

The Effectiveness of Implementing the Restorative Justice Model in Handling Domestic Violence (KDRT) Cases in the Papua Regional Police

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ABSTRACT

This study aims to analyze the effectiveness of the implementation of the restorative justice model in handling Domestic Violence (DV) cases in the Papua Regional Police and identify factors that influence its effectiveness. Domestic violence is a form of crime that not only causes physical harm, but also profound psychological and social impacts on victims and all family members. In its development, the restorative justice approach has become an alternative case resolution that prioritizes restoring relationships between victims, perpetrators, and the community through deliberation and agreements oriented towards restoring the original state. This study uses an empirical legal research method with a qualitative approach, where data is obtained through in-depth interviews, field observations, and documentation studies with police officers, victims, perpetrators, community leaders, and related parties within the Papua Regional Police. The results of the study indicate that the implementation of the restorative justice model has been quite effective, especially in cases that meet the requirements for a peaceful resolution. This approach is able to provide faster resolutions, reduce the burden of the criminal justice process, and encourage the creation of peace and restoration of social relations between the parties. The effectiveness of its implementation is influenced by factors of law enforcement officers, factors of victims and perpetrators, factors of culture and social conditions of the community, as well as factors of availability of supporting facilities and infrastructure.

Keywords: Effectiveness, Restorative Justice, Domestic Violence, Papua Regional Police

INTRODUCTION

Domestic violence (DV) is a complex legal issue and remains a serious challenge to the law enforcement system in Indonesia, including in Papua Province. Under Law No. 23 of 2004 concerning the Elimination of Domestic Violence, the state has provided a comprehensive legal framework to protect victims from various forms of domestic violence, including physical, psychological, and sexual violence, as well as domestic neglect.

Handling domestic violence cases through conventional criminal justice channels often creates various problems, including lengthy resolution times, prolonged psychological impacts on victims, and an increasing burden on the justice system. This situation has led to the need for alternative approaches to case resolution that are more humane, effective, and recovery-oriented. Restorative justice exists as a response to these needs, prioritizing victim recovery, perpetrator accountability, and improving social relations as the primary goals of case resolution. (Republic of Indonesia, 2004)

In Indonesia, the policy of implementing restorative justice within the police system has been officially regulated through the Republic of Indonesia National Police Regulation (Perpol) Number 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice. This regulation authorizes police investigators to pursue restorative

case resolution in certain cases that meet specified requirements, including certain cases related to family relationships, such as domestic violence, under certain circumstances. (Indonesian National Police, 2021)

The Papua Regional Police face unique challenges in handling domestic violence cases, which are not solely legal but also have strong social and cultural dimensions. Papuan society traditionally upholds the values of family, deliberation, and customary conflict resolution. The social structure, still strongly influenced by kinship ties and community-based resolution mechanisms, makes the restorative justice approach particularly relevant and warrants further study in the local Papuan context. (Marlina, 2021: 45)

Research into the effectiveness of the restorative justice model in handling domestic violence cases within the Papua Regional Police is crucial, given the paucity of academic studies specifically examining the implementation of this approach within the Papuan socio-cultural context. Data on domestic violence cases shows that of the 31 cases handled by the Papua Regional Police between 2023 and 2025, 17 (54.8%) were resolved through restorative justice mechanisms. This high percentage of restorative justice resolutions demonstrates that this approach has become a crucial tool in handling domestic violence cases in the Papua region.

Based on this background, this study aims to comprehensively analyze the effectiveness of the restorative justice model in handling domestic violence cases in the Papua Regional Police, as well as identify and examine the factors that influence its effectiveness. This study is expected to produce scientific contributions that provide a deeper understanding of the integration of the restorative justice approach into the law enforcement system in regions with unique socio-cultural characteristics such as Papua, as well as provide recommendations for improving policies and practices in handling domestic violence cases to be more effective, fair, and dignified.

