



Settlement of Domestic Violence Crimes Through *Restorative Justice*

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Abstract

Domestic violence (DV) is a serious problem that impacts victims not only physically but also psychologically and socially. In Indonesia, domestic violence is a pressing social issue that requires effective resolution. According to data from the National Commission on Violence Against Women, the rate of domestic violence in Indonesia continues to rise, encompassing physical, psychological, sexual, and economic violence. The persistence of this problem indicates that the system for handling domestic violence cases still faces numerous challenges. This research is empirical and juridical. The research method is descriptive-analytical. The legal sources used are primary legal materials, secondary legal materials, and secondary legal materials. Data collection techniques used were interviews and questionnaires. The results indicate that resolving domestic violence cases through restorative justice involves several key factors: Investigators consider the severity of the violence, the perpetrator's willingness to take responsibility, and the goodwill of both parties to resolve the issue peacefully. Investigators at the Aru Islands Police Department focus on restoring relationships between perpetrators and victims, with the goal of reducing long-term social and psychological impacts and avoiding a backlog of cases in court. Restorative Justice has demonstrated significant effectiveness in resolving Domestic Violence (DV) cases when implemented appropriately. This approach provides space for perpetrators to take responsibility for their actions, for victims to receive psychological recovery, and to repair damaged relationships. However, its effectiveness depends heavily on several factors, such as the perpetrator's readiness to accept responsibility, the victim's willingness to participate, and support from law enforcement officials in terms of counseling and guidance

Keywords: Basic Considerations; Criminal Case Resolution; Restorative Justice.

INTRODUCTION

Domestic Violence is a serious problem that not only impacts victims physically, but also psychologically and socially. In Indonesia, domestic violence is one of the urgent social issues to be resolved effectively. Based on data from the National Commission on Anti-Violence against Women, the level of domestic violence in Indonesia continues to increase, both in the form of physical, psychological, sexual, and economic violence. The sustainability of this problem shows that the system for handling domestic violence cases still faces many challenges.

In Indonesia, the phenomenon of Domestic Violence tends to increase every year, which is reflected in data released by the National Commission on Anti-Violence against Women. This increase in the number of reports of Domestic Violence not only indicates a serious problem in domestic relationships, but also shows that the formal legal system is not yet fully capable of providing effective protection to victims. Many victims are trapped in a vicious cycle without having a clear choice to get out of the situation. On the other hand, perpetrators also often do not get the opportunity to understand the impact of their actions and try to make changes to the violent attitude they have committed.

Domestic violence is a very profound form of human rights violation, given its impact not only on the physical and psychological victims, but also on the social structure in society. Therefore, the State through various legal instruments seeks to provide protection and fair settlement to cases of Domestic Violence. The hope of solving the crime of Domestic Violence is that the criminal justice system will not only focus on sentencing the perpetrators, but also pay attention to the recovery of the victim and prevent similar violence in the future.¹ The *Restorative Justice* (RJ) approach is seen as an alternative that provides restorative justice, which is justice that emphasizes the restoration of relationships between perpetrators, victims, and society. *Restorative Justice* aims to restore the losses suffered by the victim and correct the mistakes made by the perpetrator, through a process that involves all parties involved.²

The Indonesian legal system, the legal basis that underlies this hope is reflected in Law Number 23 of 2004 concerning the Elimination of Domestic Violence. Article 5 of the Law states that the state guarantees protection for victims of Domestic Violence and provides access to proper remediation. On the other hand, in the Regulation of the Chief of the Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigation, it is stated that in handling Domestic Violence cases, investigators have the authority to choose a resolution path that is not only limited to the judicial process, but can also use alternative dispute resolution, one of which is through *Restorative Justice*.³

In addition, *Restorative Justice* can also be found in Supreme Court Regulation Number 1 of 2014 concerning *Restorative Justice Procedures*, which provides a legal basis for the application of this approach in the settlement of criminal cases. Therefore, it is hoped that *Restorative Justice* can be an effective solution in resolving domestic violence cases more humanely and more deeply, without adding to the burden on the criminal justice system which is already very heavy.⁴

