Reconstruction of the Regulation and Position of Restorative Justice in the Reform of the Criminal Justice System in Indonesia

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Abstract

This study analyzes the harmonization of restorative justice implementation in Indonesia through a comparative normative empirical approach involving five countries: New Zealand, Australia, Canada, South Africa, and Indonesia. The research combines legal analysis with field validation to assess regulatory coherence, institutional capacity, and cultural integration. Findings reveal that New Zealand achieves the highest effectiveness through a fully integrated legislative framework, while Indonesia demonstrates fragmented sectoral regulations with limited application beyond juvenile cases. Statistical comparisons indicate that Indonesia scores lowest in system integration and institutional support but exhibits strong community-based and customary mediation potential. Key challenges include weak legal harmonization and inadequate monitoring and evaluation systems. The study proposes a comprehensive Restorative Justice framework comprising codified legislation, standardized facilitator accreditation, and an integrated national information system. The results highlight the importance of cultural adaptation and community engagement in achieving sustainable restorative outcomes. This research contributes to the global Restorative Justice discourse by providing a structured model for harmonizing law and practice within pluralistic legal systems, offering insights applicable to other developing countries pursuing justice reform.

Keywords: Restorative Justice; Legal Harmonization; Criminal Justice Reform; Indonesia; Comparative Law; Normative Empirical Approach;

1. Introduction

Restorative justice (RJ) has emerged as one of the most influential paradigms in contemporary criminal law reform, reshaping the relationship between law, society, and morality. Globally, RJ represents a paradigm shift away from retributive systems of punishment toward approaches that prioritize reconciliation, community participation, and

victim restoration(Maffly-Kipp et al., 2021). This shift reflects a growing recognition that punitive measures often fail to achieve social harmony or long-term rehabilitation. In both common law and civil law traditions, RJ has gained increasing prominence as states seek more inclusive and effective justice systems that balance deterrence with compassion (Anggraeni & Amrullah, 2023; Bawono & Glaser, 2024). The transition toward RJ underscores a moral and sociological realignment in legal thought, emphasizing human dignity, social trust, and collective healing as foundational elements of justice.

In Indonesia, restorative justice resonates deeply with constitutional and philosophical foundations rooted in Pancasila and the 1945 Constitution. The nation's legal ideals especially the aspiration toward social justice and human rights are inherently aligned with RJ's values of balance, harmony, and mutual respect (Ismawansa et al., 2025; Philona & Listyaningrum, 2025). The principle of "Keadilan Sosial Bagi Seluruh Rakyat Indonesia" (social justice for all Indonesian people) in Pancasila's fifth principle embodies the moral mandate for justice systems to heal rather than merely punish. This ethical alignment positions RJ not as an imported legal innovation but as an organic expression of Indonesian values. Moreover, these constitutional ideals intersect with local wisdom, such as adat law traditions emphasizing reconciliation (deliberation) and social cohesion. Consequently, the integration of RJ within Indonesia's legal structure is not merely a procedural reform but a reaffirmation of national identity and cultural continuity (Abbas, 2024; Sukardi & Purnama, 2022).

Despite this philosophical consonance, Indonesia's practical implementation of RJ remains fragmented and inconsistent. Regulatory instruments ranging from Police Regulation No. 8 of 2021 to the Prosecutor's Regulation (PERJA) No. 15 of 2020 and Supreme Court Regulation No. 1 of 2024 demonstrate a sectoral rather than systemic approach. These rules operate independently across institutions, producing disparities in scope, eligibility, and execution. While RJ has been effectively institutionalized in countries like New Zealand and Australia through comprehensive statutes, Indonesia's framework remains dependent on discretionary interpretation rather than mandatory procedural law (Armstrong, 2021; Hamzani et al., 2025). fragmentation undermines RJ's consistency, particularly in protecting victims and ensuring equal access to justice. Comparative evidence suggests that systems with codified national frameworks achieve higher rates of victim satisfaction and recidivism reduction, highlighting Indonesia's urgent need for a harmonized legal regime.

The research problem thus centers on the absence of a unified legal basis for RJ in Indonesia's criminal justice system. The absence of statutory codification creates legal uncertainty and limits the potential for standardization across judicial, prosecutorial, and law enforcement institutions. Moreover, the limited scope of eligible cases mostly minor offenses restricts RJ's transformative potential. Normatively, this disjunction reveals a gap between Indonesia's constitutional ideals and the operational realities of its justice

institutions. Empirically, discrepancies emerge in institutional performance: police agencies demonstrate higher rates of RJ application than prosecutors and courts, suggesting institutional asymmetry (Andini et al., 2023; Firdaus et al., 2023). Without coordinated legal mechanisms and institutional training, RJ risks remaining a symbolic rather than substantive reform.

To address these structural deficiencies, comparative experiences offer valuable insights. New Zealand's Youth Offenders Act, for instance, mandates restorative conferencing, ensuring both procedural legitimacy and victim participation (Hamzani et al., 2025). Similarly, Australia's integrated Restorative Justice programs focus on community accountability, employing multidisciplinary facilitators to enhance outcomes (Hobson et al., 2022; Koza et al., 2024). In Canada, the federal government's commitment to RJ has produced measurable outcomes, including reductions in reoffending and increased community satisfaction (Banwell-Moore, 2024). Conversely, South Africa's post-apartheid RJ system demonstrates the importance of contextual adaptation, where cultural norms and reconciliation rituals play a crucial role in restoring social equilibrium (Murhula & Tolla, 2021). These comparative cases underscore the importance of institutional commitment, legal coherence, and cultural resonance elements currently lacking in Indonesia's RJ framework (Shem-Tov et al., 2024).