METHODS

This study uses an empirical legal research approach (socio-legal research) with qualitative methods. Empirical legal research was chosen because this study does not merely examine legal norms textually, but also investigates how the law works and is applied in real practice in society, particularly in the context of the application of restorative justice to domestic violence cases within the jurisdiction of the Papua Regional Police. The qualitative approach was used because the focus of the research is to gain a deep understanding of the processes, mechanisms, and factors that influence the effectiveness of the application of the restorative justice model, which is more appropriately revealed through narrative data rather than solely numerical data.

The research location was conducted at the Papua Regional Police, specifically at Sub-Directorate IV Renakta (Women and Children Protection) of the General Criminal Investigation Directorate of the Papua Regional Police, as well as related police units that handle domestic violence cases within the Papua Regional Police jurisdiction. The selection of the research location was based on the consideration that the Papua Regional Police is the police institution authorized to handle domestic violence cases at the provincial level and has data and direct experience in implementing a restorative justice approach in the Papua region.

The data sources in this study consist of primary and secondary data. Primary data were obtained directly from the field through in-depth interviews with key informants, including police officers handling domestic violence cases, victims of domestic violence, perpetrators of domestic violence, religious leaders, and community leaders involved in the case resolution process. Secondary data were obtained through a review of legal

documents, laws and regulations, domestic violence case files, and statistical data on domestic violence case handling at the Papua Regional Police.

The data collection techniques used included structured and semi-structured in-depth interviews, field observations of the case handling process and mediation, and documentation studies of various relevant legal documents and case files. Data analysis was conducted qualitatively through the stages of data reduction, data presentation, and conclusion drawing. To ensure data validity, source and method triangulation techniques were used, namely by comparing data obtained from various informant sources and through various data collection techniques.

The approaches used in this research are a case approach and a conceptual approach. The case approach is used to analyze concrete domestic violence cases that have been resolved through restorative justice mechanisms at the Papua Regional Police, while the conceptual approach is used to examine theoretical concepts of restorative justice and analyze their suitability to the socio-cultural context of Papuan society. The theoretical framework used is the Restorative Justice Theory as developed by criminal law experts, which places victim recovery, perpetrator accountability, and social relations restoration as the main pillars of criminal case resolution.

RESULTS AND DISCUSSION

A. Effectiveness of the Restorative Justice Model in Handling Domestic Violence Cases in the Papua Regional Police

Restorative justice in the Indonesian police system represents a paradigm shift in criminal case handling, from a retributive approach that emphasizes retribution and punishment to a restorative approach that emphasizes restoration and reconciliation. Normatively, this policy is implemented through Indonesian National Police Regulation (Perpol) Number 8 of 2021, which serves as the legal basis for police officers in implementing criminal case resolution based on restorative justice principles. This Perpol provides a clear procedural framework regarding the requirements, mechanisms, and limitations of the application of restorative justice in police criminal case handling. (Indonesian National Police, 2021)

From the perspective of restorative justice theory, this police policy represents a concrete shift in law enforcement philosophy from a punishment-centered model to a restoration-centered one. The police are no longer positioned solely as institutions that enforce the law formally and repressively, but also as institutions with a strategic role in creating case resolutions that focus on victim recovery, perpetrator accountability, and social balance. This shift in role requires police officers to possess broader competencies, not only in conventional criminal procedure but also in facilitation, mediation, and communication skills. (Bana, interview, 2026)

Based on the results of an interview with AKP Ridwan Bana, S.Sos., as Head of Unit 1 of the Papua Regional Police's SPKT, it was obtained that the application of restorative justice in handling domestic violence cases in Papua is carried out as an effort to resolve cases that prioritizes peace between victims and perpetrators, without ignoring the aspect of legal protection for victims. This shows that the restorative justice approach implemented by the Papua Regional Police is not solely oriented towards efficient case resolution, but still places victim protection as a priority that cannot be ignored in every resolution process. (Bana, interview, 2026)

In addition to Police Regulation No. 8 of 2021, the implementation of restorative justice in the police force is also supported by several other legal instruments, including the National Police Chief's Circular on case handling through restorative mechanisms, as well as internal police policies that provide technical guidance for investigators in

implementing the restorative justice process. Furthermore, the application of restorative justice in domestic violence cases must always coordinate with the provisions of Law No. 23 of 2004 concerning the Elimination of Domestic Violence, which provides a framework for protection for victims. Therefore, resolution through restorative justice must not ignore the rights of victims protected by that law.

