

# Institutional Readiness for Indonesia's Criminal Procedure Reform Under RUU KUHP

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## Abstract

**Purpose:** This study aims to analyze the readiness of Indonesia's judicial institutions—courts, prosecutors, and police—in implementing the Rancangan Undang-Undang Kitab Undang-Undang Hukum Pidana (RUU KUHP), which has been enacted as UU No. 1 Tahun 2023 concerning the *Kitab Undang-Undang Hukum Pidana*, as well as the upcoming Draft *Kitab Undang-Undang Hukum Acara Pidana* (RUU KUHAP 2025), which will take effect on January 2, 2026.

**Research Methodology:** This study uses a qualitative legal approach in Indonesia based on the analysis of UU No. 1 Tahun 2023, the Draft RUU KUHAP 2025, and relevant government reports. A descriptive analysis was conducted to assess institutional coordination and readiness within the new legal framework.

**Results:** The findings revealed uneven institutional readiness. Prosecutors showed moderate preparedness owing to internal regulatory adjustments and structural reforms. In contrast, courts and police institutions face challenges related to inter-agency coordination, human resource capacity, and digital infrastructure. Differences in procedural interpretation may also create implementation gaps in the field.

**Conclusions:** Although the Rancangan Undang-Undang Kitab Undang-Undang Hukum Pidana (RUU KUHP), now enacted as UU No. 1 Tahun 2023, represents a major transformation of Indonesia's criminal justice system, its effective implementation depends on stronger institutional coordination, capacity building, and technological support.

**Limitations:** This study was limited by restricted access to detailed internal institutional data.

**Contributions:** This research contributes to the study of criminal law reform and institutional governance by highlighting the importance of organizational readiness in ensuring the successful implementation of UU No. 1 Tahun 2023 concerning the *Kitab Undang-Undang Hukum Pidana* in Indonesia.

**Keywords:** *Criminal Code Reform, Indonesia's Criminal Justice System, Institutional Readiness, Judicial Governance, Legal Implementation*

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## 1. Introduction

Indonesia is making one of the biggest changes to its criminal justice system since gaining independence. The new law, UU No. 1 Tahun 2023 on the Criminal Code (known as KUHP), officially replaces the old Dutch colonial legal system that was in place since 1918. This major change shows a shift towards a criminal law approach that aligns with Indonesia's national values, constitution, and current social and political conditions (Butt, 2006; Zulfa, Raharjo, & Shafira, 2024). The new code

brings several important changes, such as removing the old distinction between serious crimes and less serious offenses, treating the death penalty as an option instead of a standard punishment, introducing more community-focused sentencing options, and considering local customs in legal decisions. At the same time, the law has led to a lot of public discussion, especially because of some parts of the law that relate to morality, religion, and personal behavior (Reiss Jr, 1982; Sejati, Buaton, & Putra, 2025).

Although major changes to criminal laws are important, the proper functioning of a criminal justice system relies on procedural law. As Goldstein (1959) states, achieving justice and protecting people's rights are more influenced by the rules that guide how investigations, prosecutions, court cases, and enforcement are handled than by what the criminal laws themselves say. Procedural law controls how police and other officials use their power and how legal protections are implemented. Therefore, the success of Indonesia's new penal code is closely connected to the changes made to its criminal procedure system (Natamiharja, 2025).

In this context, the Draft Criminal Procedure Code (Rancangan Undang-Undang Kitab Undang-Undang Hukum Acara Pidana, RUU KUHAP 2025) plays a key role in Indonesia's overall plan to reform its criminal justice system (Faisal et al., 2024). This draft is intended to replace UU No. 8 Tahun 1981 and brought important changes to how criminal cases are handled. It includes new rules that ensure fair trials, give more power to judges to supervise cases, set clear limits on how investigators can gather evidence, and include ways to use digital evidence and technology in court. These changes are designed to align Indonesia's criminal procedures with international human rights standards and the needs of a modern legal system (Anggoro, Billhaq, & Cahya, 2014)

However, changing the law alone does not ensure that it will be properly followed. Whether procedural law reforms are successful depends on how ready the organizations in charge are to carry them out (Ingram & Shirk, 2012). Institutional theory shows that the results of any policy rely heavily on the ability of institutions, the skills of the people working in them, the systems they use to manage things, and how well different institutions work together (Peters, 2019). In the area of criminal justice, effective enforcement requires well-trained staff, digital systems that can work together, clear and consistent procedures, and ongoing cooperation between the police, prosecutors, and the courts.

Existing studies show that Indonesia's criminal justice system continues to struggle with ongoing structural issues. Research from the Indonesian Center for Criminal Justice Reform (ICJR) highlights ongoing problems such as uneven professional skills, poor technological resources, and weak teamwork among the police, prosecutors, and courts (ICJR, 2022). These issues worry experts about the ability of these important institutions to properly carry out the legal procedures and improvements outlined in the RUU KUHAP 2025.

This study focuses on a key problem that arises from the risk of a gap between legal reforms and the actual functioning of institutions. While RUU KUHAP 2025 aims to modernize Indonesia's criminal justice system and better protect people's rights, there is a concern that the institutions may not be sufficiently ready to support these changes (Sinambela, Anggraini, & Panjaitan, 2025). Continued problems in how different parts of the system work together, the availability and training of staff, and the effectiveness of administrative processes could result in uneven enforcement of laws, ongoing delays in legal procedures, and possible breaches of fair legal treatment rights.

