The Implementation Mechanism of Restorative Justice in Cases of Minor Assault at the Medan Baru Sector Police

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Abstract

This study examines the effectiveness of restorative justice in assault cases at the Medan Baru Police Sector. Assault is a crime that often arises from spontaneous conflicts, interpersonal disputes, close social relationships, and fleeting emotions. Therefore, its resolution is not always effective if directed solely at criminal penalties. This study aims to analyze the legal basis, the limits of cases that can be resolved restoratively, the mechanism of its implementation, and the measurement of restorative justice's effectiveness in assault cases. The study uses an empirical juridical method with a statutory and conceptual approach. The legal bases analyzed include Law Number 2 of 2002 concerning the Indonesian National Police, Police Regulation Number 8 of 2021, Prosecutor's Regulation Number 15 of 2020, the Criminal Code, the National Criminal Code, and the new Criminal Procedure Code. The results indicate that restorative justice in assault cases is only effective when applied selectively to cases that do not result in serious injury, death, public unrest, social conflict, or communal violence in public. The mechanism must begin with an assessment of the degree of injury through a post-mortem examination (visum et repertum), examination of material and formal requirements, free consent from the victim, admission of guilt by the perpetrator, fulfillment of the victim's rights, mediation, case presentation, and orderly administration of the case termination. The effectiveness of restorative justice cannot be measured by the speed of the case termination, but by the victim's recovery, the perpetrator's responsibility, the absence of pressure on reconciliation, and the community's acceptance of the settlement. Therefore, the implementation of restorative justice at the Medan Baru Police can be an instrument of just recovery if it is carried out transparently, accountably, and remains within legal limits.

***Keywords**: Restorative Justice, Abuse, Police.*

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Introduction

The crime of assault is a form of crime that is very close to people's lives.(Yudianto, 2016)Abuse doesn't always stem from carefully planned, malicious intent, but often arises from spontaneous arguments, family conflicts, neighborhood disputes, disputes in public spaces, or social friction escalated by momentary emotions. These circumstances give abuse cases a unique character. On the one hand, victims experience physical and psychological suffering that must be healed.(Djanggih et al., 2023)On the other hand, the perpetrator is often still in the same social space as the victim, so that overly harsh criminal proceedings can prolong the conflict if not managed wisely.

In the context of modern criminal law, case resolution is no longer simply understood as punishing the perpetrator. Criminal law must remain firm, but that firmness must not preclude the possibility of recovery if the case qualifies for resolution through a restorative justice approach. Restorative justice positions the victim as the party who must be heard, the perpetrator as the party who must be held accountable, and society as a social space that must be restored. Therefore, the primary goal is not simply to stop the case, but rather to restore the situation as justly as possible through reconciliation, compensation, apologies, and guarantees that the offense will not be repeated.(Tanjung & Calvin, 2026)The urgency of this discussion is further heightened when viewed from national crime data. The Central Statistics Agency (BPS) noted that in 2024, the number of crimes recorded through police registration data reached 561,993 incidents, with a crime rate of 204 per 100,000 residents, and a crime clock of 56 seconds. BPS also noted that the National Socioeconomic Survey (Survey) showed that 0.73 percent of the population were victims of crime in 2024, while the reporting rate to the police remained low at 20.28 percent. This data demonstrates that the problem of crime is not only related to the number of cases, but also relates to public trust, access to reporting, and the quality of case resolution.(Asshiddiqie, 2006)

At the regional level, this research proposal shows that North Sumatra is among the regions with a high crime burden. The data used in the proposal shows that the number of crimes within the North Sumatra Regional Police (Polda) was recorded at 62,278 in 2023 and 60,724 in 2024. These figures provide an important basis for assessing the need for more effective case resolution, particularly in urban areas like Medan Baru, which experience high social mobility, dense economic activity, and the potential for rapidly escalating interpersonal conflict. In cases of assault, restorative justice should not be understood as a value-free peace policy. It must be placed within strict legal boundaries. At the police level, an important basis is the Republic of Indonesia National Police Regulation Number 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice. This regulation has been in effect since August 20, 2021, and serves as an internal reference for the National Police in handling crimes based on restorative justice. At the prosecution level, there is the Republic of Indonesia Prosecutor's Office Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice which has been in effect since July 22, 2020.(Wahyuningsih et al., 2023)