The mechanism for resolving domestic violence cases through restorative justice at the Papua Regional Police involves a series of structured and systematic stages. According to AKP Rahmita Duwila, SH, Head of Sub-Directorate IV of the Criminal Investigation Unit of the Papua Regional Police, the restorative justice process begins with an initial assessment to determine whether a domestic violence case qualifies for restorative justice. This initial assessment includes aspects such as the level of violence, the victim's condition, the readiness and willingness of the parties, and the risk of recurrence of the violence. (Duwila, interview, 2026)

The model for resolving domestic violence cases through restorative justice at the Papua Regional Police can be described as a process involving six main stages. First, the reporting and initial handling stage, in which the victim reports to the police, and the police conduct an initial investigation to determine the type and extent of the violence and assess the appropriateness of restorative justice. Second, the victim's assistance and protection stage, in which the victim is provided with initial protection, including psychological and legal assistance, to ensure they feel safe and are not under pressure during the resolution process.

Third, the stage of mutual agreement, in which the police offer a resolution through restorative justice to the victim and perpetrator voluntarily without coercion. Fourth, the mediation or deliberation stage, which is the core of the restorative justice process, in which the police act as mediators to bring the victim and perpetrator together, involving traditional or religious leaders if necessary. Fifth, the peace agreement stage, namely the preparation of a written agreement containing the perpetrator's commitment and the form of reparation for the victim. Sixth, the monitoring and evaluation stage to ensure the implementation of the agreement runs as intended. According to IPTU Matius Again, SH, Head of Sub-Directorate 3 Jatanras Polda Papua, each of these stages must be carried out with great care and professionalism to ensure that the process runs fairly and that the victim receives adequate protection. (Again, interview, 2026)

In the concrete case that is the object of this research study, namely the case of domestic violence involving the reported Rindang Anim (husband) and the victim Nehemia Santhi Ndun (wife), the resolution process through restorative justice involved police officers as facilitators, and religious figure Barce Laurenz, S.Th. as the party providing spiritual guidance and promoting peace. The presence of religious figures in this mediation process is considered very important in the context of religious Papuan society, because religious figures have moral authority recognized by the community and can provide a positive influence for both parties to reach a sincere and responsible agreement. (Laurenz, interview, 2026)

Domestic violence victim Nehemia Santhi Ndun stated that through the restorative justice process, she felt calmer because the problem had been discussed properly and a peaceful solution was reached. The perpetrator had apologized to family and religious leaders. Most importantly, she felt safe and committed to preventing further violence. This statement from the victim indicates that the primary goal of restorative justice, namely restoring the victim's condition and creating a sense of security, had been achieved in this case. Meanwhile, the perpetrator, Rindang Anim, also expressed his willingness to resolve the case peacefully, acknowledged his mistakes, and committed not to repeat his actions. (Ndun, interview, 2026)

Data on the handling of domestic violence cases within the jurisdiction of the Papua Regional Police during the 2023–2025 period provides a significant overview of the implementation of restorative justice in practice. Based on data from the Papua Regional Police's Action Plan (Renakta), 31 domestic violence cases were handled during that period. Of these, 17 cases (54.8%) were successfully resolved through restorative justice mechanisms, 1 case has entered Phase II (transfer to the Prosecutor's Office), 9 cases are still under investigation, and 4 cases are still under investigation. The dominance of resolution through restorative justice in these statistics indicates that this approach has become the primary instrument in handling domestic violence cases within the Papua Regional Police. (Renakta Polda Papua, 2025)

Table 1. Domestic Violence Case Data for 2023–2025, Papua Regional Police Renakta

No.	Case Data 2023–2025	Amount
1	Number of Domestic Violence Cases	31
2	Resolved through Restorative Justice	17
3	Phase II (Transfer to the Prosecutor's Office)	1
4	Still in the investigation stage (Lidik)	9
5	Still in the investigation stage (Sidik)	4

Source: Papua Police Renakta Data, 2025.

