

 <https://doi.org/10.47353/lawpass.v2i1.66>

Legal Counsel Assistance in Court Proceedings in Criminal Cases

Rakhbir Singh^{1*}, Supardi², Handoyo Prasetyo³

Faculty of Law, Universitas Pembangunan Nasional Veteran Jakarta

*Corresponding author: singhrakhbir9@gmail.com

Abstract

The Indonesian Criminal Procedure Code (KUHAP) does not differentiate between ethnic groups or nationalities, ensuring that all individuals are treated equally before the court, whether in the District Court, High Court, or Supreme Court. Suspects or defendants are no longer viewed as "objects" but as "subjects" who possess rights and obligations, including the right to claim compensation or rehabilitation in cases of wrongful arrest, detention, prosecution, or legal judgment. The reality that many suspects/defendants are not accompanied by legal counsel during criminal proceedings raises significant questions about why the provisions of KUHAP are not adhered to. This thesis aims to analyze and elaborate on the regulations within KUHAP concerning the obligation of legal counsel to assist suspects/defendants in court proceedings and to analyze and elaborate on the rules that should govern the implementation of the obligation for legal counsel in criminal cases. The type of legal research employed in this work is normative legal research. This research is prescriptive in nature, aiming to provide a careful, comprehensive, and systematic description and analysis of the characteristics of individual or group behavior. Legal assistance by counsel is a fundamental right that must be fulfilled in every legal process, as stipulated in Article 56 of the Indonesian Criminal Procedure Code (KUHAP). Ironically, the hegemony of scientific studies tends to focus more on the subordination and compliance of citizens to the law rather than the subordination and compliance of law enforcement officials to the law itself. This obligation not only aims to protect the rights of suspects but also to ensure that the principles of justice and the protection of human rights are upheld within the criminal justice system in Indonesia.

Keywords: Court Proceedings; Criminal Cases; Legal Assistance.

Introduction

According to Article 1 of the Legal Aid Law, what is meant by legal aid is legal services provided by the provision of legal aid free of charge to legal aid recipients. In the discussion regarding the parties who can provide legal aid according to the request, the Constitutional Court Decision states in Article 9 of the Legal Aid Law that the implementation of legal aid is not only limited to advocates but also expanded to involve other parties such as paralegals, lecturers (Putri & Riwanto, 2023). According to the Instruction of the Minister of Justice of the Republic of Indonesia Number M.03-UM.06.02 of 1999, it is explained that people who are categorized as underprivileged are those whose income is so low that they cannot afford to pay for their cases in court. This status is determined by the head of the district court based on a statement from the



<https://lawpass.org/>

Received: March 17, 2025 | Revised: April 15, 2025 | Accepted: April 20, 2025 | Publication: April 24, 2025

village head or lurah. The Minister determines the amount of this budget, with reference to the standard cost provisions set out in the relevant legislation (Angga & Arifin, 2019). In general, the rule of law upholds the principle of protecting human rights and the principle of a free and independent judiciary (Hamzah, 2010).

The principle of justice and the principle of protection of human rights are expected to control the actions of state power. The principle of the rule of law was developed to protect human rights from potential threats or violations by the authorities, as well as to prevent or supervise state power holders do not violate these rights. In an effort to protect human rights from threats or violations committed by leaders or rulers, the importance of the existence of a fair and neutral judicial institution is highly emphasized.

In the Decision of the Baturaja District Court Number: 7/PID.B/2019/PN.BTA dated November 09, 2018, a defendant named Akmaludin, aged 50 and working as a farmer, committed an act of taking the life of a victim named Alam Soher Bin Zainal Abidin in a coffee plantation with a machete and was determined as a defendant at the Baturaja District Court convicted under Article 338 of the Criminal Code on murder with a maximum imprisonment of fifteen years.

During the examination process until the trial, the defendant Akmaludin was not assisted by legal counsel. According to Article 54, Article 56 paragraph (1) and paragraph (2) of KUHP, the assistance of legal counsel to the defendant is part of the efforts to protect the human rights of the suspect/defendant. Especially for criminal offenses punishable by 5 (five) years and above, in the event that the suspect/defendant is unable to provide his/her own legal counsel, the officials at every level are "obliged" to provide free legal counsel (prodeo).

