, but also reduces the victim's trust in restorative justice, thereby reducing the overall effectiveness of the implementation of *restorative justice* in achieving the main goal of restoring relationships and a sense of justice in society.

d. Limited Resources at the East OKU District Attorney's Office

One significant obstacle to the implementation of *restorative justice* is the limited human resources and facilities available at the East OKU District Attorney's Office. Not all prosecutors have the specialized training in mediation required for this approach, resulting in suboptimal implementation of *restorative justice.* Furthermore, the lack of supporting facilities, such as dedicated mediation rooms or adequate documentation systems, contributes to operational constraints that impact the smooth running of the process. These limitations pose challenges in providing a comfortable and fair mediation experience for both victims and perpetrators, and have the potential to reduce the effectiveness of restorative justice approaches in the region. Not all prosecutors have the specialized training required to mediate cases using a restorative approach, thus limiting their ability to implement this process. This impacts the quality of mediation, which should be able to create justice for all parties involved. Furthermore, the lack of supporting facilities, such as dedicated, comfortable

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mediation rooms and a structured documentation system, poses a significant operational barrier. These limitations often slow down the *restorative justice process* and reduce its effectiveness in creating inclusive, just, and sustainable solutions. Capacity-building efforts and the provision of adequate facilities are crucial steps to optimize the implementation of this approach.

e. Lack of Community Support

Community support is a crucial element in the successful implementation of *restorative justice.* Active community participation, particularly from traditional leaders, religious leaders, and other community leaders, can help create a conducive environment for mediation and encourage perpetrators and victims to reach an agreement. However, in some cases, a lack of community support presents a challenge, particularly when the community tends to favor a retributive approach that focuses on severe punishment for perpetrators. Community support is needed not only during the mediation process but also in the post-mediation phase to ensure that perpetrators are reintegrated into their social environment, so that social restoration efforts can be achieved optimally. This study found that in some cases, the community demonstrated a lack of support for perpetrators after the mediation process was completed, which poses a serious challenge in the implementation of *restorative justice.* The community's inability to fully accept perpetrators is often due to lingering negative views or social stigma, even though the perpetrators have demonstrated good faith during mediation and are committed to implementing the agreed agreement. This condition has the potential to hinder the reintegration of perpetrators into the community, making it difficult to achieve the primary goals of *restorative justice,* namely restoring social relations and preventing recurrence of crime. Therefore, intensive outreach efforts are needed for the community to increase understanding of the importance of supporting the rehabilitation and reintegration of perpetrators in order to create sustainable justice.

f. Conflict with the Traditional Retributive Approach

The implementation of *restorative justice* often faces challenges in the form of clashes with the retributive approach that remains dominant in the Indonesian criminal justice system. The retributive approach, which emphasizes punishing perpetrators to create a deterrent effect, is often considered the primary means of upholding justice. This dominant perspective has led many, including some law enforcement officials and the public, to view *restorative justice* as too lenient and ineffective in delivering justice. This clash not only complicates the implementation of the restorative approach but also slows down the shift in the legal

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paradigm toward a more inclusive system oriented toward social restoration. Efforts to strengthen the acceptance of *restorative justice* require intensive education and training for law enforcement officials, as well as broader outreach to the public. In some cases, law enforcement officials tend to prioritize a punitive approach over peaceful resolution through *restorative justice.* This approach is often influenced by a long-standing legal culture, where punishment is considered the primary and most effective means of deterring perpetrators. This view has led to a lack of support for the restorative approach, which focuses on restoring relationships and accountability for perpetrators, at the operational level. As a result, efforts to implement *restorative justice* are hampered, particularly in cases where the public and authorities prefer harsh punishments over peaceful and inclusive solutions. To shift this paradigm, legal culture reform is needed that encourages acceptance of restorative justice as an alternative that not only provides a deterrent effect but also provides lasting healing for all parties.

g. Public Perception of *Restorative Justice*

Negative public perception of *restorative justice* is a significant obstacle to its implementation. Many view this approach as a form of "generosity" toward perpetrators, thus deeming it inadequate in providing a deterrent effect. This perception often arises from a lack of public understanding of the essence of *restorative justice,* which focuses on restoring social relationships and holding perpetrators accountable. This negative view can undermine trust in the mediation process and influence public acceptance of its outcomes, thus hampering the long-term success of restorative justice. To overcome this obstacle, intensive public education and outreach efforts are needed regarding the benefits and objectives *of restorative justice.* Some communities view *restorative justice* approaches as a form of "generosity" that is considered insufficiently deterrent to perpetrators. This perception is often based on the belief that justice can only be achieved through harsh punishment, thus deeming approaches focused on restoring social relationships insufficiently firm. Consequently, public acceptance of mediation outcomes tends to be low, particularly if they perceive the perpetrator as not fully responsible or if mediation is perceived as disproportionate to the harm caused. This situation highlights the need for public education to shift their perspective on justice, from solely punitive to a more inclusive approach aimed at restoring social relationships and preventing future crime.

h. Lack of a Clear Evaluation Framework

The lack of a clear evaluation mechanism to measure the success of *restorative justice*