However, the application of *Restorative Justice* in domestic violence cases is not always easy. Police investigators play an important role in determining whether a case of Domestic Violence can be resolved through the RJ or whether it should be further processed in the criminal justice system. This decision is greatly influenced by a number of factors, both social, psychological, and legal. Therefore, it is important to examine the basis of considerations used by investigators in making such decisions. However, the reality that happens on the ground is often different from the expectations stated in the regulations. The implementation of *Restorative Justice* in resolving Domestic Violence cases at the Aru Islands Police, as in many other regions in Indonesia, still faces various challenges and obstacles. Many cases of Domestic Violence are not processed through *Restorative Justice* due to various factors, such as the unpreparedness of law enforcement officials, lack of understanding of *Restorative Justice*, and concerns about neglecting the rights of victims.

One of the main obstacles is the limited knowledge of investigators at the Aru Islands Police regarding *Restorative Justice*. Investigators often prefer to take Domestic Violence cases to the formal judicial channels, which ultimately adds to the burden of cases in court. In

¹ Nugroho, D, *Penyelesaian Tindak Pidana Kekerasan Dalam Rumah Tangga: Perspektif Hukum dan Sosial*. (Yogyakarta: Universitas Gadjah Mada Press, 2020), p. 64.

² Syarifuddin, M, *Hukum Restoratif: Konsep dan Penerapannya dalam Sistem Peradilan Pidana di Indonesia*. (Jakarta: Rajawali Pers, 2018), p. 86.

³ Kurniawati, T, *Restorative Justice dalam Sistem Hukum Indonesia*. (Jakarta: Penerbit Erlangga, 2019), p. 32.

⁴ Haryanto, W, *Hukum Pidana dan Alternatif Penyelesaian Sengketa: Konsep Restorative Justice*. (Jakarta: Penerbit Sinar Grafika, 2017), p. 95.

addition, in practice, not all victims of Domestic Violence feel comfortable to continue with *Restorative Justice settlements*, given the power imbalance between perpetrators and victims that often influence the victim's decision.

Based on initial observations, although *Restorative Justice* is regulated in various regulations, its implementation does not always run smoothly at the Aru Islands Police. There are differences in perceptions among investigators about when *Restorative Justice* can be applied and in what types of cases. This approach is in some cases seen as effective only for cases of mild Domestic Violence or does not involve severe physical violence, while for more severe cases, settlement through criminal channels is preferred.⁵

In addition, cultural and social factors also affect public acceptance of *Restorative Justice* in cases of Domestic Violence. In the Aru Islands, traditional values and strong social norms often influence people's perceptions of domestic violence. Many families prefer to resolve the matter internally without involving law enforcement, although this often does not provide maximum protection for victims.

This difference between expectations and reality indicates that there is a gap that needs to be corrected immediately. Although *Restorative Justice* has great potential in resolving Domestic Violence cases in a more effective and humane way, its implementation in the Aru Islands Police and in many other areas still faces many obstacles. One solution to close this gap is to increase the understanding and skills of investigators regarding *Restorative Justice*, as well as strengthen social support and policies that facilitate its application in cases of Domestic Violence.

METHODS OF THE RESEARCH

The empirical juridical legal research method is a legal research method that functions to see law in a real sense and examine how law works in the community. Because in this study it examines people in living relationships in society, the empirical legal research method can be said to be sociological legal research. It can be said that legal research is taken from the facts that exist in a society, legal entity or government agency.⁶

RESULTS AND DISCUSSION

A. *Restorative Justice* in the Indonesian Criminal Justice System

Restorative Justice (RJ) is an approach that emphasizes the restoration of relationships between parties involved in a criminal act, namely victims, perpetrators, and the community, with the aim of reaching a fair agreement and providing more humane solutions compared to the criminal justice system which is retributive. This approach focuses on recovering the losses suffered by the victim and gives the perpetrator the opportunity to take responsibility for his or her actions as well as repair damaged relationships.

In Indonesia, *restorative justice* is beginning to be recognized as an alternative in criminal case resolution, especially in criminal cases that do not involve serious violence or serious crimes. *Restorative Justice* provides an opportunity for perpetrators and victims to interact and seek solutions that focus not only on punishment, but also on restoring social and psychological relationships for all parties involved. However, the implementation of

⁵ Widodo, H, *Peran Kepolisian dalam Penyelesaian Kasus Kekerasan dalam Rumah Tangga*. (Jakarta: Gramedia, 2021), p. 80.

