

# Transformation of Legal Communication in the Criminal Justice System in the Digital Era

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## Abstract

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*Legal communication is fundamental in the criminal justice system, serving as a medium for interpreting, transmitting, and implementing legal norms between law enforcement institutions and society. The reform of the Indonesian Criminal Procedure Code (KUHAP 2025) represents a strategic initiative to modernize the criminal justice system by strengthening transparency, accountability, and human rights protection in the digital era. This study employs pure normative legal research supported by a Systematic Literature Review (SLR), applying statutory, conceptual, and case-based approaches, including comparative analysis between the previous KUHAP and KUHAP 2025. Findings reveal that digital transformation has significantly reshaped legal communication by expanding interaction from formal courtroom procedures to technology-based communication between law enforcement agencies and the public. However, this transformation generates normative challenges related to data protection, technological readiness, and legal certainty in digital criminal proceedings. The study recommends standardized digital communication procedures in criminal law, strengthened data protection frameworks, and development of an integrated e-justice regulatory model. Overall, KUHAP 2025 reflects a shift toward a more transparent, adaptive, and technology-based criminal justice system grounded in constitutional values.*

**Keywords:** *legal communication, KUHAP 2025, criminal justice system, digital transformation, restorative justice.*

## A. INTRODUCTION

Law does not stand alone as a rigid normative text, but is continuously constructed through communication processes between legislators, law enforcement officers, and society. Legal norms derive their meaning through interpretation, dialogue, and social practice (Cotterrell, 1992). In the context of criminal procedure law, legal communication serves as a central instrument in ensuring procedural justice and the protection of human rights. Without transparent and accountable communication, legal procedures risk losing public legitimacy. Therefore, the communicative dimension constitutes the core of any democratic criminal justice system (Habermas, 1984). Habermas further contends that communicative rationality, the capacity of individuals to engage in reasoned, uncoerced dialogue, is indispensable to the legitimation of legal norms in modern societies. In the absence of such communicative rationality, legal institutions may fall prey to strategic manipulation, where power asymmetries distort the pursuit of justice and undermine constitutional guarantees.

The Criminal Procedure Code of Indonesia (Kitab Undang-Undang Hukum Acara Pidana, 1981) has served as the primary procedural legal framework for more than four decades. In its implementation, KUHAP establishes a comprehensive procedural structure encompassing investigation, prosecution, adjudication, and the execution of judgments (Hamzah, 2014; Harahap, 2012). However, rapid social, political, and technological developments have significantly exceeded the original context of its formulation. The emergence of digital case administration systems, electronic court proceedings, and integrated legal information systems has transformed communication patterns within the criminal justice system. As Prasojo et al. (2024) trace in their historical analysis, Indonesia's criminal procedure law has undergone significant evolution from its colonial origins to the post-independence codification in

KUHAP 1981, with each stage of this evolution accompanied by corresponding shifts in the communication structures governing legal proceedings. From a legal sociology perspective, changes in communication media inevitably reshape power relations within legal processes, making the reform of KUHAP 2025 an unavoidable necessity.

The increasing awareness of human rights demands stronger implementation of fair trial and due process of law principles at every stage of criminal proceedings. The right to legal assistance, the right to be clearly informed of charges, and the right to a fair trial are fundamental elements of a constitutional legal state (Ashworth, 2006). Ashworth emphasizes that procedural fairness cannot be reduced to mere technical compliance but must reflect a substantive commitment to treating all individuals with dignity and respect throughout the justice process. In this regard, KUHAP 2025 is expected to strengthen legal communication that is more transparent, equal, and accountable in accordance with the 1945 Constitution of the Republic of Indonesia. Arief (2016) further argues that penal policy in Indonesia must integrate humanistic values, ensuring that any reform of criminal procedure reflects the constitutional mandate of social justice and human dignity enshrined in the Preamble to the 1945 Constitution.

In practice, legal communication includes verbal, written, and digital interactions between investigators, public prosecutors, judges, lawyers, and all involved parties. Each stage of criminal proceedings constitutes a formal communication process with legal consequences. Communication failures may result in procedural violations or even miscarriages of justice (Effendi, 2014). The standardization of procedural communication is therefore not merely an administrative concern but a fundamental prerequisite for upholding the rule of law and ensuring that every individual receives equal protection under the legal system.

Lawrence M. Friedman (1975) states that a legal system consists of structure, substance, and legal culture. This tripartite framework suggests that structural and substantive changes alone are insufficient without a parallel transformation in the attitudes, values, and informal norms that govern how legal actors apply the law in practice. Meanwhile, Niklas Luhmann (1995) views law as an autopoietic communication system that reproduces legal decisions through the binary code of legal/illegal, meaning that reforming KUHAP also means transforming the communication structure within the criminal justice system. Teubner (1993) extends this by arguing that transformation requires changes not only in rules but also in the underlying communication codes that sustain legal operations—particularly relevant where new technological mediums challenge the self-reproducing character of traditional legal communication.

From a power perspective, Michel Foucault (1977) argues that control over information can function as a mechanism of domination. Communication inequality within criminal proceedings may disadvantage certain parties. Foucault's concept of the panopticon finds a compelling contemporary analogue in digital legal systems where comprehensive data collection and monitoring create new forms of institutional power over individuals. Therefore, KUHAP 2025 reform must reduce informational asymmetry by strengthening transparency and access to legal information. The protection of personal data in this context is addressed in Indonesia by the Personal Data Protection Law (Law No. 27 of 2022), which establishes essential safeguards against the misuse of information collected during digital judicial processes.

