

Research Article

Criminal Law Policy of Justice Collaborator in Corruption Crime Case

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ABSTRACT

Trial of criminal law cases is highly important to prove misconduct in a case. In respect to the evidence of corruption criminal act, an insider is needed as a perpetrator of the offence who works with the investigators, or usually called justice collaborator. The main focus of this study is to examine criminal law policy on the concept of justice collaborator in corruption criminal act and how the legal punishment is for justice collaborators in corruption criminal act. This study is a descriptive research using juridical normative approach. Data used in this study were secondary data. Case study approach was applied in this study. This means that the researcher makes a comparison of cases on the implementation of justice collaborator which is based on a study of a verdict. According to the result of the research, it is indicated that up to now there has not been conformity in terms of legal regulations or interpretation of the concept of Whistle blower and Justice Collaborator. There has not been mutual understanding in terms of the conviction of the perpetrator who is willing to work with the investigators to uncover a corruption criminal act. This leads to disparity in the making of verdict for the offender.

Keywords: Criminal Law Policy; Justice Collaborator; Corruption Crime.

A. INTRODUCTION

Up to now, regulations on Justice Collaborator in Indonesia's criminal justice system is a novelty compared to the practice of the presence law because in Criminal Code Procedure (KUHP), Legislations concerning the eradication of Corruption Crime and other laws do not explicitly regulate Justice Collaborator in criminal court (Coloay, 2018). On the other words, the term "Justice Collaborator" was first known in the practice of criminal law enforcement before it gets attention and finally regulated in positive law in Indonesia.

Corruption crime is categorized as an extraordinary crime (Ifrani, 2017). Corruption, which mostly happens in developing countries, ruins the

economy, social life, politics, and morality (Argandona, 2007). Thus, in respect to corruption crime, in the trial of criminal law, evidence is crucial in order to prove the misconduct of a case in court. Without witness, it will be difficult to uncover truth of a crime. Judge's intention to ask questions to witness is to give the witness chance to tell what really happened. Witness testimony is court evidence and is useful to unravel facts of a case in corruption crime, then it will be one of sources of judge consideration to decide whether an offender is proven guilty or not, and it takes courage and a witness, who directly witnesses the corruption crime to uncover the perpetrator of corruption crime, who usually has strong economic and political power the

corruption crime (Mamahit, 2016). Witness who directly or indirectly involves and has a courage to report the crime is called "a whistleblower" and "justice collaborator" (Nixson, Kamello, & Mulyadi, 2013).

There are some similar terms to Justice Collaborator such as: Whistle Blower, which is a term used for a person who exposes secretive information (Mulyadi, 2014). Crown Witness is a term used to refer to one of the offenders whose offence is minor or who has the least role in the execution of a crime, such as drug offence or terrorism, who was excluded from the offenders list and becomes a witness (Hamzah, 2008) and Plea Bargaining is known in America's criminal justice system (common law system). In America, a prosecutor may drop a charge or compromise through a Plea Bargaining. The four terms show the role of witness (offenders) in the effort to reveal a crime. Although there are various different terms used, it can be concluded that justice collaborator is a term referring to a person who gives testimony for an organized and also becomes one of the perpetrators of the crime (defendant). The role of a justice collaborator to reveal an organized act of crime will be really useful during the process of the trial. Because of his important role, he will be granted a reward in return in the form of criminal relief. Therefore, the term Justice Collaborator can be defined as a perpetrator witness who is willing to work together with investigators to expose a crime. This is because a justice collaborator is a witness who gives a very important testimony and also who is one of perpetrators of an organized crime, who works

together with the law enforcers to unlock the complication of an organized crime.

Although the presence of justice collaborator is very useful to expose an organized crime, there is still contradiction to the role of a justice collaborator. On the contrary side, the practice of justice collaborator is described as "exchanging" witness with the compensation in the form of punishment reduction. Another concern is that the granting of legal immunity may give a chance to fake vow and mistake in giving punishment.

So far, the matter of justice collaborator has not been known as a reason to grant criminal relief. Therefore, formulizing justice collaborator as one reason of punishment reduction means renewal of criminal law. According to Barda Nawawi Arief, the renewal of criminal law is an effort to perform reorientation and reformation of criminal law based on such values as central sociopolitical value, sociopolitical value, socio-philosophical value, and sociocultural value of Indonesian people which is the foundation of social policy, criminal policy, and law enforcement policy in Indonesia. Thus, the renewal of criminal law must essentially be performed through an approach which mainly focuses on policies and values (Abidin, & Hamzah, 2010).

