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## **The Importance of Criminal Data Integration Digitalization as The Base for Implementing Restorative Justice in Indonesia**

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### **Abstract**

Demographics are one of the important things that determine and influence the direction of legal policy in Indonesia, including the policy of tracing the digital footprints of perpetrators of criminal acts. The problem point is that population data in Indonesia is still scattered and managed by several agencies that are not connected digitally. The implication is that it is difficult to find valid data on the track record of the perpetrators of criminal acts. On that basis, this paper aims to identify the factors that cause population data problems and to describe the importance of digitizing population data integration as a manifestation of restorative justice in accelerating the settlement of criminal cases.

In this paper, a doctrinal approach is used to inventory legal policies related to efforts to complete population data that correlate with a person's crime. For this reason, latent content analysis is used to find the right legal solution to answer the relationship between data and the application of restorative justice in Indonesia.

Based on the results of the analysis it is known that the application of the principle of functional differentiation in law enforcement agencies in Indonesia is one of the factors in not recording population data related to criminal acts that have been committed by perpetrators of criminal acts. To avoid repetition of case settlements with restorative justice, it is necessary to carry out centralized and transparent data integration, namely the recording of the suspect's actions and their settlement based on the data listed on the e-KTP and or certain applications.

**Keywords:** Data Integration, Prosecutor's Restorative Justice, E-KTP.

### **A. INTRODUCTION**

In Indonesia, the process of settling criminal cases is carried out through a series of stages in 4 law enforcement agencies, namely the stages in Police, Prosecutors' Office, Courts, Prosecutors' Office, and Correctional Institutions. The case settlement process begins with an investigation by the police as stipulated in Articles 8 to 12 of the Criminal Procedure Code. Investigations are carried out based on the allegation that someone has committed a criminal act, therefore investigators are looking for at least 2 pieces of evidence to ensnare a person as a suspect in a criminal act. Police investigators who are carrying out investigative activities, after an investigation warrant has been issued, the investigator will send a Notice of Commencement of Investigation (SPDP) so that the Public Prosecutor can follow the progress of the investigation being carried out by the police. A series of investigative activities carried out by the police will produce case files, which will later be examined by the Public Prosecutor. The prosecutor studies and examines the completeness of the case file (Article 14 letter b of the Criminal Procedure Code and Article 30 paragraph 1 letter an of the Prosecutor's Law), either monitoring or giving instructions to investigators to complete the case file and to state that the case file complies with the formal and material requirements. P21 is a script code from the Prosecutor's Office that states that the investigative case files that have fulfilled at least 2 pieces of evidence are complete, therefore the Investigator must transfer the suspect along with the evidence to the

Prosecutor's Office. The public prosecutor submits the case file, the suspect, and the evidence handled by him to the court to prove the indictment and decide on it by the judge at trial. Examination by judges is based on juridical and non-juridical considerations to produce a fair decision, whether a sentence, acquittal, or acquittal. The perpetrator of a crime who is sentenced by a judge is called a convict, therefore based on the decision of the prosecutor's intention as the executor carries out his obligation to execute the convict by the type of crime in the judge's decision. Convicts who are sentenced to confinement and/or imprisonment are sent to correctional institutions. The perpetrator of a crime who is sentenced by a judge is called a convict, therefore based on the decision of the prosecutor's intention as the executor carries out his obligation to execute the convict by the type of crime in the judge's decision. Convicts who are sentenced to confinement and/or imprisonment are sent to correctional institutions. The perpetrator of a crime who is sentenced by a judge is called a convict, therefore based on the decision of the prosecutor's intention as the executor carries out his obligation to execute the convict by the type of crime in the judge's decision. Convicts who are sentenced to confinement and/or imprisonment are sent to correctional institutions.