The high percentage of settlements through restorative justice (54.8%) reflects that this approach has been accepted and significantly implemented in the practice of handling domestic violence cases at the Papua Regional Police. However, the effectiveness of restorative justice cannot be measured solely by the number of cases successfully resolved peacefully. Effectiveness must also be seen in the quality of the settlement, namely whether the victim has truly received justice, whether the perpetrator has truly recognized his mistake and committed to change, and whether the resulting peace agreement is sustainable and does not result in new violence. AKP Rahmita Duwila, SH emphasized that the application of restorative justice cannot be carried out automatically in all domestic violence cases, but must take into account the level of violence, the condition of the victim, and applicable legal provisions. (Duwila, interview, 2026)

Overall, the restorative justice policy implemented by the Papua Regional Police has shown positive progress and provided tangible benefits in resolving domestic violence cases. This approach is capable of providing faster resolutions, reducing the burden on the criminal justice system, and encouraging the creation of more meaningful peace agreements. However, the effectiveness of its implementation still needs to be improved by strengthening the capacity of investigators, enhancing mediation facilities and infrastructure, and strengthening the monitoring system for the implementation of agreements reached.

B. Factors Influencing the Effectiveness of the Implementation of the Restorative Justice Model in Handling Domestic Violence Cases in the Papua Regional Police

Law enforcement officers, particularly police investigators, are the primary and most fundamental factor determining the effectiveness of restorative justice in handling domestic violence cases. Investigators' professionalism, competence, and sensitivity in understanding and applying restorative justice principles significantly determine the

quality of the process and outcome of case resolution. Investigators with a sound understanding of restorative justice, skilled facilitation skills, and gender sensitivity in dealing with victims of domestic violence will be better able to create a safe, fair, and meaningful mediation process for all parties. (Bana, interview, 2026)

In the Papua Regional Police, police officers are not only tasked with enforcing the law, but also act as mediators and facilitators in the implementation of restorative justice to achieve a fair and humane resolution of cases. According to IPTU Matius Again, SH, the role of the police as facilitator includes the responsibility to explain the procedures, rights, and obligations of the parties in the restorative justice process, ensure the process is carried out voluntarily without pressure or coercion, maintain neutrality and impartiality, and ensure that the agreements made are actually implemented. In Papuan society, which upholds the values of family and deliberation, investigators are required to have good communication skills to build trust with victims, perpetrators, and the families of both parties. (Again, interview, 2026)

The investigator's ability to conduct an eligibility assessment of domestic violence cases to be resolved through restorative justice is a critical competency that significantly determines the success of the process. This assessment includes an analysis of the severity of the violence, the victim's psychological well-being and safety, the presence of a pattern of repeated violence, and the readiness and willingness of the parties to engage in the restorative process. An inaccurate assessment can leave the victim in a more vulnerable and unsafe situation, or conversely, result in a case that could have been resolved through restorative justice instead experiencing a lengthy and exhausting judicial process for the victim.

AKP Ridwan Bana, S.Sos., emphasized that the initial stage before implementing restorative justice plays a crucial role, as it is at this stage that the case's feasibility is assessed, including examining the victim's condition, the perpetrator's attitude, and the possibility of reaching a sincere and responsible peace agreement. Without a careful and comprehensive initial assessment, the implementation of restorative justice could risk harming the victim or even legitimizing domestic violence. Therefore, increasing the capacity of investigators through specialized training on restorative justice, gender sensitivity, and trauma management for domestic violence victims is an urgent need that must be prioritized by the Papua Regional Police. (Bana, interview, 2026)