Considering technological advancement, human rights demands, and global legal transformation, KUHAP 2025 should not be understood merely as a technical revision, but as

a paradigm shift in legal communication within Indonesia's criminal justice system. The global trend toward digital justice—documented by scholars such as Susskind (2019) and Reiling (2010)—demonstrates that the integration of technology into legal proceedings is now a defining feature of modern justice systems worldwide. Susskind argues that online courts have the potential to democratize access to justice by removing physical, financial, and procedural barriers that historically excluded marginalized populations from legal participation.

Previous studies show that KUHAP still has limitations in protecting victims, as it tends to prioritize perpetrators within the criminal justice process (Yuliantini, 2015). Victims are often positioned as passive informants rather than active participants in the justice process. An ethnographic study by Widodo (2019) found that courtroom communication is strongly influenced by power structures between judges, prosecutors, and lawyers, where legal language functions as a dominant tool in constructing the meaning of justice, creating communicative barriers that systematically disadvantage parties without legal expertise. Darmansyah and Silalahi (2025) emphasize that criminal procedure reform is necessary to align with the new Criminal Code (KUHP) and restorative justice principles. Meanwhile, Muttaqin (2018) highlights that developments in information technology require an expansion of evidentiary concepts under KUHAP, and Hidayat (2019) argues that wiretapping must be conducted under lawful procedures. Ibrahim et al. (2024) and Aji et al. (2022) demonstrate that artificial intelligence and natural language processing can enhance transparency and access to legal information.

However, these studies have not yet comprehensively integrated legal communication as a central analytical framework in examining the reform of KUHAP 2025 within a modern

criminal justice system. In most existing scholarship, legal communication is still treated as a supporting or peripheral concept rather than as a core theoretical lens for analyzing how legal norms are constructed, interpreted, and operationalized in the digital transformation of criminal procedure law. As a result, discussions on KUHAP reform tend to focus more on institutional restructuring, procedural efficiency, or technological adaptation, such as e-litigation, digital evidence systems, and integrated case management, without sufficiently interrogating how communication flows between law enforcement actors, courts, and citizens shape normative meaning and legal certainty. This study is grounded in the main research question: 'How does the transformation of legal communication in the criminal justice system in the digital era affect the effectiveness of law enforcement and the protection of the principle of due process of law?' This study aims to analyze how legal communication is reconstructed within KUHAP 2025 and how digital transformation, together with the principle of due process of law, influences Indonesia's criminal justice system.

## **B. RESEARCH METHOD**

This study employs a Systematic Literature Review (SLR) method to systematically examine previous research related to legal communication, criminal justice systems, and digital transformation in criminal procedural law. This method is chosen because it enables the identification, evaluation, and synthesis of existing research findings in a structured and comprehensive manner, minimizing selection bias and ensuring methodological rigor in the analysis of diverse scholarly contributions. The SLR approach follows established protocols for systematic review methodology, including the formulation of explicit inclusion and exclusion criteria, systematic database searches, quality assessment of selected studies, and transparent reporting of review procedures and findings. By following these protocols, the

study ensures that its conclusions rest on a solid and replicable evidentiary foundation rather than on selective or idiosyncratic interpretations of the available literature. The study is pure normative legal research employing a statutory approach, a conceptual approach, and a case-based approach derived from relevant judicial decisions. The statutory approach involves the systematic analysis of applicable legislative instruments, including on Electronic Information and Transactions, and Law No. 27 of 2022 on Personal Data Protection. The systematic analysis of these legislative instruments enables the identification of both the formal legal standards governing digital criminal justice communication and the normative gaps that remain to be addressed by future legislative and regulatory action. In addition, the study applies legal interpretation methods, including grammatical, systematic, and teleological interpretation, as well as a comparative analysis between the previous KUHAP and KUHAP 2025 to identify developments, gaps, and normative inconsistencies. The grammatical approach focuses on the literal meaning of statutory texts, while the systematic approach situates individual provisions within the broader normative framework of the Indonesian legal system. The teleological approach, by contrast, directs interpretive attention toward the legislative purpose and social objectives underlying criminal procedure reform, enabling a more substantive evaluation of KUHAP 2025's contribution to the advancement of legal communication in Indonesia. Data were collected from academic journals, university repositories, and online databases including Scopus, SINTA, and arXiv. A total of 25 key studies were analyzed through stages of literature identification, article selection, quality evaluation, and synthesis of findings. The quality evaluation stage employed standardized assessment criteria, including methodological rigor, theoretical grounding, relevance to the

research question, and the currency of the research findings, ensuring that only high-quality and highly relevant studies were included in the final synthesis.

**Table 1**  
**Systematic Literature Review (SLR) Results**

No	Researcher & Year	Title of Study	Research Method	Research Findings	Level	Relevance to Research	Website / Source
1	Barlian et al. (2025)	Digital Transformation of Criminal Justice: E-Court System	Normative - comparative	E-court improves efficiency but faces infrastructure challenges	Scopus 1	Core reference for digital transformation of legal communication in courts	<a href="https://doi.org/10.15294/lslr.v9i1.14341">https://doi.org/10.15294/lslr.v9i1.14341</a>
2	Afdal et al. (2025)	Judiciary Adaptability in Legal Technology Disruption Era	Qualitative research	Digital judiciary transformation is progressing but uneven	Scopus 1	Explains barriers in implementing digital legal communication systems	<a href="https://doi.org/10.15294/lslr.v9i2.28896">https://doi.org/10.15294/lslr.v9i2.28896</a>
3	Asyiqin et al. (2025)	Bridging Digital Justice	Normative legal research	E-justice improves access and transparency in courts	Scopus 1	Supports improved accessibility of digital legal communication	<a href="https://doi.org/10.15294/jils.v10i1">https://doi.org/10.15294/jils.v10i1</a>
4	Arsawati et al. (2024)	Witness Protection Law Comparative Analysis	Normative juridical	Witness protection system requires digital transformation	Scopus 1	Relevant to digital communication systems in legal protection mechanisms	<a href="https://doi.org/10.15294/jils.v9i2.1498">https://doi.org/10.15294/jils.v9i2.1498</a>
5	Setiyono et	Cross-Border	Normative legal	Digitalization	Scopus 1	Relevant to transnation	<a href="https://doi.org/10.15294/jils.v9i">https://doi.org/10.15294/jils.v9i</a>

