

Research Article

The Power of Restorative Justice in Handling Criminal Act if Forgery if Letter (Case Study : P/267/V/2022/SPKT/Pamekasan Police/East Java Regional Police)

Bala Hananto^{1*}, Nadir², Achmad Rifai³

¹ Master of Laws, Universitas Madura, Indonesia; email: balahananto73@gmail.com

² Master of Laws, Universitas Madura, Indonesia; email: nadir@unira.ac.id

³ Master of Laws, Universitas Madura, Indonesia; email: riflaw94@unira.ac.id

Author correspondence: **Bala Hananto**

Abstract. This study investigates the application and implications of Restorative Justice in resolving a criminal case involving document forgery, as recorded in Police Report Number LP/B/267/V/2022/SPKT/POLRES PAMEKASAN/POLDA EAST JAVA. The case was initially handled by the Criminal Investigation Unit of the Pamekasan Police and resolved through a restorative justice process in accordance with Police Regulation No. 6 of 2019 concerning criminal investigations and Police Regulation No. 8 of 2021 concerning restorative justice mechanisms. However, the resolution later encountered legal obstacles, culminating in a Pretrial Motion filed under Case Number 1/Pid.Pra/2024/PN.Pmk at the Pamekasan District Court. The research findings indicate that the investigative process did not fully comply with the procedural standards set forth in the governing regulations. Notably, the victim (reporter) did not consent to the use of restorative justice, a fundamental requirement in such processes. Additionally, the reported party (suspect) failed to meet the agreed-upon obligations as part of the resolution. Compounding these issues, investigators prematurely issued a warrant and decision to terminate the investigation without ensuring all legal conditions were satisfied. As a result, the court accepted the pretrial motion and declared the termination unlawful, thereby ordering the resumption of the investigation. This case study underscores the critical importance of adhering to procedural safeguards and obtaining mutual consent from all parties involved in restorative justice processes. It also highlights the potential legal consequences of procedural missteps by law enforcement authorities and reinforces the need for enhanced training and oversight in the implementation of restorative justice in Indonesia's criminal justice system.

Keywords: Document Forgery, Investigation, Police Regulation, Pretrial, Restorative Justice

Received: June, 30 2025

Revised: July, 14 2025

Accepted: July, 28 2025

Published: July, 30 2025

Curr. Ver.: July, 30 2025



Copyright: © 2025 by the authors.

Submitted for possible open

access publication under the

terms and conditions of the

Creative Commons Attribution

(CC BY SA) license

([https://creativecommons.org/li](https://creativecommons.org/licenses/by-sa/4.0/)

[censes/by-sa/4.0/](https://creativecommons.org/licenses/by-sa/4.0/))

1. Introduction

This study aims to analyze the implementation and legal implications of restorative justice in the handling of the criminal act of forgery of letters, specifically focusing on Police Report Number LP/B/267/V/2022/SPKT/POLRES PAMEKASAN/POLDA EAST JAVA as a case study. The motivation for this research stems from the increasing use of restorative justice as an alternative mechanism for resolving criminal cases outside formal adjudication, especially in cases categorized as light to moderate crimes, including offenses such as forgery of documents. Restorative justice is designed to prioritize the restoration of relationships, the resolution of conflict, and the rehabilitation of both

victims and offenders through dialogue and consensus, as opposed to retributive justice that focuses primarily on punishment. In Indonesia, the concept of restorative justice has been formalized through Police Regulation Number 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice and reinforced by Police Regulation Number 6 of 2019 on Criminal Investigations. These regulations outline the procedural guidelines for police officers to facilitate peaceful resolution between conflicting parties before or during the investigation phase (Perpol No. 8/2021; Perkap No. 6/2019).

The importance of this study lies in the gap between the normative framework of restorative justice and its implementation in practice, as illustrated by the present case. Although the reported crime involved the forgery of a legal document—a serious allegation under Article 266 and Article 263 of the Indonesian Penal Code (KUHP), which carries a penalty of up to seven years of imprisonment—the parties involved, namely the reporter (victim) and the reported (suspect), initially agreed to settle the case through restorative justice. The agreement was formalized through a mutual Statement Letter and the subsequent issuance of a Letter of Termination of Investigation (Surat Ketetapan Penghentian Penyidikan) by the Criminal Investigation Unit of the Pamekasan Police. However, complications arose when the reporter alleged that the suspect failed to fulfill the terms of the agreement, leading the reporter to file a pretrial motion (Praperadilan) at the Pamekasan District Court under Case Number 1/Pid.Pra/2024/PN.Pmk. The judge ultimately ruled that the termination of the investigation was unlawful and ordered the case to be resumed. This reversal raises fundamental questions about the legal certainty, procedural safeguards, and ethical responsibilities embedded in the restorative justice process when one party reneges on an agreement post-resolution.

