

ABSTRACT

Nabilah Ratna Ayu Azalia (01051180132)

IMPLEMENTATION OF RESTORATIVE JUSTICE IN CYBER DEFAMATION CASE ON THE INVESTIGATION STAGE

(x+80 pages)

Restorative justice is an effort to resolve a crime without going through a court. An agreement between the disputing parties is a way to settle a case using a restorative justice process. One of the crimes that can be resolved through restorative justice is defamation. At this time the use of social media is so high that this has become one of the factors for increasing digital defamation. In addition to the Criminal Code, the regulation of criminal acts of defamation has also been regulated by the ITE Law for those carried out on social media. This study discusses how to handle criminal acts of defamation in the Indonesian legal system and the application of restorative justice in criminal acts of defamation. This research is empirical normative research using primary data, namely interviews with Mr. Kompol Welman, Kanit IV Siber, Police at Polda Metro Jaya and secondary data, namely primary, secondary, and tertiary legal materials. This study uses a normative and empirical legal approach. The results of the study indicate that the handling of defamation cases in the investigation process aims to determine the suspect and find at least two pieces of evidence. The police as investigators will be guided by the Criminal Procedure Code, the National Police Chief Regulation and regulations related to defamation. The application of restorative justice in defamation cases in the investigation process is prioritized by the police. Restorative justice aims to restore the situation and can be carried out with the agreement of the litigants. The settlement of defamation cases through restorative justice in the investigation process occurs when a decision has been made between the parties, the perpetrator carries out the decision, and the victim withdraws the report to the police.

References: 17 books, 5 journals

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