	al. (2024)	Justice & Asset Recovery	research	improves internatio nal legal cooperati on		al legal communic ation systems	<a href="#">2.877</a>
6	Sandiy a et al. (2025)	Transformi ng Democrati c Policing in Digital Era	Qualitativ e study	Digital policing increases accounta bility and transpare ncy	Scopus 2	Shows transformat ion of communic ation between police and public	<a href="https://doi.org/10.15294/jllr.v6i4.30554">https://doi.org/10.15294/jllr.v6i4.30554</a>
7	Latifia ni et al. (2024)	Legal Culture and Digital Justice Reform	Normative legal research	Legal culture is shifting in the digital era	Scopus 2	Explains cultural transformat ion in legal communic ation practices	<a href="https://doi.org/10.15294/jllr.v5i3.12988">https://doi.org/10.15294/jllr.v5i3.12988</a>
8	Wirata ma et al. (2024)	Blockchain Technolog y in Law Enforceme nt	Empirical research	Blockcha in increases transpare ncy in law enforcem ent	Scopus 2	Relevant to secure and transparent digital legal communic ation	<a href="https://doi.org/10.70177/rjl.v2i3.1410">https://doi.org/10.70177/rjl.v2i3.1410</a>
9	Flora et al. (2025)	Restorative Justice in Digital Era	Normative legal research	Online mediation improves dispute resolution efficiency	Scopus 3	Shows shift in communic ation patterns in restorative justice system	<a href="https://doi.org/10.62872/mb21w19">https://doi.org/10.62872/mb21w19</a>
10	Herma nsyah (2025)	From Retribution to Restoratio n in Tech Era	Normative legal research	Shift from punitive to restorativ e justice model	Scopus 3	Represents transformat ion of legal communic ation paradigm	<a href="https://doi.org/10.61978/legalis.v3i2.792">https://doi.org/10.61978/legalis.v3i2.792</a>
11	Djama ludin et al.	Impact of Electronic Court	Empirical research	E-court improves judicial	Scopus 3	Empirical evidence of digital	<a href="https://doi.org/10.24090/volksgelist.v6i1.8082">https://doi.org/10.24090/volksgelist.v6i1.8082</a>

	(2023)	Systems		efficiency		transformat ion in court communic ation	
12	Zulaeh a (2021)	E-Courts in Indonesia	Normative legal research	E-court accelerate s legal process but creates digital divide	Scopus 3	Highlights challenges in digital legal communic ation accessibilit y	<a href="https://doi.org/10.5281/ZENODO.4756212">https://doi.org/10.5281/ZENODO.4756212</a>
13	Maska nah (2017)	Artificial Intelligenc e in Civil Justice Indonesia	Normative legal research	AI supports legal analysis but requires regulatio n	SINTA 1	Relevant to automation of legal communic ation systems	<a href="https://doi.org/10.15294/jlr">https://doi.org/10.15294/jlr</a>
14	Zyhrii et al. (2023)	Law and Technolog y Innovation Impact	Qualitativ e research	Technolo gy transform s modern legal systems	SINTA 1	Provides theoretical foundation for digital legal transformat ion	<a href="https://doi.org/10.32518/sals4.2023.267">https://doi.org/10.32518/sals4.2023.267</a>
15	Ismail et al. (2025)	Electronic Legal Reporting Applicatio ns	Empirical research	Legal reporting applicatio ns increase public participat ion	SINTA 2	Shows digital public communic ation in legal reporting systems	<a href="https://doi.org/10.51903/gb0skf91">https://doi.org/10.51903/gb0skf91</a>
16	Yuliart ini (2015)	Position of Crime Victims in KUHAP	Normative legal research	Victims are marginali zed in criminal justice system	Non- Scopus	Shows imbalance in legal communic ation between actors and victims	<a href="https://ejournal.undiksha.ac.id/index.php/jkh/article/view/5006">https://ejournal.undiksha.ac.id/index.php/jkh/article/view/5006</a>
17	Widod o (2019)	Legal Communic ation in	Ethnograp hic study	Commun ication shaped	Non- Scopus	Theoretical foundation of	<a href="https://repository.unpad.ac.id/items/835f8df9">https://repository.unpad.ac.id/items/835f8df9</a>