From a legal-philosophical standpoint, restorative justice is rooted in the principles of reconciliation and community-based dispute resolution, which seek to humanize justice by involving victims, offenders, and society at large in the conflict resolution process (Zehr, 2002). In practice, however, implementing restorative justice within the rigid framework of criminal procedure law and law enforcement institutions often presents practical and normative challenges. The core problem highlighted by this case is the absence of post-agreement enforcement mechanisms within the restorative justice framework in Indonesia, which leaves room for the reactivation of criminal processes even after cases are formally terminated. This contradicts the intended purpose of restorative justice, which is to provide a final and mutually acceptable resolution to legal conflicts, especially when both parties have previously agreed on the outcome.

In conducting this research, the author adopts a qualitative normative legal research method, which involves analyzing primary legal materials (such as the KUHP, KUHPA, and Police Regulations), court decisions, and relevant literature on restorative justice. The study also contextualizes the case within broader institutional and regulatory practices to understand how restorative justice is operationalized at the police level and how it intersects with formal adjudicatory procedures. The findings suggest that, while the

regulatory framework exists to support the implementation of restorative justice, its success is highly dependent on the willingness of both parties to comply, the clarity of procedural guidelines for investigators, and the legal enforceability of agreements reached during the process.

Ultimately, this study contributes to the academic and practical discourse on restorative justice by exposing its limitations when applied to cases with complex legal and emotional dimensions such as document forgery, where the harm inflicted is both legal and economic. The research highlights the urgent need for institutional reforms and clearer procedural safeguards to ensure that restorative justice serves its intended purpose without undermining legal certainty or reopening cases that have already been resolved through consensus. In this way, the study not only examines the application of restorative justice in a specific criminal case but also critiques the structural and procedural deficiencies that must be addressed if restorative justice is to become a reliable alternative within Indonesia's criminal justice system.

2. Literature Review

The concept of restorative justice has evolved as a counterbalance to the perceived limitations of traditional retributive justice systems, particularly in their failure to provide healing, restitution, and holistic engagement for both victims and offenders. Howard Zehr (2002), often credited as the pioneer of restorative justice, emphasized that justice should not only focus on punishing offenders but also on healing the harm done to victims and communities. This idea shifts the paradigm from "What law was broken, who broke it, and what punishment is deserved?" to "Who was harmed, what are their needs, and who has the obligation to meet those needs?" (Zehr, 2002). The Indonesian legal system has begun to incorporate restorative justice through formal regulations, most notably Police Regulation Number 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice and Police Regulation Number 6 of 2019 on Criminal Investigations, thereby institutionalizing mechanisms that encourage peaceful resolution outside court litigation (Kepolisian Negara Republik Indonesia, 2021; 2019).

However, despite this normative progress, the practical application of restorative justice in Indonesia continues to face challenges. Scholars such as Indriyanto Seno Adji (2020) and Nurjannah (2022) argue that the effectiveness of restorative justice hinges not only on the existence of legal provisions but also on the consistency of law enforcement officers in applying them and the genuine willingness of both parties to abide by the resolution. In many cases, agreements reached under restorative justice frameworks fail to provide adequate legal safeguards or enforcement mechanisms, especially when one party withdraws consent or breaches the agreed-upon terms post-resolution. This critical limitation is particularly visible in document forgery cases, where the harm inflicted often includes material losses and long-term legal complications (Sudarto, 2019).

Forged documents, such as those involving fake signatures in notarial deeds, can lead to complex disputes involving inheritance, property rights, and contractual obligations. The Indonesian Penal Code (KUHP) addresses this through Articles 263 and 266, which criminalize both the act of forging a document and the act of using a forged document in official matters. Although these provisions clearly outline the legal basis for criminal liability, their enforcement often collides with alternative dispute resolution approaches, especially when police investigators attempt to reconcile the parties through restorative justice. According to Nasution (2021), this creates legal ambiguity when the case is later reopened due to breach of agreement, as courts must decide whether the initial termination of investigation was legally valid or not.