Existing literature provides partial yet significant solutions to Indonesia's RJ inconsistencies. Scholars advocate the adoption of a codified national statute that mandates RJ consideration across all criminal justice agencies and clearly defines eligibility criteria (Bawono & Glaser, 2024; Nashriana et al., 2023). Such codification would institutionalize uniform procedures, safeguard victims' rights, and minimize arbitrary decision-making. Furthermore, empirical research underscores the necessity of national accreditation and structured training for RJ facilitators to ensure professional competence and ethical neutrality (Kusworo et al., 2023). Establishing standardized evaluation metrics covering restitution compliance, victim satisfaction, and recidivism would further enhance transparency and accountability in implementation (Rochaeti, Prasetyo, Rozah, et al., 2023; Springs, 2022). By aligning legal mandates with institutional capacity, Indonesia can transform RJ from an aspirational concept into an operational reality.

Nevertheless, several studies emphasize the persistent challenges facing RJ's integration. Cultural resistance remains significant, particularly among legal practitioners accustomed to adversarial justice traditions. Public understanding of RJ also remains low, which hampers the legitimacy of outcomes (Mustika et al., 2023; Triasari et al., 2023). In this context, normative empirical analysis becomes crucial in bridging the gap between theoretical ideals and practical realities (Molloy et al., 2023; Rochaeti, Prasetyo, Rozah, et al., 2023). The normative dimension ensures coherence with constitutional principles, while the empirical dimension evaluates institutional behavior and community

perceptions. Together, they enable an evidence-based approach to legal harmonization an essential precondition for sustainable RJ reform.

Despite progress, there remains a critical research gap in Indonesia's RJ scholarship. Previous studies have predominantly focused on sectoral regulations or localized initiatives rather than developing a comprehensive model that integrates law, policy, and culture. Few analyses have systematically assessed how legal codification, facilitator accreditation, and performance monitoring can function collectively as instruments of harmonization. Furthermore, little comparative research has been conducted to measure Indonesia's RJ effectiveness against international benchmarks in terms of victim satisfaction, recidivism reduction, and institutional accountability. This absence of integrative analysis limits both scholarly understanding and policymaking capacity.

Accordingly, this study aims to harmonize the implementation of restorative justice in Indonesia by developing a normative-empirical assessment framework that evaluates legal consistency, institutional effectiveness, and cultural integration from 2010 to 2025. It hypothesizes that a codified national RJ statute combined with mandatory accreditation, standardized training, and unified monitoring will significantly improve implementation coherence, victim protection, and compliance. The study contributes to the field by bridging constitutional ideals with empirical realities, offering a comprehensive model adaptable across diverse legal and cultural contexts. Its novelty lies in synthesizing comparative legal analysis, policy mapping, and institutional evaluation to formulate a harmonized framework for restorative justice in Indonesia's evolving criminal justice landscape.

2. Methodology

2.1 Research Design

This study employs a qualitative normative empirical research design that integrates doctrinal legal analysis with empirical field validation. The methodological approach aims to bridge the theoretical normative foundations of restorative justice with the realities of institutional and community-level implementation. The normative component focuses on the interpretation of primary legal sources such as the 1945 Constitution, the Indonesian Criminal Code (KUHP), the Criminal Procedure Code (KUHAP), and the Juvenile Criminal Justice System Law (UU SPPA) to evaluate the coherence of restorative justice (RJ) provisions within Indonesia's legal framework. In parallel, the empirical component captures practical experiences from practitioners and community actors involved in RJ processes. This integration aligns with the approach described by (Abbas, 2024; Andriyani et al., 2024) who argue that normative empirical legal research enables a holistic understanding of how legal norms operate within socio-institutional contexts.

The research design emphasizes triangulation between three dimensions: legal texts (laws, decrees, and judicial regulations), institutional practices (police, prosecutors, and courts), and community perspectives (facilitators, victims, and offenders). This triangulation ensures that doctrinal interpretation is substantiated by grounded evidence from field practice. Through this structure, the study does not merely describe inconsistencies but aims to synthesize a harmonized model of restorative justice that aligns constitutional ideals with operational realities. The qualitative framework further enables inductive reasoning, drawing insights from participants' lived experiences to identify patterns of normative practical divergence and institutional gaps.

2.2 Research Procedure

The research was conducted in three sequential phases, each designed to build progressively upon the previous stage. Phase 1 involved a doctrinal study focusing on the collection and analysis of primary and secondary legal materials. These materials include constitutional provisions (UUD 1945), national penal codes (KUHP, KUHAP), and institutional regulations such as Supreme Court Regulations on restorative justice (2022–2024). The objective was to examine how statutory instruments reflect or deviate from the principles of RJ.

Phase 2 comprised empirical field verification through semi-structured interviews with 12 key informants: four police officers, three prosecutors, three judges, and two community facilitators. The purposive sampling method ensured that only respondents with direct involvement in RJ cases were selected, thus maximizing data relevance.

Phase 3 entailed analytical synthesis coding and comparing the normative framework against field data to construct a harmonization model. The analytical phase integrated both deductive reasoning, based on legal doctrine, and inductive reasoning, derived from empirical observations. The result was a conceptual framework for aligning Indonesia's RJ policies and practices with constitutional mandates and international best practices.

2.3 Data Collection Techniques

Data were collected using three primary techniques: document analysis, semi-structured interviews, and field observation. The document study examined statutory instruments, institutional policies, and standard operating procedures (SOPs) across agencies responsible for RJ implementation. Interviews were conducted over sessions lasting 60–90 minutes each, allowing for in-depth exploration of respondents' perceptions regarding implementation challenges, coordination mechanisms, and policy implications. Following the methodological standards noted by (Avieli et al., 2025; Hamzani et al., 2025), the interviews prioritized open-ended questions to capture nuanced, context-sensitive insights.