Furthermore, the national criminal law reform also provides a new context. Law Number 1 of 2023 concerning the Criminal Code came into effect on January 2, 2026, replacing the old colonial Criminal Code.(Yoserwan, 2023)Law Number 20 of 2025 concerning the Criminal Procedure Code also came into effect on January 2, 2026, and regulates, among other things, strengthening the rights of suspects, defendants, witnesses, victims, persons with disabilities, strengthening coordination between investigators and public prosecutors, and regulating restorative justice mechanisms. This means that the application of restorative justice in cases of assault must be read as part of the new direction of the Indonesian criminal justice system that places greater emphasis on the balance between legal certainty, victim protection, perpetrator responsibility, and the interests of society. Based on this description, the issues discussed in this paper are: first, what are the legal considerations and limitations of the application of restorative justice in handling assault cases at the Medan Baru Police Sector; second, whether the

application of restorative justice in assault cases at the Medan Baru Police Sector can be considered effective in realizing justice, victim recovery, and public order.

Research Methodology

This research uses an empirical juridical method, namely legal research that not only examines written legal norms, but also examines their application in case handling practices.(Hasibuan et al., 2024)The approaches used include the statutory regulatory approach and the conceptual approach.(Sembiring et al., 2022)A statutory regulatory approach is used to examine the Criminal Code, the Criminal Procedure Code, the Police Law, Police Regulation No. 8 of 2021, Prosecutor's Regulation No. 15 of 2020, as well as the National Criminal Code and the new Criminal Procedure Code. A conceptual approach is used to explain the role of restorative justice as a model for resolving criminal cases that emphasizes restoration, responsibility, and social balance.

Data sources consist of primary legal materials, secondary legal materials, and supporting data relevant to the criminal context. Primary legal materials include laws and regulations and the policies of law enforcement agencies. Secondary legal materials include books, journals, research findings, and academic opinions on abuse and restorative justice. Supporting data are used to explain the national and regional crime burden in North Sumatra. Qualitative analysis is conducted by assessing the alignment between legal norms, case resolution practices, investigators' authority limits, victim protection, and the purpose of recovery in abuse cases.

Results

3.1 Legal Basis and Shift in the Direction of Criminal Law Enforcement to Restorative Justice

The application of restorative justice in criminal cases can no longer be understood as an informal policy solely dependent on amicable agreements between victims and perpetrators. In the development of Indonesian criminal law, restorative justice has become an integral part of criminal law enforcement policy.(Rado & Badillah, 2019)This is evident in the regulations at the police, prosecutors, and court levels, as well as the reform of national criminal procedural law. This means that resolving criminal cases through a restorative approach is no longer merely a social practice but has gained a normative footing within the criminal justice system. At the police level, the initial basis can be drawn from the main duties of the Indonesian National Police (Polri). Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police stipulates that the main duties of the Polri are to maintain public security and order, enforce the law, and provide protection, guidance, and services to the community. This formulation is important because law enforcement by the police is not only interpreted as bringing every case to court, but also as a legal action that maintains order, protects the community, and restores the situation.(Djanggih et al., 2023)

The authority of the police to take responsible legal action can also be seen in Article 16 paragraph (1) letter l of Law Number 2 of 2002 which states that the Indonesian National Police has the authority to "carry out other responsible legal actions." In addition, Article 18 paragraph (1) of Law Number 2 of 2002 states that "in the public interest, officials of the Republic of Indonesia National Police in carrying out their duties and authorities can act according to their own judgment." However, this authority is not free without limits, because Article 18 paragraph (2) emphasizes that its implementation can only be carried out in very necessary circumstances by paying attention to statutory regulations and the Police Professional Code of Ethics.