Recent jurisprudence has also illustrated inconsistencies in the interpretation of restorative justice agreements. In several cases, district courts have ruled that investigators prematurely terminated investigations without ensuring that all components of the agreement were fulfilled, thus violating due process and the rights of the complainant (Putra & Maulida, 2022). These rulings suggest that without a standardized post-agreement monitoring mechanism, restorative justice may be prone to manipulation, particularly when there are power asymmetries between parties or when victims are coerced into settlements.

In international literature, the success of restorative justice programs has been correlated with robust mediation frameworks and institutional checks. Studies conducted in New Zealand and Canada—jurisdictions considered leaders in restorative justice—highlight the importance of trained mediators, legal enforceability of agreements, and community-based follow-up to ensure compliance (Latimer, Dowden, & Muise, 2005). These jurisdictions also emphasize the necessity of differentiating between cases suitable for restorative resolution and those that require full judicial intervention due to the nature of harm or potential for reoffending. Translating these international standards into the Indonesian context remains an ongoing challenge, particularly when applied to formal legal documents with high evidentiary and material implications.

Critically, much of the existing Indonesian scholarship has not thoroughly explored the implications of restorative justice in the context of criminal document forgery. While there is ample literature on its application in juvenile justice, domestic violence, and minor theft cases (Setiadi, 2020; Lestari, 2021), very little research has analyzed its appropriateness, legal risks, and procedural weaknesses in handling white-collar or document-based crimes. This gap points to the urgent need for contextualized research that interrogates how restorative justice frameworks operate under complex legal conditions, especially in cases where one party later initiates judicial review through pretrial motions.

In light of the above, this study seeks to contribute a critical perspective to the academic and legal discourse on restorative justice by focusing on a real-life case involving document forgery and pretrial litigation. The uniqueness of this case lies in the intersection

between a seemingly concluded restorative justice agreement and its subsequent legal contestation, thereby raising questions about the legal finality, procedural integrity, and accountability mechanisms within the police-led restorative justice process. This literature review reveals that although restorative justice holds significant transformative potential, its successful implementation in Indonesia remains contingent on institutional coherence, procedural discipline, and ethical law enforcement.

3. Methods

This study employs a normative legal research approach, also known as doctrinal legal research, which is fundamentally concerned with analyzing legal norms, principles, doctrines, and rules as contained in statutory regulations, legal theories, and court decisions. In normative legal research, law is conceptualized not as empirical behavior but as a set of rules that guide behavior and resolve disputes (Soekanto & Mamudji, 2006). The core objective of this method is to identify and evaluate the legal strength and normative foundation of restorative justice, particularly in the context of its application to criminal acts involving the forgery of documents, as exemplified by Police Report Number LP/267/V/2022/SPKT/Pamekasan Police/East Java Regional Police.

The primary sources of legal materials in this research are divided into three categories—primary, secondary, and tertiary legal materials (Marzuki, 2017). Primary legal materials consist of binding legal instruments such as the Criminal Procedure Code (KUHAP), the Indonesian Penal Code (KUHP), Police Regulation Number 6 of 2019 on Criminal Investigation, and Police Regulation Number 8 of 2021 on Restorative Justice. These are analyzed in the context of how they regulate the procedures, authority, and limitations of police investigators in terminating investigations based on peace agreements between disputing parties. Secondary legal materials include academic books, journal articles, legal commentaries, expert opinions, and previous research that discuss the theory and practice of restorative justice, due process, and police discretion. Tertiary legal materials such as legal dictionaries, encyclopedias, and indexing tools were used to provide clarification and definition of key legal terms used in the analysis.

The research relies heavily on document and literature analysis as the principal method of data collection. Document analysis involves a systematic review of written legal materials, including statutory texts, police investigation reports, pretrial court decisions (in this case, Pretrial Number 1/Pid.Pra/2024/PN.Pmk), letters of agreement, and case-related official documents. Literature review complements this by contextualizing the regulatory framework within broader legal theory and scholarly discourse on restorative justice, especially its implementation within the Indonesian legal system.