Observation of six diversion sessions and three mediation meetings provided direct evidence of procedural variations and behavioral dynamics among participants. The research team documented detailed field notes covering interactional patterns, facilitator conduct, and outcome negotiations. Data saturation was achieved after ten interviews and three observations, as no new thematic categories emerged beyond this point. This convergence of multiple data sources ensured the reliability and authenticity of findings (Gude & Papic, 2018; Jones et al., 2023).

2.4 Data Analysis

Data were analyzed using the Miles and Huberman (1994) interactive model, which includes three interrelated processes: data reduction, data display, and conclusion drawing. During the reduction stage, data were organized into thematic categories such as legal foundations, implementation barriers, coordination mechanisms, and outcome measures. Each category was coded manually using a structured matrix to maintain traceability and conceptual clarity. The subsequent display phase involved visual mapping of relationships between legal provisions and observed practices, enabling identification of structural inconsistencies.

Conclusion drawing entailed iterative comparison between doctrinal interpretations and empirical evidence. This process revealed areas where legal principles failed to translate into effective practice, providing the analytical basis for developing a harmonization framework. To ensure validity, the study employed triangulation across sources (legal documents, interviews, and observations) and conducted peer debriefing with two external reviewers experienced in restorative justice policy analysis. Their feedback was incorporated to strengthen analytical rigor and interpretive accuracy.

2.5 Expected Results

Through this methodological approach, the study anticipates identifying overlapping regulations and institutional gaps that hinder RJ integration within Indonesia's criminal justice system. The analysis is expected to result in the formulation of harmonized standard operating procedures (SOPs) and criteria for facilitator accreditation. Furthermore, the research aims to propose a national integration model that aligns RJ with constitutional principles, focusing on measurable indicators such as victim satisfaction, restitution compliance, and reduced recidivism. The final outcome seeks to bridge normative ideals and empirical realities through an actionable policy framework adaptable across jurisdictions.

2.6 Research Team Roles

The research was conducted by a multidisciplinary team. The Principal Investigator led the doctrinal and comparative legal analyses, ensuring theoretical consistency with Indonesia's constitutional framework. Co-investigators were responsible for field data

collection, transcription, and thematic coding, while field assistants coordinated logistics and respondent access. A statistician supported the descriptive presentation of non parametric data (percentages and frequencies), enabling visualization of qualitative patterns in a quantifiable manner. This division of labor enhanced both methodological coherence and operational efficiency.

2.7 Ethical Considerations

All research activities adhered to ethical standards of academic inquiry. Informed consent was obtained from all respondents prior to participation, with explicit assurances of confidentiality and voluntary withdrawal rights. Anonymity was maintained through coded identifiers (R1–R12) to prevent personal attribution of responses. The study received formal ethical clearance from the institutional ethics review board (Approval No. 022/KEP/III/2025). In compliance with human subject research guidelines, interview data and field notes were securely stored and accessible only to the research team. These ethical safeguards ensured participant protection, data integrity, and transparency throughout the research process.

Figure 1. Research Design Framework: Integration of Normative and Empirical Approaches.
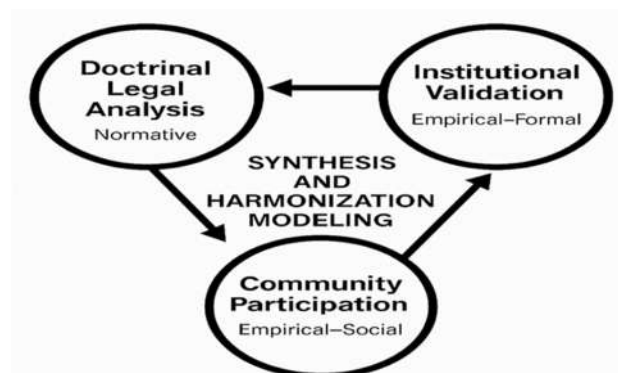
This figure illustrates the triadic relationship among doctrinal legal analysis, institutional validation, and community participation, highlighting how each dimension contributes to the overall synthesis of findings. The framework visualizes the sequential logic of the research from legal text analysis to field verification and harmonization modelling providing a comprehensive depiction of the methodological structure underlying this study.

3. Results and Discussion

3.1 Legal Framework and Inter-State Regulations

3.1.1 Legal Analysis

The comparative analysis reveals significant and multidimensional disparities in the legal foundations governing restorative justice (RJ) among the five countries under review. These disparities are not merely procedural but structural, reflecting differences in constitutional mandates, statutory coverage, and institutional coordination across diverse legal systems (Nascimento et al., 2022). As presented in Table 1, New Zealand, Australia, Canada, South Africa, and Indonesia demonstrate varying degrees of integration, regulatory strength, and mandatory implementation. The contrasts are evident in the depth of legal codification, the scope of eligibility for RJ application, and the extent to which each jurisdiction embeds restorative principles into its broader justice architecture. Moreover, this analysis highlights how historical context, political will, and community engagement have shaped the evolution of RJ, revealing that countries with stronger statutory integration tend to exhibit higher consistency and legitimacy in implementation.