The second factor that significantly determines the effectiveness of restorative justice is the condition, attitude, and readiness of both the victim and perpetrator of domestic violence to participate in the restorative resolution process. Restorative justice is essentially a voluntaristic process, meaning it can only be effective if all parties involved are willing to participate voluntarily and in good faith. The victim's willingness to participate in the mediation process, their ability to express their needs and expectations, and their psychological readiness to face the encounter with the perpetrator are factors that facilitators must seriously consider when preparing for the mediation process. (Zulfa, 2021: 78)

From the perpetrator's perspective, the effectiveness of restorative justice depends heavily on the perpetrator's sincerity in admitting their mistake, understanding the impact of their actions on the victim, and committing to take responsibility and not repeating the violence. Perpetrators who engage in restorative justice merely as a strategy to avoid formal justice without genuine awareness will struggle to achieve sustainable behavioral change. In the case studied, perpetrator Rindang Anim expressed his willingness to resolve the case peacefully, admitted his mistake, apologized, and committed to correcting his mistake and not repeating his actions. This statement

demonstrates the element of accountability, a fundamental principle of restorative justice. (Anim, interview, 2026)

One of the biggest challenges in implementing restorative justice in domestic violence cases is the potential power imbalance between the victim and the perpetrator. In domestic violence situations, victims are often in a weaker position economically, socially, and psychologically than the perpetrator, potentially facing pressure to accept agreements that do not fully reflect their desires and interests. Police officers, as facilitators, must be able to detect and prevent these pressures, whether originating from the perpetrator, family, social environment, or local culture. Protecting the victim's autonomy in decision-making is an absolute prerequisite for the legitimacy and effectiveness of the restorative process.

The cultural values and social conditions of Papuan society are factors that have a dual influence on the application of restorative justice in domestic violence cases. They can be both supporting and inhibiting factors, depending on how these values are expressed in the context of case resolution. Papuan society traditionally has a strong culture of deliberation, prioritizes conflict resolution within the family, and places social harmony as a primary value in communal life. These values fundamentally align with the principles of restorative justice, which emphasize dialogue, participation, and reconciliation. (Atmasasmita, 2022: 112)

According to Oktovianus Wally, a community leader in Papua, Papuans generally prefer to resolve problems through family and deliberation. In cases of domestic violence, people often avoid resolving them through the courts because they believe it can bring shame to the family and damage relationships. A peaceful approach through mediation facilitated by the police or traditional leaders is often chosen because it is considered more effective in maintaining family harmony and community order. Furthermore, traditional leaders, religious leaders, and village heads have a significant influence in helping reconcile the parties involved in a dispute. (Wally, interview, 2026)

Religious figure Barce Laurenz, S.Th., stated that resolving domestic violence cases through a restorative justice approach can be achieved peacefully if it is still possible to improve family relationships and does not cause greater impacts on family members, especially children. The religious figure also emphasized the importance of ensuring that victims are not coerced into the reconciliation process, and the main goal of the process is the creation of genuine reconciliation, where the perpetrator truly acknowledges their mistakes and commits not to repeat them. This statement reflects the religious figure's deep understanding of the true essence of restorative justice. (Laurenz, interview, 2026)

However, Papuan culture can also hinder the effectiveness of restorative justice if not managed effectively. Strong social and cultural pressures to reconcile and maintain family integrity can compel victims to accept agreements even though they feel unsafe or have not yet received true justice. In some communities, social norms that tend to place women in a subordinate position can also make it difficult for victims to freely express their needs and hopes during mediation. Therefore, the implementation of restorative justice in Papua must always be accompanied by efforts to empower victims and strengthen their bargaining power in the case resolution process.

