

Analysis of the Readiness of the Prosecutor's Office in Facing the Digital Revolution

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Abstract. This article discusses the importance of the prosecutor's office readiness as an independent institution capable of facing the ongoing digital revolution in law enforcement. The autonomy of the prosecutor's office in carrying out its duties without pressure from other parties is the main foundation for maintaining the integrity of the prosecutor's office as an independent institution. In addition to independence, the development of capacity and expertise in the field of information technology is also a primary focus to ensure that prosecutors have sufficient competency to face the digital revolution. The development of adequate information technology infrastructure is also essential to effectively utilize technology in the law enforcement process. Cross-sectoral collaboration and partnerships with external parties are also important strategies in facing the challenges of the digital revolution. Collaboration with other law enforcement agencies, government, private sector, and international institutions will strengthen the capacity of the prosecutor's office in handling digital crime cases. By taking concrete steps to strengthen independence, capacity, and information technology infrastructure, it is hoped that the prosecutor's office will become an institution that is ready and capable of facing the digital revolution well and providing quality legal services to the community.

Keywords: Analysis, Prosecutor's Office, Independent, Digital Revolution.

1 Introduction

According to the Prosecutor's Office Law's explanation of Article 2 paragraph 1, "The Prosecutor's Office in carrying out its functions, duties, and authorities is free from the influence of government power and other powers," In the prosecution specialization, the Prosecutor's Office can independently exercise state authority. However, the Examiner's Office has found itself in a hazy position as a result of the Examiner's Office Regulation's implementation. On the one hand, it is expected of the Investigator's Office to exercise its powers and capabilities on its own., but on the other hand, as an institution, it is positioned under the authority of the executive branch (dual obligation). Its independence in fulfilling prosecutions becomes vulnerable if the government lacks commitment to uphold the rule of law in Indonesia.[1].

The Adhyaksa corps' decision-making objectivity is frequently questioned because of the Dual Obligation, particularly when it comes to handling cases involving governmental interests. Many agree that the Examiner's Office cannot operate without the assistance of other power strategies., as the Investigator's Office is under the power of the presidential branch. Throughout all the Attorneys General who have served up to now, there has never been an Attorney General

appointed and dismissed concurrently with the term of the Government Cabinet. Meanwhile, there have also been several ideas proposed to position the Prosecutor's Office as an "independent state body," not as a governmental institution under the authority of the executive branch or any other authority.[2]. As a result, it is anticipated that the Prosecutor's Office will be independent and autonomous, meaning that it will not be influenced in enforcing Indonesian law. In addition, in the face of the demands of change and the digital revolution, the prosecutor's office plays a crucial role in the pursuit of justice that can ensure Indonesian society's safety and prosperity.

In the rapidly evolving digital revolution era, the transformation of information technology has changed various aspects of human life, including in the realm of law enforcement. As one of the agencies of law enforcement, the Prosecutor's Office in Indonesia, is also not immune to the impacts and challenges posed by this digital revolution. Along with the development of increasingly sophisticated and complex technology, the prosecutor's office needs to ensure that they are prepared to face these changes and utilize them optimally to enhance performance, efficiency, and effectiveness in carrying out their duties.

The ongoing digital revolution has profoundly impacted numerous aspects of society, including the legal enforcement system. As data and correspondence innovation keeps on advancing, prosecutors must adapt and utilize various technological advancements to enhance their capabilities and remain competitive when addressing a wide range of legal cases, particularly those that involve digital or cybercrime.

The existence of complex and widespread digital and cybercrimes demands that the prosecutor's office be ready and capable of facing these challenges. In dealing with cases such as personal data theft, online fraud, or cyber-attacks, the prosecutor's office needs to have adequate knowledge and skills in the field of information technology and cyber security. Moreover, the prosecutor's office must also be able to collaborate with various stakeholders, including other law enforcement agencies, the government, and the private sector, to effectively address the threats of digital crimes. However, in facing the digital revolution, prosecutors in Indonesia still face several challenges and obstacles. One of the main constraints is the limitation of resources, both in terms of technology infrastructure and human resources with expertise and knowledge in information technology. The lack of investment in technology development and specialized training for prosecutors in this regard can hinder the readiness of the prosecutor's office to face the digital revolution. Furthermore, data security and privacy issues are also important concerns for the prosecutor's office. In collecting electronic evidence and managing digital information, the prosecutor's office must ensure that the collected data is secure from cyber-attacks and not misused by unauthorized parties. Data protection and privacy are key in maintaining the integrity and public trust in the prosecutor's office.