Based on the 4 stages of solving criminal acts, each agency in carrying out its duties must coordinate with other agencies. However, in law enforcement in Indonesia, there is a principle of functional differentiation that separates the duties of the police, the duties of the prosecutor, the duties of the court, and the tasks of the penitentiary. Functional differentiation requires that each agency carry out the duties of authority by its functions which have been regulated in their respective laws, meaning that in handling criminal cases the police are limited to the case file being P21 by the Prosecutor's Office so that it has a logical consequence that investigators will not know the progress of the case. The application of the principle of functional differentiation does not only apply to litigation channels but also to non-litigation practices.

The Attorney General of the Republic of Indonesia echoed the termination of cases with restorative justice by issuing Republic of Indonesia Attorney Regulation (Perja) Number 15 of 2020 concerning the Termination of Prosecution Based on Restorative Justice. After that, the Police also followed related policies by issuing Regulation of the Chief of Police of the Republic of Indonesia (Perkapolri) Number 8 of 2021 concerning the Handling of Crimes Based on Restorative Justice and was also followed by the General Judiciary Body issuing the Decree of the Director General of Badilum Number 1691/DJU/SK/PS.00/ 12/2020 concerning Guidelines for the Implementation of restorative justice in the General Court Environment. Although the three agencies both regulate the process of resolving cases through penal mediation with the concept of restorative justice, the conditions for implementing restorative justice have the same conditions, namely that the suspect has committed a crime for the first time or is repeating it.

MvT divides the notion of criminal acts into two categories, namely *Rechts delicten* which is an act that is contrary to the law even though it has not been determined in the law, and *wets delicten* which is an act that is contrary to the law). The requirement is not a repetition of the Decree of the Director General of Badilum concerning Guidelines for the Implementation of Restorative Justice and the Police Chief's Regulation concerning Handling of Criminal Acts Based on Restorative Justice referring to *wets delicten*. While the provisions in the Perja regarding Termination of Prosecution Based on Restorative Justice can refer to the notion of *rechts delicten* and *wets delicten*.

The law is enforced to obtain legal certainty, when there are differences in the terms and conditions, there must be a legal umbrella that accommodates the continuation of these laws and regulations, and if the three agencies resolve cases separately, the clause is not repeated or the first time committing a crime can be have been neglected because there is no unified, centralized and accommodated system. Based on the problems above, the authors analyzed to find a model for the integration of population data as an embodiment of restorative justice in accelerating the settlement of criminal cases.

## **B. RESEARCH METHOD**

This paper uses a doctrinal approach to inventory legal policies related to efforts to complete population data that are correlated with a person's crime. On this basis, 2 problem approaches are used, namely the case approach and the statute approach to explaining the relationship

between data on criminal cases and legal policies that have been implemented in Indonesia. As for the analysis, latent content analysis is used to find the right legal solution to address the relationship between data and the application of restorative justice in Indonesia.

## **B. RESEARCH RESULTS AND DISCUSSION**

### **Research result**

#### **a. Criminal act**

In the Criminal Code there are two types of crimes, namely crimes and violations. The division of these two types is based on principal differences, crimes are referred to as *rechtsdelicten* (contradictory acts that are not specified in the law). Crime can also be interpreted as a disgraceful act that violates the norms in society. Meanwhile, violations are *wetsdelicten*, namely acts against the law, only to be known after a wet determines so. Eddy O.S. Hiariej (2014, 102) further argues that in other words the difference between *mala in se* and *mala prohibita* by legal experts is divided into felonies and misdemeanors. Likewise in the Dutch vocabulary which distinguishes the qualifications of criminal acts into *misdriff* and *overtreding*. In this context, *misdriff* is more directed to *rechtsdelicten* (*mala in se*), while *overtreding* is more directed to *wetsdelicten* (*mala prohibita*)

#### **a. Restorative Justice**

Angkasa (2020, 214) argues that restorative justice has a close relationship with victimology as a science that studies victims in all aspects. Restorative justice is a model of settlement and value for victimization that highly respects the victim as a party experiencing loss and/or suffering as a result of victimization. There are three principles of restorative justice, namely:

1. Crime or victimization causes harm and to achieve justice one must focus on repairing the harm caused.
2. The people who are most affected by the crime must be able to participate in its resolution.
3. There is a government responsibility by maintaining order in society to build peace.

