

ABSTRAK

Indonesia adalah salah satu negara yang terdampak oleh penyebaran virus Covid-19, salah satu sektor yang terdampak yaitu sistem peradilan. Dimana dengan aturan yang mengharuskan adanya *social distancing* menyebabkan peradilan harus dilaksanakan secara *online*. Penelitian ini bertujuan untuk mengetahui, menjelaskan dan menganalisis implementasi di lapangan dalam penerapan tahapan penuntutan perkara tindak pidana secara *online* (daring) akibat pandemi Covid-19 dalam rangka mewujudkan dan mendukung asas peradilan cepat, sederhana, dan biaya ringan terutama di Kejaksaan Negeri Wonogiri, kendala penerapan tahapan penuntutan perkara tindak pidana secara *online* (daring) akibat pandemi Covid-19 dalam rangka mewujudkan dan mendukung asas peradilan cepat, sederhana, dan biaya ringan terutama di Kejaksaan Negeri Wonogiri, penerapan yang ideal tahap penuntutan perkara tindak pidana secara *online* (daring) akibat pandemi Covid-19 dalam rangka mewujudkan dan mendukung asas peradilan cepat, sederhana, dan biaya ringan.

Metode penelitian yang digunakan oleh penulis yaitu jenis penelitian kualitatif, sifat penelitian deskriptif, pendekatan penelitian sosiologis atau empiris, jenis data yang digunakan yaitu data primer dan data sekunder, teknik pengumpulan data dengan wawancara, observasi dan studi kepustakaan. Permasalahan penelitian dianalisis dengan teori yang digunakan di dalam penelitian ini yaitu teori sistem peradilan pidana, teori efektivitas hukum, teori sistem peradilan islam, teori efektivitas hukum dan teori sistem peradilan islam.

Berdasarkan hasil penelitian dapat disimpulkan yaitu implementasi pelaksanaan tahapan penuntutan perkara tindak pidana secara *online* (daring) dalam rangka mewujudkan asas peradilan cepat, sederhana, dan biaya ringan di Kejaksaan Negeri Wonogiri dilaksanakan dengan Peraturan MA (Perma) No. 1 Tahun 2019 tentang Administrasi dan Persidangan di Pengadilan Secara Elektronik. Kendala pelaksanaan tahapan penuntutan perkara tindak pidana secara *online* (daring) dalam rangka mewujudkan asas peradilan cepat, sederhana dan biaya ringan di Kejaksaan Negeri Wonogiri disebabkan oleh faktor eksternal yaitu faktor hukumnya menimbulkan suatu kebingungan hukum, faktor masyarakat minim mendapatkan sosialisasi, faktor kebudayaan perlu ada pemberian sosialisasi. Faktor internalnya yaitu faktor penegak membutuhkan seseorang yang memiliki kemampuan atau keahlian di bidang IT, sarana dan prasarana perlu ditingkatkan dengan memperbaiki pelayanan. Pelaksanaan yang ideal penerapan penuntutan perkara tindak pidana secara *online* (daring) faktor hukum perlu adanya pengaturan yang jelas, penegak hukum perlu sumber daya manusia yang memiliki kemampuan di bidang IT, sarana dan prasarana yang perlu ditingkatkan. masyarakat perlu diberikan pemahaman hukum yang baik dan kebudayaan masyarakat perlu dirubah.

Kata Kunci: Penuntutan, Daring, Covid-19

ABSTRACT

Indonesia is one of the countries affected by the spread of the Covid-19 virus, one of the sectors affected is the justice system. Where the rules that require social distancing cause the judiciary to be carried out online. This study aims to find out, explain and analyze the implementation in the field in the application of the stages of prosecuting criminal cases online due to the Covid-19 pandemic in order to realize and support the principles of fast, simple, and low-cost justice, especially at the Wonogiri District Prosecutor's Office. the stages of prosecuting criminal cases online due to the Covid-19 pandemic in order to realize and support the principles of fast, simple, and low-cost justice, especially at the Wonogiri District Attorney, the ideal application of the stage of prosecuting criminal cases online due to the Covid pandemic-19 in order to realize and support the principle of fast, simple, and low cost justice.

The research method used by the author is the type of qualitative research, the nature of descriptive research, a sociological or empirical research approach, the types of data used are primary data and secondary data, data collection techniques with interviews, observations and literature studies. The research problems were analyzed by the theories used in this study, namely the theory of the criminal justice system, the theory of legal effectiveness, the theory of the Islamic justice system, the theory of legal effectiveness and the theory of the Islamic justice system.

Based on the results of the study, it can be concluded that the implementation of the stages of prosecuting criminal cases online in order to realize the principles of fast, simple, and low-cost justice at the Wonogiri District Prosecutor's Office is carried out with Supreme Court Regulation No. 1 of 2019 concerning Administration and Trial in Courts Electronically. Obstacles in the implementation of the stages of prosecuting criminal cases online in order to realize the principle of fast, simple and low-cost justice at the Wonogiri District Prosecutor's Office caused by external factors, namely legal factors causing legal confusion, community factors lack of socialization, cultural factors need to be given socialization. Internal factors, namely the enforcement factor requires someone who has the ability or expertise in the IT field, facilities and infrastructure need to be improved by improving services. The ideal implementation of the application of the prosecution of criminal cases online legal factors need clear arrangements, law enforcers need human resources who have capabilities in the field of IT, facilities and infrastructure that need to be improved. The community needs to be given a good understanding of the law and the culture of the community needs to be changed.

Keywords: Prosecution, Online, Covid-19