The development of justice collaborator status in some legal cases in Indonesia can be seen in the granting of *strafausdenungsgrund* status, seen as the basis that extends the punishment of the person as justice collaborator.

According to Barda Nawawi Arief, the term "criminal law policy", also called "criminal law politics", which, in foreign literature, is frequently

called "penal policy", "criminal law policy" or "strafrechtspolitiek". The definition of criminal law policy or politics can be seen from the perspective of legal politics or criminal politics (Arief, 2010).

Based on the aforementioned elaboration, the formulation of problem in this study is How is criminal law policy for the concept of justice collaborator in corruption crime? and How is the conviction of a justice collaborator in corruption crime?

State of the art studies on criminal law policy of a justice collaborator in corruption crime cases are found in some research journals. A study entitled Criminal Law Policy for Justice Collaborator in Corruption Crime in Indonesia (Evangelista, & Utary, 2019) focuses on the current policy and the prospective policy for regulation of criminal act of a justice collaborator. Meanwhile, in this study, the researcher discussed criminal law policy on the concept of justice collaborator and conviction of perpetrator witness as justice collaborator of corruption crime.

Another journal entitled Legal Protection for Justice Collaborator in Corruption Crime (Palekahelu, Nasution, & Yudianto, 2020) focuses on regulations and the form of legal protection for justice collaborator in corruption crime, while in this study the researcher focuses on how is the criminal law policy for the conviction of justice collaborator in corruption crime.

A journal entitled The Urgency of Justice Collaborator in Corruption Crime (Pusparini, Dewi, & Widiantara, 2020) focuses on the urgency of regulation of justice collaborator in a corruption crime,

while in this study, the researcher focuses on the concept of justice collaborator in a corruption crime.

A journal entitled The Supervisory Board Authority Of Anti-Graft Commission In Wiretapping On Criminal Acts Of Corruption (Madjid, 2020) focuses on the authority of Anti-Graft Commission in performing wiretapping in a corruption crime, while in this study the researcher focuses on the conviction of justice collaborator in a corruption crime.

A journal entitled Post-colonial Remembering In Taiwan: 228 and Transitional Justice As "The end of fear" (Hartnett, Dodge, & Keränen, 2019) focuses on the authority of Supervisory Board on wiretapping a corruption crime stipulated in legislation of UU 19/2019 on second amendment of UU 3/2002 on Anti-Graft Commission, while this study focuses on how is the criminal law policy for the conviction of justice collaborator in a corruption crime.

B. RESEARCH METHOD

The study is a normative legal research. Normative legal research is a research which is conducted by examining legislations applied or implemented on certain legal issue. This study also applied case study approach in that the researcher makes comparison of cases with the practice of justice collaborator which is based on the study of the verdict. Legal material sources used in this study was secondary legal material consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Data were collected using document technique, which is collecting literature study contained in secondary legal materials. Then, the data collected were analyzed using qualitative

method support with deductive reasoning as answers to all legal problems mentioned in this study (Sari, & Jaya, 2019).

C. RESULT AND DISCUSSION

1. Criminal Law Policy for The Concept of Justice Collaborator in Corruption Crime

The concept of justice collaborator basically is a case resolution concept by cooperating with the parties concerned as a witness, an offender/a defendant or a convict to help expose and reveal a corruption crime since the presence of mafia as a criminal organization (Schneider, 2018).

In its development, Convention of Anti-Corruption (United Nation Convention Against Corruption-UNCAC) was held as an effort to suppress and eradicate corruption globally (Lewis, & Carr, 2010). With the establishment of international cooperation to eradicate corruption in the world which has been signed by 140 countries, the values of corruption eradication is promoted and agreed by many countries. One of issues regulated in UNCAC, in Article 37 section (2) and (3) is the handling of special case for the offenders of corruption crime which contributes as the main obstacles for the growth and development of a country (Jain, 2008) who are willing to work together with the law enforcers. This cooperation is intended to trace other perpetrators in the same case. Then, cooperation between the perpetrator and law enforcers is known as Justice Collaborator (Ariyanti, & Ariyani, 2020).