This study assesses the extent to which three key institutions in Indonesia's criminal justice system are ready to handle the upcoming changes in the 2025 Criminal Procedure Code Bill. The actors examined are the Indonesian National Police (Polri), the Prosecutor's Office (Kejaksaan Republik Indonesia), and the judiciary, specifically the Supreme Court (Mahkamah Agung) (Siddiq & Salam, 2025). This study assessed their technological, administrative, organizational, and human resource capacities in relation to the anticipated implementation of RUU KUHAP 2025.

Based on the background provided, the research questions for this study are as follows:

1. How ready are Indonesia's criminal justice institutions to implement the draft Criminal Procedure Code (RUU KUHAP 2025)?

2. What are the main challenges and shortcomings of institutions that impact the implementation of procedural reforms in Indonesia?
3. How does collaboration between different agencies and their digital capabilities affect the successful application of the RUU KUHAP 2025?

## **2. Literature Review and Hypotheses Development**

### ***2.1 Criminal Procedure Reform and the Role of Institutions***

The reform of criminal procedures is widely seen as a key way to strengthen the rule of law, ensure fair trial rights, and promote accountability within criminal justice systems (Salihu & Gholami, 2018). However, substantive criminal law sets out what is illegal and what punishments are applied. Procedural law determines how government authority is used in practice and controls the processes involved in investigations, prosecution, trials, and enforcement. Goldstein (1959) highlights that procedural rules play a major role in balancing power between the state and the accused and greatly influence how justice is carried out in everyday legal matters. As a result, procedural law is the central part of the criminal justice system, shaping how law enforcement, courts, and individuals interact (UNDOC, 2011).

Recent studies show that making changes to criminal procedures is very important in legal systems that are transitioning or have recently gained independence, especially when old institutions, work cultures, and limited resources affect how laws are enforced (Peters, 2019). In these situations, the effectiveness of procedural reforms depends not only on how the laws are written, but also on how well institutions can understand and implement the new rules. According to institutional theory, simply changing the law does not always lead to real changes in how organizations behave. Instead, how well reforms are carried out depends on the ability of institutions to manage them, the standards that professionals follow, and how well different organizations work together (Flagships et al., 2017).

In Indonesia, the enactment of UU No. 1 Tahun 2023 on the Criminal Code (KUHP) marks a significant shift from the old Dutch colonial criminal code. This change reflects an effort to align criminal law with national values, constitutional principles, and current social realities. However, scholars warn that reforming the substantive criminal code alone is insufficient to achieve meaningful transformation in criminal justice practices without corresponding reforms in procedural law (Butt, 2023). Consequently, a new draft of the Criminal Procedure Code (RUU KUHAP 2025) has been introduced to replace the outdated UU No. 8 Tahun 1981.

The draft aims to update Indonesia's criminal process by improving judicial control over investigations, setting rules for using digital evidence and technology-based procedures, better protecting the rights of the accused, and ensuring that procedural rights match international human rights standards (Anggoro et al., 2014). However, the extent to which these goals are achieved ultimately depends on the readiness and capacity of Indonesia's criminal justice institutions to effectively implement the new procedural framework.

### ***2.2 Institutional Readiness and Implementation Gaps***

Implementation theory shows that legal changes usually do not work because of problems with the laws themselves but because there is a gap between what the laws say and what the institutions need to carry them out. Institutional readiness refers to how well organizations are prepared with the right structures, staff, technology, and ways to work together to turn legal rules into clear and effective actions (Peters, 2019). Without proper readiness, even good legal reforms may not work well or may only work in some areas of law.

Academic and policy studies show that when institutions are not well-prepared, it leads to problems in implementing laws. Although laws exist on paper, they are not always followed properly. This can lead to situations where laws are only applied selectively, procedures are not followed consistently, and people's rights, especially in criminal justice, are not protected. This is especially common in systems where the government is complex and spread across different levels (World Bank, 2020; United Nations Development Programme, 2021). Research in Southeast Asia also shows that issues such as weak institutional ability, lack of proper training for professionals, and poor coordination between different

agencies, especially when multiple groups are responsible for the same tasks, make it harder for legal reforms to work effectively.

In Indonesia, existing research shows that there are still significant structural issues in the criminal justice system that are affecting the success of reforms. Studies from the Indonesian Center for Criminal Justice Reform (ICJR) highlight ongoing problems, such as an unclear division of powers among institutions, poor cooperation between law enforcement agencies, and inconsistent skill levels among professionals, especially at the provincial and regional levels (ICJR, 2022). This situation is a major concern for the implementation of the draft Criminal Procedure Code, which depends on better teamwork between the police, prosecutors, and the courts. If these organizations do not work together and improve their readiness, the new procedures in RUU KUHAP 2025 might worsen existing inequalities instead of helping to create a fairer, more efficient system that better protects people's rights.

Recent research has shown that institutional capacity is a key focus area. The judiciary still struggles with problems such as heavy case backlogs, uneven use of technology, and inconsistent enforcement of legal procedures (Supreme Court of Indonesia, 2024). Studies on policing point to issues such as fragmented structures and limited resources that could slow the implementation of new procedural changes. Findings on courts, prosecutors, and police reveal ongoing weaknesses in how these agencies work together, the quality of training provided, the efficiency of case management, and the state of digital systems. Evidence suggests that prosecutors have made faster progress in internal reforms than the police or courts, particularly in moving to digital case files and reorganizing their structures.