In line with the provisions of Article 54, Article 56 of the Criminal Procedure Code, Article 114 of the Criminal Procedure Code states that "In the event that a person is suspected of committing a criminal offense before the commencement of the examination by the investigator, the investigator shall inform him of his right to legal assistance or that he shall be accompanied by a legal counsel as referred to in Article 56". Therefore, the trial process carried out against the defendant in the Baturaja District Court Decision Number: 7/PID.B/2019/PN.BTA named Akmaludin is contrary to the provisions of Article 56 Jo Article 114 of the Criminal Procedure Code, in addition to also contradicting international provisions related to the protection of the rights of persons suspected / accused of having committed a criminal offense, such as the principle stipulated in the Miranda Rule. This principle explains that if the investigation, prosecution or trial of a suspect or defendant is not accompanied by legal counsel then in accordance with the Miranda Rule, the examination is illegal or null and void (Lubis & Haryanto, 2008). The Miranda Rule standard was upheld in Supreme Court Decision No.1565 K/Pid/1991 dated September 16, 1993, which stated: "if the requirements of the request are not met, such as the investigator not appointing a legal counsel for the suspect from the beginning of the investigation, the prosecution's charges are declared unacceptable."

In addition to decision No. 7/PID.B/2019/PN.BTA on behalf of the defendant Akmaludin mentioned above, there are still many incidents where the suspect/defendant has never been accompanied by legal counsel during the examination process in the investigation or trial to defend his rights.



According to Article 22 paragraph (1) of Law Number 18 Year 2003 on Legal Aid, advocates are obliged to provide free legal aid to poor justice seekers. This means that there is conformity between KUHAP and Law No. 18 of 2003 regarding the obligation to provide legal counsel assistance to suspects/defendants who are unable to afford it. Any official involved in the criminal process may request that an advocate assist the suspect/defendant free of charge when he/she is unable to provide and pay for his/her own legal counsel.

Comparison of Decision Number 454/Pid.B/2024/PN.Sby. The defendant, Ronald Tannur, was represented by legal counsel at first instance and in this decision the defendant was found not legally and convincingly guilty of committing a criminal offense, although at the end of the further legal proceedings Ronald Tannur was found guilty and convicted.

In the explanation of Article 56 paragraph (1) of KUHAP, it is stated that the appointment of legal counsel is adjusted to the development and availability of legal counsel in that place. This provision implies that not all regions have legal counsel available to assist suspects/defendants for free. In the early years of its establishment in 1981, this was still possible, but in the 2000s, especially in the 21st century when it can be said that there are 51 advocate organizations in Indonesia that are available in every province and even in every regency/city (HukumOnline, 2023). Therefore, the reason for the unavailability of legal counsel in a certain place is very small, especially since every advocate is required by law to provide free services to poor justice seekers.

Problem Formulations of this research are, How is the regulation of the Criminal Procedure Code related to the obligation to assist the suspect/defendant in the court process? and How is the ideal rule in the Criminal Procedure Code related to the application of the obligation to assist legal counsel in the criminal process?

Based on the description above, the provisions of KUHAP relating to the obligation of officials at all levels of examination to provide free legal counsel to suspects/defendants still do not provide justice and legal certainty to suspects/defendants. Therefore, the author is interested in conducting research with the title of Legal Counsel Assistance at Trial in Criminal Cases.

Method

The type of legal research used by the author in the preparation of this work is normative juridical research. Normative Juridical Research is research that focuses its study on positive legal rules or norms (Soekanto, 2003). This research is oriented towards legal principles and relies on methods to identify problems and provide solutions to existing issues. This research has a prescriptive nature, which aims to provide a careful, thorough, and systematic description and analysis of the behavioral characteristics of individuals or groups (Soekanto, 2010). Data collection in this research was carried out using literature study and document study methods. The literature study method includes reading and understanding various scientific books, mandatory books, and relevant laws and regulations. In addition, document study serves as a data collection tool that utilizes written data to analyze the content and context of existing information. This process is carried out by applying the technique of "Content Analysis," which allows



researchers to systematically evaluate and interpret various documents. The results of this study were analyzed using a qualitative approach. Qualitative analysis is a research method that produces prescriptive data, focusing on the research object as a whole (Soekanto, 1986).

