

Juridical Review of the Regulation of the Head of the State Police of the Republic of Indonesia Number 14 of 2014 Concerning Goods and Services Procurement Service Units

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Abstract. The Indonesian National Police (Polri) has taken a significant step towards ensuring transparency, accountability, and efficiency in the management of state resources. It has been achieved by implementing Chief of Police Regulation Number 14 of 2014 concerning the Goods and Services Procurement Service Unit. However, implementing such a regulation is a challenging task that requires awareness and commitment from all parties involved. This sort of exploration is Regularizing research utilized legal and calculated approach. The information source utilized was optional information broke down unmistakably and subjectively. Closing was completed utilizing a rational strategy. This examination found that Article 17 stresses the commitment to complete the acquirement cycle for labor and products straightforwardly. Moreover, every stage in the procurement process, from planning, and auction implementation, to evaluating goods/services providers, must be carried out openly and clearly. Apart from that, another strong article that can be a driving force for the implementation of this regulation is Article 24 which regulates administrative sanctions for violators. This article provides a legal basis for the National Police to impose sanctions on parties who violate the provisions of this regulation. With the threat of sanctions, it is expected that it can encourage related parties to comply with the established rules.

Keywords: Juridical Review, Regulation of the Head of the National Police of the Republic of Indonesia Number 14 of 2014, Goods and Services Procurement Service Unit

1 Introduction

Rule of the Highest point of the Public Police of the Republic of Indonesia Number 14 of 2014 concerning the Merchandise/Administrations Obtainment Administrations Unit features legitimate perspectives connected with the execution of acquirement of labor and products inside the Public Police of the Republic of Indonesia (Polri). The National Police is trying to decide between buying goods and services more open, accountable, and efficient through this regulation to support the performance of the police institution. The background to the enactment of Chief of Police Regulation Number 14 of 2014 can be seen from the need to improve the goods procurement system and services within the National Police, which previously may not have been optimal. The possibility of problems related to the procurement process being slow, inefficient, or prone to corrupt practices is a critical factor that prompted the birth of this regulation as an internal reform effort in the National Police.[1].

In the realm of procurement of goods and services within government institutions, particularly those with significant duties and responsibilities such as the National Police, adherence to legal regulations holds paramount importance. Strong financial management is essential, along with the preservation of integrity, professionalism, and the fostering of public trust within the organization. Chief of Police Regulation Number 14 of 2014 underscores the commitment of the National Police to uphold the principles of good governance in financial management and state assets. Through detailed regulation of the procurement procedures, the National Police endeavors to ensure that every procurement transaction is conducted with transparency, accountability, and by relevant legal provisions.[2] A judicial review of this regulation will delve deeply into the relevant legal aspects, including compliance with higher laws and regulations, consistency with applicable legal principles, and effectiveness in its practical application. Through this review, an assessment can be made regarding the extent to which the regulation has achieved its stated objectives and whether further improvements or adjustments to the regulation are necessary.

To guarantee safety and maintain order in the public domain, the police force must build trust within the community. In this context, the police, whose conduct should reflect the fundamental values of democracy and demonstrate a strong connection between the community and law enforcement, can actively address various social issues, especially those related to security. By upholding the law, the police can consistently safeguard and promote human rights (HAM). Additionally, transparency and accountability in public service, as well as checks and balances on police authority, are essential. Engaging the public, enforcing regulations, and upholding social control are vital. It is necessary to have an institution that serves as a fair, impartial, and civilized adjudicator to maintain efficiency and uphold protection. In this context, traffic police serve as a deterrent and possess expertise in public administration. Furthermore, traffic police also perform administrative functions, such as enforcing the requirement for specific motor vehicles to be equipped with safety indicators.[3]

In this increasingly mature era of autonomy, the need for development has become very important for every region. Each region seeks to develop its region, and the government as an institution responsible for regulation, development, community services, and authorization is required to be the driving force in the regional development process. One significant aspect of the development process is the need for procurement of goods and services, where the government procurement system for goods and services is still a place that is vulnerable to corrupt practices.[4] The procurement process involves a large amount of money circulating, as well as closed interactions between goods/service providers and the auction committee, and requires following complex auction procedures.[5] To address this issue, it is essential to have a transparent process for procuring goods and services that offers equal opportunities to providers and can be overseen by the public.