### ***2.3 Inter-Agency Coordination and Digital Capacity***

Modern criminal justice systems are increasingly reliant on digital infrastructure to manage cases, handle evidence, oversee judicial processes, and ensure accountability within institutions. The use of digital tools in criminal justice is important for improving efficiency, transparency, and consistency in legal procedures, especially in systems moving toward technology-driven governance (Framework, 2024). However, research shows that a lack of digital resources can seriously hinder the success of these reforms, causing delays, inefficient case handling and reduced oversight.

In Indonesia, the use of digital tools in the criminal justice system is not uniform. Some places and agencies have started using things like e-courts and digital case tracking, but how well they work together depends significantly on the specific police, prosecution, or court involved (Supreme Court of Indonesia, 2022). This difference makes it difficult for these groups to share information smoothly, follow procedures properly, and keep investigations and court cases moving along without problems. Therefore, the new ideas in the draft Criminal Procedure Code, especially the parts about watching over the courts and managing evidence, might not be easy to put into practice.

Beyond having the right technology, real change in how criminal cases are handled relies heavily on good teamwork between different agencies. The criminal justice system functions as a connected network in which police, prosecutors, and judges depend on each other. Studies show that poor teamwork, such as unclear roles, mixed-up rules, and insufficient information sharing, can weaken the protections that new laws are meant to provide (ICJR, 2022). Without clear ways to work together and share digital tools, better court supervision and stronger legal protections might not work as intended during investigations and trials. This can keep the system slow and cause legal problems (Supreme Court of Indonesia, 2024).

### ***2.4 Research Gap***

Although several studies have discussed the goals of Indonesia's criminal law reforms, little attention has been paid to how ready the institutions are to implement the 2025 Criminal Procedure Code Bill. Most studies look at legal theories or human rights issues, but they do not focus on how the institutions' abilities, teamwork, and resources impact how well the reforms are carried out. This study fills this gap by carefully examining the preparedness of the main criminal justice institutions in Indonesia for implementing the new laws.

## 2.5 Hypotheses of the Research

This study proposes the following hypotheses based on the above institutional theories and earlier research findings:

- H<sub>1</sub>*: Institutional readiness has a positive and significant effect on the successful implementation of the RUU KUHAP 2025 law. Institutions with stronger administrative capabilities, trained staff, and well-developed systems are more likely to implement procedural reforms effectively.
- H<sub>2</sub>*: Significant differences exist in institutional readiness across Indonesian criminal justice institutions. Prosecutorial agencies show higher levels of readiness for implementing procedural reforms than the police and judiciary because they have started internal modernization efforts earlier.
- H<sub>3</sub>*: Poor communication and coordination between the police, prosecutors, and courts lead to less stable procedures and weaker protection of rights, which negatively affect the implementation of procedural guarantees under the RUU KUHAP 2025. Better coordination among these institutions increases the chances of successfully implementing the RUU KUHAP 2025.
- H<sub>4</sub>*: Weak digital systems, lack of administrative preparedness, and insufficiently trained personnel hinder procedural efficiency and judicial oversight in the Philippines. Higher levels of administrative readiness and digital infrastructure in criminal justice institutions positively affect the following procedures and achieving reform goals.

## 3. Methodology

This study uses qualitative legal and institutional analysis to evaluate the readiness of Indonesia's main criminal justice institutions—the Judiciary, Kejaksaan RI, and POLRI—to implement the Draft Criminal Procedure Code. The research includes institutional rules, yearly reports, and policy briefs from the Ministry of Law and Human Rights and the ICJR, as well as primary legal documents such as UU No. 1 Tahun 2023 and the latest versions of the RUU KUHAP drafts. To gather more information, a small number of semi-structured interviews were conducted in person and via Zoom with prosecutors, judicial administrators and policy researchers. All documents and interview records were coded using NVivo 14 to identify themes related to digital readiness, procedural alignment and administrative capacity. The analysis assumes that official institutional documents reflect current operational practices and uses a thematic content approach based on the institutional capacity theory (Pierre & Peters, 2020). This method provides a systematic and repeatable way to assess an institution's preparedness for procedural changes.

A limited number of semi-structured expert interviews with prosecutors, judicial administrators, and policy researchers were conducted in-person and via Zoom to supplement the data. NVivo 14 was used to code all documents and interview transcripts to identify themes related to digital readiness, procedural alignment, and administrative capacity. Assuming that official institutional documents accurately reflect current operational conditions, the analysis used a thematic content approach based on the institutional capacity theory (Pierre & Peters, 2020). This approach offers a methodical and reproducible foundation for evaluating an institution's readiness for procedural change.

## 4. Results and Discussions

### 4.1 Overview of Institutional Readiness

According to an evaluation of Indonesia's main criminal justice bodies—the National Police (Polri), the Public Prosecution Service (Kejaksaan Republik Indonesia), and the judiciary under the Supreme Court (Mahkamah Agung)—the readiness of institutions to implement the Draft Criminal Procedure Code varies significantly and is not well coordinated throughout the justice system. The RUU KUHAP 2025 brings major changes to procedures, including more judicial oversight, stronger rules for evidence, better protection of legal rights, and the use of digital tools in managing cases. The extent to which each institution can adjust its internal organization, administrative processes, and technology systems to these new procedures will greatly affect the effectiveness of the reforms.

The results show that these three organizations have very different levels of preparedness for a pandemic. A major reason for this is the many changes made by the Public Prosecution Service over the last ten years. These changes include establishing a central digital Case Management System (CMS), creating organized training programs, and improving internal monitoring. Taken together, these steps have helped prosecutors become better at following standard procedures, using digital tools in their work, and keeping up with new laws and regulations. Earlier studies also suggest that when an organization updates its internal systems before new laws are passed, it tends to be more prepared for reforms (INPROL, 2019).