Regulation of the Criminal Procedure Code Related to the Obligation to Assist the Suspect/Defendant in the Court Process

In the perspective of Indonesian legislation, the role of Legal Counsel is regulated in the KUHAP and the Advocates Law. Article 1 point 13 of the Criminal Procedure Code states that a Legal Counsel is a person who fulfills the requirements prescribed by or based on the law to provide legal assistance. Furthermore, the role of Legal Counsel is specifically regulated in Chapter VII, which covers Articles 69 to 74 of KUHAP. Article 69 stipulates that "Legal counsel has the right to contact the suspect from the time of arrest or detention at all levels of examination according to the procedures specified in this law". Article 70 and Article 71 of KUHAP regulate the procedure for exercising the right of legal counsel.

The regulation of the right to legal aid is clearly and precisely outlined in Law Number 8 of 1981, known as the Criminal Procedure Code. This is particularly evident in Articles 54, 55, and 56 which explain that the provision of legal aid begins from the preliminary examination at the investigation until the judicial process in court (Harahap, 2004).

Article 56 paragraph (1) of KUHAP is a significant development from the previous provision contained in Article 54, which stipulated the presence of legal counsel only as a right of the suspect or accused. The current provision mandates law enforcement officials to appoint legal counsel, thus confirming the need for legal representation in the defense of a suspect or accused. The term obligation refers to a mandatory role regarding something mandated by law or statute (Purnadi & Halim, 1982).

The formulation of Article 56 paragraph (1) of KUHAP is as follows: "In the event that a suspect or defendant is suspected or charged with a criminal offense punishable by death or a sentence of fifteen years or more or for those who are incapacitated punishable by a sentence of five years or more who do not have their own legal counsel, the relevant official at all levels of examination in the judicial process shall be obliged to appoint a legal counsel for them."

Based on this article, if classified based on criminal threats, there are two conditions of criminal threats that require special duties for related officials. In particular, this discussion will focus on the obligation of the Judge to appoint a legal counsel to protect the interests of the defendant during the trial process (Ganindra, 2020):

- 1) The obligation to appoint legal counsel arises in situations where the accused is faced with the possibility of the death penalty or imprisonment for fifteen years or more. However, where the accused, despite his/her ability, chooses not to seek legal counsel for his/her own defense, it shall be the responsibility of the Presiding Judge to appoint legal counsel for the accused;



- 2) In situations where an accused faces criminal charges resulting in a sentence ranging from five to less than fifteen years, the need to appoint a legal counsel arises, especially when the accused is incapacitated.

If the accused refuses to present legal counsel, this refusal must be documented in the minutes of the trial to prevent the possibility of the decision being overturned. This is stipulated in the Circular Letter of the Supreme Court of the Republic of Indonesia Number 7 of 2012 (SEMA 7/2012) on the Legal Formulation of the Results of the Plenary Meeting of the Supreme Court Chamber which serves as a guideline in the implementation of judicial duties.

In the current legal framework, the Code of Criminal Procedure has no provisions governing the legal consequences of judicial proceedings that do not comply with the mandate outlined in Article 56.

Although the Criminal Procedure Code does not explicitly outline the legal consequences of a judicial process that does not fulfill the obligations set out in Article 56, there are a number of Supreme Court jurisprudence that can be used as valuable references on this issue, in particular (Tampubolon, 2016):

1. Decision of the Supreme Court of the Republic of Indonesia No. 1565 K/Pid/1991 dated September 16, 1993 which basically states "if the conditions of investigation are not fulfilled, such as the investigator not appointing legal counsel for the suspect from the beginning of the investigation, then the public prosecutor's charges are declared unacceptable."
2. Decision of the Supreme Court of the Republic of Indonesia No. 367 K/Pid/1998 dated May 29, 1998 which basically states "that if the defendant is not accompanied by legal counsel at the level of investigation, it is contrary to Article 56 of the Criminal Procedure Code, so that the Minutes of Investigation and the indictment of the public prosecutor are null and void and therefore the public prosecutor's charges cannot be accepted, even though the examination in court is accompanied by legal counsel."
3. Decision of the Supreme Court of the Republic of Indonesia Number 545 K/Pid.Sus/2011 which basically states "that during the examination the Defendant was not accompanied by a Legal Counsel, while the Minutes of the Search and Statement dated December 15, 2009 turned out to have been made by officials who did not carry out these actions but by other officers; thus the Minutes of the Defendant's Examination, Minutes of the Search are invalid and legally flawed so that the Prosecutor's Indictment made on the basis of these Minutes is invalid and legally flawed as well."