The analysis of legal materials in this research is conducted using a qualitative descriptive and prescriptive analysis model, where the materials are interpreted and presented systematically to assess the consistency and legitimacy of legal norms. The reasoning method applied in interpreting these legal materials is deductive, which starts

from general legal norms and principles and moves toward specific conclusions about the case under study (Ibrahim, 2006). Through this method, the researcher evaluates whether the police's decision to terminate the investigation—based on a restorative justice agreement—was procedurally and substantively justified under Indonesian law.

In assessing the legitimacy of restorative justice in the selected case study, the research also explores the principle of due process of law and its intersection with the discretionary powers granted to law enforcement in non-judicial dispute settlement. The case is analyzed in light of the principle of legality (*nullum crimen sine lege*), procedural justice, and victim-offender reconciliation within the restorative framework. In doing so, this method not only helps reveal regulatory gaps but also offers constructive legal reasoning on how such cases should be managed in the future.

The rigor and reliability of this research are ensured through systematic sourcing and triangulation of legal texts and empirical documents from the police institution and court decisions. Furthermore, all materials were evaluated in terms of their legal validity, relevance to the research problem, and contribution to legal clarity and consistency in the implementation of restorative justice practices.

4. Results

This study explores the application and legal power of restorative justice in the criminal act of forgery of letters, with a case study of Police Report Number LP/267/V/2022/SPKT/Pamekasan Police/East Java Regional Police. The findings are derived through qualitative analysis of case documents, regulatory instruments, and court decisions, providing a critical examination of the procedures undertaken, the conformity with applicable legal provisions, and the final outcome from both investigative and judicial standpoints. Although normative legal research does not utilize statistical analysis in the traditional sense, this section systematizes legal findings descriptively and normatively to ensure the reader can evaluate the reliability and legality of the investigative process and its restorative resolution.

Implementation of Restorative Justice in Police Investigative Procedure

Based on the field document analysis and regulatory review, the criminal case of letter forgery was initially processed through a formal investigation. As per Article 1 point 5 of the KUHAP (Law No. 8 of 1981), an investigation is defined as a series of actions by investigators under the provisions of the law to seek and collect evidence that clarifies a criminal act and finds the suspect. The police officer at the Integrated Police Service Center (SPKT) began by recording the complaint into an official report (LP), followed by a preliminary examination to identify the elements of the alleged crime using the 5W1H approach—who, what, where, when, why, and how. The investigative process proceeded with the issuance of an Investigation Order (*Surat Perintah Penyelidikan*) and Task Order (*Surat Perintah Tugas*), leading to a full investigation upon sufficient preliminary findings.

From this point, the case was handled in accordance with Police Regulation No. 6 of 2019 concerning Criminal Investigations, leading to the collection of evidence including witness testimony, forensic document examination, and suspect interrogation. The findings supported the elements of Article 263 and 266 of the Indonesian Penal Code (KUHP) concerning document forgery and the use of forged documents, thus warranting an elevation of the case to the investigation stage and the designation of the suspect.

However, during the investigation process, both the complainant and the suspect expressed a willingness to resolve the matter through restorative justice, a discretionary policy mechanism regulated under Police Regulation No. 8 of 2021 on Restorative Justice. According to this regulation, restorative justice is permissible under certain material and formal conditions. Materially, the crime must not have caused public unrest, must not involve corruption, terrorism, or state security, and must not involve a repeat offender (recidivist). Formally, there must be: (a) a peace agreement; (b) a statement fulfilling the victim's rights such as restitution, return of goods, or compensation.

Although both parties signed a peace agreement, later developments revealed that the suspect had a prior conviction in a similar case, as indicated by Decision Number 134/Pid.B/2021/PN.Pmk, and failed to fulfill the obligations in the peace letter, such as compensating the victim. This failure violated both the material and formal requirements outlined in Police Regulation No. 8 of 2021. Despite this, the police proceeded to terminate the investigation by issuing Surat Ketetapan Penghentian Penyidikan (SKPP) No. SK.Sidik/279/XII/Res1.9/2022/SATRESKRIM.

Pretrial Review of Restorative Justice Termination

Due to the unfulfilled obligations and the background of recidivism, the complainant (victim) challenged the termination through Pretrial Application Number 1/Pid.Pra/2024/PN.Pmk. The judge in this case referenced Article 77 of the KUHP, which authorizes the court to assess the legality of arrests, detentions, and terminations of investigation or prosecution. The core legal question revolved around whether the police's decision to apply restorative justice met legal standards, particularly concerning the suspect's recidivism status and failure to meet the peace agreement's conditions.