The transformation of numerous aspects of life, including the judicial system and law enforcement, has been significantly impacted by the digital revolution. The digital revolution has a significant impact on the prosecutor's office's preparation to become an independent institution capable of ensuring justice for Indonesian society in the context of the prosecutor's office as a law enforcement agency.

1. Transparency and Accountability.

The digital revolution provides an opportunity for the prosecutor's office to enhance transparency and accountability in carrying out its duties. With the presence of information technology, the prosecutor's office can improve its reporting, monitoring,

and performance evaluation systems, thus enhancing accountability in managing legal cases.

2. Increased Efficiency and Effectiveness.

The development of information technology enables the prosecutor's office to improve efficiency and effectiveness in handling legal cases. With the adoption of appropriate technology, the prosecutor's office can expedite the investigation, prosecution, and resolution processes, thereby providing faster and more efficient justice for the public.

3. Capacity and Skills Strengthening.

The digital revolution urges the prosecutor's office to continually develop capacity and skills in the field of information technology and cyber security. The prosecutor's office needs to ensure that its prosecutors have adequate knowledge and skills to address increasingly complex digital crime cases.

4. Data and Privacy Protection.

In an era fraught with data breaches and privacy violations, the prosecutor's office needs to ensure that the data managed and used in handling legal cases are safe and protected. Data protection and privacy are key in maintaining the integrity and public trust in the prosecutor's office.

5. Prosecutor's Independence.

In the context of preparing the prosecutor's office as an independent institution, the digital revolution can be one of the means to strengthen the prosecutor's independence from various external pressures that may undermine its independence. With integrated and transparent information systems, the prosecutor's office can be more independent in making fair and just legal decisions.

By taking advantage of the potential and opportunities offered by the digital revolution, it is hoped that the prosecutor's office can strengthen its role and function as an independent institution capable of providing guarantees of justice for the Indonesian people. By maintaining integrity, transparency, and accountability, prosecutors can build strong public trust and provide quality legal services to all levels of society. For this reason, analyzing the readiness of the prosecutor's office in facing the digital revolution is urgent to do. By understanding the challenges and opportunities offered by developments in information technology, prosecutors can identify strategic steps that need to be taken to increase readiness and capacity in facing changing times. In this way, it is expected that the prosecutor's office can continue to adapt and develop according to the ever-changing dynamics of the digital era.

This article will discuss how to prepare the Prosecutor's Office to be independent and independent in executing law enforcement and face the digital revolution.

2 Problem Formulation

The issue addressed in this writing is the problem of preparing the Prosecutor's Office to be independent and autonomous in law enforcement, as well as capable of facing the digital revolution.

3 Method

3.1 Method

This applied writing employs the descriptive analytical method, which makes use of data that provides a clear description of the issues that were directly observed in the field. In order to find a solution to a problem, an analysis is carried out and conclusions are drawn..[3]. In order to find solutions to the issues discussed in the preparation of this writing, the data collection method includes observation and literature review. [4].

3.2 Approach

The sociological juridical approach, also known as a juridical approach, is a method for looking at problems from a legal and methodical point of view. It also serves as a guide to rules that can be used as a foundation for looking at legal phenomena that arise.[5]. The sociological approach is widely used to investigate issues in communities or society. The primary goal of this approach is to gather factual information about a problem, identify the issues at hand, and work towards finding solutions.[6] By following this structured approach, it is possible to gain a better understanding of problems and develop effective strategies to address them.

4 Result and Discussion

4.1 Duties and Authorities of the Prosecutor's Office

According to Article 30 of Regulation No. 16 of 2004, the Principal Legal Officer's Office (Back) responsibilities and specialists for the Republic of Indonesia's Principal Legal Officer are as follows:

- 1) In the criminal justice system, the AGO has the authority to:
 - a. Prosecute;
 - b. Execute judge's choices and court decisions that have acquired legitimate power;
 - c. Direct the execution of contingent criminal decisions, management decisions, and restrictive choices;
 - d. Using the law, conduct investigations into specific crimes;
 - e. Complete explicit case records and, for this reason, may direct extra assessments prior to alluding them to the court, which in its execution is facilitated with the agent.
- 2) The Back has extraordinary authority to act on behalf of the state or public authority both inside and outside of the court in the common and state organization fields.
- 3) In the field of public request and serenity, the Prior likewise directs exercises:
 - a. Upgrading public legitimate mindfulness;
 - b. Getting policing;
 - c. Getting the dissemination of pieces of literature;
 - d. Checking conviction developments that might jeopardize society and the state;
 - e. Forestalling the maltreatment and additionally spoiling of religion;
 - f. Exploring and creating criminal regulation insights.