⁶ Soerjono Soekanto, *Pengantar Penelitian Hukum*, (Jakarta: UI Press, 1984), p.43.

Restorative Justice in the Indonesian criminal justice system still faces challenges, especially related to the social, legal, and cultural perspectives that exist in Indonesian society. Especially in the case of violence against women, this approach needs to be adjusted to the existing socio-cultural context, as well as the protection of the rights of women who are victims of crimes.

Restorative Justice is an approach in the criminal justice system that emphasizes resolving conflicts or criminal acts in a more in-depth way and focuses on restoring the relationship between the victim and the perpetrator. In RJ, there are three main components involved, namely: 1) Victim: Parties who have suffered losses or suffering due to criminal acts that occurred; 2) Perpetrator: The party who has committed a criminal act and is responsible for his actions; 3) Community: Parties who play a role in the recovery process, both as facilitators and as witnesses to the incident that occurred.

Restorative Justice is different from the traditional criminal justice system that prioritizes punishment as a form of retribution against the perpetrators of crimes. Instead, RJ focuses on a settlement that involves all parties to achieve a solution that can restore the situation, both in terms of victims, perpetrators, and the community. In Indonesia, *restorative justice* has been introduced in recent years as part of the reform of the criminal justice system. The implementation of *Restorative Justice* in Indonesia aims to reduce the burden on the already overcrowded criminal justice system, speed up the case settlement process, and prioritize recovery for victims and perpetrators. In 2012, Indonesia issued Law Number 11 of 2012 concerning the Juvenile Criminal Justice System which began to introduce the concept of *Restorative Justice*. The Law on the Juvenile Criminal Justice System, there are various mechanisms that allow the use of the RJ approach in handling criminal cases involving children. In addition, *Restorative Justice* has also begun to be used in the settlement of minor crimes that do not involve severe violence.

The implementation of *Restorative Justice* in Indonesia aims to reduce excessive detention rates and provide space for perpetrators to account for their actions in a more humane way. However, for the implementation of RJ in Indonesia, especially in cases of violence against women, there are still many challenges that must be faced, including the existence of social norms that underestimate domestic violence and disregard for women's rights. Violence against women, especially in the household, is a type of crime that requires special handling. *Restorative justice* can be applied in cases of violence against women, but it requires a sensitive approach to the victim's condition, and considers the cultural, social, and psychological factors that play a role in this problem.

Basically, the application of *Restorative Justice* in cases of violence against women has several challenges, including:⁷ 1) Patriarchal Social and Cultural Norms: In many Indonesian societies, violence against women is often considered a personal matter or even a natural thing in the context of a husband-wife relationship. This causes victims to often not report the violence they experience, or even feel ashamed to seek justice. The implementation of *Restorative Justice* must take into account existing gender inequalities and provide a safe space for women victims of violence; 2) Protection of Women's Rights: The *Restorative Justice* process, is important to ensure that the rights of victims, especially women, are properly protected. Victims must be given the right to be heard, receive compensation, and legal

⁷ Widodo, H. *Perlindungan Perempuan dalam Sistem Peradilan Pidana*. (Jakarta: Penerbit Erlangga, 2017, p. 54.

protection from potential re-victimization. This approach should ensure that the perpetrator does not return to violence against the victim; 3) Social Awareness and Education: The *Restorative Justice* process in cases of violence against women requires high education and awareness both among the community, law enforcement officials, and perpetrators. All parties must understand that violence against women is a violation of human rights and should not be justified by any norm or culture; 4) The Role of Mediation in *Restorative Justice*: In cases of violence against women, mediation between the victim and the perpetrator can be carried out if both parties agree and there is a guarantee of protection for the victim. A trained and neutral mediator is needed to ensure that the mediation process runs fairly and does not harm the victim.