Table 1. Analysis of the legal basis between countries

| Country	Primary Legal Basis	Level of Regulation	Scope Mandatory	Consideration
Indonesia	Law Number 11 of 2012 (Juvenile Criminal Justice System)	Sectoral	Children & Limited	No
Selandia Baru	Children, Young Persons & Their Families Act 1989	National	Children & Adults	Yes (Child)
Australia	Young Offenders Act (berbagai negara bagian)	Federal/State	Children & Adults	Varied
Kanada	Youth Criminal Justice Act 2003	Federal/State	Children & Adults	Yes (Child)
Afrika Selatan	Child Justice Act 2008	National	Children & Adults	Yes (Child)

source: Processed by researchers

According to **Figure 2**, the strength of the legal frameworks can be ranked as follows: New Zealand (4.0/4.0), Australia (3.7/4.0), Canada (3.7/4.0), South Africa (3.3/4.0), and Indonesia (1.7/4.0). This ranking illustrates that New Zealand possesses the most comprehensive RJ legislation, characterized by full statutory integration and a clear mandate for restorative conferencing in youth cases. The country's legal system ensures that restorative principles are embedded in every stage of the criminal process, providing consistency from the investigation phase through sentencing and rehabilitation. Australia and Canada follow with moderately high scores, attributed to their flexible federal frameworks that allow both national coordination and regional adaptation. South Africa, though possessing a unified law, still faces implementation disparities arising from resource constraints and uneven training across provinces.

In contrast, Indonesia's legal landscape remains fragmented, operating primarily through sectoral regulations without a unified national law or mandatory consideration in judicial

proceedings. This condition results in a disjointed policy environment where police, prosecutors, and courts often apply different interpretations of RJ, leading to inefficiencies and inconsistency in outcomes. The fragmentation between institutions the National Police, Attorney General's Office, and Supreme Court creates inconsistencies in case handling and limits the scalability of RJ programs. As a consequence, restorative justice practices tend to be localized and sporadic rather than systemic and continuous, weakening accountability and measurable outcomes across regions. Additionally, the absence of an obligatory statutory basis prevents the creation of a centralized monitoring and evaluation system, which in turn hinders policy learning and evidence-based reform.

**Figure 2. Comparative Strength of Restorative Justice Legal Frameworks.**
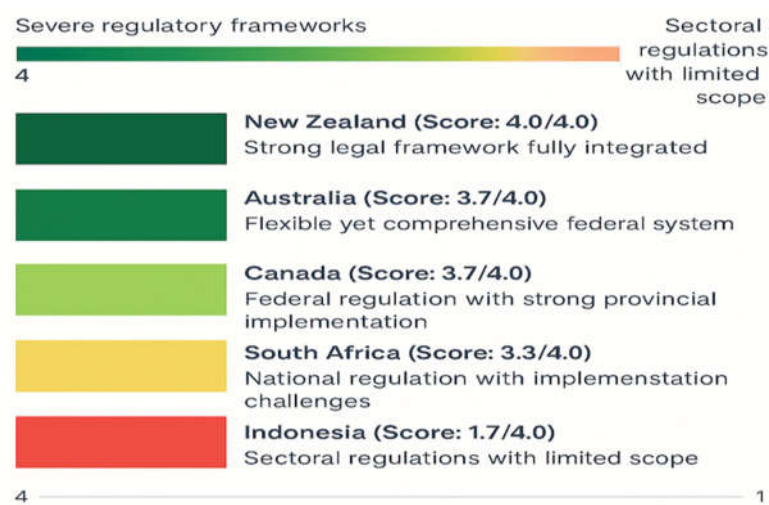
As emphasized by (Hamzani et al., 2025; Rochaeti, Prasetyo, Rozah, et al., 2023), Indonesia's Restorative Justice system remains anchored within a narrow legal corridor focusing on juvenile cases under Law No. 11/2012. This restricts its application to broader criminal contexts and fails to institutionalize RJ as a systemic alternative to punitive justice. Comparatively, New Zealand's integrated approach derived from the Children, Young Persons, and Their Families Act 1989 embeds restorative principles across age categories, ensuring alignment between law, culture, and practice (Hamzani et al., 2025). The contrast between these systems highlights that sustainable RJ implementation requires not only legislative coverage but also institutional synergy, public legitimacy, and cross-sectoral coordination. The legal disparity across the five countries underscores a pressing need for Indonesia to establish a comprehensive RJ statute that ensures procedural uniformity, strengthens victims' rights protection, and bridges the gap between normative ideals and empirical realities.

### 3.2 Descriptive and Statistical Results of Restorative Justice

3.2.1 Comparison of Restorative Justice Implementation Models Between Countries

Cross-national comparison identifies distinct models of RJ implementation, as depicted in **Figure 3** (heatmap) and **Figure 4** (bump chart). These visualizations illustrate in greater detail the diversity of RJ adoption levels across different models such as Family Group Conferencing (FGC), Victim-Offender Mediation (VOM), Circle Sentencing, Community Conferencing, and Police Diversion, showing how each country prioritizes certain practices based on its legal structure and cultural traditions. The heatmap clearly demonstrates how restorative frameworks are not uniformly distributed, revealing, for instance, that New Zealand and Australia integrate several RJ mechanisms simultaneously, while Indonesia remains heavily concentrated on police-led initiatives. The bump chart further clarifies the ranking shifts in implementation levels, emphasizing the comparative progression and specialization within each national system.