		Court Proceedings		by power relations and legal language		courtroom communication dynamics	
18	Darmansyah & Silalahi (2025)	Criminal Procedure Reform in Indonesia	Normative juridical	KUHAP must align with KUHP and restorative justice	Non-Scopus	Supports modernization of criminal justice communication system	<a href="https://ojs.rewanngrencang.com/index.php/JHLG/article/view/1445">https://ojs.rewanngrencang.com/index.php/JHLG/article/view/1445</a>
19	Muttuqin (2018)	KUHAP and Cybercrime Evidence	Normative legal research	Law must adapt to digital evidence systems	Non-Scopus	Shows transformation of evidentiary communication in cybercrime	<a href="https://ejournal.yossoedarso.ac.id/index.php/ylj-server/article/view/245">https://ejournal.yossoedarso.ac.id/index.php/ylj-server/article/view/245</a>
20	Hidayat (2019)	Wiretapping in Criminal Justice System	Normative legal research	Wiretapping valid under legal procedures	Non-Scopus	Illustrates digital evidence communication in criminal justice	<a href="https://ppjp.ulm.ac.id/journal/index.php/blj/article/view/6047">https://ppjp.ulm.ac.id/journal/index.php/blj/article/view/6047</a>
21	Prasjoto et al. (2024)	History of Criminal Procedure Law	Literature study	KUHAP evolved from colonial legal system	Non-Scopus	Provides historical foundation of legal communication system	<a href="https://plus62.isha.or.id/index.php/abdimas/article/view/303">https://plus62.isha.or.id/index.php/abdimas/article/view/303</a>
22	Arkadia et al. (2023)	Prosecutorial Evidence in Child Cases	Doctrinal legal research	Evidence must follow KUHAP rules	Non-Scopus	Strengthens standardization of legal communication in trials	<a href="https://ejournal.undar.or.id/index.php/Justicia/article/view/174">https://ejournal.undar.or.id/index.php/Justicia/article/view/174</a>
23	Ibrahim et al. (2024)	AI Legal Text Analysis	Computational legal research	AI improves transparency in legal	Non-Scopus	Key reference for AI-based legal communication	<a href="https://arxiv.org/abs/2410.20104">https://arxiv.org/abs/2410.20104</a>

				decisions		ation transformat ion	
24	Danad itya et al. (2022)	Twitter Legal Discourse Analysis	Network analysis	Social media shapes legal- political narratives	Non- Scopus	Shows digital public communic ation influence in law	<a href="https://arxiv.org/abs/2207.0793">https://arxiv.org/abs/2207.0793</a> 7
25	Aji et al. (2022)	NLP for Indonesian Languages	NLP study	NLP supports digitizati on of legal document s	Non- Scopus	Supports digitalizati on of legal communic ation systems	<a href="https://arxiv.org/abs/2203.1335">https://arxiv.org/abs/2203.1335</a> 7

*Source: Various academic databases (2015–2025)*

## C. RESULT AND DISCUSSION

### 1. RESULT

The findings of this study indicate that the transformation of legal communication within the criminal justice system in the digital era has undergone significant changes in terms of structure, process, and communication media. The most prominent shift is observed in the transition from manual, hierarchical, and physically bound courtroom communication to a digital-based legal communication system that is more open, efficient, and electronically documented. The implementation of e-court and e-justice systems—progressively institutionalized in Indonesia through *Peraturan Mahkamah Agung (Perma) Nomor 1 Tahun 2019* and further reinforced by *Peraturan Pemerintah Nomor 71 Tahun 2019* concerning Electronic Systems and Transactions, has accelerated judicial administrative processes while simultaneously expanding public access to legal information (Asyiqin & al., 2025; Barlian & al., 2025; Reiling, 2010; Susskind, 2019).

The empirical evidence presented by Djamaludin et al. (2023) further confirms that courts adopting electronic case management systems have experienced measurable improvements in case processing times, document accuracy, and stakeholder satisfaction, providing concrete validation of the theoretical benefits associated with digital judicial transformation.

Furthermore, the results demonstrate that digitalization has reshaped interaction patterns between law enforcement authorities and the public. Legal communication is no longer unidirectional from judicial institutions to society but has gradually evolved into a more participatory two-way communication model facilitated by digital platforms. This shift is evident in the increasing public participation in electronic legal reporting systems and the broader accessibility of court decisions through online platforms (Ismail & al., 2025; Zulaeha, 2021). As Katsh and Rabinovich-Einy (2017) observe, digital justice systems fundamentally alter the relational dynamics between institutions and disputants by enabling continuous, multidirectional flows of legal information. The transformation of policing practices documented by Sandiya et al. (2025) further illustrates how digital communication tools have enhanced accountability mechanisms between law enforcement agencies and the communities they serve, creating new channels for public oversight and feedback that were previously unavailable in traditional policing models.

In addition, the findings reveal that digital transformation has expanded the scope and nature of evidence within the criminal justice system. Digital evidence such as electronic recordings, communication metadata, and other forms of electronic data, regulated under the Information and Electronic Transactions Law (Law No. 11 Tahun 2008 Jo. Law No. 19 of 2016), have become integral components in criminal proceedings. This development

indicates that legal communication has evolved from conventional document-based interaction to a more complex and dynamic data-driven system (Hidayat, 2019; Muttaqin, 2018). Ibrahim et al. (2024) demonstrate that hybrid deep learning models can now predict judicial outcomes with significant accuracy by analyzing patterns in Indonesian court rulings. Meanwhile, Aji et al. (2022) demonstrate that natural language processing technologies designed specifically for Indonesian language characteristics can substantially improve the digitization and searchability of legal documents, reducing barriers to legal information access for both practitioners and citizens.