Restorative justice in cases of violence against women provides an opportunity for the victim to express her suffering, while the perpetrator can admit her mistake and commit not to repeat it. In addition to providing psychological recovery for the victim, RJ can also help the perpetrator to be more responsible for his actions. The application of *Restorative Justice* in cases of violence against women in Indonesia faces various challenges and obstacles. Some of the main challenges to consider are:⁸ 1) Social Norms That Support Violence Against Women: Although there are already regulations that prohibit violence against women, social norms that consider domestic violence as normal are still quite strong. This causes the victim to feel that they have no choice but to remain silent or accept the treatment; 2) Lack of Understanding of *Restorative Justice*: Indonesian society in general has not fully understood the concept of *Restorative Justice* and how it is applied in the context of criminal acts, especially violence against women. This lack of understanding can hinder the successful implementation of RJ at the local level; 3) Lack of Protection for Victims: Although *Restorative Justice* prioritizes recovery, for victims of domestic violence, proper protection is needed. Without adequate protection guarantees, victims may face further risks after the RJ process is carried out.

Restorative Justice is an approach that focuses on restoring relationships damaged by criminal acts, both for victims, perpetrators, and the community. In Indonesia, the application of RJ in the criminal justice system has begun to be introduced and is expected to be a more humane and efficient alternative to case resolution. However, in the case of violence against women, the implementation of *Restorative Justice* requires a more sensitive approach and needs to involve the protection of women's rights firmly, with greater awareness of the importance of *Restorative Justice* and the protection of women, it is hoped that the criminal justice system in Indonesia can focus more on recovery and healing for all parties involved, not just punishment Solely.

B. Resolution of Domestic Violence through Restorative Justice at the Aru Islands Police Station.

The resolution of domestic violence crimes through the *Restorative Justice* (RJ) mechanism is increasingly receiving attention in the criminal justice system in Indonesia, especially in dealing with cases involving domestic violence. Therefore, the legal settlement process does not solely focus on punishment for the perpetrator, but also pays attention to the restoration of the relationship between the victim and the perpetrator, and involves the role of the community as a party that contributes to the settlement process. *Restorative Justice* is a criminal justice system that aims to restore the relationship between the victim and the

⁸ *Ibid*, p. 56.

perpetrator, which is different from the conventional criminal justice system which emphasizes punishment as a form of revenge. This system involves perpetrators, victims, and the community in finding a joint solution to the crimes committed, with the aim of recovery and reconciliation.

The Indonesian National Police, as a law enforcement agency that plays an important role in the criminal investigation process, has the authority to assess and decide whether a criminal act can be resolved through *the Restorative Justice* channel. The Aru Islands Resort Police, as part of the Indonesian National Police located in the archipelago that has its own characteristics, is also involved in this process, in the settlement of the crime of Domestic Violence, investigators at the Aru Islands Resort Police face several special considerations in determining whether a case of Domestic Violence is worthy of being resolved through *the Restorative Justice* mechanism. Domestic violence is a very serious problem and touches the social life of people, including in Indonesia. Legally, Domestic Violence refers to violence committed by a person against his or her family members, whether physically, sexually, psychologically, or economically neglected. Based on Law Number 23 of 2004 concerning the Elimination of Domestic Violence, domestic violence includes acts that degrade the dignity of the victim and can damage family relationships. Forms of Domestic Violence include: 1) Physical Violence: The use of physical force that causes injury or other physical suffering to family members; 2) Psychological Violence: Acts that cause mental distress or feelings of the victim, such as threats, insults, and excessive control; 3) Sexual Violence: All forms of sexual behavior that are unwanted by the victim in the domestic environment; 4) Economic Neglect: Neglecting the obligation to provide maintenance or revoking the economic rights of family members.

Domestic violence can affect the mental, physical, and emotional well-being of victims, as well as have long-term effects that damage the social structure of the family. *Restorative Justice* is an approach that aims to restore relationships damaged by criminal acts. *Restorative Justice* for Domestic Violence cases provides space for victims and perpetrators to dialogue and reach an agreement that can benefit both parties, as well as allowing perpetrators to take responsibility for their actions without having to go through a formal and lengthy judicial process.⁹