Figure 3. Heatmap of Restorative Justice Model Adoption Across Countries.
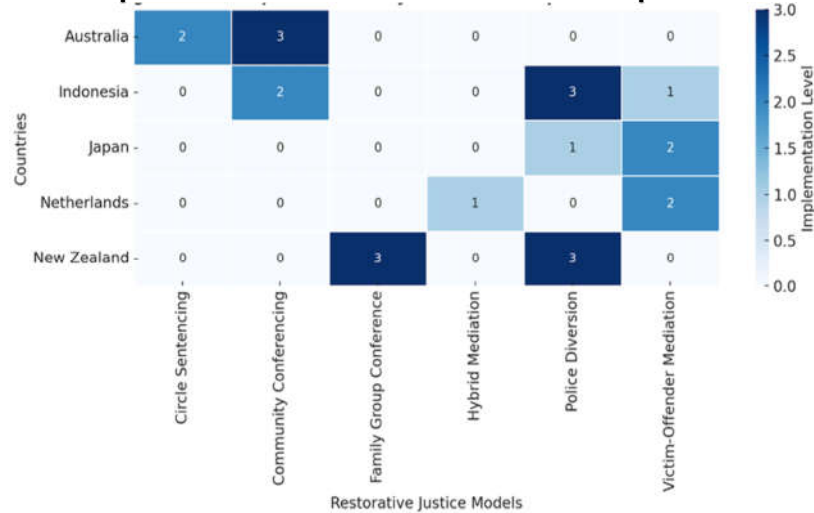
Figure 4. Bump Chart: Country Ranks by Model.
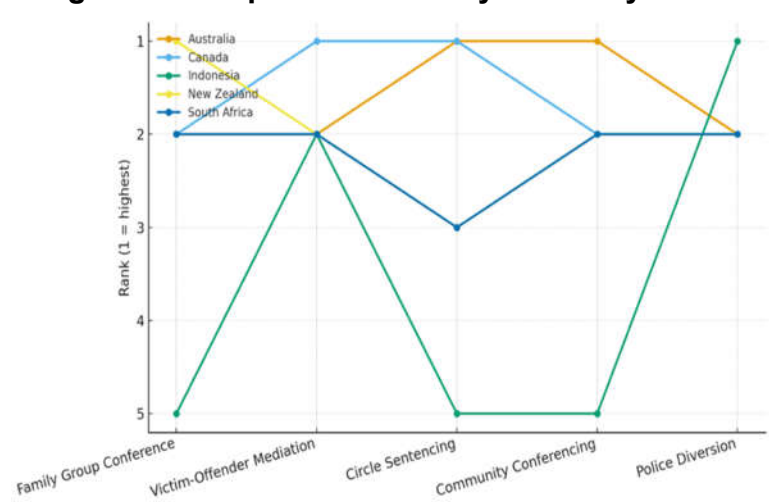
Figure 5 demonstrates the bipartite network linking countries (blue nodes) to RJ models (green nodes). The network thickness indicates the depth of adoption: Indonesia exhibits

strong ties only to Police Diversion, while New Zealand and Australia display extensive connections, representing multi-dimensional implementation that reflects institutional maturity and community participation. This visualization helps to conceptualize restorative justice not as a uniform concept but as a dynamic ecosystem of interrelated programs, legal instruments, and social practices. It underscores how cultural adaptability, institutional support, and historical experience collectively shape the depth and breadth of RJ adoption across nations.

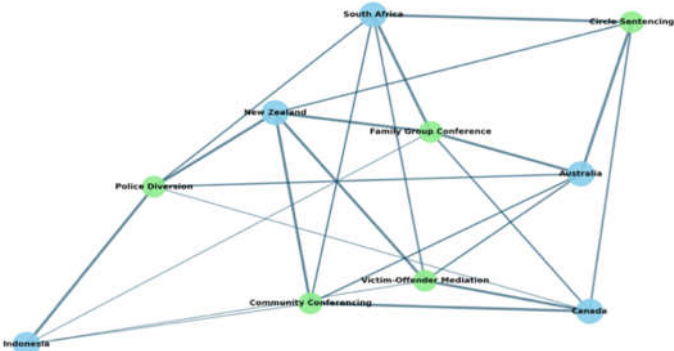**Figure 5. Bipartite Network of Countries and Restorative Justice Models.**

Table 2. Comparative Model of Restorative Justice Between Countries

Country	Primary model	Primary administrator	Scope of cases	Important notes
New Zealand	Family group conferences, restorative conferences	Juvenile justice system, community services	Children and juvenile cases, sometimes adults	Source of inspiration and institutionalized practice model
Australia	Restorative conferences, circle sentencing, VOM	Correctional institutions, local communities, courts	Juvenile and specific cases	Integrated implementation across multiple jurisdictions and robust evaluative research
Canada	Victim-offender mediation, restorative communities	Provincial/indigenous community institutions	Varied; strong in community and customary cases	Diverse practices, integration of customs in several regions
South Africa	Formal and informal restorative	Courts, correctional institutions,	Violence cases,	Laws and formal programs are

	programs, mediation	community organizations	criminal communities	available; caution in serious cases
Indonesia	Police-led conferencing, diversi (children), traditional mediation	Police, Prosecutor's Office, Court, Customary Law	Minor cases, juveniles; widespread local practice	Sectoral regulations but inconsistent implementation; strong local customary base

These findings affirm prior literature that successful RJ systems depend on strong institutional backing, cross-sectoral integration, and community participation (Mustika et al., 2023). Robust institutional collaboration, when supported by legislative commitment and adequate resources, allows RJ to function as a sustainable alternative to conventional punitive models. In countries like New Zealand and Australia, legislative frameworks mandate the use of RJ, ensuring predictability and inclusivity in justice delivery while fostering a culture of accountability and empathy between victims and offenders. The consistency of application across agencies and regions demonstrates how cohesive legal mandates can build long-term public trust and measurable improvements in justice outcomes.

Conversely, Indonesia's reliance on discretionary implementation results in uneven outcomes and limited scalability. The lack of uniform policy directives causes disparities in interpretation among law enforcement, prosecution, and judicial institutions, creating gaps between policy intent and field execution. In many cases, restorative processes remain confined to small-scale pilot projects without systematic evaluation, limiting their potential to influence national reform. The absence of state-supported monitoring mechanisms also reduces opportunities for learning from best practices. Therefore, while the comparative evidence shows that legal harmonization and structured implementation can substantially improve RJ outcomes, Indonesia's current framework highlights the urgency of developing coherent national legislation, standardized facilitator training, and integrated evaluation systems to achieve equitable and sustainable restorative justice across all jurisdictions.