It is in this context that the Republic of Indonesia National Police Regulation Number 8 of 2021 concerning the Handling of Criminal Offenses Based on Restorative Justice becomes crucial. This regulation came into effect on August 20, 2021, and specifically regulates the procedures for handling criminal offenses based on restorative justice within the National Police.(Tumanggor, 2023)This regulation establishes restorative justice as a legal mechanism

that requires restitution, perpetrator responsibility, victim involvement, and institutional oversight. Therefore, reconciliation in criminal cases should not be understood narrowly as the withdrawal of a complaint, but rather as a legitimate, orderly, and accountable recovery process. Article 5 of Regulation Number 8 of 2021 stipulates the material requirements for the implementation of restorative justice, namely, it must not cause unrest and/or rejection from the community, must not impact social conflict, must not have the potential to divide the nation, must not be radical or separatist, must not be a repeat offender based on a court decision, and must not be an act of terrorism, a crime against state security, a crime of corruption, or a crime against human life. This provision demonstrates that not all criminal cases can be resolved through restorative justice. Cases that threaten the public interest, cause social unrest, or involve serious crimes must still be processed through formal criminal mechanisms.(Djanggih et al., 2023)

In addition to material requirements, Article 6 paragraph (1) of Police Regulation Number 8 of 2021 regulates formal requirements, namely the existence of peace between both parties and the fulfillment of the victim's rights and the perpetrator's responsibilities. Fulfillment of the victim's rights as referred to can take the form of returning goods, compensation for losses, reimbursement of costs incurred due to the crime, and/or compensation for damage caused by the crime. With this formulation, restorative justice is not simply characterized by the word "peace," but must be accompanied by real recovery for the victim.(Sugama et al., 2024)

At the prosecutorial level, the same policy direction is seen in the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice. This regulation has been in effect since July 22, 2020. Article 5 paragraph (1) of Prosecutor's Regulation Number 15 of 2020 stipulates that a criminal case can be closed by law and its prosecution stopped based on restorative justice if the suspect is a first-time offender, the offense is only punishable by a fine or imprisonment of no more than 5 years, and the value of the evidence or loss is no more than IDR 2,500,000.00. However, for crimes against people, bodies, lives, and freedom of people, provisions regarding the value of losses can be excluded. This means that cases of assault can still be considered within the framework of restorative justice as long as they meet the limits of criminal threats, are not repeated, and do not cause serious consequences.(Angrayni, 2016)

At the court level, a similar direction is evident in Supreme Court Regulation No. 1 of 2024 concerning Guidelines for Adjudicating Criminal Cases Based on Restorative Justice. This regulation emphasizes that judges adjudicate criminal cases based on restorative justice, with the principles of restoring the situation, strengthening the rights and interests of victims, the responsibility of the accused, punishment as a last resort, consensualism, transparency, and accountability.(Wibowo & Khisni, 2018)This shows that law enforcement officials, from the police, prosecutors, to the courts, have basically been directed not to always make criminal prosecution the only answer to certain criminal cases.

This policy direction has been strengthened since the enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code. This new Criminal Procedure Code came into effect on January 2, 2026, and revoked the old Criminal Procedure Code, namely Law Number 8 of 1981. In its official abstract, the new Criminal Procedure Code regulates the strengthening of the rights of suspects, defendants, convicts, witnesses, victims, persons with disabilities, strengthening coordination between investigators and public prosecutors, regulating restorative justice mechanisms, compensation, rehabilitation, restitution, compensation, as well as the concepts of plea bargaining and deferred prosecution agreements. Thus, restorative justice no longer stands as a separate sectoral policy, but has become a new direction in the Indonesian criminal justice system.