As stated by Muladi, in restorative justice, the dignity of the victim is taken into account. Perpetrators must be held accountable and reintegrated into their communities. Perpetrators and victims are in a balanced position and need each other, therefore they must be reconciled (Eriyantouw, 2009; 2). Settlement of cases with restorative justice must meet the requirements as stated in Article 5 Paragraph (1) of the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice:

- a) The suspect has committed a crime for the first time;
- b) Criminal acts are only threatened with a fine or are threatened with imprisonment of not more than 5 (five) years; and
- c) The crime is committed with the value of the evidence or the value of the loss caused as a result of the crime of not more than Rp. 2.500.000, - (two million five hundred thousand rupiah).
- d) For criminal acts related to property, in the event that there are criteria or cases of a casuistic nature which according to the public prosecutor's consideration with the approval of the Head of the District Attorney's Branch or the Head of the District Attorney's Office, the prosecution can be terminated based on restorative justice, with due regard to the conditions as referred to in paragraph (1) letter a is accompanied by either letter b or letter c.

#### **b. Population Administration**

Data management in the Government is known as population administration which focuses on managing and publishing population data for every citizen from birth to death. Population administration includes population registration and registration, data collection on important events, civil registration, utilization of the results for public services, and management of population administration information (Article 1 of the Population Administration Law). This is in line with the provisions Article 8 Paragraph (1) letter a that the government has the obligation to register population events and record important events, including a person's disgrace.

This has a logical consequence that a person's criminal actions must be recorded in an orderly and neat manner, that it is not good if law enforcement agencies have their criminal records, this is in line with the principle of functional differentiation in law enforcement, which provides a

logical consequence that the police only have the responsibility Legal responsibility for suspects insofar as the case has been delegated to the Prosecutor's Office, the court has legal responsibility insofar as it has decided on the case, correctional institutions have special responsibilities for coaching convicts after the case has been executed by the Prosecutor's Office.

## Discussion

### 1. Obstacles to Implementing Criminal Data Integration Digitalization at the Attorney General's Office of the Republic of Indonesia

The prosecution doctrine recognizes the principle of *dominus litis* which is the monopoly of the prosecutor because of the authority given to the prosecutor to carry out the prosecution. *Dominus litis* or case ruler is an important point in determining whether a case from the results of an investigation can proceed to trial or not (Bambang Waluyo, 2020). The Prosecutor is the center that determines the direction of settlement of cases, Article 30 C letter d Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia emphasizes that the Attorney General's Office of the Republic of Indonesia, as mandated by the Attorney General, has the authority to settle cases through penal mediation. The concept is systematically summarized by the prosecutor's regulations on restorative justice.

Restorative justice is the application of the Preamble to the 4th Alenia of the 1945 Constitution and Pancasila, to be precise the second, third, fourth, and fifth precepts. Even before Indonesia's independence, restorative justice had been carried out by the ancestors in the framework of deliberation for consensus. Restorative justice prioritizes peace between victims and perpetrators by avoiding the prosecution of a criminal penalty. Settlement of cases with restorative justice is carried out by bringing together victims and perpetrators and related parties to seek justice in a win-win solution. Even though the settlement of cases outside the trial means that there is no Judge's decision that has permanent legal force, so there is no transparent copy of the decision on the homepage of the Supreme Court's decision directory, settlement of cases with restorative justice should also be systematic. This is intended so that the implementation of restorative justice is by the considerations and ideals of existing law, namely that there is no repetition of resolving cases with restorative justice.

The government has ordered executors in every existing agency to record important events that happen to a person, including the disgrace (Article 58 Paragraph 1 of the Administrative Law) or the ugliness he has done. The policy certainly facilitates data integration and data transparency. The recording of important events has been regulated, therefore it needs strict supervision.