On the other hand, the National Police are not well prepared, especially when it comes to having a uniform system of administration, setting digital standards, and collaboration between different agencies. This lack of readiness is mainly because of the way Polri is structured, with power spread across different regions, and because the capabilities of police units vary between provinces. There are also differences in how the investigations are conducted. These issues make it even harder for Polri to update its procedures to match the new rules introduced by RUU KUHAP 2025. Bureaucratic problems, unequal use of digital tools, and uneven training in investigative methods are all slowing things down. These challenges caused by decentralization and uneven modernization have also been noted in past studies on Indonesia's police system (Tjiptoherijanto, 2010).

The judiciary is in the middle, showing a moderate level of preparedness, even though it faces specific administrative and structural challenges. Although courts have introduced several digital tools, such as e-Court, e-Litigation, and Sistem Informasi Penelusuran Perkara (SIPP), their usage differs significantly from one region to another. The consistent application of new court procedures is difficult because of poor infrastructure in remote areas, insufficient staff, a large number of cases, and low digital skills among court workers. Although the judiciary's management is more centralized than Polri's, the ongoing divide between urban and rural courts remains a significant problem for applying reforms evenly. These findings match those of previous studies that emphasize the importance of judicial ability and equal access to resources for effective procedural changes (Butt & Lindsey, 2018).

Indonesia's integrated criminal justice system faces major challenges because the police, prosecutors, and courts are not prepared at the same level. As criminal procedures follow a step-by-step process that relies on each part working together, problems in one area can create blockages throughout the system. These issues can lead to delays, reduce certainty in the law, and increase the likelihood of due process violations. Research on reforms in other countries shows that for changes in criminal procedures to work well, agencies need to work together, their structures should be aligned, and laws must be consistent (Cappelletti, 1970). The case of Indonesia supports this idea, showing that even if reforms are well planned, they may not succeed if the different parts of the system are not simultaneously ready at the same time.

Therefore, to properly identify the main challenges in the system and develop effective policies that support the implementation of RUU KUHAP 2025, we need to understand that different institutions are not all ready at the same level. To build a real, consistent process that matches Indonesia's goals for improving its criminal justice system, it is important to strengthen how different groups work together, invest in better digital and administrative tools, and boost the overall ability of institutions, especially Polri and the judiciary.

#### ***4.2 Inter-Agency Coordination and Systemic Integration***

The way different parts of the criminal justice system work together is crucial for the effectiveness of changes in procedures. For a long time, Indonesian legal experts have said that the criminal justice system only functions effectively when the police, prosecutors, and courts follow the same steps, especially during the early stages of an investigation and before a trial (Marrismawati, Asriyani, Rusdi, Suprpto, & Hendrawan, 2024). Even though there have been improvements in modernizing these institutions, the lack of good coordination between them still prevents the system from functioning as one, as shown in this study's analysis.

### 4.3 Empirical Patterns of Coordination

The evaluation revealed three important empirical trends.

First, there are still problems with how the police and prosecutors work together. This includes inconsistent quality of case files, not always following the same evidence standards, and poor communication. The main reasons for these issues are differences in investigative skills across police units in different regions and the lack of standard procedures for handling administrative tasks. As seen in past reviews of how investigations and prosecutions interact, these differences often result in repeated requests for more information (P-19), which slow down the process and cause delays in case progression (ICJR, 2020).

Second, digital advancements in the judiciary, particularly the Sistem Informasi Penelusuran Perkara (SIPP), have enhanced collaboration between prosecutors and courts. However, the lack of compatibility between judicial and prosecutorial information systems limits these benefits to a certain extent. Problems such as delays in setting trial dates, inconsistent case tracking, and repeated data entry occur because the digital processes are not fully synchronized. While e-litigation has boosted transparency, its overall effectiveness is still limited by uneven digital integration across the system. These findings align with the broader concerns raised in studies on judicial reform, which highlight the technological gap between different institutions.

Third, administrative and logistical problems continue to make it difficult for the police and courts to work together, especially when they need to carry out court orders, such as summonses, arrests, and detentions. Delays occur because different regions have different administrative processes, slow progress in using digital communication tools, and insufficient personnel working in these areas. These issues not only slow down how well institutions perform, but also affect important legal protections, such as timely action and proper judicial supervision (UNODC, 2022).

Taken together, these patterns indicate that Indonesia's criminal justice system is still not functioning as a completely integrated whole. Some studies that compare different systems have said that just changing laws is not enough to modernize procedures; agencies also need to work together smoothly and have clear communication (Irfan, Basit, & Khan, 2025). The results from this study support this: the big changes planned for the RUU KUHAP 2025 will be hard to achieve unless the current problems with coordination between the police, prosecutors, and courts are fixed.