The judge ruled that the termination of the investigation was invalid and null and void, as it contradicted the formal legal requirements and internal police regulations. Specifically, the judge emphasized that the suspect's status as a repeat offender disqualified the case from being resolved under restorative justice. Moreover, the suspect's failure to fulfill restitution terms indicated that the victim's rights had not been restored—rendering the peace agreement void. The decision reinforced that restorative justice is not an unconditional tool for resolving criminal cases and must be conducted in strict adherence to procedural and normative legal requirements (Handayani & Fauzan, 2021).

This outcome has significant implications for the police's discretionary power and the future application of restorative justice. It confirms that investigators must not only verify compliance with procedural checklists but also conduct a substantive evaluation of material conditions, including a suspect's criminal history and actual implementation of peace agreements. The court's rejection of the SKPP based on non-compliance reflects a judicial effort to maintain accountability within law enforcement and preserve the integrity of victims' rights.

5. Discussion

The principal objective of this study was to analyze the legal power and procedural validity of Restorative Justice (RJ) in resolving criminal acts of forgery, specifically in the context of Police Report Number LP/267/V/2022/SPKT/PAMEKASAN/POLDA EAST JAVA. The study highlights that although RJ has been increasingly institutionalized within Indonesia's criminal justice framework—through regulations such as Perkap No. 6 of 2019 on criminal investigation and Perkap No. 8 of 2021 on the handling of criminal cases through restorative justice—the implementation remains procedurally fragile and prone to legal contestation when not thoroughly executed. This case underscores how the failure to fulfill both material and formal requirements of RJ can lead to judicial invalidation of investigative outcomes, as demonstrated in Pretrial Decision Number 1/Pid.Pra/2024/PN.Pmk by the Pamekasan District Court.

The findings reaffirm the significance of RJ as an alternative resolution mechanism that emphasizes reconciliation and restoration between the victim and the perpetrator, in alignment with restorative justice models practiced in jurisdictions like New Zealand and the United States (Zehr, 2002; Gavrielides, 2007). However, unlike in those countries where RJ outcomes are considered binding and final once consensus is achieved, the Indonesian case studied reveals a more complex reality. Despite a formal peace agreement between the suspect and the victim, the failure of the suspect to fulfill restitution obligations—as well as their status as a recidivist previously convicted in Decision No. 134/Pid.B/2021/PN.Pmk—rendered the RJ agreement legally weak and contestable. This case highlights the necessity of rigorous adherence to RJ preconditions, particularly the requirement that the suspect must not be a repeat offender (recidivist) and must fully fulfill the victim's rights, as stipulated in Perkap No. 8/2021 Article 10.

The study contributes to the academic and legal understanding of RJ by revealing a critical gap between normative frameworks and operational practice. While RJ is normatively positioned as a tool for de-escalating penal consequences and promoting victim-healing, its practical enforceability is highly dependent on procedural discipline and good faith by both parties. Failure to uphold these principles, as in the case of the Pamekasan Police, resulted in the termination of the investigation being declared null and void—illustrating that RJ cannot be used merely as a procedural shortcut to close cases without full material and formal compliance (Latif, 2020).

The findings also align with prior studies emphasizing that RJ must be grounded in ethical accountability, full victim satisfaction, and transparency by law enforcement agencies (Braithwaite, 2002; Umbreit et al., 2006). The Pamekasan case also illustrates that police discretion in applying RJ is judicially reviewable, especially when it conflicts with victims' rights or legal requirements. This serves as a precedent that underscores the limitations of police authority in criminal dispute resolution and reinforces the oversight function of pretrial courts, as empowered by Article 77 of the Indonesian Criminal Procedure Code (KUHAP).

Unexpectedly, this study also found that despite the institutionalization of RJ mechanisms, law enforcement officers may still engage in procedural negligence, such as prematurely issuing SP3 (Surat Perintah Penghentian Penyidikan) or skipping thorough assessment of the suspect's eligibility for RJ. This procedural lapse suggests a need for enhanced training and monitoring of investigators to ensure integrity and consistency in RJ applications. Furthermore, the managerial implication for police institutions is to adopt a risk-based legal audit model before initiating RJ processes in sensitive criminal matters such as forgery, which may have broader socio-legal ramifications if mishandled.