The procurement process for obtaining goods and services generally involves a series of steps, beginning with planning, setting standards, creating specifications, choosing providers, negotiating prices, managing contracts, overseeing, storing, distributing goods, and other related activities. It process seeks to fulfill the needs of the organization's users. The goal is to carry out this process at the lowest possible cost to achieve the greatest value from the available funds, by managing procurement aspects such as quality, quantity, timing, location, and pricing. Law enforcement encompasses a range of actions related to implementing legal provisions, encompassing both enforcement and prevention. It includes all technical and administrative activities carried out by law enforcement officials to establish a safe, peaceful, and orderly

environment in society, promoting legal certainty and facilitating government-led development efforts. The term "law enforcement" has various interpretations. Policing on a large scale encompasses all aspects of local, public, and state life, while on a smaller scale, it is confined to court procedures in criminal cases, including the process of investigation, trial, arraignment, and enforcement of legally binding court decisions.[6]

It is essential to uphold the enforcement of rules that contain genuine norms to ensure compliance with the law. Violation of appropriate regulations will be subject to sanctions imposed by governing bodies, as criminal law is employed to restore order to society. The significance of policing can also be understood from a legal standpoint, encompassing both broad and narrow interpretations. Upholding the law involves, from a broader perspective, promoting the principles of justice inherent in the regulations and society. However, from a narrower viewpoint, policing entails enforcing formal written rules.

Generally, people often recognize that they have violated traffic regulations when they are caught by a law enforcement officer. If somebody is found committing a criminal traffic offense out and about, move the vehicle by the official's requests and do whatever it takes not to upset the smooth progression of traffic, be respectful while confronting the official, give replies as significant to every individual of the official's inquiries and if all else fails about the infringement perpetrated, ask the official for a clarification, own it and comply with the officials' activities by pertinent guidelines and don't attempt to pay off the officials since this activity disregards the law and is likewise not instructive. If an individual commits a traffic violation but is not detained by law enforcement, they should refrain from committing any further infractions. It is worth to understand that such violations can put oneself at risk.[5].

In the current implementation, there are still inconsistencies with the established rules, as specific requirements cannot be met by the organizational units. For instance, due to the limited number and expertise of personnel in the North Maluku Regional Police, there are discrepancies in the Procurement Services Unit between the actual implementation and the prescribed rules. Some examples include overlapping duties and multiple roles, such as Pokja members who double as PPK, resulting in inconsistent application of existing regulations. Execution of Rule of the Highest Point of the Public Police of the Republic of Indonesia Number 14 of 2014 concerning the Items/Organizations Securing Organization Unit at the Planned Tasks Division is acted in two ways, explicitly e-offering and e-purchasing. E-offering is an open cycle for choosing suppliers of labor and products. All suppliers of labor and products enrolled in the electronic framework can partake by presenting a solitary proposal up until a foreordained time. In the meantime, e-buying is a strategy for buying merchandise/administrations through an electronic list framework[3].

The 1945 Constitution's Article 1 Paragraph 3 noted that the Indonesian State operates under a regulation framework. The game plans of this article are the hallowed reason that Indonesia is a state considering guidelines. The law must be upheld to establish regulatory conditions, ensuring that it is followed by all, leading to a secure, stable, peaceful, and prosperous state in the public eye and governance. Each activity that comes into contact with the law cannot be directed by grown-ups, whether men or ladies, yet can likewise be completed by youngsters. One of Indonesia's objectives is to safeguard the whole Indonesian country and Indonesia's blood. Besides, to understand this honorable objective, the State laid out exceptional establishments, including the police foundation. Equity is a relative idea. At the point when an individual states that he is doing some equity to be substantial, it should be pertinent to a public

request where a balance of equity is perceived. For a general public of individuals, equity is the overall rule that people ought to get what they are qualified for.[7]