The SLR findings also reveal a significant trend toward the convergence of criminal justice communication with broader digital governance frameworks. Setiyono et al. (2024) on cross-border justice and asset recovery demonstrate that international legal cooperation is increasingly mediated through digital platforms, requiring harmonized communication standards across jurisdictions. Arsawati et al. (2024) highlight how the transformation of witness protection systems depends critically on the development of secure digital communication channels. These findings collectively suggest that the digital transformation of legal communication in Indonesia cannot be addressed in isolation but must be understood as part of a broader global movement toward interconnected, technology-enabled justice systems. However, the study also identifies a persistent digital divide in the implementation of technology-based justice systems. Not all law enforcement officers and members of the public possess equal capacity to access and utilize digital technologies, potentially creating inequality in legal communication and access to justice (Afdal & al., 2025; Zulaeha, 2021). This finding underscores the

need for comprehensive digital inclusion policies as an integral component of any successful criminal procedure reform agenda.

## **2. DISCUSSION**

### **2.1 Transformation of Legal Communication in the Criminal Justice System**

The transformation of legal communication in the criminal justice system in the digital era reflects a fundamental paradigm shift from a hierarchical, institution-centered communication model toward a more open, transparent, and participatory structure. In the classical model of criminal justice, legal communication tended to be linear, formal, and dominated by state institutions, particularly law enforcement agencies and the judiciary (Effendi, 2014). However, the emergence of digital technologies has gradually reshaped this structure by enabling more interactive and real-time exchanges of legal information. This shift does not merely represent a technical adjustment, but also a broader transformation in how justice is communicated, understood, and experienced by society. In this context, legal communication becomes an essential component in constructing legitimacy and public trust in the criminal justice system. Friedman's (1975) observation that legal culture is as important as formal rules and institutions in determining the effectiveness of legal systems is particularly instructive here, as it suggests that technological reform alone cannot achieve meaningful transformation without a corresponding evolution in how legal professionals understand and perform their communicative roles.

Theoretically, legal communication in the criminal justice system does not merely serve as a mechanism for transmitting legal information, but also functions as a

constructive space in which meanings of justice are continuously negotiated and produced within society (Cotterrell, 1992; Widodo, 2019). This means that communication is not neutral, but actively shapes how law is interpreted and applied in practice. Through communication processes, legal norms are translated into concrete actions and institutional decisions, meaning the quality of legal communication directly influences the perceived fairness and effectiveness of the justice system. In a digital environment, this interpretive process becomes more complex due to the involvement of multiple actors and technological mediation, and the digital transformation of criminal justice must be analyzed not merely as a technological phenomenon but as a socially and politically situated process with significant implications for equality, participation, and democratic governance.

In this regard, digitalization has significantly reconfigured traditional communication patterns that were previously dominated by law enforcement agencies, gradually moving toward a more inclusive and interactive communication ecosystem. The presence of digital platforms such as electronic case systems and online legal services has opened new channels of communication between courts, legal practitioners, and the public (Reiling, 2010; Susskind, 2019). This development allows legal processes to be monitored more transparently and accessed more easily by stakeholders. As a result, the exclusivity of legal communication is reduced, although not entirely eliminated. This condition marks a significant step toward democratizing access to legal information in the criminal justice system. Susskind's vision of online courts as a mechanism for expanding access to justice is particularly compelling in the Indonesian context, where geographic and socioeconomic

disparities create significant barriers to conventional court participation for large segments of the population, particularly those residing in remote or underserved regions.

However, this transformation does not automatically eliminate hierarchical power structures within legal communication. Judicial institutions, particularly judges, still maintain dominant authority in determining the validity, interpretation, and final recognition of legal information (Darmansyah & Silalahi, 2025; Widodo, 2019). While digital transformation has altered the medium of communication, it has not fully dismantled the underlying power relations embedded within the criminal justice system. As Foucault (1977) demonstrates, power operates not merely through direct coercion but through the organization of knowledge, discourse, and institutional practice. The digitalization of legal communication creates new power dynamics through algorithmic filtering, data governance, and platform control that may reproduce or even intensify existing inequalities if not subjected to appropriate regulatory oversight. Therefore, digitalization should be understood as a modification of form rather than a complete transformation of legal power structures.

Moreover, this transformation signals a gradual normative shift from a purely retributive model of criminal justice toward a more restorative justice-oriented approach. Within this framework, legal communication is no longer solely directed at establishing guilt and imposing punishment, but also at facilitating meaningful dialogue between offenders, victims, and society (Braithwaite, 2002; Zehr, 2015). This shift emphasizes healing, reconciliation, and social reintegration as key objectives of the justice system (Flora & al., 2025; Hermansyah, 2025), contrasting

sharply with traditional punitive systems focused primarily on state authority and legal formalism. Communication therefore becomes a bridge for resolving conflicts in a more constructive and human-centered manner.

In the context of KUHAP 2025, Article 2 paragraph (2) of Law No. 20 of 2025 explicitly states that criminal proceedings are conducted through an integrated criminal justice system based on functional differentiation principles, assigning investigative functions to the National Police, prosecution to the Prosecutor's Office, adjudication to the judiciary, legal assistance to advocates, and community guidance to correctional officers. This structure reflects a coordinated system of justice that requires strong inter-institutional communication. Without effective communication, functional differentiation may lead to fragmentation rather than integration, a risk that legal reform must explicitly address (Effendi, 2014). The inter-institutional communication envisioned by KUHAP 2025 requires clear protocols for data sharing, case coordination, and joint decision-making that respect the distinct constitutional roles and responsibilities of each institution. This provision reflects a systemic vision of criminal justice that must be integrated into a unified digital platform, ensuring accessibility for all stakeholders, and by doing so, digital legal communication can strengthen public trust in Indonesia's criminal justice system.

