

RESTORATIVE JUSTICE IMPLEMENTATION IN BALI POLICE CYBERCRIME CASES: PROCEDURES, BARRIERS, AND DIGITAL RECOVERY

Bagus Muhamad Salim Putera¹, Simon Nahak², I Wayan Rideng³

^{1,2,3}Master of Laws Study Program, Postgraduate Faculty, Warmadewa University, Indonesia

Corresponding author: Bagus Muhamad Salim Putera

E-mail: goestra@gmail.com

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Abstract:

This article examines how restorative justice is implemented in cybercrime cases handled by the Bali Regional Police's Cyber Directorate, with the dual aim of identifying operational barriers and formulating strengthening strategies. The analysis is anchored in concepts of criminal law and punishment, as well as the purposes of law—justice, legal certainty, and social utility—so that restorative outcomes can be assessed against principled thresholds rather than ad hoc compromise. The study employs a juridical-normative method complemented by empirical materials drawn from interviews, document analysis, and limited observation of case conferences and mediated settlements, alongside multi-year case data. The findings show uneven implementation that improves when case triage is disciplined and when a digital recovery toolkit—timely content removal, account restoration, verifiable restitution, public clarification, and guarantees of non-repetition—is applied. Key impediments include institutional formalism, technical features of cyber offending, the scarcity of specific operational guidelines, concerns about victims' rights and legal certainty, public misconceptions, and gaps in mediation and forensics capacity. The results suggest restorative justice should operate as a conditional instrument: prioritized where measurable recovery for victims is feasible and redirected to prosecution when public interest and deterrence predominate. Strengthened risk-based SOPs, targeted training, inclusive outreach, platform liaison, and victim-centered performance metrics are recommended to balance justice, certainty, and utility.

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INTRODUCTION

Cybercrime has become a salient governance challenge for Bali's tourism-driven economy, where trust in digital transactions and online reputation directly affects business continuity and community welfare. Conventional retributive responses—anchored in investigation, prosecution, and punishment—do not consistently deliver timely relief for victims facing account takeovers, fraudulent transfers, or viral reputational harm (Garcia, 2020). Restorative justice offers a complementary pathway that centers on victim recovery and accountable offender participation while keeping public interest and legal certainty in view. This article argues that, in a high-exposure setting like Bali, restorative justice can strengthen policing as a public service when it is operationalized with cyber-specific tools and safeguards (McDowell, Braswell and Edwards, 2022). Existing scholarship and policy discourse have primarily developed restorative justice in contexts such as juvenile justice, minor conventional offenses, or normative analyses of information-technology crimes. These strands have advanced important principles—dialogue, reparation, and reintegration—but remain thin on cyber-operational design: verifiable restitution through digital rails, multiplatform content takedown, secure account restoration, public clarifications with measurable reach, and enforceable guarantees of non-repetition (Judah, 2013; Goldblum, 2023;



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Williams, 2024). Empirical evidence from police practice is exceptionally scarce, as are performance metrics that reflect victims' lived priorities (e.g., time-to-takedown, time-to-recovery). The Bali setting adds another unaddressed dimension: rapid harm propagation in a destination economy and the need to balance recovery with deterrence against organized or transnational actors (Latha and Thilagaraj, 2013; Kirkwood, 2022; Toews, 2023).

Against this backdrop, the study addresses the Research problem of how restorative justice is implemented in cybercrime cases handled by the Bali Regional Police's Cyber Directorate, the barriers that inhibit its effectiveness, and feasible strengthening strategies that do not erode legal certainty and deterrence. The guiding questions are: (1) how current procedures translate restorative principles into cyber-case handling; (2) which institutional, technical, legal, and perceptual barriers limit their use; (3) how the concepts of criminal law and punishment, together with the purposes of law—justice, certainty, and utility—can structure eligibility, safeguards, and outcomes; and (4) which victim-centered metrics credibly evaluate performance and guide accountability. The article contributes a state-of-the-art operationalization of restorative justice for cyber harms within a police setting, combining a juridical-normative approach with empirical materials from multi-year case handling (2023–2025) (Roberts and Stalans, 2004; Jülich, 2009; Armstrong, 2010; Acosta-López and Espitia Murcia, 2020). Conceptually, it integrates criminal-law elements and punishment rationales with the purposes of law to delineate principled thresholds for when restorative justice should be prioritized and when prosecution is necessary to protect public interest and deterrence. In practice, it proposes a risk-based SOP framework, a cyber-recovery toolkit, platform liaison practices, and measurable, victim-oriented indicators. By situating Bali's cybercrime governance in this dual lens, the study seeks to advance scientific novelty and policy usefulness in equal measure (Choi, Bazemore and Gilbert, 2012).

METHODS

This study employs a juridical-normative approach complemented by empirical inquiry. The doctrinal component analyzes KUHP, KUHPA, UU ITE, UU PDP, and Perpol No. 8/2021 to derive eligibility, safeguards, and outcome standards for restorative justice; the empirical component covers all cybercrime cases registered and handled by the Bali Regional Police's Cyber Directorate (Ditreserse Siber Polda Bali) during 2023–2025 (census of 120 cases), supported by a purposive sample of key informants (investigators, prosecutors, defense counsel/advocates, and victims/reporters) and limited observation of case conferences/mediation. Data sources include police dockets, case statistics, settlement minutes, and interview notes, all anonymized. Analytical tools comprise descriptive statistics (case composition, RJ proportion per year), cross-case comparison, and thematic coding of barriers/strategies; performance is assessed using victim-oriented indicators (time-to-takedown, time-to-recovery, compliance with settlement clauses, post-settlement complaints, and digital recidivism signals). Triangulation across documents, interviews, and observed procedures is used to validate findings and reduce single-source bias (Holmes, 2011).

