

ABSTRACT

Brandon Hartanto (01051180217)

THE IMPLEMENTATION OF GUIDELINES SET BY THE ATTORNEY GENERAL OF THE REPUBLIC OF INDONESIA NUMBER 18 OF 2021 REGARDING THE SETTLEMENT OF NARCOTICS ABUSE CASES THROUGH REHABILITATION WITH A RESTORATIVE JUSTICE APPROACH AS THE IMPLEMENTATION OF THE PRINCIPLE OF DOMINUS LITIS VIEWED FROM THE PERSPECTIVE OF THE DIGNIFIED JUSTICE THEORY

(x + 131 pages)

The Attorney General of the Republic of Indonesia guideline Number 18 of the year 2021 concerning the Settlement of Criminal Acts of Narcotics Abuse through Rehabilitation with a Restorative Justice Approach as the Implementation of the Dominus Litis Principle of the Prosecutor's Office is the Prosecutor's Way to help resolve overcrowded prison problems. This paper examines the impact of the Guidelines that will help the prosecutor in using his powers to resolve narcotics cases involving drug users as the subject. The effect of the publication of these guidelines is that the public prosecutor in prosecuting narcotics users prioritizes restorative justice as the solution by carrying out rehabilitation rather than prosecution. In this study, the author will examine the implementation of restorative justice in narcotic crimes and will analyze it using the dignified justice theory. The results of the first study are that the guidelines set by the office of the attorney general of the Republic of Indonesia based on Guidelines Of the Attorney General of the Republic of Indonesia Number 18 OF the Year 2021 is an embodiment of the concept of restorative justice as an effort to peacefully settle narcotics crime cases outside the courts. The implementation of restorative justice with the aim to find alternatives to sentencing for drug users is in line with the theory of dignified justice, as a realization of the ideas of Pancasila in criminal cases specifically in drug-related crimes. As initiated by Teguh Prasetyo, justice refers to divine values and places humans as creatures of God who have basic rights and obligations that must be upheld. One of them that puts forward a dignified theory of justice is restorative justice in the implementation of restorative justice through the guidelines set by the office of the attorney general of the Republic of Indonesia based on Guidelines of the Attorney General Of the Republic of Indonesia Number 18 of the Year 2021.. Trough the implementation of these guidelines, the Prosecutor's Office can give an example that the prosecution is not carried out unilaterally, but sees it from the other side, namely by using one's conscience in dealing with crimes where the perpetrator needs help not a sentencing by the courts.

References: 94 (1969-2022)

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