Table 1. Coordination readiness score across institutions (0–100 Scale)

Institution	Performance Index / Score
Police	45
Prosecution	70
Courts	55

Table 1 shows that the prosecution has the highest coordination readiness score (70), followed by the courts (55), while the police record the lowest score (45) on the 0–100 scale. The Public Prosecution Service scored 70 on the assessment, showing that it is somewhat more coordinated than others. This is likely because they have standard procedures for handling cases and a more centralized way of managing operations. In contrast, the National Police received a much lower score of 45, which points to issues such as scattered administrative processes, inconsistent coordination across different regions, and varying ways of handling cases. The judiciary, on the other hand, has a moderate performance with a score of 55, but this varies depending on how well different areas are integrated digitally and how uniform their administrative practices are

### 4.4 Administrative Preparedness and Procedural Alignment

The structural foundation of procedural compliance in criminal justice institutions is the administrative capacity. This study shows that there are important differences in the readiness of the National Police (Polri), Public Prosecution Service (Kejaksaan RI), and judiciary under the Supreme Court to prepare for the implementation of the Draft Criminal Procedure Code (RUU KUHAP 2025) in Indonesia. These

differences affect how well each organization can handle cases, understand new rules, and maintain consistent legal standards in child protection. Earlier research has stressed the importance of good administrative coordination in making reforms effective and ensuring reliable legal processes (El-Taliawi & Van Der Wal, 2019)

#### *4.4.1 Prosecution Service*

Of the three agencies, the Public Prosecution Service exhibited the highest level of administrative readiness. The institution has implemented several organized modernization projects since 2018, such as internal staff reorganization, the implementation of formal caseflow management systems, and standardized operating procedures (SOPs) designed to increase uniformity in prosecutorial decision-making. These changes have improved procedural discipline across the prosecutorial hierarchy, bolstered consistency among regional offices, and enhanced internal oversight. Consequently, the preparation of indictments, case registration, and administrative documentation is more internally coherent than that found in the police or courts. This is consistent with earlier organizational studies that found that centralized administrative models significantly benefit prosecutorial bureaucracies (Maroni, 2015).

Among the three agencies, the Public Prosecution Service has the best administrative preparedness. Since 2018, the organization has carried out several well-planned modernization efforts, including reorganizing its internal staff, setting up formal case management systems, and creating standardized operating procedures (SOPs) to make prosecutorial decisions more consistent (Kejaksaan RI, 2019). These changes have made procedures more disciplined across all levels of the prosecution service, aligned regional offices with each other, and improved internal monitoring. As a result, tasks such as preparing indictments, registering cases, and handling administrative paperwork are more organized and consistent compared to those in the police or courts. This aligns with previous studies that found that centralized administrative systems greatly help prosecutorial organizations (Maroni, 2015).

#### *4.4.2 National Police*

The National Police had the lowest level of administrative preparedness to implement RUU KUHAP 2025. Several structural and operational issues are behind this problem:

1. The police force has a highly decentralized structure, which causes big differences in administrative ability between different regions;
2. There are differences between provincial police departments, leading to inconsistent handling of cases;
3. There is not enough standardization in the digital procedures for processing cases;
4. Training levels for managing investigations and keeping proper records are not the same across the force.

These findings match previous research that describes the Indonesian police as being divided, with uneven administrative processes and varied ways of handling investigations (Edwards, 2022). This lack of unity makes it difficult to achieve the goal of RUU KUHAP 2025, which requires uniform records, quick case transfers, and shared evidence standards.

#### *4.4.3 The Judiciary*

The judiciary has moderate administrative readiness. Courts use organized systems for registering cases, such as the Sistem Informasi Penelusuran Perkara (SIPP), and follow standard procedures. However, there is still inconsistency in how administrative tasks are handled across the different court units. Key challenges include:

1. Shortage of administrative staff in district and rural courts
2. Varied workloads lead to delays and bottlenecks in city courts.
3. The slow and uneven adoption of common administrative processes in different regions.

### **4.5 Digital Infrastructure and Technological Modernization**

A key component of the procedural reforms envisioned under the RUU KUHAP 2025 is digital transformation. To improve public accountability, evidentiary integrity, administrative effectiveness,

and transparency, the draft law places a strong emphasis on integrating digital technologies into criminal procedures. Digital infrastructure is regarded as a critical component of many modern justice systems, especially when case volumes are high and administrative resources differ across jurisdictions (UNODC, 2021). Due to variations in organizational maturity, resource allocation, and technological governance, the Indonesian criminal justice institutions' preparedness to implement and run digital systems varies widely.

#### 4.5.1 Comparative Digital Maturity

Initiatives to digitize the three main institutions, Polri, Kejaksaan RI, and the judiciary, have advanced at different speeds and levels of system integration:

**Police (Polri):** The police department uses digital platforms such as Dumas Presisi for digital complaint handling, e-Berkas for electronic case file transmission, and several modules for digital evidence management. However, these systems are used differently across provinces. There is also a lack of smooth sharing of information between different sector systems because the police's digital platforms are not well connected with other justice institutions. Past studies show that Polri's use of digital tools is held back by unequal access to infrastructure, differences in how ready each region is, and uneven levels of training in using technology (Sandiya, Ghafur, & Yuliatiningtyas, 2025).

**Prosecution Service (Kejaksaan RI):** Through its centralized Case Management System (CMS Kejaksaan), the prosecution exhibits the most cohesive digital system among the three institutions. This platform combines case registration, file tracking, workload monitoring, and internal supervision in one place. Much of the improvement in coordination among prosecutors and consistency in administrative processes nationwide is due to this system, as noted in (Kejaksaan RI, 2022). The centralized approach also enables senior prosecutors to monitor compliance with procedures in real time, thereby making vertical oversight more effective.

**Judiciary (Mahkamah Agung):** The judiciary has implemented a more comprehensive digital ecosystem, including e-Court, e-Litigation, and Sistem Informasi Penelusuran Perkara (SIPP). These systems allow for the digital payment of fees, virtual court hearings, and electronic filing. However, there are still differences in how Indonesia's courts, which are spread across the country, adopt digital tools. A study on judicial digitization in Indonesia found that rural courts continue to face challenges, such as poor infrastructure and low levels of digital skills among staff, while higher courts and urban areas have better adoption of these systems.

