

WORLDWIDE

- Amsterdam
- Ankara
- Antwerpen
- Asil
- Auckland
- Bangkok
- Bangkok
- Belgrade
- Berlin
- Birkkara
- Bogota
- Bologna
- Batavia
- Brighton
- Bruxelles
- Budapest
- Budapest
- Casablanca
- Castelo Branco
- Cienfuegos
- Cullifca
- Doha
- Dubai
- Durban
- Epe-Meie
- Ferrol
- Fukuoka
- Funchal
- Genova
- GeorgeTown
- Goetia
- Guadalajara
- Guatemala
- Gzira
- Hanoi
- Hairie
- Heisinki
- Hong Kong
- Honolulu
- Istanbul
- Jakarta
- Kampala
- Kaunas
- Kinshasa
- Klagenfurt
- Kuala Lumpur
- Lagos
- Lisbon
- Limn
- Ljubljana
- Loft
- Los Angeles
- Lublin
- Madaga
- Manila
- Manitoba
- Mexico City
- Miami
- Milan
- Modena
- Montevideo
- Montreal
- Morelia
- Moscow
- Mumbai
- Munich
- Nairobi
- Naples
- New Delhi
- New York
- Nuremberg
- Orange County
- Ossika
- Ottawa
- Paris
- Rachuca
- Polesiti
- Poique
- Pretoria
- Pula
- Puebla
- Quarte Bomes
- Rabat
- Riga
- Rio de Janeiro
- Rome
- Rzesow
- San Diego
- Seoul
- Shenzhen
- Sidney
- Singapore
- Skopje
- Stockholm
- Strasbourg
- Taipei
- Taipei
- Taiwan
- Tel Aviv
- Tenafle
- Tokyo
- Torin
- Torin
- Tierrto
- Uxilla G.
- Uelire
- Vaduz
- Valencia
- Varna
- Venice
- Vicenza
- Vinnus
- Vienna
- Warsaw
- Winchcoak
- Zagreb

ESSAY ON OR PILLS OF RESTORATIVE JUSTICE PRACTICE IN INDONESIAN CRIMINAL JUSTICE SYSTEM AND ITALIAN CRIMINAL JUSTICE SYSTEM

RESTORATIVE JUSTICE IN INDONESIA, written by Prof Adv. STEPHAN HUTAGAOL

1. In Indonesia we don't have specific Law and Government Regulation regarding Restorative Justice;
2. We do have direction and guidance on how to apply Restorative Justice principles on sectorial basis. (Meaning that basically it's sectorial basic regulation).

FOR EXAMPLE:

- a. the Chief Police of Indonesia regulated their own Restorative Justice direction and guidance applied for the police investigation process.
 - b. the Public Prosecutor also regulated their own Restorative Justice direction and guidance applied for the prosecution process.
 - c. the General Court and the Supreme Court also regulated their own Restorative Justice direction and guidance applied for Court proceedings in their jurisdiction
3. In Indonesia the Police investigation process is the entry for our Criminal Justice System. Therefore, the Police Regulations for Restorative Justice are likely to be applied in practice.
 4. The Police Regulations for Restorative Justice in Indonesia.
 - a. In year 2012, Restorative Justice applies for settlement of minor criminal offences.
 - b. In year 2015, in Child criminal justice System, we have " DIVERSI", which means settlement of child cases, transfer from the criminal justice process to the settlement outside criminal justice process. "DIVERSI" is quite similar to Restorative Justice approach.
 - c. In year 2018 e 2019 Restorative Justice applies for settlement of general criminal acts, except for drugs related criminal.
 - d. In year 2021, Restorative Justice applies the same with 2018-2019, but there are additional requirements for criminal related to:
 - I. Terrorism;
 - II. National Security;
 - III. (iii) Corruption
 - IV. Criminal offences against people's lives.
 5. In practice for Account Receivable (AR) claim settlement, the creditor has options whether to claim through civil law (court proceedings) or through criminal law (police criminal report) against the debtor through fraud and /or embezzlement criminal offences.
 6. Because of this Restorative Justice applies for settlement of general criminal acts including fraud and/or embezzlement criminal offences, many had chosen this criminal approach to "force" the Debtor to remit payment to the creditor as WIN WIN settlement solution, otherwise the Debtor potentially will likely to be arrested, detained and prisoned. The win win settlement solution is possible in our criminal justice system through Restorative Justice approach.
 7. Arrest, detain, and prison, are leverages in our criminal justice system, and Restorative Justice approach make these even more possible to settled legally.

WORLDWIDE

- Amsterdam
- Ankara
- Antwerpen
- Asil
- Athens
- Auckland
- Bangalore
- Bangkok
- Belgrade
- Berlin
- Birkirkra
- Bogota
- Bologna
- Batavia
- Brighton
- Bruxelles
- Budapest
- Budapest
- Casablanca
- Castello Branco
- Cienfuegos
- Cullifca
- Doha
- Dubai
- Durban
- Epe-Merie
- Ferrara
- Ferrol
- Fukuoka
- Funchal
- Genova
- George Town
- Goetia
- Guaadalupe
- Gudermida
- Gzira
- Hanoi
- Hairie
- Helsinki
- Hong Kong
- Honolulu
- Istanbul
- Jakarta
- Kampala
- Kaunas
- Kinshasa
- Klagenfurt
- Kuala Lumpur
- Lagos
- Lisbon
- Lima
- Ljubljana
- Lodi
- Los Angeles
- Lublin
- Malaga
- Manila
- Manitoba
- Mexico City
- Miami
- Milan
- Modena
- Monterrey
- Montreal
- Morelia
- Moscow
- Mumbai
- Munich
- Nairobi
- Naples
- New Delhi
- New York
- Nuremberg
- Orange County
- Ossaka
- Ottawa
- Paris
- Pachuca
- Poleshi
- Poique
- Pretoria
- Pula
- Puebla
- Quatre Bornes
- Rabat
- Riga
- Rio de Janeiro
- Rome
- Rzeszow
- San Diego
- Seoul
- Shenzhen
- Sidney
- Singapore
- Skopje
- Stockholm
- Strasbourg
- Taipei
- Taipei
- Tai Aviv
- Tenerife
- Tokyo
- Torun
- Trento
- Tuxtla G.
- Uelme
- Vaduz
- Valencia
- Varna
- Venice
- Vicenza
- Vinnitsa
- Vienna
- Vilnius
- Warsaw
- Winchhoek
- Zagreb

CONCLUSIONS

Of course in ITALY THE APPLICATION OF RESTORATIVE JUSTICE IS VERY SLOW AND DIFFICULT because it's a COUNTRY OF CIVIL LAW and the mentality to RESTORE A CRIME OR AN OFFENCE NOT ONLY ECONOMICALLY BUT ALSO ETHICALLY takes a long time to be accepted. In this form of ADR the Community has a fundamental Role, and we need a change of mentality for finding a bridge between victim and offender. As LAWYERS we won't give up this hope (success of criminal mediation).