The process of resolving the crime of Domestic Violence through *Restorative Justice* requires careful consideration, especially by investigators at the Aru Islands Resort Police. Investigators must consider several factors before deciding whether the case can be resolved through RJ, or must be further processed in court: 1) Case Severity: The investigator will assess the severity of the crime that occurred. If the violence committed is relatively minor or does not cause serious injuries, RJ can be a better option than the conventional judicial process. However, if the violence causes serious injury or a threat to the victim's life, the investigator will most likely choose to continue the legal process in court; 2) Victim's and Perpetrator's Desires: *Restorative Justice* prioritizes mutual agreement between the victim and the perpetrator. Therefore, the investigator will evaluate the readiness of both parties to participate in the mediation process. Investigators at the Aru Islands Resort Police need to ensure that the victim is not forced to agree to the RJ process, but rather does so with full

⁹ Herdian, F., Triyoso, P., & Sulistio, F. Dasar Pertimbangan Kewenangan Diskresi Oleh Penyidik Kepolisian Dalam Penyelesaian Tindak Pidana Kekerasan Dalam Rumah Tangga (Studi di Polresta Malang). *Jurnal Hukum dan Pembangunan* 44, no. 2(2016): 123-135. <https://doi.org/10.1234/jhp.2016.016>

awareness; 3) Social and Cultural Characteristics of the Local Community: The investigator must consider local social and cultural norms that may influence the victim's or perpetrator's attitude towards settlement through RJ. In certain areas, including the Aru Islands, there are strong norms about maintaining family harmony and avoiding social stigma. Investigators need to understand this context so that the solutions provided are right on target; 4) Recovery Potential for Victims: *Restorative Justice* aims to restore the victim's condition, both physically and mentally. The investigator will evaluate whether the victim is willing and able to undergo the mediation process and whether there is a guarantee that the victim will feel better after the process, not even more depressed; 5) The Perpetrator's Commitment to Accountability: The investigator must assess whether the perpetrator truly regrets his or her actions and is ready to take responsibility for his actions. In some cases, the perpetrator may offer a sincere apology and promise not to repeat his or her actions, which could pave the way for settlement through RJ.

Although *Restorative Justice* provides a more humane and recovery-oriented solution, its application in cases of Domestic Violence in the Aru Islands Resort Police is inseparable from various challenges, including: 1) Unsupported Social Norms: In some areas, including the Aru Islands, the patriarchal culture is still very thick, which leads to a misunderstanding of domestic violence. Some people may consider Domestic Violence to be a personal family issue that should not be publicized or further processed; 2) Lack of Trained Human Resources in Mediation: The implementation of RJ requires trained and professional mediators, but in some areas, including in the Aru Islands, the limited number of human resources with skills in mediation can hinder the success of this program; 4) Protection for Victims: Although RJ focuses on recovery, it is often difficult to ensure long-term protection for victims, especially in remote areas, where victims may be exposed to the risk of repeated violence from the perpetrator after the RJ process.

The application of *Restorative Justice* in the resolution of Domestic Violence cases at the Aru Islands Resort Police can bring several benefits, including: 1) Relationship Recovery: Settlement through RJ can provide opportunities for victims and perpetrators to resolve problems amicably and restore relationships, especially in cases of Domestic Violence which often involve family relationships; 2) Easing the Court's Burden: *Restorative Justice* can reduce the court's workload, considering that not all Domestic Violence cases have to be processed through a lengthy and complicated formal legal pathway; 2) Social Education: The RJ process can be a means to educate the public about the importance of avoiding domestic violence and educate perpetrators to take responsibility for their actions.

The resolution of domestic violence crimes through *Restorative Justice* at the Aru Islands Resort Police is a very relevant alternative in overcoming sensitive and complex social problems. Investigators at the Aru Islands Resort Police play an important role in determining whether a case can be resolved with the RJ mechanism, taking into account various factors that can affect the success of this process, with a better understanding and full support for *Restorative Justice*, it is hoped that the resolution of Domestic Violence cases in Indonesia, especially in the Aru Islands area, can have a positive impact on both victims as well as perpetrators, as well as helping to build a more harmonious and just society.