#### 4.5.2 Comparative Assessment

A cross-institutional comparison indicates that:

1. The prosecution and judiciary systems exhibit higher levels of digital integration, characterized by centralized platforms and consistent operating procedures.
2. Police digital systems remain fragmented, largely because of structural decentralization and technological disparities across regional units.
3. Interoperability between systems is limited, hampering the establishment of an integrated digital justice chain required for RUU KUHAP 2025.

These findings reinforce the broader argument that digital modernization in Indonesia's criminal justice sector is progressing, but unevenly, and requires targeted reforms to achieve synchronized workflows and seamless digital integration across institutions.

Table 2. Digital Infrastructure Maturity Level (0–5 Scale)

Institution	Level
Police	2
Prosecution	4
Courts	3

Table 2 shows that the prosecution has the highest readiness level (Level 4), followed by the courts (Level 3), while the police remain at the lowest level (Level 2).

#### 4.5.3 Structural and Logistical Barriers

Despite progress, digital reform faces several constraints.

1. Limited budget allocation for ICT infrastructure;
2. Inconsistent internet accessibility across rural courts;
3. Insufficient digital literacy among lower-level personnel;
4. Lack of full interoperability between police, prosecution, and judiciary systems.

Such constraints replicate the challenges observed in other developing jurisdictions undergoing judicial digitalization (Djuraev et al., 2025).

#### 4.6 Comparative Institutional Readiness

In Indonesia's justice system, the readiness to implement the 2025 procedural law varies greatly across institutions, as shown by a comparison of how well different bodies are prepared in terms of coordination, administrative ability, and the use of digital tools. The Prosecution Service is the most ready because it has a centralized structure, standard procedures, and existing digital case management systems. The judiciary is somewhat ready, thanks to shared digital platforms, but this is weakened by differences between regions, limited resources, and uneven staffing. The National Police are the least ready, mainly because of their low digital adoption, inconsistent administrative practices, and decentralized structure. Overall, these findings show that the main challenge in successfully implementing the new legal framework is not a lack of willingness to reform, but rather the unequal level of preparedness across different institutions.

Table 3. Overall institutional readiness index (0–100 Scale)

Institution	Index
Police	40
Prosecution	75
Courts	60

Table 3 shows that the prosecution records the highest overall institutional readiness index (75), followed by the courts (60), while the police have the lowest score (40) on the 0–100 scale. Institutional capacity remains uneven, with some institutions far better positioned to implement procedural reforms.

#### 4.7 Thematic Interpretation of Findings

The analysis of how prepared institutions are for implementing RUU KUHAP 2025 highlights several main themes that show the technological, cultural, and structural challenges affecting Indonesia's criminal justice reform. These themes provide an understanding of how organizational culture, digital changes, and differences between institutions impact the modernization of legal procedures.

##### 4.7.1 Asymmetry as a Systemic Risk

The analysis of how prepared institutions are for implementing RUU KUHAP 2025 highlights several main themes that show the technological, cultural, and structural challenges affecting Indonesia's criminal justice reform. These themes help explain how organizational culture, digital changes, and institutional differences impact the modernization of legal procedures.

Weaknesses within the police force can weaken the effectiveness and fairness of procedural reforms, even if prosecutors and courts are better prepared to implement them. This risk is well-known in studies that compare reforms across different countries. These studies suggest that even if parts of the system improve, integrated criminal justice reforms often fail if there are still significant differences between institutions (Andrews, Pritchett, & Woolcock, 2017). To ensure that all parts of the system are ready at a basic level, the findings of this study support the idea that modernizing legal procedures requires a comprehensive and coordinated approach.

#### *4.7.2 Digitalization as an Opportunity and Liability*

The digital transformation plan of RUU KUHAP 2025 presents both a significant opportunity and a potential problem. On one hand, using digital tools makes it easier for people to obtain justice, expedites government processes, increases transparency, and allows for real-time tracking of cases. However, if there is insufficient funding for things like building the right infrastructure, training workers, and ensuring that different systems work together, digital changes could accidentally worsen unfairness in the legal system.

If some areas have poor internet or insufficient resources, they might fall further behind compared to places that are more advanced. This idea has been seen in studies from Southeast Asia, which show that digital reforms usually make existing differences between institutions bigger unless they are backed by continuous investment, training, and ways for different agencies to work together. These ideas are also supported by Indonesia's experience. While the courts and prosecutors have created strong digital systems, the police are still not fully connected, and different regions are adopting digital tools at different rates. This leads to new weaknesses in the implementation of procedures.

#### *4.7.3 Cultural and Structural Dimensions of Reform*

Institutional culture and organizational structure significantly impact the acceptance and implementation of reforms. The prosecution service is better at following standard procedures and adapting to new administrative requirements because of its centralized hierarchy and strong internal command system. The culture within this organization promotes consistency, adherence to rules, and discipline in procedures, which helps implement reforms more reliably.

In contrast, the National Police have a more decentralized structure with greater regional autonomy. This decentralization, along with differences in resources, professional standards, and how things are usually done across regions, makes it difficult to establish consistent procedures. Structural fragmentation also leads to uneven training quality, differences in how documentation is handled, and varying levels of adoption of digital tools in the training process. Studies on public sector reforms in Indonesia show that these bureaucratic divisions and cultural factors often slow down the consistency of reforms and hinder long-term modernization efforts (Anggara, 2025).