3.2.2 Comparative Effectiveness of Restorative Justice

Figure 6 and **Figure 7** illustrate the comparative effectiveness of RJ across four dimensions: System Integration, Victim Effectiveness, Offender Effectiveness, and Institutional Support. The results indicate that New Zealand leads across all dimensions (average score 4.75/5), followed by Australia (4.0/5), Canada (4.0/5), South Africa (3.0/5), and Indonesia (2.5/5). These comparative findings not only reveal statistical differences but also uncover structural, procedural, and cultural determinants influencing the success

of each jurisdiction. The high performance of New Zealand and Australia demonstrates that sustained government commitment, systematic coordination, and a strong monitoring culture directly correlate with program effectiveness. Conversely, Indonesia's lower score highlights the absence of institutional synergy, standardized evaluation tools, and cross-agency accountability frameworks essential for stable RJ operations.

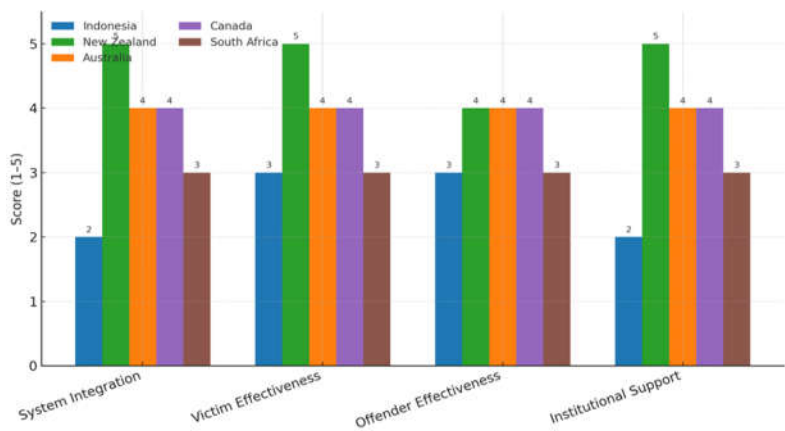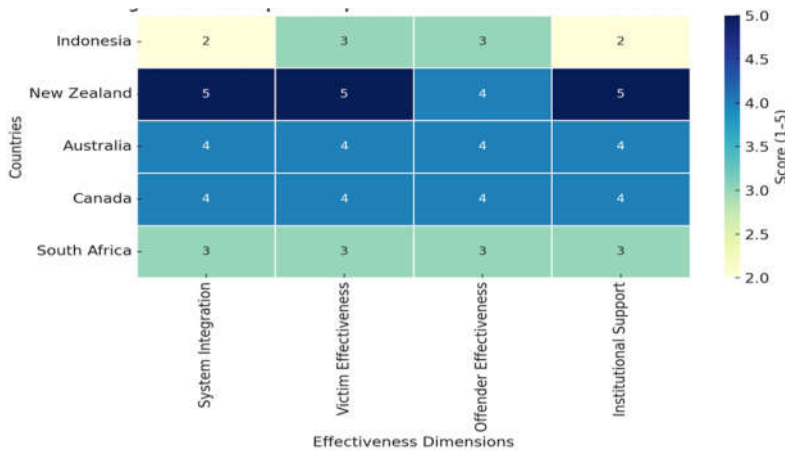**Figure 6. Comparative Effectiveness Scores by Country.**

**Figure 7. Heatmap of Comparative Effectiveness Across Dimensions.**

As noted by (Murhula & Tolla, 2020; Shem-Tov et al., 2024), indicators such as victim satisfaction and recidivism reduction are the most tangible measures of RJ success. Expanding on this, it becomes evident that countries with well-established feedback mechanisms between victims, offenders, and state institutions show higher levels of social trust and reintegration outcomes. New Zealand's comprehensive monitoring and evaluation systems have produced sustained reductions in reoffending and higher victim

trust by linking performance evaluation to policy reform. This culture of continuous assessment allows authorities to identify weaknesses early, refine practices, and maintain transparency. Australia and Canada exhibit similar trends, where collaboration with academic institutions and NGOs facilitates data-driven innovation.

Indonesia, however, performs weakest in System Integration and Institutional Support areas directly linked to its fragmented legal architecture and limited inter-agency coordination. The country's scores are also constrained by the lack of consistent data collection, limited facilitator certification, and low stakeholder awareness about RJ benefits. Addressing these deficiencies requires a robust governance framework capable of unifying fragmented practices, establishing clear performance indicators, and enhancing public understanding.

Figure 8 depicts average effectiveness across the five nations. New Zealand's performance reflects a mature system that balances legal structure and cultural adaptability, while Indonesia's low average score suggests the need for systemic reform. To improve its outcomes, Indonesia must pursue inter-institutional harmonization, allocate resources for practitioner training, and adopt comprehensive evaluation tools that incorporate both quantitative indicators and qualitative feedback from communities.

Figure 8. Average Comparative Effectiveness by Country.
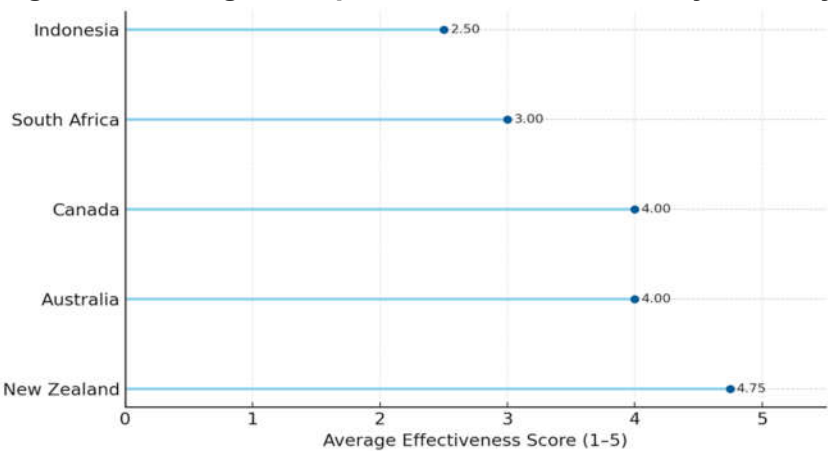
These findings corroborate the assertions by (Firdaus et al., 2023; Rochaeti, Prasetyo, & Park, 2023), emphasizing that Indonesia's fragmented regulations and insufficient practitioner training undermine RJ's effectiveness. A national policy integrating legal harmonization and professional capacity-building remains essential to elevate RJ outcomes, foster institutional resilience, and ensure that restorative justice is embedded as a foundational approach rather than an exceptional practice.