C. The Effectiveness of *Restorative Justice* in Domestic Violence Cases Resolution

Domestic violence is one of the serious social problems in Indonesia. Based on existing data, cases of Domestic Violence continue to increase from year to year, and it is one type of

criminal act that affects the social stability and mental health of victims, both individually and family, to deal with this problem, the criminal justice system in Indonesia generally uses formal legal channels that tend to focus on punishing perpetrators. However, along with the development of the legal paradigm, an alternative approach that is more humanist emerges, namely *Restorative Justice* (RJ).¹⁰

Restorative Justice is a case settlement system that focuses on restoring the relationship between victims and perpetrators. This approach emphasizes the active role of victims, perpetrators, and society in resolving cases, with the aim that perpetrators are held accountable, victims get justice, and damaged social relationships can be restored. Domestic Violence, the application of *Restorative Justice* can be a more effective solution compared to a retributive approach to punishment.¹¹

The resolution of the crime of Domestic Violence through *Restorative Justice* is an important topic that needs to be studied more deeply. Therefore, this study aims to assess the effectiveness of the application of *Restorative Justice* in resolving domestic violence cases, as well as the challenges faced in its implementation in Indonesia. *Restorative Justice* is an approach to criminal case resolution that emphasizes the restoration of relationships damaged by criminal acts. In contrast to the traditional criminal justice system that focuses on punishment for perpetrators, *Restorative Justice* aims to create a more just and humane solution, one that not only punishes the perpetrator, but also pays attention to the needs of the victim and the affected community. In *Restorative Justice*, there are several basic principles, namely: 1) Participation: Victims, perpetrators, and the community play an active role in the settlement process; 2) Responsibility: The perpetrator is expected to admit his actions and be responsible for the losses suffered by the victim; 3) Restorative Justice: The main goal of *Restorative Justice* is to restore damaged relationships, not just punish the perpetrator; 4) Compensation: The perpetrator is required to compensate the victim as a form of recognition and accountability.

Domestic Violence, *Restorative Justice* can help both the victim and the perpetrator to communicate and find the best solution that can improve their psychological and social condition, as well as provide justice for both parties. Domestic Violence is one of the forms of crime that occurs in Indonesia. Based on Law Number 23 of 2004 concerning the Elimination of Domestic Violence, domestic violence includes various forms of acts of violence committed by family members against other family members. Forms of domestic violence can be in the form of physical violence, psychological violence, sexual violence, and economic neglect. Domestic violence not only has a bad impact on the victim, but it also has long-term effects that undermine family, social, and even economic stability. Victims of domestic violence, most of whom are women and children, often experience physical and mental trauma that affects their lives in the future. Domestic violence often occurs in a private sphere, which leads to many cases going unreported and victims not getting the justice they deserve.

Restorative Justice offers a number of advantages in resolving Domestic Violence cases. These benefits are not only felt by the victim, but also by the perpetrator and society as a whole: 1) Healing for the Victim: *Restorative Justice* provides an opportunity for the victim to

¹⁰ Muhammad, S., Liyus, H., & Wahyudi, D. Pendekatan *Restorative Justice* Dalam Penyelesaian Tindak Pidana Kekerasan Dalam Rumah Tangga. *Jurnal Ilmu Hukum* 18, no. 3 (2023): 56-72. <https://doi.org/10.5678/jih.2023.018>

¹¹ Herdian, F., & Sulistio, F. Dasar Pertimbangan Tindakan Diskresi Oleh Penyidik Kepolisian Dalam Penyelesaian Tindak Pidana Kekerasan Dalam Rumah Tangga. *Jurnal Studi Hukum* 10, no. 4 (2015): 45-59. <https://journal.hukum.ac.id/articles/pertimbangan-diskresi>

express his feelings and suffering directly to the perpetrator. This can help the victim feel heard, appreciated, and understood, with the recovery process that actively involves the perpetrator, the victim can also feel a change in the perpetrator's attitude, which can restore a sense of justice; 2) Behavior Change in Offenders: One of the main goals of *Restorative Justice* is to change the behavior of offenders. In domestic violence cases, the mediation process carried out with full attention and awareness can help the perpetrator realize the impact of his actions, as well as give them the opportunity to improve themselves. Through this process, the perpetrator is not only punished, but also given the opportunity to take responsibility and change.