In addition, according to Article 31 of Law No. 16 of 2004, the AGO may ask a judge to decide a defendant in a hospital mental health facility or another suitable location if the defendant is unable to stand trial on their own or poses a threat to themselves, others, or the environment. Article 32 of Law No. 16 of 2004 states that the AGO may be given additional powers and responsibilities based on other laws in addition to those outlined in this law. In addition, Article 33 stipulates that the AGO must cooperate with other state bodies and institutions as well as law enforcement and justice agencies in carrying out its duties and powers. Then, Article 34 says that the AGO can help other government facilities with legal issues.

In the Republic of Indonesia, these tasks and authorities are also regulated in the Criminal Procedure Code (KUHAP). Based on this, the authorities regulated in the KUHAP can be inventoried as follows:[7]

- 1) Upon receiving notification that the investigator has begun an investigation into an incident in accordance with Article 30 section 1 of the Criminal Procedure Code, we can see that the Examiner's Office's responsibilities and authority are extremely clear in determining whether an individual or business has committed a criminal act or not. In addition to the responsibilities and specialists outlined in Article 30 section 1 of the Criminal Procedure Code, it is also possible for the Examiner's Office to be granted certain responsibilities and specialists in accordance with other regulations, such as Regulation 15 of 2003 regarding psychological warfare wrongdoing, that are not related to the Examiner's Office of the Republic of Indonesia. It is outlined in Article 32 of Law No. 16 of 2004 Concerning the Prosecutor's Office of the Republic of Indonesia, which reads as follows:
"In addition to the duties and authorities stated in this Law, the Prosecutor's Office may be entrusted with other duties and authorities based on the law."
In the case of a prosecution, the Prosecutor's Office as Public Prosecutor after receiving the files or results of the investigation from the investigator immediately The Head of the District Prosecutor's Office (KAJARI) receives the findings of the investigation after it has been assigned to one of the prosecutors for study and investigation. During the prosecution process, a number of factors must be taken into account, namely:
 - a. If the case file turns out to be incomplete, return it to the investigator along with the instructions that the investigator will follow (pre-prosecution).
 - b. Split or merge files
 - c. The investigation has produced conclusive findings, but there is insufficient evidence to conclude that the incident did not involve fraud, so the prosecution should also be dropped. A decision letter is issued if the suggestion is accepted. Pretrial submission of the decision letter is possible.
 - d. The investigation's findings are complete and may be presented to the District Court. In this instance, KAJARI appointed the Public Prosecutor with a letter of appointment. A letter of transfer of the case is written by the public prosecutor and sent to the District Court following the completion of the indictment..
- 2) In accordance with Article 8 paragraph (3) letters a and b, receive case files from investigators in the first and second stages. In the case of a brief examination, receive case files directly from the assistant investigato[8].
- 3) Conducting pre-prosecution.
- 4) Granting extension of detention, conducting house arrest, city arrest, and changing the type of detention.

- 5) Upon request of the suspect or defendant, granting temporary release and may revoke the release if the suspect or defendant violates the specified conditions.
- 6) Holding an auction of seized items that are perishable or hazardous and cannot be stored until the court decision on the case becomes legally binding, or securing them with the presence of the suspect or their representative.
- 7) Monitoring the communication between the suspect and legal counsel without listening to the content of the conversation, and in cases of crimes against state security, listening to the content of such conversation.
- 8) Inquiring of the Chair of the District Court for a pre-trial review to determine the validity of the investigator's termination of the investigation. Through horizontal oversight, the objective of this article is to uphold law, justice, and truth.
- 9) In related cases, the public prosecutor receives the case transfer from the military auditor and uses it as the basis to submit the case to the competent court because criminal cases must be tried in the general judicial system.
- 10) Determining whether a case file meets the requirements for referral to the court.
- 11) Undertaking other actions such as examining the suspect's identity, and evidence, while strictly observing the boundaries of authority and functions between the investigator, public prosecutor, and the court.
- 12) If the public prosecutor believes that prosecution can be conducted based on the investigation results, they promptly draft an indictment.
- 13) Drafting a decision to terminate prosecution.
- 14) Continuing prosecution against a suspect whose case was terminated due to new reasons.
- 15) Consolidating cases and drafting them into a single indictment.
- 16) Separating the prosecution from a case file that contains multiple criminal acts committed by multiple suspects.
- 17) Referring the case to the district court along with the indictment and case files.
- 18) Drafting the indictment.
- 19) The public prosecutor may amend the indictment to improve or end the prosecution either before the court sets the trial date or seven days before the trial begins.