By looking at the three jurisprudential cases submitted, it can be concluded and interpreted that the failure of the Judge to fulfill the obligation to appoint legal counsel for the defendant, as stated in Article 56 paragraph (1) of the Criminal Procedure Code, can result in the nullification of the prosecutor's indictment, so that the decision is as if it never existed.

Based on an axiological perspective, this paper raises the thoughts of Jürgen Habermas who emphasizes the close relationship between knowledge and interests. According to Habermas, knowledge is not neutral, but has an inherent emancipatory dimension, namely the urge to liberate individuals through deep self-reflection. Unfortunately, in practice, knowledge is often ideologically constructed, separated from its practical dimensions, and used to support the



interests of power. This leads to the loss of the liberating nature of knowledge itself. Knowledge controlled by authority and disseminated through hegemony reflects the interests of power holders rather than the collective needs of society. Therefore, Habermas emphasizes the importance of self-awareness and critical reflection in the process of knowledge production as a path to autonomy and responsibility.

In the legal context, similar problems occur, especially in the practice of criminal investigation and prosecution in Indonesia. Termination of investigation or prosecution without clear accountability creates injustice for victims and the community. When law enforcement officials do not provide information or accountability for such decisions, victims become "second-time victims" due to a lack of accountability. Therefore, the criminal justice process must be equipped with oversight mechanisms that involve public participation to ensure transparency and accountability in the legal system.

One important aspect of law enforcement is the obligation of legal representation for suspects. KUHAP explicitly guarantees the right to legal counsel from the investigation stage. However, in practice, many suspects - especially the poor - do not have access to proper legal assistance, either due to economic limitations or lack of awareness of their rights. This can potentially lead to violations of suspects' rights, including forced confessions or torture. Therefore, it is important for law enforcement officials to thoroughly understand and fulfill this obligation.

Legal assistance also includes the suspect's right to apply for pre-trial as a control mechanism over arrest and detention. The role of advocates is crucial in this process, not only as legal counsel, but also as a watchdog over the actions of the authorities. However, despite legal provisions, implementation often faces challenges due to weak legal awareness, lack of supervision, and limited resources.

In this regard, it is important to strengthen the sanction system for law enforcers who ignore the obligation to provide assistance. Sanctions can range from administrative to criminal, with the aim of creating a deterrent effect and maintaining legal integrity. However, the implementation still faces obstacles due to weak supervision and legal education among officials. Continuous training is needed, as well as the establishment of an independent oversight institution that has the authority to take action against violations.

Public legal awareness is also an important factor. When people understand their rights, they are more willing to demand justice. Legal education and community empowerment must be part of justice system reform. In this regard, collaboration between the government, law enforcement officials, judicial institutions and civil society is key. With an inclusive approach and strict sanctions applied consistently, the rights of suspects can be protected fairly and equitably, so that the judicial process in Indonesia can truly uphold the principles of justice.



The Ideal Rule in the Criminal Procedure Code Related to the Application of the Obligation to Assist Legal Counsel in the Criminal Process

In explaining the ideal rule regarding the application of the duty to assist legal counsel, we can use case, historical and statutory approaches.