3.2 Types of Cases That Can and Cannot Be Resolved Through Restorative Justice

The crucial question in implementing restorative justice is not simply whether the victim and perpetrator have reconciled, but whether the case is truly worthy of restorative resolution. Police Regulation No. 8 of 2021 provides quite clear boundaries. Criminal cases handled based

on restorative justice can be implemented during criminal investigation, investigation, or inquiry functions. In these investigations, case resolution can lead to the termination of the investigation or the termination of the investigation if the requirements are met.(Maruli Tua Situmeang, 2022)

In general, cases that can be considered for resolution through restorative justice are those that do not cause public unrest, do not result in social conflict, are not a repeat of the crime, are not crimes against life, and there is a willingness of the perpetrator to compensate the victim for the losses. In police practice, cases that are most likely to be directed to restorative resolution are those where the consequences are limited, the social relationship between the victim and the perpetrator can still be restored, the victim is not under pressure, and the recovery can be implemented concretely. In this category, minor assault, assault with minor injuries, quarrels between individuals, or spontaneous conflicts that do not involve dangerous weapons can still be considered for restorative resolution.

The case of assault must be read carefully because assault has a wide spectrum of consequences. In the old Criminal Code, Article 351 paragraph (1) stipulates that assault is punishable by a maximum prison sentence of 2 years and 8 months or a maximum fine of Rp. 4,500.00. If the act results in serious injury, the threat increases to a maximum prison sentence of 5 years, and if it results in death, the threat becomes a maximum prison sentence of 7 years.(Firmansyah, 2022)Based on this construction, ordinary assault with minor consequences still has room to be considered in restorative resolution, while assault resulting in serious injury or death must be treated more firmly because the consequences have touched upon greater legal interests.

In the National Criminal Code, abuse is regulated more systematically. Law Number 1 of 2023 concerning the Criminal Code came into effect on January 2, 2026. Article 466 paragraph (1) of the National Criminal Code states: “Any person who commits abuse shall be punished with a maximum imprisonment of 2 (two) years and 6 (six) months or a maximum fine of category III.” Paragraph (2) stipulates that if abuse results in serious injury, the perpetrator shall be punished with a maximum imprisonment of 5 years. Paragraph (3) stipulates that if it results in death, the perpetrator shall be punished with a maximum imprisonment of 7 years. Paragraph (4) emphasizes that abuse includes acts that damage health, while paragraph (5) states that attempted abuse is not punishable. From the construction of Article 466, it can be emphasized that cases of abuse with minor consequences can still be considered for restorative resolution, but this does not mean that they can automatically be stopped. Investigators must still assess the presence of fault, the extent of the injury, the relationship between the victim and the perpetrator, the presence or absence of pressure, the use of dangerous tools, and the potential for social conflict. If the victim only suffered minor injuries, the perpetrator was a first-time offender, the perpetrator confessed to the crime, the victim freely agreed to reconcile, and the victim's rights were restored, then a restorative approach can be considered in line with Police Regulation No. 8 of 2021 and Prosecutor's Regulation No. 15 of 2020.(Affan & Rahmadani, 2023)

However, it is different if the assault is carried out together in public. In the old Criminal Code, this act is usually associated with Article 170 of the Criminal Code. In the National Criminal Code, this construction is found in Article 262. Article 262 paragraph (1) states that anyone who openly or in public and with joint efforts commits violence against people or goods, shall be punished with a maximum of 5 years imprisonment or a maximum fine of category V. Paragraph (2) regulates a maximum sentence of 7 years or a fine of category IV if the violence results in the destruction of goods or injury. Paragraph (3) regulates a maximum sentence of 9 years if it results in serious injury, and paragraph (4) regulates a maximum sentence of 12 years if it results in the death of a person.(Suryana, 2022)

The construction of Article 262 is crucial for distinguishing between ordinary assault and collective violence. Ordinary assault is more strongly entrenched as an attack on the victim's body individually, while collective violence in public places has a public order dimension.