Soerjono Soekanto (1985) argues that the effectiveness of law can be assessed by knowing the attitude or behavior that is directly related to the purpose of the rule of law. According to him, the law will be effective if the attitude of the actions that occur in the field is by the objectives of the law that is formed. Considerations, article by article, and explanation of the article are the goals/directions of legal norms made. The law is considered effective if the objectives in consideration are by the implementation in the field. Implicitly, the aim of resolving cases with restorative justice is in the Republic of Indonesia Attorney General's Regulation Number 15 of 2020, the Republic of Indonesia Police Chief Regulation Number 8 of 2021, and the decree of the Director General of Badilum Number 1691/DJU/SK/PS.00/12/2020, the point is to focus on recovery back to its original state. Meanwhile, to be able to find out whether the law has been effective in the field, it is necessary to have a legal trial in society. According to Hans Kelsen (2007), the law is effective when existing legal norms are implemented seriously. Society and law have a close relationship, the existence of events in society can show the feasibility of a legal product and the presence of law can make society more orderly.

Law enforcement agencies in Indonesia each have regulations governing the settlement of cases with restorative justice, one of the conditions is that the suspect is the first to commit a criminal act, and each law enforcement agency has no binding obligation between law enforcement agencies. Inconsistency in the implementation of restorative justice from the three institutions can lead to legal uncertainty because the implementation of restorative justice can be repeated for the same suspect, namely because there is no coordination of supervision between

institutions in each region and there are no recorded suspects whose cases have been resolved with integrated restorative justice.

In addition, the existence of the principle of functional differentiation is also a factor in not recording the history of the suspect's actions. The principle of functional differentiation is applied in Indonesia to divide or differentiate tasks and authorities between existing institutions or agencies. This principle makes these three institutions even more closed without serious coordination regarding the recording of suspects whose cases are resolved by restorative justice, instead, they are free to make policies which in this case may have motives that only benefit the institution. Therefore the overlap of regulations related to the settlement of cases with restorative justice contains egoism from each agency which can be an inhibiting factor in not recording demographic data on the perpetrator's criminal history. There is a principle of functional differentiation in law enforcement, which has a logical consequence that the police only have legal responsibility for the suspect to the extent that the case has been delegated to the Prosecutor's Office, the court has a legal responsibility to the extent that it has decided the case, correctional institutions have special responsibilities for coaching convicts after the case has been executed by the Attorney General. In addition, the police offices in each region have not been integrated into case handling data. This can be proven when an applicant submits a certificate of good conduct. On the application form, the applicant is required to fill in his criminal history, whether he has been convicted or not.

According to Lawrence M. Friedman (2018), the operation of law is influenced by several determining factors, namely the legal structure, legal substance, and legal culture. The legal structure is a tool (law enforcement officials) that are expected to be able to implement legal products as well as possible. According to Seidman (Satjipto Rahardjo, 1980), the legal structure is a role holder in a rule, the executor, either the maker or enforcer is one of the determinants that the law is effective. The legal substance is a product or content contained in statutory products. The substance of the law is considered to determine whether or not the law can be implemented. Legal culture includes perspectives, habits, and mindsets toward determining values and attitudes. Whether the law will be effective or not depends on the mindset and attitude of the community and law enforcers towards the substance of the law itself. Do the public and law enforcers know about the existence of these norms and do they know their rights and obligations? Thus, several inhibiting factors can be grouped which cause the history of population data not to be included in supporting the implementation of criminal case settlements with restorative justice, including:

### **1) Legal Structure**

Each law enforcement agency regulates restorative justice independently. This is what makes the law can overlap, there is a desire or ego of the legal structure that grows within the institution. Policies or regulations set by an institution certainly have their own goals. Therefore, each agency has its inclination toward resolving cases with restorative justice. There are no reports from each party, for example, the Police have resolved a case with restorative justice in a remote area with suspect A. Because through penal mediation, suspect A was released and not detained. However, at the District Attorney's Office in the city, A committing another crime and in this case, there is no track record of the suspect has committed a crime that was resolved by restorative justice, this situation can occur because the suspect admits that he has committed a crime for the first time because the suspect's case fulfills the provisions in justice restorative so that case A is resolved by restorative justice. Even though the suspect had previously committed a crime, this was not known to the Prosecutor because there was no definite and clear track record. The prosecutor only obtained the BAP and the suspect's confession. because the suspect's case complied with the provisions of restorative justice case A was resolved by restorative justice. Even though the suspect had previously committed a crime, this was not known to the Prosecutor because there was no definite and clear track record. The prosecutor only obtained the BAP and the suspect's confession. because the suspect's case complied with the provisions of restorative justice case A was resolved by restorative justice. Even though the suspect had previously committed a crime, this was not known to the Prosecutor because there was no definite and clear track record. The prosecutor only obtained the BAP and the suspect's confession.