The availability of adequate facilities and infrastructure is an equally important supporting factor in the effective implementation of restorative justice. Physical facilities such as a safe, comfortable, and confidential mediation room, victim assistance services, and psychological and legal support are the basic infrastructure necessary for the restorative process to run optimally. According to AKP Rahmita Duwila, SH, the successful resolution of domestic violence cases through restorative justice is also influenced by the availability of adequate facilities, including a mediation room, special

service rooms for women and children, and victim assistance that can help create a safe and comfortable atmosphere during the case resolution process. (Duwila, interview, 2026)

AKP Rahmita Duwila, SH, also revealed that several obstacles remain related to limited facilities and infrastructure, particularly in certain areas lacking comprehensive service facilities. This situation reflects the infrastructure challenges the Papua Regional Police still face in optimizing the implementation of restorative justice. Limited mediation space, a lack of trained assistants, and a lack of other supporting facilities mean that restorative justice cannot be implemented optimally in all areas within the Papua Regional Police's jurisdiction. (Duwila, interview, 2026)

In addition to physical facilities, the availability of competent human resources is also an essential factor in infrastructure. Psychologists or counselors who can provide psychological support to victims before, during, and after the mediation process are essential to ensure they are emotionally resilient enough to participate in the restorative process. Similarly, the availability of legal aid can ensure that victims understand their rights and can make informed decisions without feeling overwhelmed. Increasing investment in these infrastructure aspects is a crucial prerequisite for improving the effectiveness of restorative justice implementation in the Papua Regional Police. (Arief, 2023: 89)

From the perspective of restorative justice theory, criminal case resolution is not solely oriented toward punishing the perpetrator, but rather toward restoring relationships, restoring social balance, and resolving conflicts through a participatory approach. These principles are strongly relevant to the socio-cultural character of Papuan society, which traditionally has conflict resolution mechanisms based on deliberation, kinship, and the restoration of social relations. Papuans, in various indigenous communities, hold values that place social harmony, kinship, and community balance as paramount aspects of communal life. (Muladi & Arief, 2022: 67)

The alignment of restorative justice principles with Papuan cultural values provides invaluable social capital in implementing this approach. Unlike many other regions in Indonesia, which may experience cultural resistance to restorative approaches, Papuans are generally more receptive to and accommodating of case resolution mechanisms that emphasize deliberation, dialogue, and reconciliation. The involvement of respected traditional and religious leaders in the domestic violence mediation process at the Papua Regional Police also reflects the synergy between the state's formal legal system and the Papuan community's value systems and local wisdom.

However, it is important to emphasize that this cultural conformity should not be interpreted as justification for ignoring human rights protection standards, particularly the rights of victims of domestic violence, which must always be a top priority. Restorative justice applied in the Papuan cultural context must balance the values of deliberation and family with principles of substantive justice that ensure victims receive real protection and genuine justice, not simply a peace agreement imposed by social and cultural pressures.

CONCLUSIONS

The implementation of the restorative justice model in handling Domestic Violence (DV) cases within the Papua Regional Police has been quite effective, as reflected in data on the resolution of domestic violence cases for the 2023–2025 period, which shows that 17 of 31 cases (54.8%) were successfully resolved through restorative justice mechanisms. The implemented restorative justice model has been able to provide faster resolutions, reduce the burden on the formal criminal justice system, and encourage the

creation of a more meaningful peace because it stems from agreement and awareness of the parties. This approach has also proven to be appropriate for the socio-cultural conditions of the Papuan community, which prioritizes deliberation, consensus, and family resolution, making it more easily accepted and implemented in the Papua region.

There are four main factors that influence the effectiveness of the restorative justice model in handling domestic violence cases at the Papua Regional Police. Law enforcement factors relate to the professionalism, competence, and sensitivity of investigators in facilitating the restorative process. Victim and perpetrator factors relate to the willingness, good faith, and psychological readiness of the parties to voluntarily engage in the mediation process. Cultural and social factors include supportive family values and deliberation, but also the potential for social pressure that can harm victims. Facilities and infrastructure factors relate to the availability of mediation facilities, victim assistance, and adequate psychological support to support the case resolution process. The application of restorative justice in domestic violence cases cannot be automatically applied to all cases; it must be preceded by a careful and comprehensive feasibility assessment that takes into account the level of violence, the victim's condition, and the risk of recurrence of violence. Victim protection must always be a top priority at every stage of the restorative process, and the resulting peace agreement must truly reflect the victim's free will without any pressure or coercion from any party.

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