2 Method

Regularizing research is the term for this sort of study. A calculated methodology and a legal methodology are used. The data source used is associate data, both utilized subjective and spellbinding information investigation strategies. [8]. Completion involves using a systematic approach, specifically transitioning from the general to the specific, particularly about the research topic, the Lawful Juridical Survey of the Goods and Services Procurement Service Unit, as outlined in Guideline No. 14 from the Head of the Public Police of the Republic of Indonesia. Subjective data analysis is conducted when the data is qualitative and includes information collected as words rather than numbers, which cannot be categorized. Data can be gathered through various methods (interviews, document analysis, and recordings). It is typically processed before being used in qualitative research, involving steps such as data reduction, analysis, interpretation, and triangulation of interview records.[9]

3 Result and Discussion

3.1 Implementation of the Legal Juridical Review of the Regulation of the Head of the National Police of the Republic of Indonesia Number 14 of 2014 concerning the Goods and Services Procurement Service Unit

As a general rule, policing is the most common way of attempting to implement or work truly legitimate standards as rules for conduct in friendly and state-lawful relations. According to the viewpoint of the subject, policing be done by a wide subject or as a tight subject's work to implement the law. Enforcement of the law applies to all individuals and every legitimate relationship. Any person who finishes regularizing rules or finishes something or doesn't achieve something considering the norms of the fitting legitimate rules suggests he is doing or approving authentic standards. Fair policing gives benefits or is successful to society. However, aside from that, the local area additionally expects policing to accomplish equity. Nonetheless, what is perceived as helpful may not necessarily be fair, and vice versa. Similarly, what is deemed valuable may not always be favorable for society. However, it's important to emphasize that prioritizing justice in enforcing the law would be beneficial.[10].

The choice given over should have major areas of strength and thought so it can give the most attractive conceivable choice. In the adjudicator's decision, the piece of juridical thoughts concerning the criminal demonstration charged is amazingly critical, where these juridical considerations will affect the selected power's decision. Juridical thought is proof of the components of a wrongdoing, for example, whether the respondent's activities relate to the wrongdoing that the public examiner has carried out.[11] Therefore, the judge's decision is expected to reflect the values of justice and truth, be accountable to those seeking justice, the field of law as a whole, the judge's conscience, and society as a whole, and serve the cause of justice founded on faith in the All-Powerful God.

Execution of the Lawful Juridical Survey of the Guideline of the Top of the Public Police of the Republic of Indonesia Number 14 of 2014 concerning the Labor and Products Acquisition Administrations Unit is a significant stage in expanding effectiveness, straightforwardness, and responsibility during the time spent securing labor and products inside the Public Police of the Republic of Indonesia (Polri). With this guideline, the Public Police expects to work on the labor and products procurement system so that it is more in line with the principles of good governance and reduces the potential for corrupt practices. The first step in implementing National Police Chief Regulation Number 14 of 2014 is to conduct outreach to all service units' procurement of goods and services at all levels of the National Police. This socialization aims to ensure that all parties involved in the procurement process properly understand the procedures, procedures, and provisions stipulated in these regulations.

After socialization has been carried out, the next step is to ensure that each goods and services procurement service unit implements consistently and effectively all the provisions contained in the Chief of Police Regulation Number 14 of 2014. It includes the planning process, implementation of auctions, assessment, and selection of providers, up to contract undertaking, and supervision of contract implementation. Furthermore, in the execution of this regulation, the National Police must conduct regular monitoring and evaluation of the performance of goods and services procurement service units. It strives to ensure that the procurement process runs by established provisions, as well as to identify and handle potential problems that may arise during the procurement process[12]

The National Police has the authority to engage external entities, such as audit institutions or independent parties, to assess compliance with Chief of Police Regulation Number 14 of 2014, in addition to internal monitoring. The external involvement is expected to supply an impartial and unbiased evaluation of the performance of the Polri Goods and Services procurement service unit and propose constructive recommendations for enhancement. The consistent and effective implementation of Chief of Police Regulation Number 14 of 2014 is foreseen to improve Polri and their operational efficiency and transparency in procurement processes while reducing the risk of corrupt activities. It is anticipated to positively influence the overall performance of the police institution, thereby aiding in the delivery of superior public service.