From this description it is clear that the legal structure, both the Police, the Attorney General's Office, and the Badilum, both have the authority to resolve cases with restorative justice, however, this authority is regulated separately or in the sense that they regulate it because the product they determine is a product that they made, so that it can be said that the inhibiting factor of the legal structure is the ego of each institution.

## 2) Legal Substance

The meaning of the concept of restorative justice in both the Police, the Attorney General's Office, and the Supreme Court have in common that of restoring it to its original state, but in the provisions of each law enforcement agency there are conditions that are of course different from other enforcement agencies. The requirements in the Regulation of the Chief of Police of the Republic of Indonesia Number 8 of 2021 include the requirements that are grouped into Article 5 of Perpol No.8/2021, namely the act committed does not cause unrest; not breaking up the group; not radicalism; there is no resistance from the community; no impact on social conflict; not included in crimes of life, terrorism, corruption, or state security; and not a repetition of a criminal act based on a court decision; as well as Article 6 of Perpol No.8/2021: there has been an amicable agreement between the victim and the perpetrator and there has been a fulfillment of obligations as evidenced by a statement in accordance with the agreement signed by the victim (except for narcotics crimes).

The Supreme Court also issued Guidelines for the Implementation of restorative justice in the general court environment where the application of restorative justice can be carried out in four scopes of cases, namely crimes that are classified as light with fast trial examinations, cases involving children facing the law, women facing the law, and narcotics abuse of course, and the defendant is not a repeat of the crime (Fatahillah Akbar, 2017). Restorative justice in the court environment is only to reduce punishment, in which the application of restorative justice also aims to avoid the trial process in court.

Restorative justice in the Prosecutor's Office must fulfill the first requirement, the suspect is not a recidivist, and the new perpetrator has committed an act that violates the norms or rules of law. Second, the threat of a fine or imprisonment with a maximum term of 5 years. Third, the act resulted in a maximum loss of Rp. 2,500,000.- (two million five hundred thousand rupiah). Fourth, if the crime involves property, the provisions for the implementation of restorative justice remain in the provisions in Paragraph (1) letter and are accompanied by one letter b or letter c.

The meaning of the first time or repetition of a crime in the three institutions is different, that is, there is no clear boundary between *rechtsdelicten* and *wetsdelichten*. *Rechtsdelicten* is an act that is contrary to justice, regardless of whether the act is punishable by a crime in law or not. *Wetsdelichten*, namely an act that is only realized by the community as a crime, because of the Law which states that the act is an offense and there is a court decision. This difference is one of the factors in not recording a criminal history.

## 3) Legal Culture

Migration population data that tends to be static belongs to inter-regional migration population data which includes population mobility, changes in the general population structure, or changes in socio-economic structure. Any change in the life of every citizen requires comprehensive data collection, both at the village and national levels. Population data has a significant influence in supporting the implementation of laws in Indonesia. The government through the Department of Population and Civil Registration participates in supporting law enforcement that is just and according to the ideals of the law (Eet Saeful, 2019). Implementing agencies are required to record changes in society, both from birth or until the death of a person. Events that are attached to a person despite disgrace must be recorded systematically. Registration and population data collection are carried out through an administrative system that is interrelated between government administration and state administration. These records are generally recorded on NIK, KTP, KK, Birth Certificates, and so on.

