

LEGISLATIVE POLICY ON LEGAL PROTECTION OF WITNESSES FACT (WHISTLEBLOWER) IN CRIMINAL CASE IN INDONESIA.

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ABSTRACT

This study aims to: (1) To know the weaknesses of regulation on the legal protection of witnesses revealer of facts (whistleblower) in criminal cases in Indonesia. (2) to determine the prospect of regulation against on fact witnesses of whistleblower in a criminal case in Indonesia in the future.

This research using normative methods, which begins at an event next law will find reference to a system of norms. Normative research, such as: Documents research, positive law or library research that is secondary data. The existence of the intensity of closeness and relevance of the basis for determining any legal material, such as primary legal materials, legal materials secondary and tertiary legal materials.

The result showed, that the protection of fact witness (whistleblower) in Indonesia has not fully running maximum. This is evidenced by the many counter-attack against fact whistleblower witnesses both physically and psychologically. The psychic usually fact witnesses (whistleblower) reported back with charges of defamation, or dismissed from office associated with the report in an institution. Meanwhile, a physical threat to the form of ill-treatment can even lead to other physical violence. Its main drawback is that in Act. 13 of 2006 Protection of Witnesses and Victims contra legem of Article 10 paragraph (1) and Article 10 paragraph (2) so as not effective in its execution.

Keywords: Legislative Policy, Protection, whistleblower

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