1. **Case Approach:** In practice, the application of Article 56 of KUHAP, which stipulates a suspect's right to legal counsel, often falls short of expectations. For example, research shows that many suspects do not receive adequate legal representation, especially at the investigation level (Anindhita, 2023). This indicates a gap between the written legal norms and their implementation in the field. Research also shows that law enforcement officials often ignore the obligation to provide legal counsel, potentially undermining the rights of suspects. Cases where suspects were not provided with legal counsel often led to human rights violations. For example, in some cases, suspects are forced to give statements in the absence of legal representation, which can lead to unauthorized or invalid confessions. Therefore, it is important to enforce clear and firm rules regarding the obligation of legal assistance, as well as provide sanctions for law enforcement officers who violate these provisions (Angga & Arifin, 2019).
2. **Historical Approach:** Historically, the development of criminal procedure law in Indonesia has undergone various changes to improve the protection of the rights of suspects. Prior to the KUHAP, the criminal justice system in Indonesia tended to be more authoritarian, where the rights of suspects were often ignored. With the adoption of KUHAP in 1981, there were efforts to create a fairer and more transparent justice system, including the right to legal aid. However, despite advances in legal arrangements, implementation challenges remain. History shows that despite provisions governing the rights of suspects, practices on the ground often do not reflect these principles. Therefore, it is important to continuously review and improve the legal system to make it more responsive to human rights protection needs (Al-Arif & Karsa, 2021).
3. **Statutory Approach:** in the context of the law, Article 56 of KUHAP clearly states that every suspect has the right to be assisted by legal counsel. This is in line with human rights principles set out in various international instruments, including the Universal Declaration of Human Rights. In addition, Law No. 16/2011 on Legal Aid also emphasizes the importance of access to legal aid for people who cannot afford it, so that they can obtain proper legal assistance. However, despite clear provisions, challenges in implementation remain. Many people, especially the underprivileged, are unaware of their rights to legal aid. Therefore, there is a need for greater efforts to raise legal awareness among the public, as well as to ensure that legal counsel provided by the state is of sufficient quality to provide effective defense.

Accessibility to relevant helping agencies, this principle allows the use of various positive efforts as long as they do not conflict with the objectives, general principles of law and human rights to find the best way to resolve the case (Waluyo, 2015). Overall, the ideal rule in the KUHAP regarding the application of the obligation to assist legal counsel in criminal proceedings



should include several key elements. First, there should be consistent enforcement of the rights of suspects to legal counsel, both at the investigation and trial levels. Second, there needs to be increased legal awareness among the public about their rights, as well as better access to legal counsel, especially for vulnerable groups. Third, it is important to continuously review and improve the legal system to make it more responsive to human rights protection needs.

Challenges in the implementation of the legal assistance obligation also include resource issues. Many suspects or defendants, especially the poor, cannot afford legal counsel. Therefore, there needs to be a policy that ensures that legal aid is available free of charge to those who cannot afford it. This is important to create a more inclusive and fair justice system, where all individuals can defend their rights before the law. In addition, in the context of juvenile justice, the application of the legal representation obligation must also be carefully considered. Children as suspects or defendants have special rights that must be protected, including the right to be accompanied by legal counsel who understands the needs and characteristics of children. Proper legal representation can help children to understand the legal process and have a voice in the process, which in turn can contribute to their recovery and rehabilitation (Irawan & Wahyono, 2024).

In this regard, there needs to be an effort to raise awareness and understanding of the importance of legal assistance among the public, including among law enforcers themselves. Education and training for legal counsel, investigators and prosecutors on the rights of suspects and defendants and the importance of legal assistance can help create a fairer and more transparent legal environment. Overall, the implementation of mandatory legal counsel assistance in criminal proceedings in Indonesia should be viewed as an important step in strengthening the criminal justice system and protecting individual rights. By ensuring that all suspects and accused persons have adequate access to legal counsel, we can help create a fairer, more transparent and equitable legal system for all parties involved.

Basically, protection and equal treatment before the law are forms of human rights that are difficult to implement in a criminal justice process in Indonesia. A suspect, defendant, or convict is very vulnerable to human rights violations. One example is if the examination of a suspect lasts until late at night. Faced with such conditions, the suspect cannot take any action. When a person is made a suspect or defendant, he loses his right to be treated equally before the law. When observed not everyone understands the law, but is considered to understand and know the law, so to deal with this legal problem, people need legal assistance from other people who understand more about the law to provide legal consultation and assistance.

Legal remedies to apply Article 56 of the Criminal Procedure Code as an obligation law in the settlement of criminal cases at the investigation stage, between others in the following way:

1. Internal police supervision of the protection of suspects' rights, where investigators who neglect the role of advocates in the examination of suspects will be given harsh sanctions, including demotion, and so on.
2. Increased legal counseling for both law enforcement officials and the public regarding the provisions contained in the Criminal Procedure Code. So that they can know their rights and obligations when dealing with criminal acts.