The legal culture in the settlement of restorative justice has not heeded the provisions for centralized recording. This is because cases that have been successfully resolved with restorative justice are recorded internally by each agency. The recording is as if it is confidential, and not

notified in a transparent manner. The existing legal culture is still dominated by the central ego of each agency which causes the data to not be centralized because there is no clear coordination instead each agency wants to resolve the case independently.

## **2. The Importance of Digitizing Criminal Data Integration in Supporting Case Resolutions Using a Restorative Justice Approach by the Attorney General's Office of the Republic of Indonesia**

The concept of restorative justice is an embodiment of the practice of penal mediation which is guided by Pancasila. Restorative justice is a concept of settling cases outside of court that emphasizes efforts to restore returns to their original state, the original meaning of restorative justice has no clear and significant boundaries. Restorative justice is regulated by regulation of the Attorney General of the Republic of Indonesia Number 15 of 2020, Regulation of the Chief of Police of the Republic of Indonesia Number 8 of 2021, Decree of the Director General of Badilum Number 1691/DJU/SK/PS.00/12/2020 concerning Guidelines for the Implementation of Restorative Justice in the General Court Environment.

The settlement of cases based on restorative justice is not recorded centrally and is not accommodated. The data integration model for suspects whose cases are resolved with restorative justice at Police agencies is recorded in the Investigation management electronic system (Article 16 Paragraph (2) letter g Perpol No.8/2021). Meanwhile, at the Attorney General's Office, it is recorded in the case register at the prosecution stage and the register for termination of prosecution and waiver of cases in the public interest (Article 12 Number 9 Perja No. 15/2020). The recording model is internal and cannot be known by the public. Thus, every law enforcement agency may not know whether it is true that the suspect is committing a crime for the first time and not as a repeat or not.

Law enforcers can find out whether a suspect has or has not committed a crime only based on the confession of the suspect/defendant and based on the minutes of the suspect's examination. Article 152 of the Criminal Procedure Code gives the right to the suspect/defendant to provide information freely to investigators and judges, and article 175 of the Criminal Procedure Code gives the right to the defendant to refuse or not answer questions put to him. If the suspect or defendant does not provide true information, then the suspect or defendant is considered to have committed a crime for the first time. This is because there is no data integration between agencies, and law enforcers do not have a record of suspects committing crimes in a particular place or area.

For example, at the Banyumas District Attorney in case Number B-1330/M.3.39/Eoh.2/09/2020, the Public Prosecutor resolved the suspect Irin's case based on restorative justice. Even though the suspect Irin had previously attempted theft, the case was resolved by deliberation by the local village head. The absence of data showing that the suspect Irin committed a criminal act made law enforcers, in this case, the Banyumas State Attorney, at a loss to pass the suspect Irin's case with restorative justice. According to Gustav Radbruch (O. Notohamidjojo, 2011), the law is upheld to obtain: Legal certainty, Justice, and Efficiency (doelmatigheid). According to him, legal certainty is the main point, with the implementation of legal certainty means implementing and implementing the law.

The data integration model by the Police and the Prosecutor's Office was recapitulated independently which led to legal uncertainty because the data was not integrated and there was no coordination or cooperation between the Prosecutor's Office and the Police in resolving the case. Events committed by the accused or suspects may not be known by law enforcement so an event that is not recorded centrally and transparently causes legal certainty to not be achieved. Article 8 Paragraph (1) letter a in conjunction with Article 58 Paragraph (1) letter ee of the Population Administration Law mandates that all important events must be recorded, but so far this has not been implemented. This means that the legal objective as stated by Gustav Radbruch has not been achieved, namely legal certainty. According to Aristotle, the law aims to achieve justice, and Gustav Radbruch in this case agrees that justice can be realized with legal certainty. Therefore, to reflect a rule of law, a data integration model is needed as mandated by the law on population administration which is aimed at supporting the implementation of case settlements with a restorative justice approach by the Attorney General's Office of the Republic

of Indonesia. With the existence of a data integration model, it can minimize suspects/defendants who are resolved with restorative justice more than once. a data integration model is needed as mandated by the population administration law which is aimed at supporting the implementation of case settlements with a restorative justice approach by the Attorney General's Office of the Republic of Indonesia. With the existence of a data integration model, it can minimize suspects/defendants who are resolved with restorative justice more than once. a data integration model is needed as mandated by the population administration law which is aimed at supporting the implementation of case settlements with a restorative justice approach by the Attorney General's Office of the Republic of Indonesia. With the existence of a data integration model, it can minimize suspects/defendants who are resolved with restorative justice more than once.