## **2.2 The Influence of Digital Technology on Criminal Justice Practices**

Digital technology has significantly influenced criminal justice practices, particularly in terms of efficiency, transparency, and accountability. The implementation of e-court systems and digital case management platforms has reduced bureaucratic barriers and accelerated case handling processes within the

judiciary (Djamaludin & al., 2023; Reiling, 2010). From a legal communication perspective, technology functions as an enabler that accelerates the flow of legal information among actors in the criminal justice system. Djamaludin et al.'s empirical analysis of electronic court systems in Indonesia reveals that institutions implementing comprehensive e-court platforms have achieved substantial reductions in document processing time, administrative errors, and case backlogs, while simultaneously improving the consistency and accessibility of judicial records for both practitioners and the public. The deployment of such systems must, however, be grounded in clear legal authority, including *Perma No. 1 Tahun 2019 and PP No. 71 Tahun 2019*, which provide the normative foundation for electronic court administration in Indonesia.

The use of artificial intelligence (AI) in judicial decision analysis has opened new dimensions in legal communication studies. AI enables the identification of judicial decision patterns that were previously difficult to analyze manually, thereby improving transparency and consistency in legal application (Ashley, 2017; Ibrahim & al., 2024). Ibrahim et al.'s study on hybrid deep learning models for predicting punishment durations in Indonesian court rulings demonstrates that computational legal analysis can identify systematic patterns in judicial decision-making. Sourdin (2018) critically argues that AI should function as a decision-support tool that enhances rather than replaces the contextual judgment, moral reasoning, and communicative competence of judicial actors. Blockchain technology has also emerged as a promising tool for ensuring the integrity and security of legal records, reducing risks of data manipulation and strengthening evidentiary communication in

criminal proceedings where the integrity of evidence is a fundamental prerequisite for fair adjudication (Wiratama & al., 2024).

Natural language processing (NLP) technologies represent another significant dimension of digital transformation in legal communication. Aji et al. (2022) demonstrate that NLP tools designed for the unique linguistic characteristics of Indonesian and regional languages can substantially improve the digitization, searchability, and accessibility of legal texts, particularly important given the linguistic diversity of the Indonesian archipelago. Danaditya et al. (2022) further demonstrate through network analysis of Indonesian Twitter discourse that social media platforms have become significant arenas for legal-political communication, where coordinated information campaigns can shape public understanding of legal issues and influence the perceived legitimacy of judicial institutions.

However, reliance on digital technologies also introduces new risks, particularly regarding data security and algorithmic bias in legal decision-making processes. Without proper regulation, technology may generate new forms of injustice within the criminal justice system. The protection of personal data in digital judicial processes is addressed in Indonesia by the Personal Data Protection Law (Law No. 27 of 2022), which establishes requirements for the lawful collection, processing, and storage of personal information. This legislation introduces key principles of data minimization, purpose limitation, and data subject rights that must be carefully integrated into the design of digital criminal justice systems to prevent unauthorized surveillance, data breaches, and the misuse of sensitive personal information. The integration of AI and automated systems in legal decision-making raises important

questions about accountability, transparency, and the protection of due process rights (Ashworth, 2006; Sourdin, 2018). Therefore, strict regulatory frameworks are required to ensure that technology functions as a supporting tool for justice rather than a replacement for human legal reasoning, addressing not only technical standards but also ethical principles governing the transparency, explainability, and accountability of algorithmic systems in judicial contexts (Maskanah, 2017).

### **2.3 Implications of Criminal Procedure Law Reform (KUHAP 2025)**

The reform of KUHAP 2025 has significant implications for the transformation of legal communication within Indonesia's criminal justice system. This reform not only involves procedural changes but also a fundamental shift in legal communication paradigms toward greater adaptability to technological advancements and societal needs. In this regard, KUHAP 2025 can be understood as an instrument for restructuring legal communication to create a more transparent, responsive, and accountable justice system. The enactment of KUHAP 2025 (*Kitab Undang-Undang Hukum Acara Pidana, 2025*), represents the most comprehensive revision of Indonesian criminal procedure since the original codification in 1981, reflecting a sustained legislative response to decades of scholarly critique, civil society advocacy, and comparative legal analysis demonstrating the limitations of the existing framework in addressing contemporary challenges of digital crime, transnational criminal activity, and the growing demand for victim-centered justice.

From the perspective of progressive legal theory, this reform reflects a shift from formalistic legal orientation toward a substantive justice-oriented approach (Darmansyah & Silalahi, 2025). Within this framework, legal communication is not

merely procedural but also serves as a dialogical space between the state and citizens in the pursuit of justice. The alignment of KUHAP 2025 with the new Criminal Code (KUHP) represents a significant opportunity to harmonize substantive and procedural criminal law, creating a more coherent framework for legal communication throughout the criminal justice process. As Nonet and Selznick (2001) observe, responsive law is characterized by its openness to social needs and its capacity to adapt communication structures accordingly. The application of restorative justice principles within KUHAP 2025, informed by Braithwaite (2002) and Zehr (2015), signals a move toward a more dialogical and inclusive model of criminal justice communication. However, implementation also faces structural challenges, particularly related to digital infrastructure readiness and public legal literacy (Afdal & al., 2025; Zulaeha, 2021), with urban courts generally demonstrating greater readiness than their rural counterparts due to disparities in infrastructure investment, staff training, and organizational culture.