3. If the defendant is not assisted or the appointed legal counsel refuses to assist and ignores the defendant's rights, the defendant has the right to complain to the Advocate Honor Council. The code of ethics also prohibits advocates from refusing to assist, especially in prodeo cases, because legal counsel has a social obligation.

Article 56 paragraph (1) of the Criminal Procedure Code as a provision with human rights value has been appointed as one of the benchmarks of the Miranda Rule or Miranda Principle. If the investigation, prosecution or trial of a suspect or defendant is not accompanied by legal counsel, then in accordance with the Miranda Rule, the examination is illegal or null and void. This Miranda Rule standard was upheld in Supreme Court decision No.1565 K/Pid/1991 (September 16, 1993) which stated: "if the requirements of the request are not met, such as the investigator not appointing a legal counsel for the suspect from the beginning of the investigation, the prosecution's charges are declared unacceptable (Harahap, 2017)."

Legal Remedies for Miranda Rule Violations. Studying the violation of the Miranda Rule in judicial practice in Indonesia, the suspect, defendant, and or his legal counsel can file a claim or objection through the following mechanisms and or procedures:

Objection at the investigation level. In the event of a violation of the Miranda Rule, a suspect or accused or his/her legal counsel may file a written objection to the official who committed the violation or to the superior of the official. This has not been specifically and expressly regulated in the laws and regulations of the Republic of Indonesia. However, based on universal legal principles, the submission of such an objection to the relevant official is justified (Lubis & Haryanto, 2008).

If the suspect or accused is unable to provide legal counsel, the relevant official is obliged to appoint one,

Investigation hearings where the suspect is not represented by legal counsel within the framework of Article 115 of the Criminal Procedure Code: Within sight and within hearing, Within sight without hearing for state security crimes.

Therefore, the result of the investigation is invalid or null and void as confirmed in Supreme Court Decision No.1565 K/Pid/1991, because it is contrary to procedural law (undue process).

This is a glimpse of the application that must be enforced, if Article 56 paragraph (1) of KUHAP is approached from the angle of strict law or formalistic legal thinking. One of the main objectives to be achieved by enforcing Article 56 paragraph (1) of the Criminal Procedure Code in a strict and imperative manner is to ensure a fair and humane examination. Because the presence of legal counsel accompanying the suspect at the investigation examination, plays a role in controlling so that the examination avoids torture, coercion and cruelty.

It should be noted, however, that the strict law approach may be overly reverential or overemphasize the protection of the interests of the suspect/defendant, instead ignoring and turning its back on the public interest and public order.



Conclusion

Legal assistance by legal counsel is a basic right guaranteed by Article 56 of KUHAP and essential to ensure the protection of human rights and justice in the criminal process. Ironically, the enforcement of this obligation is often ignored by law enforcement officials, while citizens continue to be required to comply with the law. Violation of this obligation has the potential to lead to abuse of authority and human rights violations, so it is important to impose strict sanctions on negligent law enforcement. In practice, the implementation of legal assistance still faces many obstacles, such as the lack of public legal awareness and limited access to legal counsel, especially for the poor. Therefore, the state needs to strengthen the legal aid system, increase socialization, and ensure that all suspects receive proper legal assistance in order to create a fair and transparent justice system.

If the suspect or defendant is not accompanied by a legal counsel, the family can apply for legal assistance to the Legal Aid Institute (LBH) or pro bono advocate organizations, as well as request the appointment of legal counsel by the state through investigators, prosecutors, or courts, especially if there are economic limitations. For special cases such as minors, persons with disabilities, or victims of gross human rights violations, families can also apply for protection and assistance to the court or LPSK. In addition, it is important to conduct periodic evaluations through research to improve the implementation of legal assistance in the future.