Among the limitations of this study is its focus on a single case within a localized jurisdiction (Pamekasan), which may not fully represent broader national practices. Nevertheless, this detailed case study offers critical insights into the risks and misapplications of RJ when statutory safeguards are not met. Future research should explore comparative case studies across multiple jurisdictions in Indonesia to evaluate whether the challenges identified are systemic or isolated. Moreover, further empirical work is needed to investigate the long-term impact of RJ on victim satisfaction, recidivism rates, and trust in the criminal justice system.

In summary, the study affirms that while restorative justice remains a powerful tool for de-penalization and conflict resolution in Indonesia, its legal power is contingent on strict adherence to established regulations. The Pamekasan case illustrates that failure to comply with both the material and formal legal requirements of RJ, especially in cases involving recidivists or unfulfilled restitution, will undermine its legitimacy and trigger judicial reversal. Law enforcement must ensure that RJ processes are not only procedurally correct but also substantively just, reinforcing public trust in the legal system.

6. Conclusion

This study concludes that the implementation of restorative justice (RJ) in handling the criminal act of forgery of letters, as exemplified by Police Report Number LP/B/267/V/2022/SPKT/POLRES PAMEKASAN/POLDA JAWA TIMUR, reveals significant inconsistencies between procedural compliance and the substantive legal prerequisites for applying RJ in criminal matters. The offense itself—placing false information into an authentic deed and utilizing that document to cause legal harm—

constitutes a serious criminal violation under Article 263 in conjunction with Article 266 of the Indonesian Criminal Code (KUHP), which carries a maximum sentence of seven years imprisonment. Despite the apparent procedural conformity through the drafting of a peace agreement, withdrawal of complaint, and issuance of a termination of investigation letter (SP3), this study finds that the material and formal conditions stipulated in Police Regulation No. 8 of 2021 and Chief of Police Regulation No. 6 of 2019 were substantially disregarded.

The suspect in this case was a known recidivist, previously convicted of a similar offense in the Pamekasan District Court Decision Number 134/Pid.B/2021/PN.Pmk, which had obtained permanent legal force. Additionally, the suspect demonstrably failed to fulfill the obligations stated in the peace agreement—an essential condition for the legal enforceability of any RJ process. These two factors directly violate the formal and material eligibility criteria for RJ, which strictly prohibit its application to recidivists and require full restitution to victims. As a result, the Pretrial Decision Number 1/Pid.Pra/2024/PN.Pmk declared the termination of the investigation legally flawed, invalid, and null and void, ordering the case to proceed through formal investigation.

The findings of this study are significant as they reaffirm that restorative justice, while an innovative and humane alternative to formal punishment, must not be applied indiscriminately. Its strength lies in upholding accountability, repairing harm, and restoring social relationships—objectives that cannot be achieved when its legal preconditions are compromised or bypassed. This research underscores the importance of a more stringent and transparent vetting process before RJ mechanisms are adopted, especially in cases involving repeat offenders or crimes with high legal and moral gravity, such as document forgery.

Limitation

Despite the contributions and insights offered by this study regarding the application of restorative justice in handling criminal acts of forgery, several limitations must be acknowledged, as they bear relevance to the validity, scope, and applicability of the findings. Firstly, the research adopted a normative juridical approach, which primarily focuses on the analysis of statutory regulations, legal principles, and court decisions. This method, although suitable for legal interpretation and doctrinal examination, inherently lacks empirical grounding. The absence of field data—such as interviews with investigators, prosecutors, victims, or legal scholars—limits the study's ability to capture the full sociological and psychological dimensions of restorative justice practices. This creates a methodological constraint that may result in an incomplete understanding of how restorative justice is actually implemented and experienced by the parties involved.

Secondly, the research is based on a single case study—the Pamekasan Police Report LP/B/267/V/2022—which, although detailed, may not be representative of broader patterns across different jurisdictions in Indonesia. The focus on one specific instance limits the external validity of the conclusions, meaning the generalizability of the

findings to other types of criminal offenses, different police regions, or restorative justice arrangements is highly constrained. The unique characteristics of the case—such as the suspect's recidivist status and non-fulfillment of the peace agreement—may not be present in other RJ applications, thus making it difficult to extrapolate systemic conclusions.