The witness protection dimensions of KUHAP 2025 reform further illustrate the communicative implications of criminal procedure modernization. Arsawati et al. (2024) demonstrate through comparative analysis that effective witness protection systems require sophisticated digital communication infrastructures capable of concealing witness identities while maintaining the integrity of testimony within criminal proceedings. The development of secure digital testimony platforms, anonymization technologies, and remote witness examination procedures represents a critical frontier in the implementation of KUHAP 2025. Similarly, the cross-border dimensions of criminal justice reform highlighted by Setiyono et al. (2024) suggest

that KUHAP 2025 must include provisions enabling Indonesia's criminal justice institutions to communicate and cooperate effectively with foreign counterparts through internationally standardized digital platforms and mutual legal assistance frameworks.

The implications of KUHAP 2025 also extend to the domain of legal culture transformation, which Latifiani et al. (2024) identify as a critical determinant of successful digital justice reform. Their analysis suggests that formal regulatory changes alone are insufficient to achieve meaningful transformation in legal communication unless they are accompanied by sustained efforts to shift the values, assumptions, and professional norms that govern how legal actors understand and perform their roles within the criminal justice system. This cultural dimension of reform requires investment in legal education, continuing professional development, and institutional leadership that actively promotes the communicative values of transparency, empathy, and participatory dialogue that underpin the vision of KUHAP 2025.

#### **2.4 Digital Divide and Challenges in Legal Communication**

One of the key findings of this study is the existence of a digital divide that affects the effectiveness of legal communication within the criminal justice system. This divide is present not only among the public but also among law enforcement officers who are not yet fully prepared for digital transformation, resulting in unequal access to legal information that may undermine the principle of substantive justice (Ashworth, 2006). The right to a fair trial necessarily encompasses the right to meaningful participation in legal proceedings, a right compromised when individuals

lack the digital tools, skills, or connectivity necessary to engage with electronically administered justice systems. The geographical dimension is particularly significant given the vast disparities in digital infrastructure between metropolitan centers and remote islands across the Indonesian archipelago, where reliable internet connectivity may be unavailable or prohibitively expensive for large segments of the population.

From a legal communication perspective, the digital divide can be understood as a form of information inequality that directly affects the quality of participation of legal actors in judicial processes. The legal culture of law enforcement agencies must undergo transformation alongside technological infrastructure, a process that requires sustained institutional commitment and capacity-building (Latifiani & al., 2024). Latifiani et al.'s analysis highlights that resistance to digital transformation reflects deeper cultural dispositions toward formalism, hierarchy, and risk aversion that are embedded in the professional socialization of Indonesian legal practitioners. Overcoming this cultural resistance requires not only training in digital tools and procedures but a broader reimagination of what it means to practice law and administer justice in a digital environment—one that embraces openness, innovation, and collaborative engagement with technology as core professional values. The implementation of data protection safeguards under Law No. 27 of 2022 is also essential to ensuring that expanded digital communication does not compromise the privacy rights of parties in criminal proceedings, including the right to access, correct, and delete personal data processed in connection with criminal proceedings.

The challenge of digital literacy represents another critical dimension of the digital divide in legal communication. Zulaeha (2021) demonstrates that while the

introduction of e-court systems in Indonesia has accelerated certain administrative processes, it has simultaneously created new barriers for individuals who lack the digital skills necessary to navigate online legal platforms, submit electronic documents, or participate in remote court proceedings. This finding suggests that the benefits of digital justice reform are not uniformly distributed but tend to accrue disproportionately to those with higher levels of education, economic resources, and technological access—precisely the groups that already enjoy significant advantages within the conventional justice system. Addressing this inequality requires targeted interventions, including public legal education programs, community-based digital literacy initiatives, and the design of user-friendly digital justice interfaces accessible to individuals with varying levels of technological proficiency.

Furthermore, the risks of algorithmic bias in digital criminal justice systems represent a particularly concerning dimension. Ibrahim et al.'s (2024) computational analysis of Indonesian court rulings reveals systematic patterns in judicial decision-making that may reflect historical biases, patterns that could be inadvertently encoded and amplified by AI systems trained on historical legal data. The deployment of predictive risk assessment tools, algorithmic sentencing recommendations, or automated evidence analysis systems without careful attention to bias detection and mitigation may reinforce existing inequalities within the criminal justice system, particularly those that disproportionately affect marginalized communities defined by race, ethnicity, socioeconomic status, or geographic location. Ensuring that digital transformation serves justice rather than perpetuating systemic inequality therefore requires proactive regulatory engagement with the ethical dimensions of algorithmic

decision-making in criminal proceedings, including mandatory auditing requirements, transparency obligations, and human oversight mechanisms that preserve the ultimate responsibility of human legal actors for the decisions affecting individuals' lives and liberty.

## **D. CONCLUSIONS**

Based on the research problem formulation, this study concludes that the transformation of legal communication in the criminal justice system in the digital era has brought fundamental changes to the structure and functioning of law enforcement practices. This transformation marks a shift from a conventional model of legal communication that is hierarchical, rigid, and physically constrained, toward a digital-based communication system that is more open, efficient, fast, and integrated across criminal justice institutions. The implementation of innovations such as e-court, e-justice, electronic case management systems, and other digital legal platforms, supported by the regulatory frameworks of Perma No. 1 of 2019 and PP No. 71 of 2019, has significantly improved the effectiveness of law enforcement through faster procedural processes, increased transparency, and broader public access to justice services. Empirical evidence from studies such as Djamaludin et al. (2023), Asyiqin et al. (2025), and Barlian et al. (2025) consistently supports the conclusion that technology-enabled judicial reform produces measurable improvements in institutional efficiency and public accessibility, validating the strategic investment in digital infrastructure as a component of criminal justice modernization.