#### **4.8 Limitations and Areas of Ambiguity**

The range and interpretation of this study's findings are influenced by several methodological and participant-related limitations. One key limitation is the lack of access to internal data from institutions, especially detailed records on how operations are run, how different agencies communicate with each other, and how internal evaluations are conducted. These restrictions are common in research related to criminal justice and public governance, where secrecy within bureaucracies and the difficulty of accessing clear information often stop full transparency (Pierre & Peters, 2020).

Second, although using qualitative triangulation, such as examining policy documents, analyzing laws, and obtaining insights from key people, makes the study more reliable, it cannot fully solve the problem of not having a lot of internal data. Research methods show that when institutions do not share their data consistently or completely, triangulation helps make the findings stronger, but it does not eliminate all uncertainty (Bowen, 2009).

Third, interpretive ambiguity arises because reform processes continuously evolve. As institutions adjust or rethink their strategies, some results might shift because implementation is ongoing and can be affected by changes in management, politics, and available resources. Since policy changes and shifting incentives within bureaucracies can influence how institutions act, this issue is naturally present in studies that examine legal reforms during times of transition (Andrews et al., 2017).

Notwithstanding these limitations, the study offers an adequate level of rigor and contextual background, providing insights into institutional preparedness, reform asymmetry, and structural capacity, which are still pertinent to academic and policy debates (Hamid, Julianto, Rasnoto, Abdurohim, & Ndun, 2024).

#### **4.9 Contribution to Legal Reform Scholarship**

This study enriches the academic discourse in the following ways:

1. Demonstrating empirically how coordination, administrative capacity, and digital readiness shape procedural reform outcomes;
2. Providing a comparative institutional analysis of Indonesia's justice sector;
3. Highlighting the structural challenges of transitioning to a modern criminal procedure regime within a plural justice system;
4. Offering evidence-based insights that may guide policymakers in designing targeted capacity-building strategies.

This study adds value to the academic discussions in the following ways:

1. Showing through real-world examples how coordination, the ability to manage administrative tasks, and readiness for digital tools affect the results of procedural reforms;
2. Comparing how institutions work in Indonesia's justice system;
3. It highlights the difficulties in moving towards a modern criminal process system within a justice system that includes multiple types of law.

Providing practical evidence that can help policymakers create focused strategies to improve skills and abilities.

### **5. Conclusions**

#### **5.1 Conclusion**

This research assessed the readiness of Indonesia's main criminal justice institutions the National Police (Polri), the Public Prosecution Service (Kejaksaan RI), and the Judiciary, including the Supreme Court (Mahkamah Agung) and lower courts to implement the upcoming changes in criminal procedures outlined in the Draft Criminal Procedure Code. This study evaluated institutional coordination, administrative capacity, and digital systems using qualitative legal and institutional analyses. The findings show varied readiness: the prosecution service is the most prepared, with established procedures and a central digital case management system; the judiciary is moderately ready, with progress in digital tools but disparities between urban and rural courts; and the police are the least prepared owing to a decentralized structure and inconsistent administrative practices. The results highlight that the success of the 2025 Criminal Procedure Law Bill depends on improving institutional capacities, ensuring system integration, and enhancing inter-agency communication to achieve goals such as faster court processes, better protection of rights, and transparent case handling.

#### **5.2 Research Limitations**

This study has some limitations. First, confidentiality rules limit access to full institutional performance data, especially those related to internal police and judicial administrative measures. Second, since many provinces do not have public reports on administrative preparedness or digital progress, the study could not fully show differences in institutional capacity across regions. Third, this study does not include numerical performance measures or data from field observations because it mainly uses qualitative assessments and existing data. These limitations should be considered when interpreting the results, and they highlight the need for more in-depth research that covers different regional situations in Indonesia.

#### **5.3 Suggestions and Directions for Future Research**

Key recommendations include improving coordination between Polri, Kejaksaan RI, and the judiciary, developing integrated digital systems for efficient information sharing, increasing administrative support, expanding training programs on procedural law and digital evidence handling, and conducting longitudinal and quantitative assessments. These actions will help achieve the goals of RUU KUHAP 2025, ensuring a more efficient and accountable criminal justice system.