The concept of justice collaborator was first introduced in Indonesia through ratification process of United Nation Convention Against Corruption into

legislation Number 7 Year 2006 on The ratification of United Nations Convention Against Corruption, 2003 (Derek, 2017)

Furthermore, after the ratification of United Nations Convention Against Corruption into Legislation Number 7 Year 2006 on the Ratification of United Nations Convention Against Corruption, 2003, the government of the Republic of Indonesia, aligned with its national development legal politics in the frame of corruption eradication,(Harrison, 2007) established Witness and Victim Protection Agency (LPSK) with Legislation Number 13 Year 2006 on Witness and Victim Protection as the instrument. This legislation uses the term "witness who is also a suspect"(Muhammad, 2015). As the state institution which is established to support criminal court through its authority, LPSK provides protection service and assistance for witnesses and victims.

The granting of special rights in investigation level, prosecution level, imposition level, and execution level (in all levels) is meant not only to improve performance effectiveness of corruption crime eradication, but also as a means of repent for the offenders who become whistle blower/justice collaborator in corruption crime.

The granting of privilege to every level are divided into some categories, on investigation level, investigators provide special protection for witnesses (crown witness), and also providing protection to the suspect or defendant who gives their testimony for another defendant by separating the document of investigation reports for each defendant (Semendawai, 2016).

Safety guarantee for witness who helps expose the crime, in this case the witness who is not associated with the case according to provision of Article 10 Law Number 31 Year 2014 on Witness and Victim Protection, can be given in the form legal immunity, meaning that the witness cannot be prosecuted in either criminal court or civil court for their report, future testimony, present testimony, and past testimony (Syarif, 2020).

Provision concerning victim proposed in a trial to give testimony is only stipulated in Article 160 section (1) letter b. In this case, the victim is the first party whose testimony is heard first as witness, yet not elaborating the crime. Victims are categorized into survived victim and dead victim.

The survived victims are distinguished into victims who are able to attend the trial, victims who are not able to attend the trial with reasonable reason such as undergoing a medical treatment, being hospitalized, or in comma, so that Criminal Code Procedure provision on witness or victim has not been able to elaborate the regulation for victim or witness clearly and strictly.

Justice Collaborator as a new concept in the effort of corruption crime eradication is still biased in determining the category of victim and witness. It has not been able to elaborate its characteristics and its limitation.

The policy of granting privilege for the suspect/defendant who works together with the law enforcement officers is the form of appreciation given to the suspect/defendant who is willing to help the law enforcement officers expose and reveal a corruption crime which is a complex criminal case,

and some said it is a culture phenomenon (Melgar, Rossi, & Smith, 2010).

The concept of justice collaborator in Law Number 31 Year 2014 on Witness and Victim Protection Agency is a concept adopted based on article 37 jo. Article 32 United Nation Convention Against Corruption. This legal policy is the same policy implemented in countries which are the members of UN.

Moreover, the concept was regulated further, particularly in terms of the granting of protection guarantee and rights as a suspect/defendant who works together with law enforcement officers to become Justice Collaborator through Witness and Victim Protection Agency.

The issuance of legislations explicitly gives mandate to Witness and Victim Protection Agency to provide guarantee for punishment reduction and guarantee of safety for the person and his/her family. This mandate has been stipulated in General Provision of the Law, however, somehow it is difficult to be applied (Triplett, 2012).

If there is technical problem during its implementation, the mechanism of granting justice collaborator is passed in stages to each level of examination from investigation level, prosecution level, imposition level, and execution level based on the authority of each institution. This policy is made because of lacking human resources. LPSK officers are appointed based on representation of each region, thus, LPSK has not been able to reach district level in all over Indonesia.

According to Law Number 31 Year 2014 on Witness and Victim Protection Agency (LPSK) lex

specialis, LPSK as a single institution can determine whether a person may become a justice collaborator or whistle blower. However, in its practice in court, LPSK experiences lack of institutional sources considering that LPSK is only based in the Capital city (Jakarta). Consequently, anyone who is willing to be justice collaborator or whistle blower will face the obstacles. Thus, to fill the absence of law, " Joint Regulation between The Minister of Law and Human Rights of The Republic of Indonesia, The Attorney General of Indonesia, The Chief of Police of The Republic of Indonesia, Corruption Eradication Commission of The Republic of Indonesia, Chief of Witness and Victim Protection Agency of The Republic of Indonesia NUMBER: M.HH-11.HM.03.02.TH.2011, NUMBER: PER-045/A/JA/12/2011, NUMBER: 1 YEAR 2011, NUMBER: KEPB-02/01-55/12/2011, NUMBER: 4 YEAR 2011 on Protection for Whistle Blower, Whistle Blower Witness, and Offender Witness who works with law enforcement officers".