Regulation Number 14 of 2014 about the Goods and Services Procurement Service Unit of the National Police of the Republic of Indonesia is grounded on a potential legal framework to govern the procurement of goods and services within the Polri. It serves as the basis for the legal and judicial assessment of the regulation. Law Number 39 of 2007 concerning the National Police of the Republic of Indonesia is among the legal instruments that form the foundation of this regulation. This law outlines the primary duties and authorities of the National Police, including the management of state assets and finances. In addition to Law Number 39 of 2007, the implementation of this regulation refers to several related regulations governing government procurement procedures.[3] One of these is Official Guideline Number 54 of 2010 regarding Government Procurement of Goods/Services. This guideline primarily governs the procurement of labor and goods in all government entities, including the Public Police, and it should be carried out directly, efficiently, and by relevant legal provisions.

In addition, the National Police must adhere to other regulations about goods and services procurement when enforcing this one, such as Minister of Finance Regulation Number 96/PMK.06/2017 Concerning Procedures for Procurement of Government Goods/Services. It is to ensure and adhere to the following guidelines regarding the procurement of labor and

products. These rules apply to all administrative organizations, including the Public Police. It is expected that the implementation of Chief of Police Regulation Number 14 of 2014 by the Goods and Services Procurement Service Unit will be consistent and effective, by relevant legal principles and by referencing various legal documents. The National Police will be able to procure goods and services more effectively and transparently in this way, reducing the likelihood of corrupt practices.

3.2 The Urgency of Regulation of the Head of the National Police of the Republic of Indonesia Number 14 of 2014 concerning the Goods and Services Procurement Service Unit

Legal mindfulness encompasses a range of legal and social issues. It is closely linked to legal compliance, with legal consciousness seen as an independent factor and compliance as a dependent one. Essentially, legal consciousness assesses whether specific legal provisions function effectively in society. The establishment and enforcement of traffic regulations necessitate stringent legal standards to address all violations firmly and prevent them from occurring. Like many other regions in Indonesia, it grapples with a significant increase in car accidents, illustrating the prevalence of criminal traffic offenses. While Regulation Number 22 of 2009 does not imply a strict focus on traffic control, it is essential to recognize that the responsibilities and functions of the Public Police in the traffic sector are closely intertwined with their broader law enforcement role in maintaining public security and order, as well as crime prevention.[13]

Regulation Number 14 of 2014 issued by the Chief of Police is founded on legal principles that align with good governance. These principles are articulated in Law Number 25 of 2009 concerning Public Services, emphasizing transparency, accountability, responsiveness, and justice in public service execution, including procurement processes. Prioritizing these principles is expected to enable the National Police to deliver enhanced services to the public while upholding the institution's integrity and credibility. Additionally, the regulation is reinforced by legal principles governing the prevention of corrupt activities.[14] Corrupt practices in the procurement of goods and services are a serious form of legal violation and are detrimental to the state and society. By enforcing regulations that regulate the procurement process for goods and services in a transparent and accountable manner, the National Police can reduce opportunities for corruption within the police institution.

The legal material that is the basis for implementing National Police Chief Regulation Number 14 of 2014 also includes other regulations relating to state financial management and procurement of goods/services. For instance, Unofficial law Number 16 of 2018 concerning Government Acquisition of Merchandise/Administrations directs detailed strategies for getting products/administrations inside the public authority overall. The National Police can ensure that the procurement process for goods and services is carried out by applicable regulations and yields maximum benefits to the institution and society by paying attention to all relevant legal materials.

One of the strengths of the Article which is the basis for implementing National Police Chief Regulation Number 14 of 2014, is Article 17 which emphasizes the obligation to carry out the procurement process for goods and services transparently. The Article emphasizes the importance of conducting each stage of the procurement process, including planning, auction implementation, and evaluation of goods/services providers, transparently and unambiguously.