References

- Angga, A., & Arifin, R. (2019). Penerapan Bantuan Hukum Bagi Masyarakat Kurang Mampu di Indonesia. *DIVERSI: Jurnal Hukum*, 4(2), 218-236.
- Ganindra, D.D.M. (2020, August 20). Akibat Hukum Tidak Dilaksanakannya Pasal 56 Kuhap Terkait Kewajiban Hakim Untuk Menunjuk Penasehat Hukum Bagi Terdakwa Dalam Perkara Pidana. PN Sumedang. <https://pn-sumedang.go.id/akibat-hukum-tidak-dilaksanakannya-pasal-56-kuhap-tentang-penunjukkan-penasihat-hukum-bagi-terdakwa>
- Grady, J. S., Her, M., Moreno, G., Perez, C., & Yelinek, J. (2019). Emotions in storybooks: A comparison of storybooks that represent ethnic and racial groups in the United States. *Psychology of Popular Media Culture*, 8(3), 207–217. <https://doi.org/10.1037/ppm0000185>
- Hamzah, A. (2010). Hukum Acara Pidana Indonesia. Jakarta: Penerbit Sinar Grafika.
- Harahap, Y. (2004) Pembahasan Permasalahan dan Penerapan KUHAP, Penyidikan dan Penuntutan, Cetakan Ke-Enam. Jakarta: Sinar Grafika, 2004.
- Harahap, Y. (2017). Pembahasan Permasalahan dan Penerapan KUHAP Penyidikan dan Penuntutan, Edisi Kedua. Jakarta: Sinar Grafika.
- HukumOnline. (2023, July 28). Penjelasan tentang Perbedaan Peradi dengan Organisasi Advokat Lain? HukumOnline. <https://www.hukumonline.com/berita/a/penjelasan-tentang-perbedaan-peradi-dengan-organisasi-advokat-lain-lt64c3aa95e5e71/>



- Ilmia, P., Sulistiani, L., & Takariawan, A. (2023). Implementasi Pemberian Bantuan Hukum Dalam Pasal 56 Ayat (1) KUHAP Dihubungkan Dengan Hak Atas Bantuan Hukum. *Jurnal Ilmiah Galuh Justisi*, 11(1), 16-30.
- Irawan, A., & Wahyono, W. (2024). Restorative Justice for Child Criminals in the New Criminal Code in Indonesia. *Sanskara Hukum Dan HAM*, 2(03), 169–178. <https://doi.org/10.58812/shh.v2i03.373>
- Karsa, P. L. (2021). Potensi Konflik Norma Terhadap Persidangan Teleconference Peradilan Pidana Sebagai Adaptasi Baru Akibat Virus Covid-19. *Perspektif: Kajian Masalah Hukum dan Pembangunan*, 26(3), 178-185.
- Lubis, M. S., & Haryanto, M. (2008). *Pelanggaran Miranda Rule dalam praktik peradilan di Indonesia*. Yogyakarta: Juxtapose.
- Purbacaraka, P. & Halim, A.R. (1982). *Filsafat Hukum Pidana Dalam Tanya Jawab*. Jakarta: Rajawali.
- Putri, M. A. N., & Riwanto, A. (2023). Bentuk Tanggung Jawab Negara Dalam Pemberian Bantuan Hukum Kepada Masyarakat Miskin. *Res Publica: Jurnal Hukum Kebijakan Publik*, 7(3), 282-291.
- Soekanto, S. (1986). *Pengantar Penelitian Hukum*, Cet.3, Jakarta: Universitas Indonesia.
- Soekanto, S. (2010). *Pengantar Penelitian Hukum*. Jakarta: UI-Press.
- Soekanto, S. (2010). *Pengantar Penelitian Hukum*. Jakarta: Universitas Indonesia.
- Tampubolon, B. (2016, January 7). Akibat Hukum Jika Hak Tersangka/Terdakwa Atas Bantuan Hukum Tak Dipenuhi Harus Diatur Dalam Undang-Undang. LBH Mawar Saron. <http://lbhmawarsaron.or.id/home/akibat-hukum-jika-hak-tersangkaterdakwaatas-bantuan-hukum-tak-dipenuhi-harus-diatur-dalam-undang-undang/>
- Waluyo, B. (2015). Relevansi Doktrin Restorative Justice dalam Sistem Pemidanaan di Indonesia. *Hasanuddin Law Review*, 1(2), 210-226.