In accordance with Circular Letter of Junior Attorney of Specific Crime (JAMPIDSUS) Number: B-2360/F/Fd.1/12/2018 on Letter of Establishment and Cancelation Justice Collaborator, Other ministry/institution such as Corruption Eradication Commission (KPK), The Police of Republic of Indonesia (POLRI), and Ministry of Law and Human Right (KEMENKUMHAM) cq. Directorate General of Corrections also issued the same regulation in order to fill the absence of law in terms of technical mechanism of the granting of justice collaborator. In addition, The President of The Republic of Indonesia issued Government Regulation Number 99 Year 2012

on The Second Amendment of Government Regulation Number 32 Year 1999 on Requirements and Procedures Implementation of Rights of Members of Correctional Facility based on Article 34A section (1) letter a :

- a. (1) The granting of remission for Prisoners who is convicted for committing terrorism crime, narcotic and narcotic precursor crime, psychotropic crime, corruption, crime against national security, serious human rights violation, and organized transnational crime, aside from fulfilling the requirements mentioned in Article 34, the granting of remission must fulfill the following requirement:

Willing to work together with law enforcement officers to help expose and uncover criminal crime committed;

Apart from the associated provision, policy of justice collaborator is still sporadic or separate in any other legal institutions.

2. Conviction of Justice Collaborator in Corruption Crime

A research conducted by the author is a research with case study approach. This means that in conducting the research, the author makes cases comparison on the practice of justice collaborator which is based on study of verdict Number: 38/Pid.Sus-Tipikor/2017/PN.Bgl.on behalf of Ir.AKHMAD ANSORI Bin H. MUHTAR (the deceased), Case Verdict Number 44/Pid.Sus-TPK/2015/PN.Plg on behalf of SYAMSUDDIN FEI and FAISYAR, Case Verdict Number: 84/Pid.Sus.TPK/2018/PN.Mdn on behalf of EFENDY SAHPUTRA Alias ASIONG, Case Verdict Number]: 55/Pid.Sus-TPK/2019/PN.Smg on behalf of LASITO.

. The 4 (four) cases of corruption crime, all proposed justice collaborator, however, in terms of

verdict, only 2 (two) cases which were accepted, and the other 2 (two) cases were declined with several considerations of Panel of Judges which were different from the granting of justice collaboration in incasu case.

In reading the verdict of the court, the main point needs to be noticed is a matter of legal consideration over the verdict (ratio decidendi). This means that the consideration is elaborated based on facts either from written legal facts (letters as proof) or from oral legal facts (testimony, expert testimony and confession/defendant testimony). Therefore, the crown of Judges Panel verdict is its legal consideration.

Upon legal consideration of Judges Panel in incasu cases, basically there are 2 (two) significant differences in the concept of justice collaborator. In this case, decision to grant the relief upon the granting of justice collaborator either from the investigators or general prosecutors also did not bind the judge in imposing the verdict which is a relief:

	EFENDY SAHPUTRA a.k.a ASIONG	million subsidized 2 months sentence.	
3.	Number: 55/Pid.Sus-TPK/2019/PN .Smg on behalf of LASITO	imposing sentence punishment for 5 (five) years and fine Rp.700 million subsidized 6 months sentence	DECLINED
4.	Number 44/Pid.Sus-TPK/2015/PN .Plg on behalf of SYAMSUDDI N FEI and FAISYAR	Imposing sentence punishment for 2 (two) years and fine Rp. 50 million subsidized 3 months sentence	DECLINED

Verdicts of incasu cases explicitly show no conformity in imposing punishment on the four cases. There is significant disparity on the verdicts. Some verdicts impose milder punishment than the verdicts for the cases with justice collaborator status approved by the Panel of Judges.