RESULT AND DISCUSSION

The census of cybercrime matters handled by the Bali Regional Police's Cyber Directorate over 2023–2025 totals 120 cases: 40 in 2023, 45 in 2024, and 35 in 2025. Restorative justice (RJ) resolutions number 3, 1, and 4, respectively, yielding annual proportions of 7.50% (2023), 2.22% (2024), and 11.43% (2025), or 6.67% overall. Case composition shifts across the period: in 2023, illegal access/manipulation dominates (27/40; 67.5%), followed by fraud (15.0%), content offenses (10.0%), and gambling (7.5%); by 2024 the mix becomes more even—illegal access/manipulation (46.7%),



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fraud (22.2%), gambling (13.3%), content (6.7%), and "other" (11.1%); in 2025 diversification is most pronounced – illegal access/manipulation (28.6%), fraud (22.9%), gambling (17.1%), content (8.6%), and "other" (22.9%). The nadir of RJ use in 2024 coincides with the peak caseload, while 2025 shows fewer cases and a markedly higher RJ share, suggesting the importance of disciplined triage and clearer operational pathways for recovery-focused settlements when caseload pressure eases.

The empirical pattern supports a conditional design for RJ in cyber matters. When harms are individualized and technically remediable – e.g., targeted account takeover, discrete fraudulent transfers, or limited-scope content harms – RJ becomes more feasible because measurable outcomes (timely takedown, account restoration, verifiable restitution, public clarification, and guarantees of non-repetition) can be specified and audited. Conversely, when harms are diffuse or systemic – e.g., organized gambling operations, mass data exploitation, or multi-jurisdictional fraud – public-interest and deterrence considerations weigh more heavily in favor of prosecution. This differentiation is consistent with restorative justice theory, which centers on victim recovery and accountability but acknowledges boundary conditions in which penal aims (general/special deterrence, incapacitation) must prevail to preserve legal certainty and social utility. Linking the results to the doctrinal frame of criminal law and punishment clarifies eligibility thresholds. The elements of offense (subjective-objective), unlawfulness, fault, and accountability remain intact under RJ; what changes is the sanctioning pathway, which privileges reparative outcomes where they can be made concrete and verified without eroding certainty. In practice, RJ in 2025 aligns more closely with this principled model: higher use is paired with a more diverse case mix, implying more frequent identification of cases where recovery is technically achievable and socially proportionate. The low RJ share in 2024 underscores how institutional formalism and volume pressure can push decision-making toward default prosecution even when remedial options exist, reinforcing the need for risk-based SOPs that surface RJ-eligible cases early, before evidence stales and harms compound (Garcia, 2020; Rochaeti, Prasetyo and Park, 2023).

The findings also interact with the Bali context, where tourism and creative industries amplify the cost of a slow or incomplete digital recovery. Victims – businesses and individuals – value rapid, auditable remediation (shorter time-to-takedown and time-to-recovery) more than symbolic outcomes. Embedding victim-centered metrics in performance dashboards, establishing liaison channels with platforms for accelerated execution, and standardizing verification artifacts (multiplatform takedown proofs, credential-change logs, 2FA activation, payment confirmations, and reach metrics for public clarifications) can raise both the credibility and throughput of RJ. In line with prior scholarship that cautions against "informal peace" without accountability, the Bali data indicate that where such tools are deployed and monitored, RJ can complement prosecution by restoring concrete losses, containing reputational spread, and rebuilding trust – while cases with broad public harms or organized features should continue along pro-yustisia channels to secure deterrence and protect the public interest (Sumartini Saraswati *et al.*, 2023; Adawiah, 2024).

CONCLUSION

Restorative justice in Bali's cybercrime handling emerges as a conditional yet valuable instrument when anchored to principled thresholds from criminal law and the purposes of law. Uptake improves where case triage is disciplined, and a cyber-specific recovery toolkit is applied, enabling verifiable outcomes such as timely content removal, secure account restoration, auditable restitution, public clarification, and guarantees of non-repetition. Institutional formalism, technical complexities of digital evidence, scarce operational guidance, concerns for victims' rights and legal certainty, public misconceptions, and uneven mediation-forensics capacity remain the main



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inhibitors. A risk-based SOP, targeted training for investigators and mediators, inclusive outreach, strong liaison with platforms, and victim-centered performance metrics together provide a workable design to balance justice, certainty, and utility without diluting accountability.

Future Research should evaluate the causal effects of restorative pathways on victim well-being, recidivism, and public trust through longitudinal and comparative designs across regions and offense types. Experimental or quasi-experimental pilots can test alternative verification standards, fast-track protocols, and settlement clauses, supported by cost-benefit and equity analyses. Development of shared indicators – time-to-takedown, time-to-recovery, compliance with settlement terms, residual harms, and digital recidivism signals – will help consolidate learning and support scalable policymaking.

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