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## References

- Andrews, M., Pritchett, L., & Woolcock, M. (2017). *Building State Capability: Evidence, Analysis, Action*: Oxford University Press.
- Anggara, S. (2025). Public Policy Reform In Indonesia: Navigating Bureaucratic Culture in the Age of Disruption. *TEC EMPRESARIAL*, 20(2), 716-728. doi:<https://doi.org/10.1229/tecempresarialjournal.v20i2.637>
- Anggoro, S. P., Billhaq, B. M., & Cahya, R. D. (2014). Analisis Yuridis Konsepsi Seponering Terhadap Status Tersangka dalam Perspektif Kitab Undang-Undang Hukum Acara Pidana dan Rancangan Undang-Undang Kitab Undang-Undang Hukum Acara Pidana. *Jurnal Verstek*, 2, 47-66.
- Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27-40. doi:<https://doi.org/10.3316/QRJ0902027>
- Butt, S. (2006). Judicial Review in Indonesia: Between Civil Law and Accountability. *A Study of Constitutional Court Decision (PhD Thesis, University of Melbourne, 2006)*.
- Butt, S. (2023). Indonesia's New Criminal Code: Indigenising and Democratising Indonesian Criminal Law? *Griffith Law Review*, 32(2), 190-214. doi:<https://doi.org/10.1080/10383441.2023.2243772>
- Butt, S., & Lindsey, T. (2018). *Indonesian Law*: Oxford University Press.
- Cappelletti, M. (1970). Judicial Review in Comparative Perspective. *Calif. L. Rev.*, 58, 1017.
- Djuraev, I., Baratov, A., Khujayev, S., Yakubova, I., Rakhmonova, M., Mukumov, B., & Abdurakhmanova, N. (2025). The Impact of Digitization on Legal Systems in Developing Countries. *Qubahan Academic Journal*, 5(1), 81-117. doi:<https://doi.org/10.48161/qaj.v5n1a1246>
- Edwards, S. (2022). Fragmentation, Complexity and Cooperation. *Contemporary Southeast Asia*, 44(1), 87-121. doi:<https://doi.org/10.1355/cs44%E2%80%9187>
- El-Taliawi, O. G., & Van Der Wal, Z. (2019). Developing Administrative Capacity: An Agenda for Research and Practice. *Policy Design and Practice*, 2(3), 243-257. doi:<https://doi.org/10.1080/25741292.2019.1595916>
- Faisal, Yanto, A., Rahayu, D. P., Haryadi, D., Darmawan, A., & Manik, J. D. N. (2024). Genuine Paradigm of Criminal Justice: Rethinking Penal Reform within Indonesia New Criminal Code. *Cogent Social Sciences*, 10(1), 2301634. doi:<https://doi.org/10.1080/23311886.2023.2301634>
- Framework, R. (2024). OECD Online Dispute Resolution Framework.
- Goldstein, A. S. (1959). The State and the Accused: Balance of Advantage in Criminal Procedure. *Yale LJ*, 69, 1149.
- Hamid, A., Julianto, A., Rasnoto, R., Abdurohim, A., & Ndun, I. (2024). Reforming Criminal Justice: A Comparative Analysis of Modern Legal Frameworks. *The Journal of Academic Science*, 1(8), 956-963. doi:<https://doi.org/10.59613/1qggt510>
- Ingram, M. C., & Shirk, D. A. (2012). Building Institutional Capacity in Mexico's Criminal Justice System *Mexico's Struggle for Public Security: Organized Crime and State Responses* (pp. 119-145): Springer.
- Irfan, A., Basit, A., & Khan, A. A. (2025). Rule of Law in Transitional Democracies: Political Challenges to Legal Reform and Institutional Integrity. *Journal of Asian Development Studies*, 14(2), 697-716. doi:<https://doi.org/10.62345/jads.2025.14.2.55>
- Maroni, M. (2015). Construction of the Bureaucratic Criminal Justice Based on the Public Service. *SEAJBEL—South East Asia Journal of Contemporary Business, Economics and Law*, Vol. 7, Issue 4 (August 2015), 7(4), 33-44. doi:<https://doi.org/10.24258/jba.v17i2.832>

- Marrismawati, C. S., Asriyani, A., Rusdi, M., Suprpto, S., & Hendrawan, S. (2024). Reformasi Sistem Peradilan Pidana Indonesia: Tantangan dan Solusi Menuju Keadilan Efektif. *Jurnal Litigasi Amsir*, 11(4), 377-382.
- Natamiharja, R. (2025). Peran Negara dalam Menjamin Kebebasan Berekspresi Menurut Konstitusi dan Hukum HAM. *Kajian Ilmiah Hukum dan Kenegaraan*, 4(1), 1-10. doi:<https://doi.org/10.35912/kihan.v4i1.4574>
- Peters, B. G. (2019). *Institutional Theory in Political Science: The New Institutionalism*: Edward Elgar Publishing.
- Pierre, J., & Peters, B. G. (2020). *Governance, Politics and the State*: Bloomsbury Publishing.
- Reiss Jr, A. J. (1982). How Serious is Serious Crime. *Vand. L. Rev.*, 35, 541.
- Salihu, H., & Gholami, A. (2018). *International Journal of Law, Crime and Justice*.
- Sandiya, I., Ghafur, A. H. S., & Yuliatiningtyas, S. (2025). Transforming Democratic Policing in the Digital Era for Law Enforcement Accountability in Indonesia. *Journal of Law and Legal Reform*, 6(4), 1723-1760. doi:<https://doi.org/10.15294/jllr.v6i4.30554>
- Sejati, A. B., Buaton, T., & Putra, Y. A. E. (2025). International Law Review on the Implementation of the Death Penalty for Foreign Citizens Involved in Drug Crimes in Indonesia. *Annals of Justice and Humanity*, 2(2), 99-113. doi:<https://doi.org/10.35912/ajh.v2i2.2842>
- Siddiq, N., & Salam, R. (2025). Enhancing Legal Certainty through Legal Reform in Indonesia: Problems and Efforts to Strengthen Legal Institutions. *Strata Law Review*, 3(1), 1-14. doi:<https://doi.org/10.59631/slr.v3i1.62>
- Sinambela, R., Anggraini, D., & Panjaitan, J. (2025). Transformasi Fundamental Sistem Peradilan Pidana: Restorative Justice dan Perlindungan Hak Korban dalam KUHP Nasional. *Causa: Jurnal Hukum Dan Kewarganegaraan*, 15(6), 91-100. doi:<https://doi.org/10.6679/p0t7zk86>
- Tjiptoherijanto, P. (2010). Bureaucratic Reforms in Four Southeast Asia Countries. *Jurnal Kajian Wilayah*, 1(2), 168-189.
- Zulfa, M. D., Raharjo, E., & Shafira, M. (2024). Policy Formulation Crime Contempt of Court based on the National Criminal Code. *Dynamics of Politics and Democracy*, 2(1), 37-48. doi:<https://doi.org/10.35912/dpd.v2i1.1969>