The disparity shows that the punishment imposed on corruption cases with the same modus operandi as the cases with approved justice collaborator status is milder than the punishment imposed on the cases with justice collaborator status. There is one case with declined justice collaborator status received only 2 years sentence and fine for Ro 50 million subsidized 3 months sentence. While the cases with accepted justice collaborator status received longer sentence period, up to for years in sentence. The disparity may have made the implementation of the concept of justice collaborator,

NO	NUMBER OF VERDICT	VERDICT	REMARK
1.	Number:38/Pid.Sus-Tipikor/2017/PN.Bgl on behalf of Ir AKHMAD ANSORI Bin H. MUHTAR (the deceased)	Imposing sentence punishment for 4 years and 6 months and charging Rp. 200 million fine subsidized 2 months sentence.	APPROVED
2.	Number 84/Pid.Sus.TPK/2018/PN Mdn on behalf of	Imposing sentence punishment for 4 years and fine for Rp. 100	APPROVED

which was supposed to be an effective way to resolve a case, ineffective.

The Unitary State of The Republic of Indonesia is a State which applies legal concept of civil law (Continental European legal system). The characteristic of this legal is different from common law legal system. In common law legal system, there is *stare decisis*, or in Indonesia it is known as the principle of precedent. The principle of precedent is when judges is required to apply previous judicial decisions, either decisions they have made themselves or decisions made by previous judges for the similar cases.

The advantage of legal system with doctrine of precedent is the absence or lower rate of disparity in imposing judicial decisions, and there is conformity in the verdicts. Friedman in his book mentioned civil law as an inquisitorial system in court. Friedman stated that the judge has dominant role in directing and deciding a case, and is actively involved in finding fact and meticulous in assessing evidences. According to Friedman, this system is actually more efficient, impartial, and more fair than that of common law.

Civil law legal system, which, according to Lawrence Friedman, is a more fair legal system than other legal systems, has also had weakness. In this legal system, the disparity is quite high because there is no obligation to follow the precedent.

In this system, the judges are not required to conform or follow previous judicial decisions. This applies the same way with the general prosecutors, in drafting the charges, there is no obligation for prosecutors to draft the same charges.

Article 5 section (1) Law Number 48 Year 2009 on Judicial Power Law No. 14 Year 1970 jo. Law No. 35 Year 1999 on Judicial Power stipulates that judges and constitutional judges are required to dig, follow suit, and understand legal values and sense of justice living in society.

It is indicated that the provisions of Law Number 13 Year 2006 Jo Law Number 31 Year 2014 on Witness and Victim Protection Agency, Government Regulation Number 99 Year 2012 on The Second Amendment of Government Regulation Number 32 Year 1999 on The Requirements and Procedure of The Implementation of Rights of Members of Correctional Facility, Circular Letter of The Supreme Court of The Republic of Indonesia Number 4 Year 2011, The Provision of Circular Letter, Circular Letter of Junior Attorney of Specific Crime (JAMPIDSUS) Number: B-2360/F/Fd.1/12/2018 on Letter of Provision and Cancellation of Justice Collaborator, ministry/other institutions such as Corruption Eradication Commission (KPK, The Police of The Republic of Indonesia (POLRI) and The Ministry of Law and Human Rights (KEMENKUMHAM) cq. Directorate General of Correctional Institution cannot be the bases of the implementation of justice collaborator. Thus, the implementation of justice collaborator is not effective because the implementation of those legal instruments depend on the assessment of Panel of Judges in the trial.

Besides having an obligation as mentioned in the aforementioned provision, judges also have authority to decide a case with the principle of *ultra petita*. It means that a judge may decide a verdict of a

case with more than the charges proposed by general prosecutors. The effectiveness of the implementation of justice collaborator becomes less optimum considering that panel of judges only assesses facts based on case documents which are then proposed to the trial. In addition, the investigators and general prosecutors, in the practice of criminal law enforcement, are institutions which understand facts based on the provisions in the field, on the reality.

In carrying out an examination and deciding a case, judges face a fact that the law is not always able to be used to solve a problem faced. Even, most of the time, judges must search for legal findings (*rechtsvinding*) when deciding a case. This occurs because there are differences between facts revealed in case document (investigation) and the facts in the trial. Consequently, in the end, the judges must initiatively find the law.

The search of law by judges must be based on the provision of Article 5 section (1) Law Number 48 Year 2009 on Judicial Power which stipulates that "judge and constitutional judge are required to dig, follow suit, and understand legal values and sense of justice living in the society".