Therefore, even if the victim and perpetrator have reconciled, cases of collective violence still require more rigorous examination. If the act is committed in a public place, involves multiple perpetrators, creates public fear, goes viral, or triggers the potential for group revenge, then resolving the matter through restorative justice is not appropriate as the primary route. The public interest should not be trumped by a private agreement between the victim and perpetrator. Therefore, cases that can be directed to restorative justice are those that meet three main thresholds. First, the consequence threshold, which means no serious injury, permanent disability, death, or widespread social impact. Second, the perpetrator threshold, which means the perpetrator is not a repeat offender based on a court decision and is willing to take responsibility. Third, the victim threshold, which means the victim freely agrees to reconciliation, is not under pressure, and has received tangible reparations. If any of these thresholds are not met, restorative justice cannot be enforced.

In the context of the Medan Baru Police, this boundary is crucial because urban areas are characterized by conflicts that escalate more rapidly. The research proposal notes that North Sumatra is among the regions with a high caseload, with 62,278 crimes in 2023 and 60,724 crimes in 2024. The proposal also positions the Medan Baru Police as the research locus due to the region's high social mobility, dense economic activity, and the potential for complex interpersonal conflict. Therefore, restorative justice in assault cases in this region must be viewed not only in terms of speedy resolution but also in terms of its impact on public safety.

3.3 Mechanism for Implementing Restorative Justice in Cases of Assault at the Police Level

Restorative justice mechanisms in police assault cases must begin with the initial assessment stage. After receiving a report, investigators may not immediately direct the case to a settlement. Investigators must first confirm the crime, examine the victim, interview witnesses, secure evidence, and assess the extent of injuries through a post-mortem examination. In assault cases, a post-mortem examination is crucial because it determines whether the victim's injuries are minor, moderate, or severe. Without a medical assessment, restorative justice is at risk of error, as investigators may consider the case minor when, in fact, the legal consequences are severe.(Mujahid & Kusriyah, 2020)

Once the extent of the injuries is known, investigators assess the suitability of the case based on the material requirements of Police Regulation No. 8 of 2021. If the case causes public unrest, impacts social conflict, has the potential to divide, is committed by a repeat offender, or is a crime against life, then the case is not suitable for restorative resolution. In assault cases, the requirements of "not causing unrest" and "not impacting social conflict" must be strictly applied. For example, assault that occurs due to a spontaneous fight between two people and only results in minor injuries is certainly different from a mob attack in a public place witnessed by many people and instills fear in the community.(Rafianti et al., 2024)

If the case is deemed materially viable, investigators proceed to examine the formal requirements. Article 6 of Police Regulation Number 8 of 2021 requires a peace agreement between both parties and the fulfillment of the victim's rights and the perpetrator's responsibilities. This agreement must be evidenced by a peace agreement signed by both parties. Fulfillment of the victim's rights can take the form of reimbursement of medical expenses, compensation for losses, damages, or other agreed-upon forms of restitution. In cases of assault, the most relevant forms of restitution include medical expenses, restitution, an apology, a guarantee of non-repetition, and, if necessary, an agreement to refrain from further intimidation or threats against the victim.(Daulay et al., 2024)The next stage is mediation. Mediation should not be interpreted as an attempt to pressure the victim to withdraw the report. Mediation should be a forum that brings together the victim, the perpetrator, their families, and other relevant parties to discuss reparations. In this forum, the victim must be given space to explain the physical, psychological, and social losses they have experienced. The perpetrator must admit to their actions and declare their commitment to restitution. Investigators should act

as facilitators, not as those forcing a settlement. If the victim refuses to reach a settlement, the case must proceed through formal criminal proceedings.