This provision aims to prevent corrupt practices within the National Police that could undermine the interests of the state and society. Apart from that, another strong article that can be a driving force for this regulation is Article 24 which regulates administrative sanctions for violators. The Article provides a legal basis for the National Police to impose sanctions on parties who violate the provisions of this regulation, such as not complying with established procurement procedures or taking detrimental actions in procuring goods/services. The threat of sanctions can encourage related parties to comply with the established rules.[5]. Apart from that, the strength of the articles in this regulation can be seen from its consistency and alignment with other regulations governing the procurement of goods and services within the government. By strengthening a decisive legal foundation and referring to applicable legal principles, the National Police can ensure that the implementation of this regulation is conducted consistently and effectively and provides maximum benefits for institutions and society.

The Article emphasizes the importance of conducting transparent procurement processes for goods and services, making it a strong basis for implementing National Police Chief Regulation Number 14 of 2014.[15] The article emphasizes the importance of conducting every stage of the procurement process openly and clearly, from planning and conducting auctions to evaluating goods/services providers. It is aimed at preventing corrupt practices that could harm the state and society. Additionally, Article 24 provides a legal basis for the National Police to impose sanctions on violators, encouraging compliance with the established procurement procedures, such as not complying with established procurement procedures or carrying out detrimental actions in procuring goods/services. With the threat of sanctions, it can encourage related parties to comply with the rules that have been set. Apart from that, the strength of the articles in this regulation can also be seen from the consistency and alignment with other regulations governing the procurement of goods and services within the government. By strengthening a strong legal foundation and referring to applicable legal principles, the National Police can ensure that the implementation of this regulation is conducted consistently and effectively, to provide maximum benefits for institutions and society.[11]

4 Conclusion

1. Overall, the implementation of Chief of Police Regulation Number 14 of 2014 concerning the Goods and Services Procurement Service Unit shows Polri's commitment to improving the governance of procurement of goods and services in a transparent, efficient manner and by applicable legal principles. By enforcing the provisions contained in this regulation, the National Police seeks to reduce the potential for corrupt practices in the procurement process, as well as provide better services to the community. By building a solid legal framework and regularly carrying out outreach, monitoring, and evaluations, the National Police can ensure effective implementation of this regulation, maximizing its benefits for institutions and society.
2. The effective enforcement of this regulation relies heavily on the awareness and adherence of all stakeholders involved in the procurement of goods and services within the National Police. A strong commitment is required from the leadership and staff in each procurement service unit to comply with the provisions that have been set and uphold integrity and professionalism in carrying out their duties. Apart from that, the active role of the community in monitoring and providing input on the procurement process is also an important factor in maintaining accountability and transparency.

3. Traffic police are the executing component accountable for doing police obligations including protecting, directing, accompanying and watching, state-funded schooling and traffic designing, enlistment and distinguishing proof of engine vehicle drivers, researching car crashes, and policing the traffic area, to keep up with security, request and smooth traffic. The progress and growth in the economy have an impact on transportation systems and infrastructure, leading to more intricate traffic challenges. Rapid growth in car ownership can cause problems if road infrastructure does not keep up.

5 Suggestion

1. To enhance the effectiveness of Chief of Police Regulation Number 14 of 2014 regarding the Goods and Services Procurement Service Unit, we recommend implementing a few suggestions. The National Police should persist in consistent monitoring and evaluation of the regulation's application in all procurement service units. Systematic evaluation will help identify potential problems or weaknesses in the goods and services procurement process and provide opportunities for necessary improvements.
2. The National Police must augment their outreach and training initiatives for all personnel involved in goods and services. A comprehensive training program that covers the regulations and provisions in detail will heighten awareness and comprehension of the significance of adhering to the established guidelines. In addition, effective outreach to the community can also help increase transparency and participation in the procurement process.
3. For law enforcement officials, the National Police needs to increase cooperation with related institutions, including external parties such as audit institutions and anti-corruption institutions, to strengthen supervision and law enforcement against violations in the procurement of goods and services. This cross-sectoral collaboration will strengthen monitoring mechanisms and provide a strong signal that the National Police is serious about fighting corrupt practices and abuse of authority in procurement. By implementing these suggestions consistently, the National Police can ensure that this regulation does not just become a legal document, but also has a real impact in improving the integrity and performance of the police institution.

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