3.2.3 Challenges and Implementation of Restorative Justice

Figures 9–11 present detailed comparative analyses of RJ implementation challenges across five critical dimensions: Legal Harmonization, Human Resources Capacity,

Institutional Support, Public Awareness, and Monitoring & Evaluation. The grouped bar chart (**Figure 9**) highlights that Indonesia faces the highest challenge levels, particularly in legal harmonization (2.0/5) and monitoring (2.0/5). These low scores demonstrate how fragmented regulations and inconsistent cross-institutional policies hinder the creation of a unified approach. Conversely, New Zealand reports minimal obstacles, signifying a well-coordinated system characterized by strong legislative alignment and high inter-agency collaboration that ensures policy coherence and program accountability. Australia and Canada occupy intermediate positions, showing stable yet evolving structures that continuously adapt to regional needs.

The comparative heatmap (**Figure 10**) further deepens this analysis, showing that challenges in Indonesia are more concentrated in the early stages of program institutionalization such as establishing legal foundations, practitioner certification, and stakeholder engagement whereas developed systems focus on refining monitoring and improving victim services. South Africa, though possessing a coherent national framework, still struggles with disparities in implementation quality, largely due to uneven access to resources and a lack of nationwide training initiatives. Meanwhile, New Zealand's near-uniform low challenge scores reflect the maturity of its integrated model, combining legal mandates, practitioner competence, and strong community involvement.

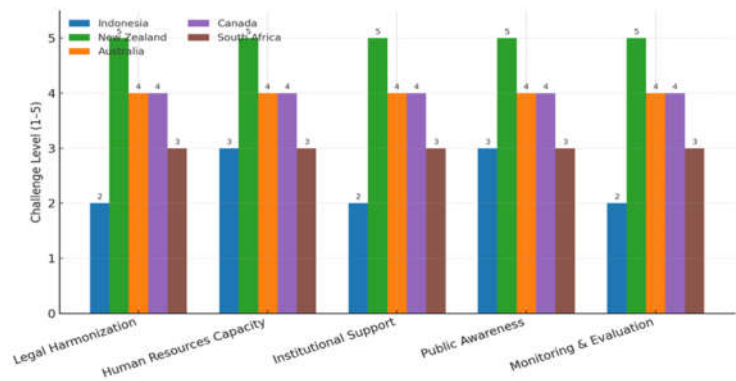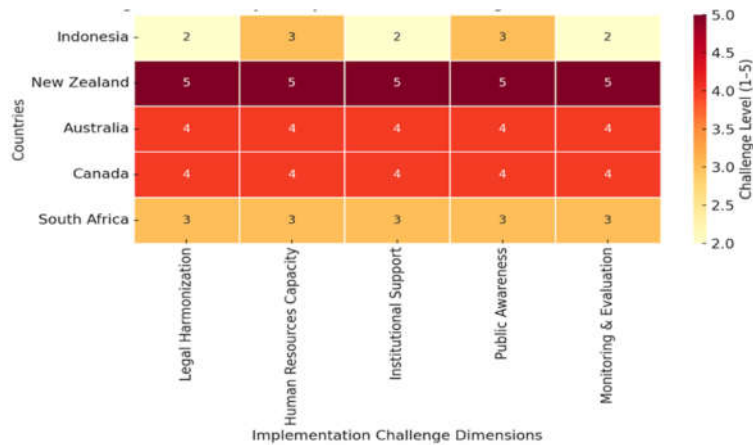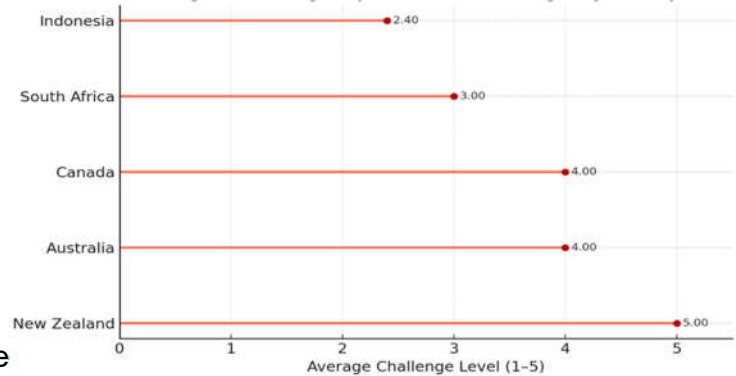**Figure 9. Comparative Implementation Challenges by Country.**

Figure 10. Heatmap of Implementation Challenges Across Dimensions.

Figure 11. Average Implementation Challenges by Country.