Once an agreement is reached, investigators must ensure that it is actually implemented. In assault cases, an agreement should not stop at signing a peace agreement. If the perpetrator promises to pay medical expenses, the payment must be proven. If the perpetrator promises to compensate for losses, this must be documented. If the perpetrator apologizes, the apology must be included in the minutes or settlement document. Evidence of restitution is crucial because the essence of restorative justice is to restore the victim's well-being, not simply to end the case. The next stage is a case presentation. A case presentation is necessary to ensure that the termination of the investigation or inquiry is not carried out subjectively by a single investigator. The case presentation must examine whether material and formal requirements have been met, whether the victim truly agreed, whether restitution has been implemented, whether there is no public resistance, and whether the case does not involve a serious crime. This mechanism is crucial for maintaining the institutional accountability of the National Police. Without a case presentation and orderly documentation, restorative justice can degenerate into a transactional space that undermines public trust.

Coordination with the prosecutor's office is also important. Although the settlement at the police level uses Police Regulation Number 8 of 2021, the standards used should not conflict with Prosecutor's Regulation Number 15 of 2020. Article 5 paragraph (1) of Prosecutor's Regulation Number 15 of 2020 provides a measure that the termination of prosecution based on restorative justice requires that the suspect commit a crime for the first time, the criminal threat is no more than 5 years or only a fine, and the value of the evidence or loss is no more than IDR 2,500,000.00, although for crimes against people, bodies, lives, and freedom of people the requirement for the value of the loss can be excluded.(Faturohman et al., 2023)By reading these prosecutorial standards, investigators can be more careful from the outset in determining whether a case of assault deserves to be stopped or whether it should proceed to prosecution.

An orderly mechanism is also in line with the new Criminal Procedure Code. Law Number 20 of 2025 regulates the strengthening of victims' rights, enhanced coordination between investigators and prosecutors, restorative justice mechanisms, compensation, rehabilitation, restitution, and restitution. This means that future criminal case resolution should not solely focus on the authority of authorities, but must also consider victims' rights, transparent procedures, and legal accountability. In cases of assault, this means investigators must ensure that victims are not merely "at peace" but receive genuine recovery and protection.

Thus, the restorative justice mechanism in the assault case at the Medan Baru Police Station ideally follows the following flow: the report is received, the investigator examines the incident and evidence, the victim is requested for a post-mortem examination, the investigator assesses the material requirements, the investigator assesses the formal requirements, voluntary mediation is carried out, the victim's recovery is implemented, an agreement is put in writing, a case conference is held, and then an order for termination of the investigation or inquiry is issued if all requirements are met. This flow is important so that restorative justice does not turn into a legally weak administrative peace.

3.4 The Effectiveness of Restorative Justice Implementation in Assault Cases at the Medan Baru Police Station

The effectiveness of restorative justice in assault cases cannot be judged solely by the number of cases dismissed. If effectiveness is measured solely by the number of cases resolved, restorative justice will easily become a tool to reduce the workload of law enforcement officers. However, its primary goals are victim recovery, perpetrator accountability, and the restoration of social order. Therefore, effectiveness must be measured by the quality of resolution, not simply the speed of resolution.(Saragih et al., 2026)In the context of the Medan Baru Police, restorative justice can be deemed effective if it meets five criteria. First, the case chosen is appropriate. This means that the assault did not result in serious injury, death, was not committed in a public gathering that would cause unrest, was not committed by a repeat

offender, and did not involve a power relationship that oppressed the victim. If a serious case is still forced to settle peacefully, the resolution is legally ineffective and morally unjust.

Second, the victim truly and freely consents. The victim's consent is a crucial element of restorative justice. Victims should not be pressured to reconcile due to pressure from family, community leaders, the perpetrator, or authorities. In cases of abuse, victims are often vulnerable because they want the case resolved quickly, fear further conflict, or feel unable to face the legal process. Therefore, investigators must ensure that the reconciliation stems from the victim's awareness, not fear. If the victim reconciles due to pressure, the settlement cannot be considered effective, as the victim's rights are sacrificed in the name of reconciliation.