Judges composition in carrying examination, convicting, and deciding a case is based on Law no. 46 Year 2009 on the trial of corruption crime. The provision of Article 26 section (1) stipulates that "Carrying an examination, convicting, and deciding a case of corruption crime are involving panel of judges with minimum 3 (three) judges and maximum 5 (five) judges, consisting of Career Judges and *ad hoc* Judges". According to this provision, it is indicated

that the number of judges who handle the case of corruption crime are between 3 to 4 judges, depending on the provision of the chief of court in each examination. Moreover, the assessment of legal facts either as criminal case fact or formal evidence depends on each member of judicial panel which is free and independent.

Different number of judges, odd number of judges, and the independence of judges in handling a trial as stated in Law of Judicial Power result in disparities in the decisions made because each similar case with different judges personnel will bring different result because each judge has his/her own way of interpreting facts based on evidence and deciding a case.

In the end, legal instrument in the effort to create conformity and the effort to grant justice collaborator as a way to expose and uncover a corruption crime will not be as effective as it is expected because there is a conflict of conformity in way of thinking of the judges, as what happened in *incasu* cases.

As stipulated in the provision of Article 55 Criminal Code, the author limits the meaning of justice collaborator as in the 4 (four) verdicts aforementioned, which is the verdict NUMBER: 38/Pid.Sus-Tipikor/2017/PN.Bgl on behalf of Ir AKHMAD ANSORI Bin H. MUHTAR (the deceased), Number 84/Pid.Sus.TPK/2018/PNMdn on behalf of EFENDY SAHPUTRA a.k.a ASIONG, Number: 55/Pid.Sus-TPK/2019/PN.Smg on behalf of LASITO, Number 44/Pid.Sus-TPK/2015/PN.Plg on behalf of SYAMSUDDIN FEI and FAISYAR.

The anomaly is that there is disparity of the

verdicts made by panel of judges who examined the case Number 44/Pid.Sus-TPK/2015/PN.Plg on behalf of SYAMSUDDIN FEI and FAISYAR. For this case, panel of judges imposed 2 (two) years sentence and charged fine of Rp 50 million subsidized 3 month in sentence despite the fact that justice collaborator status for this case was declined. Meanwhile, for a case on behalf of defendant Number:38/Pid.Sus-Tipikor/2017/PN.Bgl, on behalf of Ir AKHMAD ANSORI Bin H. MUHTAR (the deceased), panel of justice convicted the defendant with 4 years and 6 months in sentence and charged fine of Rp. 200 million subsidized 2 months in sentence despite the fact that justice collaborator status was approved.

In addition, with the other 2 verdicts Number 84/Pid.Sus.TPK/2018/PNMdn on behalf of EFENDY SAHPUTRA a.k.a ASIONG, Panel of judges convicted the defendant with 4 years sentence and charged fine of Rp 100 million Subsidized 2 months, approved justice collaborator status. Meanwhile verdict Number: 55/Pid.Sus-TPK/2019/PN.Smg on behalf of LASITO, panel of judges convicted the defendant with 5 (five) years sentence and charged fine of Rp 700 million subsidized 6 months sentence, declined justice collaborator status. For Verdict Number 44/Pid.Sus-TPK/2015/PN.Plg on behalf of SYAMSUDDIN FEI and FAISYAR, panel of judges convicted the defendants with 2 (two) years sentence and charged fine of Rp 50 million subsidized 3 months sentence, declined justice collaborator status.

Disparity occurs among the verdicts has made witnesses reluctant to proposed themselves as justice collaborator due to the fact that they will not receive any special treatment for their initiative as

stipulated in law Number 13 Year 2006 jo. Law Number 31 Year 2014 on Witness and Victim Protection Agency which is a ratified instrument of United Nation Convention Against Corruption.

The disparity occurred over the verdicts in similar cases has made the institution of justice collaborator as legal breakthrough in effective. Justice collaborator is as one of legal instruments used to expose and uncover cases of corruption crime either big scale case or small scale case. In addition, we do realize that corruption crime is an extra-ordinary crime (a crime with high complexity) and involve people who have big financial resource and power.

D. CONCLUSION

Until recently, criminal law policies for Justice Collaborator in corruption crime have no conformity in terms of legal regulation and interpretation concerning the concept of Whistle blower and also Justice Collaborator. Still, there is absence of law and absence of specific guidelines for the implementation of the concept of justice collaborator. This condition will bring bad implication for justice seekers.

Meanwhile, the implementation of Justice Collaborator is also far from perfect. During the investigation, prosecution, and execution process of a corruption crime case, law enforcement officers in integrated criminal justice system frame do not have conformity of understanding leading to disparity in the making of verdicts for the defendant.

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