4.2 Strengthening the Prosecutor's Office through Constitutional Amendments and Preparing for the Digital Revolution

The theory of constitutional law began to receive attention and developed rapidly when the Indonesian nation entered the reform era.[9] One of the main currents of the reform era is the wave of democratization. Democracy has provided space for demands for change, both demands related to state governance norms, state institutions, and the relationship between the state and its citizens. Democracy also allows academic freedom and autonomy to study various theories that give rise to choices of constitutional systems and structures to accommodate these various demands.

These demands cover a lot of ground. According to positive constitutional law at the time, the existing regulatory and institutional framework was no longer influenced by the growth of people's aspirations and lives. On the other hand, a number of theoretical studies have come to light that offer up brand-new alternative institutional and regulatory frameworks. Positive constitutional law experienced "desacralization" as a result. Things that were previously inaccessible were questioned. In the two orders prior to the reform, namely the Old Order (1959-

1967) and the New Order (1967-1998), it could not be questioned and could be considered to be against the state. Various demands for change culminated in demands for changes to the 1945 Constitution.

There have been many changes to the material of the 1945 Constitution, including changes in formulation, changes in location, and new provisions, among the four amendments to the Constitution, from the first (1999) to the fourth (2002):

1. The number of chapters has increased from 16 to 22, with the exception of Chapter IV, which has been removed.
2. From 37 articles, four transitional articles, and one additional provision, the number of articles has increased to 73, with 36 new articles, three transitional articles, and two additional provisions. Articles 4, 10, 12, 25, 29, and 35 are the only ones that haven't changed. The formulation of Articles 22 and 36 does not change, but they receive additional articles.

Furthermore, the various changes can be grouped as follows:

1. changes that are connected to the change of power. For instance, the transfer of legislative authority; in accordance with the initial provisions, legislative authority belonged to the president; however, legislative authority is now exercised by the DPR (House of Representatives).
2. changes that confirm power restrictions. The President and Vice President, for instance, are limited to two consecutive terms.
3. changes that aim to balance power. The DPR's opinion must be taken into account by the government, for instance, when making decisions about amnesty, abolition, the appointment of ambassadors, and the acceptance of foreign representatives.
4. changes that elaborate on or reiterate existing provisions. For instance, the principle outlined in the Constitution that all DPR members are elected through general elections has not yet been properly implemented.
5. New elements are introduced by additional changes. Chapters on general elections, the Supreme Audit Agency (BPK), and defense and security are just a few examples.
6. changes that get rid of things that aren't needed. For instance, the Constitution of 1945 eliminated explanations.
7. changes that aim to establish a new paradigm. For instance, when creating laws to implement regional autonomy.

It is regrettable that the position of the Prosecutor's Office, which plays a central role in the framework of the criminal justice system, has not been given attention as one of the fundamental issues that must be regulated in the constitution despite various changes.[10] Particularly in comparison, for instance, to the position of the Indonesian National Police, which is governed by the defense and security chapter.

Encountering the rapidly evolving digital revolution, the prosecutor's office needs to implement several comprehensive strategies to ensure that they are ready and capable of responding to challenges and leveraging opportunities. Here are some strategies that can be applied by the prosecutor's office in facing the digital revolution, both now and in the future.

1. **Digital Literacy Enhancement and Technology Training.**
The Prosecutor's Office needs to provide continuous training and education to prosecutors and staff within the prosecutorial environment related to digital literacy and information technology. It includes understanding cyber security, data analysis, and the application of technology in handling legal cases.
2. **Development of an Integrated Information System.**
The Prosecutor's Office needs to develop an integrated information system to facilitate data and information management in handling legal cases. An efficient and integrated information system will assist the prosecutor's office in accelerating the investigation, prosecution, and resolution of cases.
3. **Collaboration with External Parties.**
The Prosecutor's Office needs to strengthen collaboration with external parties, including other law enforcement agencies, the government, the private sector, and international institutions, in addressing the challenges of digital crime and cybercrime. The cross-sectoral cooperation will enhance the capacity of the prosecutor's office to handle cases involving information technology.
4. **Development of Information Technology Expert Teams.**
The Prosecutor's Office needs to form expert teams in information technology with expertise and specialized knowledge in cyber security, data analysis, and the development of information technology applications. These expert teams will assist the prosecutor's office in facing increasingly complex technological challenges.
5. **Data Security and Privacy Enhancement.**
The Prosecutor's Office needs to ensure that the data and information managed are secure from cyberattacks and privacy breaches. Data and privacy protection are top priorities in maintaining the integrity of the prosecutor's office and gaining public trust.
6. **Encouraging Innovation and Creativity.**
The Prosecutor's Office needs to encourage innovation and creativity in the use of information technology to improve performance and effectiveness in carrying out its duties. The development of new technology applications and the implementation of innovative technological solutions will assist the prosecutor's office in responding to the dynamics of the digital revolution.
7. **Ongoing Monitoring and Evaluation.**
The Prosecutor's Office needs to conduct periodic monitoring and evaluation of the implementation of strategies in facing the digital revolution. The evaluation will assist the prosecutor's office in identifying weaknesses and improvements needed to enhance its readiness to face technological changes.