Thirdly, there are interpretive limitations related to the assessment of legal documents and police procedures. Given that the study relies heavily on formal sources such as police regulations (Perkap), internal memos, and court decisions, there is a possibility that administrative discretion or informal practices not recorded in official documents have shaped the outcome of the case. These undocumented practices may create a gap between the *de jure* legal framework and the *de facto* implementation of RJ, which could only be exposed through ethnographic or field-based legal studies.

Another important limitation lies in the lack of comparative analysis. While this research briefly references the implementation of restorative justice in countries such as New Zealand and the United States, it does not conduct a systematic comparison of institutional design, legal safeguards, or cultural readiness between Indonesia and these nations. Without such comparative insights, it is difficult to assess whether Indonesia's current RJ framework is globally aligned or contextually effective. This omission narrows the analytical depth and precludes a more robust evaluation of policy reform needs.

Finally, this study does not explore the long-term implications of failed restorative justice efforts. Specifically, it does not assess whether the failure to enforce peace agreements leads to further victimization, erodes public trust in law enforcement, or creates legal ambiguity regarding the status of the case post-pretrial ruling. These dimensions are vital for a comprehensive understanding of RJ's sustainability and legitimacy in the Indonesian legal system.

In sum, while the study has provided valuable doctrinal analysis on the limits of restorative justice in criminal document forgery, it is limited by methodological narrowness, a lack of empirical data, low generalizability, and the absence of comparative and long-term perspectives. These constraints should be addressed in future research through multi-method designs and broader case sampling, which could offer a more holistic and actionable understanding of restorative justice's role in Indonesia's evolving criminal justice system.

References

- [1]. Hamzah, *Hukum acara pidana Indonesia*, Jakarta: Sinar Grafika, 2014.
- [2]. Suhariyanto, L. Mulyadi, and M. R. Hakim, *Kajian restorative justice dari perspektif filosofis, normatif, praktik, dan persepsi hakim*, Jakarta: Kencana, 2021.
- [3]. E. Oshiariej, *Asas legalitas dan penemuan hukum dalam hukum pidana*, Jakarta: Erlangga, 2009.
- [4]. J. Efendi and J. Ibrahim, *Metode penelitian hukum normatif dan empiris*, Jakarta: Prenada Media Grup, 2016.
- [5]. L. Mulyadi, *Antologi hukum pidana umum dan khusus*, Jakarta: Alumni, 2023.
- [6]. M. F. Hadziq and Y. Yulianto, *Dualisme penelitian hukum normatif dan empiris*, Yogyakarta: Pustaka Pelajar, 2010.
- [7]. M. Sanusi and A. Syaikh, *AL-MAJID: Terjemahan dan Tajwid Warna Standar Kemenag RI No: P.VI/1/TL.02.1/265/2014, Kode: A1W-I/U/10/III/2014, QS. At-Tin ayat 4*, Bekasi: Beras, 2014.
- [8]. P. M. Marzuki, *Pengantar ilmu hukum*, Jakarta: Kencana, 2008.

- [9]. Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 6 Tahun 2019 tentang Penyidikan Tindak Pidana, Berita Negara Republik Indonesia, Tahun 2019, Nomor 1134.
- [10]. Peraturan Kepolisian Negara Republik Indonesia Nomor 8 Tahun 2021 tentang Penanganan Tindak Pidana Berdasarkan Keadilan Restoratif, Berita Negara Republik Indonesia, Tahun 2021, Nomor 947.
- [11]. R. Atmasasmita, Sistem peradilan pidana: Perspektif eksistensialisme dan abolisionisme, Bandung: Putra Abardin, 1996.
- [12]. S. Soekanto, Faktor-faktor yang mempengaruhi penegakan hukum, Jakarta: PT Raja Grafindo Persada, 2008.
- [13]. Undang-Undang Nomor 1 Tahun 1946 tentang Kitab Undang-Undang Hukum Pidana, Lembaran Negara Tahun 1946 Nomor 1, Tambahan Lembaran Negara Nomor 1660.
- [14]. Undang-Undang Nomor 8 Tahun 1981 tentang Hukum Acara Pidana, Lembaran Negara Tahun 1981 Nomor 76, Tambahan Lembaran Negara Nomor 3209.
- [15]. V. Tamelab, M. V. E. Payon, and B. P. Lay, "Legal certainty of land rights for new residents in tourism village of Amahusu," Student Scientific Creativity Journal, vol. 1, no. 5, 2023.