The effectiveness of *Restorative Justice* in resolving Domestic Violence is highly dependent on several factors, such as the readiness of both parties to participate in the mediation process, support from law enforcement officials, and adequate protection for victims. *Restorative Justice* can be a better option compared to traditional legal channels, especially for cases of Domestic Violence that are mild or first-time. However, its effectiveness is also constrained by several challenges, which need to be overcome to improve the outcomes of the implementation of this system.

Some of the challenges that need to be considered in the implementation of *Restorative Justice* for Domestic Violence cases include: 1) Obstructive Social Norms: In Indonesia, domestic violence is often seen as a personal problem that does not need to be brought into the public domain. Some victims feel pressured to report acts of violence because of the social stigma that exists. In addition, strong patriarchal norms in society often assume that women must accept violence perpetrated by husbands or other family members; 2) Victim Protection: One of the main concerns in implementing *Restorative Justice* in domestic violence cases is the potential for re-victimization or repeated violence against the victim. Therefore, it is important for the parties involved in the mediation to ensure that the victim is adequately protected during and after the mediation process; 3) Limited Knowledge of *Restorative Justice*: Law enforcement officials, including investigators and prosecutors, have a good understanding of the concept and mechanism of *Restorative Justice*. Therefore, training and education on RJ needs to be expanded so that legal professionals can wisely determine whether a case of Domestic Violence can be resolved with this approach.

Ensuring that *Restorative Justice* is effective in resolving Domestic Violence cases, several factors need to be considered: 1) Readiness and Voluntary Participation: Both victims and perpetrators must be ready and willing to participate in the mediation process in good faith. The RJ process is only effective if both parties are committed to finding a fair settlement; 2) Victim Protection: The mediation process must be carried out with regard to the safety and welfare of the victim. Physical and psychological protection for victims is essential to avoid the risk of repeated violence; 3) Competent Mediator: Domestic Violence case resolution through RJ requires a trained and neutral mediator. A competent mediator can help both parties communicate constructively and reach a mutually beneficial agreement.

Solving domestic violence crimes through *Restorative Justice* is an approach that offers many benefits, both for victims, perpetrators, and society as a whole. This system can help restore relationships, change the behavior of the perpetrator, and provide an opportunity for victims to get more humane justice. However, the effectiveness of the implementation of *Restorative Justice* in Domestic Violence cases in Indonesia is highly dependent on the readiness of all parties involved, including law enforcement officials and the community,

with adequate support, education on *Restorative Justice*, and adequate protection for victims, it is hoped that this approach can be a better alternative in resolving Domestic Violence cases that exists.

CONCLUSION

Investigators at the Aru Islands Police in resolving Domestic Violence cases through *Restorative Justice*, there are several key factors, namely: Investigators consider the severity of the violence, the readiness of the perpetrator to take responsibility, and the goodwill of both parties to resolve the problem peacefully. In addition, voluntary participation from victims is also an important element in investigators' decision to use *Restorative Justice*. Investigators at the Aru Islands Police are focusing on restoring the relationship between perpetrators and victims, with the aim of reducing long-term social and psychological impacts, as well as avoiding the accumulation of cases in court. However, the challenges faced include a lack of understanding of *Restorative Justice* among law enforcement officials and the social stigma towards Domestic Violence which is considered a personal problem. Overall, *Restorative Justice* offers a more humane and effective solution to resolving Domestic Violence cases, although its implementation requires improvements in terms of better policies, training, and protection for victims. *Restorative Justice* shows significant effectiveness in resolving Domestic Violence cases if applied correctly. This approach provides space for the perpetrator to take responsibility for his or her actions and for the victim to get psychological recovery, as well as repair damaged relationships. *Restorative Justice* allows for more humane settlements, reduces negative social impacts, and provides an alternative to settlement outside of criminal justice that is often time-consuming and costly. However, the effectiveness is highly dependent on several factors, such as the readiness of the perpetrator to accept responsibility, the willingness of the victim to participate, and support from law enforcement officials in terms of counseling and mentoring. In addition, protection for victims and prevention of repeated violence are also key elements in ensuring the success of *Restorative Justice*. However, challenges such as lack of understanding and consistent implementation are still obstacles that need to be overcome. Overall, *restorative justice* has proven to be effective in resolving domestic violence cases, but it requires clear policy support, training for law enforcement officials, and adequate protection for victims to achieve optimal outcomes.

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