The data integration model can be carried out by reporting important events as stipulated in Article 8 Paragraph (1) letter a of the Population Administration Law, "Implementing Agencies carry out Population Administration affairs with the obligation to register Population Events and record Important Events, and Article 58 Paragraph (1) letter ee, "Individual data includes other data elements that are a person's disgrace. Thus the NIK as a single identity number can contain information about whether or not the KTP owner has ever conflicted with the law. Article 64 Paragraph (4) of the law states that a chip is stored in the e-KTP which contains the electronic recording of individual data. Entering a person's criminal data into the E-KTP, also helps the police issue a more valid police record certificate (SKCK), and there is no need for the applicant's acknowledgment that he has or has never committed a crime because everything is already recorded on the e-KTP. Moreover, determining whether a suspect has committed a crime lies with the authority of the Prosecutor, who in this case examines the investigative dossiers and investigative dossiers of the investigator. The police cannot prove whether the suspect or defendant has committed a crime or not, because P21 is at the Attorney General's Office. the determination of a suspect has committed a crime lies with the authority of the Prosecutor, who in this case examines the investigative files and investigative files of the Investigator. The police cannot prove whether the suspect or defendant has committed a crime or not, because P21 is at the Attorney General's Office. the determination of a suspect has committed a crime lies with the authority of the Prosecutor, who in this case examines the investigative files and investigative files of the Investigator. The police cannot prove whether the suspect or defendant has committed a crime or not, because P21 is at the Attorney General's Office.

The implementation of this data integration can be carried out by the Public Prosecutor's Office, the High Court, or the Attorney General's Office of the Republic of Indonesia in coordination with the Police, Community Institutions, and other related agencies. In addition, it is necessary to have a special application that summarizes or records the actions committed by the suspect/defendant including personal identities such as name, TTL, nationality, gender, type of crime/type of violation and threats, and type of settlement of the case. This application is centralized, can be registered, and can be seen by various parties who need it, meaning that there is transparency or openness to facilitate information on whether there is a crime on legal subjects. The application is in the form of SIAK,

The Indonesian Attorney General's Office as case handler (Dominus Litits) strongly supports resolving cases with restorative justice, therefore the Indonesian Attorney General's Office issues a Circular Letter of the Junior Attorney General for General Crimes No: B- 913 / E / Ep / 03/2022 dated March 25, 2022, concerning the establishment of a house of restorative justice, so that the settlement of cases with a more integrated restorative justice approach. The deployment of RJ's houses in Indonesia supports a more transparent and of course more comprehensive data integration system so that the Indonesian Attorney General's Office becomes the leading sector. Not only that, RJ's house can accommodate guidance and supervision which so far has not existed in the settlement of cases based on restorative justice.

## CONCLUSION

One of the inhibiting factors that cause the history of population data to be not included in supporting the implementation of criminal case settlements with a restorative justice approach by the Attorney General's Office of the Republic of Indonesia is the existence of the principle of functional differentiation which distinguishes duties and authorities between institutions or



agencies as well as the presence of other factors in the legal structure, legal substance, and legal culture.

Integration of population data is very important in supporting the implementation of a restorative justice approach by the Prosecutor's Office of the Republic of Indonesia by using the NIK in an electronic KTP, as a single identity number that can contain information about whether or not the KTP owner has ever conflicted with the law. This is supported by Deputy Attorney General ST. Burhanuddin in his policy carried out the dissemination of restorative justice houses as in the Circular Letter of the Junior Attorney General for General Crimes No: B- 913 /E/Ejp/03/2022 dated 25 March 2022.

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