Furthermore, this transformation has significant implications for the protection of the principle of due process of law within the modern criminal justice system. The digitalization

of legal communication strengthens accountability through greater information transparency, enhances efficiency in data exchange among law enforcement agencies, and promotes consistency in decision-making through integrated digital systems. The theoretical frameworks of Habermas (1984), Luhmann (1995), and Foucault (1977) collectively illuminate different dimensions of this transformation: communicative rationality provides a normative ideal for inclusive and uncoerced legal dialogue; autopoietic theory explains the systemic conditions for the self-reproduction of legal communication in digital environments; and power-knowledge analysis reveals the potential for digital systems to concentrate institutional authority in new ways that require careful constitutional scrutiny. On the other hand, this transformation also presents serious challenges, such as the digital divide across regions and social groups, limited technological literacy among justice seekers, risks related to data security and potential algorithmic bias, and the need for comprehensive data protection under UU No. 27 Tahun 2022. These conditions indicate that without adequate legal safeguards, digitalization may threaten substantive justice. Therefore, the principle of due process of law as articulated by Ashworth (2006) must remain the fundamental foundation in every development of digital-based criminal justice systems.

Moreover, in the context of KUHAP 2025 reform, it can be concluded that the transformation of legal communication is not merely a procedural modernization, but rather a broader paradigm shift toward a criminal justice system that is more dialogical, transparent, participatory, and human rights-oriented. Grounded in the restorative justice principles articulated by Braithwaite (2002) and Zehr (2015), and aligned with the responsive law framework of Nonet and Selznick (2001), KUHAP 2025 represents an ambitious attempt to redefine the communicative foundations of Indonesian criminal procedure. The integration of

restorative justice mechanisms within KUHAP 2025 reflects a recognition that the conventional adversarial model of criminal justice communication—characterized by formal argument, procedural competition, and binary outcomes—is insufficient to address the complex social, psychological, and relational dimensions of criminal harm. By creating space for dialogue, negotiation, and collaborative problem-solving within the criminal justice process, KUHAP 2025 opens the possibility of a more humane and effective model of legal communication that better serves the needs of victims, offenders, and society as a whole.

In light of these findings, several critical directions must be pursued to ensure that the digital transformation of Indonesia's criminal justice system yields substantive and equitable outcomes. First and foremost, there is an urgent need to strengthen and further specify regulations governing digital legal communication standards, including clear mechanisms for electronic legal communication, the legal validity of digital interactions, and standardized procedures to ensure legal certainty and consistency in implementation. Such regulations should be developed through an inclusive consultation process involving judicial institutions, law enforcement agencies, legal practitioners, civil society organizations, and technology experts, while also incorporating provisions for regular review to accommodate the rapid pace of technological change. Closely related to this, KUHAP 2025 must reinforce its legal framework for personal data protection, information system security, and the admissibility and integrity of electronic evidence—building upon the foundations established by UU No. 27 Tahun 2022 and UU No. 11 Tahun 2008—to ensure that digital judicial processes remain fully aligned with due process guarantees. Specific attention must be given to developing clear authentication standards for digital evidence, establishing secure data-sharing protocols among criminal justice institutions, and creating independent oversight mechanisms,

including addressing cross-border digital evidence challenges as highlighted by Setiyono et al. (2024).

Equally important is the development of a nationally integrated, standardized, and inclusive e-justice system that prevents regional disparities in implementation. Consistent with the findings of Afdal et al. (2025) on uneven judicial digitalization and Zulaeha (2021) on digital divide challenges, such a system must prioritize accessibility features, multilingual interfaces, and low-bandwidth compatibility to ensure meaningful participation for users in remote and underserved areas, while incorporating community feedback mechanisms for continuous improvement. This structural investment must be accompanied by sustained efforts to enhance the capacity of judicial personnel and law enforcement officers to adapt to digital transformation. Building on the legal culture transformation framework of Latifiani et al. (2024), capacity-building initiatives should extend beyond technical training to encompass the values, attitudes, and professional norms that support participatory, transparent, and rights-respecting legal communication, institutionalized within legal education curricula, judicial training programs, and continuing professional development requirements.

Furthermore, regulatory frameworks governing the use of artificial intelligence and automated decision-support systems in criminal justice processes must be urgently developed to address risks of algorithmic bias, opacity, and accountability deficits identified by Ibrahim et al. (2024) and Sourdin (2018). These frameworks should establish mandatory requirements for algorithmic transparency, bias auditing, human oversight, and the right to explanation and challenge in decisions affected by automated systems, developed through multidisciplinary expertise involving legal scholars, computer scientists, ethicists, and representatives of

affected communities. Finally, future research is encouraged to combine normative-prescriptive examination of KUHAP 2025 provisions with empirical case studies on the implementation of electronic justice systems in Indonesia, drawing on the interdisciplinary methodology demonstrated by Widodo (2019), Ibrahim et al. (2024), and Danaditya et al. (2022). Longitudinal studies tracking changes in legal communication patterns before and after KUHAP 2025 implementation would be particularly valuable for evaluating the reform's impact on justice outcomes, public trust, and institutional effectiveness.

The success of KUHAP 2025 in the digital era ultimately depends on the state's ability to integrate technological innovation with comprehensive legal reform while ensuring equal access to justice for all citizens without discrimination. This requires not only legislative action but sustained investment in digital infrastructure, human capacity, institutional culture, and regulatory oversight to create the conditions for transformative, equitable, and constitutionally grounded legal communication in Indonesia's criminal justice system. Only through such a holistic and rights-centered approach can the transformation of legal communication fulfill its promise of substantive legal reform that genuinely guarantees justice, legal certainty, and the protection of human rights in the digital era.

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