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implementation is a significant obstacle to ensuring its quality. Currently, there are no established standards or indicators that can be used to assess the extent to which mediation meets the goals of restorative justice, from the perspective of victims, perpetrators, and the community. As a result, the evaluation process is often subjective and unstructured, making it difficult to determine whether this approach is truly providing optimal benefits. Novi Sriyanti emphasized the importance of developing a comprehensive evaluation system, encompassing aspects of party satisfaction, the level of social reintegration of perpetrators, and the sustainability of mediation outcomes, to ensure that *restorative justice* can be implemented consistently and effectively. This study found that the lack of consistent standards for assessing the success of the mediation process is one of the main obstacles in the implementation of *restorative justice.* This lack of clarity encompasses the indicators used to measure success from the perspective of the perpetrator, the victim, and the community. For example, a perpetrator may be considered successful if they comply with the mediation agreement, but there is no mechanism to assess the extent to which they have truly taken moral and social responsibility. Success can be measured by the level of reparation and perceived sense of security, but these aspects are often not systematically recorded. The community, as a crucial element in the perpetrator's reintegration process, also lacks clear parameters for measuring their support or acceptance. This inconsistency highlights the need to develop a standardized evaluation framework so that the implementation of *restorative justice* can be measured objectively and comprehensively.

i. Administrative Barriers

An interview with Novi Sriyanti, the Public Prosecutor (JPU) at the East OKU District Attorney's Office, revealed that administrative obstacles, particularly the time required to obtain approval from the various parties involved, are a major obstacle to the implementation of *restorative justice.* This approval process often involves lengthy coordination between victims, perpetrators, law enforcement officials, and other relevant parties, which can slow down mediation. Furthermore, the lack of integration between agencies in handling *restorative justice cases* adds to administrative complexity. These obstacles not only reduce implementation efficiency but can also affect the level of participation and willingness of the parties to resolve conflicts through a restorative approach. To overcome these obstacles, simpler procedures and a more structured coordination system between relevant agencies are needed. The lengthy process of implementing *restorative justice* often reduces the enthusiasm of victims and perpetrators to continue mediation. The time required to secure agreements

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from various parties demotivates them, making the primary goal of this approach, namely a peaceful and expeditious conflict resolution, difficult to achieve. Furthermore, the lack of integration and coordination between relevant institutions, such as the police and prosecutors, exacerbates the situation by adding bureaucratic hurdles. This lack of synchronization not only slows the process but can also lead to frustration among the parties involved. Therefore, concrete steps are needed to simplify administrative procedures and improve inter-institutional cooperation to expedite and streamline the implementation of *restorative justice.*

j. Non-conformity with Local Values

In some areas, including East OKU, the implementation of *restorative justice* has not been fully aligned with local customary and cultural values. In this region, conflict resolution often relies on traditional mechanisms that are more familiar and trusted by local communities, such as mediation led by traditional or religious leaders. Modern approaches such as *restorative justice,* while having similar goals, are sometimes viewed as foreign concepts that are less suited to the local context. This inconsistency can impact the level of community acceptance of the approach, creating additional challenges in its implementation. To overcome this obstacle, adjustments to *restorative justice methods are needed* to better integrate with local wisdom, ensuring their acceptance and effective implementation within the community. This presents challenges in integrating modern legal approaches, such as *restorative justice,* with local wisdom, which often prioritizes conflict resolution through traditional mechanisms. Traditional mechanisms involving traditional leaders, religious leaders, or community deliberations are generally more acceptable to communities because they have long been part of their culture. However, modern approaches are often perceived as less aligned with local values and can generate resistance in their implementation. This challenge highlights the importance of adapting the concept of *restorative justice* to the local cultural context, for example by involving traditional leaders in the mediation process or adopting traditional elements in conflict resolution. This approach can be implemented effectively while maintaining community trust in an inclusive and fair conflict resolution process.

Based on the description above, it can be analyzed that the inhibiting factors in the implementation of *Restorative Justice* for perpetrators of aggravated theft at the East OKU District Attorney's Office based on Decree No. R-1/L.6.21/Eoh.2/03/2025 include legal obstacles, victim resistance, lack of understanding of the perpetrators, limited resources, and minimal community

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support. These obstacles emphasize the importance of increasing the capacity of the prosecutor's office through the development of competent human resources, strengthening supporting infrastructure, and optimizing a more efficient work system. In addition, continuous outreach to the community is also needed to increase their understanding and participation in supporting the implementation of *restorative justice* as an alternative approach to resolving criminal cases.

CONCLUSION

Based on the research results and discussion, it can be concluded that:

1. The application of ***restorative justice*** to perpetrators of aggravated theft at the East OKU District Attorney's Office based on the stipulation No. R-1/L.6.21/Eoh.2/03/2025 provides an effective and humane solution in resolving minor criminal cases by prioritizing the principles of restorative justice, where this process has resulted in **peace** between the perpetrator and the victim, successfully fulfilling the victim's needs, the perpetrator's responsibility, and restoring social relations in the community.
2. Factors inhibiting efforts to implement *Restorative Justice* against perpetrators of aggravated theft at the East OKU District Attorney's Office based on Decree No. R-1/L.6.21/Eoh.2/03/2025 include legal obstacles, victim resistance, lack of understanding of perpetrators, limited resources and minimal community support. These obstacles indicate the need to increase the capacity of the prosecutor's office, provide public education, and improve collaboration with other law enforcement agencies.

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