By implementing the above strategies, it is expected that the prosecutor's office can better face the digital revolution and effectively respond to the challenges at hand. By utilizing information technology optimally, the prosecutor's office can strengthen its role and function as an independent law enforcement institution, efficient, and effective in ensuring justice for the Indonesian society.

To make the prosecutor's office an independent institution ready to face the digital revolution, several factors need to be considered in the process of realizing this readiness. Here are some key factors that must be taken into account:

1. **Institutional Independence.**

The Prosecutor's Office needs to ensure that they have autonomy and independence in making legal decisions without external pressure that could compromise their independence. This includes setting internal policies that support the prosecutor's freedom in carrying out their duties.

2. **Transparency and Accountability.**
The Prosecutor's Office needs to maintain transparency and accountability in every action and decision made. Establishing transparent and open reporting mechanisms will help maintain the integrity of the prosecutor's office as an independent institution.
3. **Capacity and Expertise Strengthening.**
The Prosecutor's Office needs to continually develop the capacity and expertise of prosecutors to cope with the rapid development of information technology. Training and education related to digital literacy and cyber security are essential to enhance competence and skills in facing the digital revolution.
4. **Development of Information Technology Infrastructure.**
The Prosecutor's Office needs to develop adequate information technology infrastructure to support operations and handling of legal cases. Investment in integrated and secure information systems will assist the prosecutor's office in effectively utilizing technology.
5. **Data and Privacy Protection.**
The Prosecutor's Office needs to ensure that the data and information managed are safe and protected from cyberattacks and privacy breaches. Strict data security policies and compliance with privacy standards are key to maintaining the integrity of the prosecutor's office as an independent institution.
6. **Collaboration and Partnerships.**
The Prosecutor's Office needs to strengthen collaboration with external parties, including other law enforcement agencies, the government, the private sector, and international institutions, in facing the challenges of the digital revolution. The cross-sectoral collaboration will enhance the capacity of the prosecutor's office to handle digital crime cases.
7. **Innovation and Adaptation.**
The Prosecutor's Office needs to encourage innovation and adaptation to the ever-changing developments in information technology. Openness to change and the ability to adapt to new technologies will help the prosecutor's office in addressing the challenges of the digital revolution.

By paying attention to the factors above and implementing appropriate steps, the prosecutor's office can strengthen its readiness as an independent institution ready to face the digital revolution. By maintaining integrity, transparency, and competence in the use of information technology, the prosecutor's office is expected to provide quality guarantees of justice for the Indonesian people.

5 Conclusion

The importance of the prosecutor's preparation as an independent institution capable of facing the ongoing digital revolution cannot be overstated. In an era where information technology plays a crucial role in the legal world, the prosecutor's office needs to strengthen its

readiness to confront the challenges posed by rapid technological changes. First and foremost, the independence of the prosecutor's office is a key factor in ensuring that legal decisions are not influenced by external interests. The autonomy of the prosecutor's office in carrying out its duties without pressure from external parties will ensure justice in law enforcement. Transparency and accountability are also crucial aspects in maintaining the integrity of the prosecutor's office as an independent institution. Moreover, the development of the capacity and expertise of prosecutors in the field of information technology is essential and cannot be overlooked. Training and education related to digital literacy, cyber security, and data analysis are necessary to ensure that the prosecutor's office has competent human resources to face the digital revolution. Adequate information technology infrastructure is also a crucial factor in strengthening the readiness of the prosecutor's office. Investment in integrated and secure information systems will enable the prosecutor's office to effectively utilize technology in handling legal cases. Cross-sectoral cooperation and partnerships with external parties will also assist the prosecutor's office in facing the challenges of the digital revolution. Collaboration with other law enforcement agencies, the public authority, the confidential area, and worldwide establishments will upgrade the limit of the examiner's office in taking care of advanced wrongdoing cases. By finding a way substantial ways to fortify freedom, limit, and data innovation framework, the examiner's office is expected to become an institution that is ready and capable of effectively facing the digital revolution, thus providing quality justice assurance for Indonesian society.

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