

Abstrak

Hukum pada hakikatnya diciptakan untuk memberikan keadilan bagi seluruh masyarakat. Penegakan hukum dapat dilakukan melalui proses litigasi dan non-litigasi. Pemerintah saat ini tengah mengupayakan penegakan hukum non-litigasi melalui Restorative Justice. Artikel ini bertujuan untuk menjelaskan proses jaksa meyakinkan korban untuk menempuh penegakan Restorative Justice dan pentingnya kehadiran perangkat desa dalam upaya Restorative Justice. Data yang diperoleh berdasarkan metode wawancara dan analisis dokumen, dianalisis secara deskriptif. Hasil penelitian menunjukkan bahwa pada hakikatnya jaksa tidak meyakinkan korban untuk menjalani Restorative Justice. Sebaliknya, jaksa bertindak sebagai fasilitator yang menyarankan adanya alternatif penyelesaian kasus non-litigasi melalui Restorative Justice. Urgensi kehadiran perangkat desa sebagai tokoh masyarakat dalam proses Restorative Justice merupakan salah satu syarat Restorative Justice. Saat ini pemerintah tengah berupaya untuk memaksimalkan penyelesaian perkara melalui jalur non-litigasi, yang mana sangat relevan dalam perkara yang berkaitan dengan tindak pidana kekerasan terhadap anak, khususnya dalam upaya penerapan Restorative Justice dalam perkara tindak pidana kekerasan terhadap anak di Kejaksaan Negeri Purbalingga atas nama Tersangka Saeful Trianto alias Amir Bin Hadigun. Penerapan Restorative Justice ini memerlukan peran serta dan kesadaran dari para pihak yang terkait agar dapat terlaksana secara maksimal.

Kata Kunci : Keadilan; Hukum; Penegakan hukum non-litigasi; Restorative Justice; Tindak pidana kekerasan terhadap anak

Abstract

Laws are fundamentally created to provide justice for the entire society. Law enforcement can be carried out through litigation and non-litigation processes. The government is currently striving for non-litigation law enforcement through Restorative Justice. This article aims to explain the process by which a prosecutor convinces the victim to pursue Restorative Justice enforcement and the importance of the presence of village officials in Restorative Justice efforts. The data is based on interview methods and document analysis, analyzed descriptively. The research results indicate that, fundamentally, prosecutors do not convince the victim to undergo Restorative Justice. Instead, prosecutors act as facilitators suggesting that there is an alternative way to resolve non-litigation cases through Restorative Justice. The urgency of the presence of village officials as community figures in the Restorative Justice process is a requirement of Restorative Justice. Currently, the government is attempting to maximize the resolution of cases through non-litigation means, which is highly relevant in cases related to violence against children, especially in the efforts to implement Restorative Justice in cases violence against children in the Public Prosecutor's Office of

Purbalingga under the name Suspect Saeful Trianto alias Amir Bin Hadigun. The application of Restorative Justice requires the participation and awareness of the parties involved to be implemented to the fullest extent.

Keywords : Justice; Law; Non-litigation law enforcement; Restorative Justice; Violence against children