According to (He ⋯ entation difficulties often arise from fragmented legal frameworks, limited practitioner training, and low community awareness. These findings mirror Indonesia's condition, where RJ remains misunderstood and underutilized beyond diversion cases. The lollipop chart (**Figure 11**) clearly visualizes Indonesia as facing the greatest implementation burdens, while New Zealand remains the benchmark for preparedness. Furthermore, Indonesia's high challenge index illustrates the cumulative impact of weak regulatory harmonization, insufficient coordination between law enforcement and judiciary bodies, and minimal participation from local communities. Addressing these gaps necessitates synchronized policy reforms and public engagement strategies that emphasize continuous education, transparency, and institutional synergy. Comprehensive national planning supported by empirical evaluation and long-term political will is essential to transition Indonesia's RJ system from fragmented initiatives toward a cohesive, evidence-based justice framework.

3.2.4 Lessons Learned and Best Practices

Comparative lessons from the five countries reveal diverse pathways to success, offering a rich spectrum of institutional arrangements, policy frameworks, and sociocultural adaptations. New Zealand's model exemplifies systemic integration driven by comprehensive legislation, standardized facilitator training, robust evaluation systems, and unwavering political support (Hamzani et al., 2023). Beyond its legal codification, New Zealand demonstrates a strong culture of restorative ethics embedded within education, correctional systems, and community structures, making RJ an intrinsic part of its social governance. Australia's model reflects adaptive federalism that aligns RJ with local community needs, underpinned by strong research practice linkages and consistent collaboration between universities, courts, and correctional bodies (Wailling et al., 2025). Its flexibility allows diverse regional programs to flourish while maintaining a shared national vision of inclusive justice.

Canada's integration of indigenous justice traditions demonstrates the potential of culturally grounded models that strengthen legitimacy and reconciliation (Mohammad,

2018). Circle Sentencing and community-led mediation embody reconciliation not only as a legal resolution but as a healing process for victims, offenders, and their broader communities. South Africa adds another dimension by institutionalizing restorative practices into post-conflict social reconstruction, highlighting how RJ can bridge historical injustices through both formal and informal mechanisms. In contrast, Indonesia's progress is notable for its bottom-up diffusion through police-led diversion and adat mediation, which signify a grassroots embracement of restorative principles. However, these promising developments require codification, institutional consolidation, and systematic policy alignment to transform isolated initiatives into a cohesive national framework. Strengthening inter-agency collaboration, embedding facilitator certification, and ensuring cultural legitimacy will be vital to elevate Indonesia's RJ model toward the same level of institutional maturity observed in comparative jurisdictions.

3.2.5 Development of Restorative Justice for Indonesia

Drawing on comparative insights, Indonesia's pathway toward harmonized RJ reform involves three key dimensions that must be addressed simultaneously and strategically. First, comprehensive legislation is essential, integrating RJ principles into the revised KUHP and KUHAP while being reinforced by an independent Restorative Justice Bill that mandates explicit consideration in appropriate cases. Such legislation should outline procedural standards, facilitator qualifications, and victim protection mechanisms to institutionalize RJ as an equal complement to punitive justice. The codification process must involve multi-stakeholder engagement spanning the judiciary, law enforcement, academics, and civil society to ensure that the law is both technically sound and socially legitimate.

Second, an integrated information system encompassing national case databases, electronic reporting platforms, and interactive monitoring dashboards should enable policymakers to track compliance and outcomes in real time. Beyond data collection, this system would serve as a tool for evaluation, transparency, and inter-agency communication. It could incorporate analytics to identify trends, measure recidivism rates, and assess victim satisfaction, thereby providing an empirical basis for future policy refinement. Establishing this infrastructure will not only support evidence-based decision-making but also build public trust by ensuring accountability across institutions.

Third, local model development rooted in Indonesian culture, such as "Restorative Villages," hybrid family-group conferencing, or customary reconciliation forums, can strengthen community ownership and sustainability. These locally inspired models can act as pilot initiatives demonstrating how RJ aligns with the values of musyawarah (deliberation) and gotong royong (mutual cooperation). They would allow communities to play a direct role in resolution processes, helping to reduce case backlogs and promote participatory justice that resonates with local customs (Decker et al., 2022).

These strategies resonate with (Konradt et al., 2020; Lodi et al., 2021) who advocate legal harmonization and community participation as dual pillars of RJ success. As reinforced by (Amarini et al., 2024; Rochaeti, Prasetyo, & Park, 2023), local wisdom must serve as a normative foundation for RJ adaptation in Indonesia. Strengthening these mechanisms requires not only cultural sensitivity but also institutional consistency, ensuring that restorative practices remain legitimate within the formal legal order. Integrating adat deliberation traditions within formal legal mechanisms will ensure both cultural legitimacy and procedural fairness, thereby fostering a justice system that is restorative, inclusive, and contextually grounded, capable of delivering long-term social reconciliation and legal transformation.

4. Conclusion

This study demonstrates that restorative justice (RJ) implementation across New Zealand, Australia, Canada, South Africa, and Indonesia reveals distinct levels of legal coherence, institutional readiness, and cultural adaptation. Among these, New Zealand's model stands as the most integrated and effective, underpinned by comprehensive legislation, mandatory implementation, and sustained monitoring. Conversely, Indonesia's RJ framework remains fragmented anchored in sectoral regulations and reliant on discretionary enforcement resulting in inconsistent application and limited measurable impact. Empirical findings underscore that Indonesia's greatest challenges lie in legal harmonization and institutional coordination, while its strengths rest on local wisdom and community-based mediation practices.

The research contributes to the field by developing a normative empirical model that harmonizes legal and practical dimensions of RJ, offering a structured pathway toward national integration. Its findings advocate for comprehensive legislation, facilitator accreditation, and an integrated monitoring system to ensure consistency and accountability. Theoretically, this study enriches global RJ discourse by emphasizing the role of cultural legitimacy in enhancing justice outcomes in plural legal systems. Future research should further explore longitudinal impacts of RJ reforms on victim satisfaction, recidivism, and community resilience, particularly in developing jurisdictions adapting global frameworks to local realities.

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