Third, the perpetrator must be held accountable concretely. The perpetrator's responsibility is not sufficient simply to apologize. In cases of abuse, victims can experience medical expenses, physical injuries, trauma, loss of income, and fear. Therefore, the perpetrator must compensate for these losses as agreed. Article 6 paragraph (3) of Police Regulation Number 8 of 2021 provides the basis for fulfilling the victim's rights and the perpetrator's responsibilities can include the return of goods, compensation for losses, reimbursement of costs resulting from the crime, and/or compensation for damages caused by the crime. For cases of abuse, the most relevant forms are medical expenses and a guarantee not to repeat the violence.

*Fourth*The resolution must be accepted by the community. Police Regulation No. 8 of 2021 explicitly stipulates that cases resolved through restorative means must not cause unrest or rejection from the community and must not result in social conflict.(Suryana, 2022)This requirement is particularly important in cases of assault in urban areas like Medan Baru. If an assault occurs in a public space, is widely known, involves a group, or has the potential to lead to revenge, private reconciliation between the victim and the perpetrator may not be sufficient to restore public order. In such circumstances, the state must still intervene through formal criminal proceedings.

*Fifth*Case administration must be orderly. Every restorative justice process must have complete documentation, starting with the request or willingness to settle, mediation minutes, settlement agreement letter, evidence of the victim's rights restoration, case title minutes, and the decision to terminate the investigation. This administration is not a formality. It is a control tool to prevent misuse of case resolution. Without orderly administration, restorative justice is vulnerable to being perceived as "underhand settlement" lacking legal certainty.

Based on these metrics, the effectiveness of restorative justice in the assault case at the Medan Baru Police Station can be understood as conditional. It is effective if applied to the right case, is voluntary, restores the victim, holds the perpetrator accountable, does not cause unrest, and is properly documented. It is ineffective if used solely to expedite case closure, avoid legal proceedings, pressure victims into reconciliation, or dismiss cases that actually have serious consequences. Ultimately, law enforcement officials have been indirectly directed to prioritize restorative resolution in certain cases. The police have Police Regulation No. 8 of 2021, the prosecutor's office has Prosecutor's Regulation No. 15 of 2020, the courts have Supreme Court Regulation No. 1 of 2024, and the new Criminal Procedure Code has incorporated restorative justice mechanisms as part of the national criminal procedure law reform. However, this policy direction should not be interpreted as an obligation to resolve all cases. The correct approach is to resolve cases restoratively if they are truly worthy of restitution, rather than cases that require formal law enforcement because they involve serious injury, death, collective violence, public unrest, or broader public interest. Therefore, the application of restorative justice in the assault case at the Medan Baru Police Sector can be considered effective as long as it is used as a restorative instrument, not a shortcut to resolving the case. Its effectiveness lies in the investigator's ability to screen cases, safeguard the victim's freedom, ensure the perpetrator is held accountable, redress the victim's losses, and maintain public order. If all these elements are met, restorative justice not only expedites case resolution but also delivers more concrete justice for the victim, the perpetrator, and the community.

Conclusion

The application of restorative justice in cases of assault at the Medan Baru Police Sector has a strong legal basis and cannot be understood simply as a simple reconciliation between the victim and the perpetrator. This basis is found in Law Number 2 of 2002 concerning the Indonesian National Police, specifically the authority of the National Police to maintain public security and order, enforce the law, and take other responsible legal actions. Specifically, Police Regulation Number 8 of 2021 serves as the primary basis for the application of restorative justice at the police level, with strict material and formal requirements: the case must not cause public unrest, not impact social conflict, not be a repeat of the crime, not be a crime against life, there must be reconciliation between the parties, and the fulfillment of the victim's rights and the perpetrator's responsibility. In cases of assault, the application of restorative justice is only appropriate for minor assaults or assaults that do not result in serious injury, death, public unrest, or communal violence in public. Its effectiveness is not measured by the speed with which the case is resolved, but by whether the victim truly recovers, the perpetrator takes responsibility, the reconciliation is achieved without pressure, and the community accepts the resolution as a form of justice.

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