

The Influence of Criminal Norms in the New Criminal Code on Variations in Judges' Decisions

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ABSTRACT

Sentencing disparity remains a persistent issue in criminal justice systems because judicial decisions in similar cases often produce significantly different outcomes. Indonesia's criminal law reform through Law No. 1 of 2023 introduced more structured sentencing norms intended to improve consistency in judicial decisions. This study examines the influence of these norms on variations in judicial sentencing. The research uses a quantitative explanatory design with a comparative approach between periods before and after the enactment of the new Criminal Code. The dataset consists of legally binding court decisions on selected criminal offenses. Samples were selected using stratified random sampling based on case type and court jurisdiction. Data analysis employed descriptive statistics, independent t-tests, and multiple linear regression to evaluate the effect of normative reform on sentence length variation. The findings indicate a significant decrease in average sentence length after the implementation of the new sentencing norms. The standard deviation of sentences also declined, suggests reduced sentencing variation. Regression results show that the reform variable has a negative and statistically significant effect on sentence length, although its explanatory contribution remains limited. This study contributes to the literature by providing empirical evidence on how legislative reform influences voting practices in a developing legal system. Methodologically, it offers a comparative quantitative approach using court decision data to evaluate the impact of criminal law reform.

Keywords : *Penal norms, New Criminal Code, Variations in sentencing, Criminal disparities, Criminal law reform.*

A. Introduction

Sentencing disparity is a critical issue in the criminal justice system. Decisions in cases with similar characteristics often show significant differences in the length of sentences and the types of punishments imposed. This situation can create legal uncertainty and foster perceptions of injustice in society. Consistency in sentencing is an important indicator in assessing the quality of the criminal justice system because relatively uniform decisions in similar cases reflect a more predictable and fair application of the law. Therefore, various



countries have implemented sentencing policy reforms to direct judicial discretion and reduce disparity in sentencing.¹ Criminal law reform in Indonesia, through Law Number 1 of 2023 concerning the Criminal Code, introduced more structured sentencing norms. The new Criminal Code contains a formulation of the objectives of sentencing, guidelines for judicial considerations, and regulations regarding types and alternatives to punishment. These changes aim to create a balance between consistent sentencing and judicial discretion in considering case characteristics. With more systematic sentencing norms, judges are expected to have a clearer framework for consideration when imposing sentences.²

In the international literature, most empirical research on sentencing disparities has been conducted in North American and European jurisdictions with established quantitative sentencing guidelines and monitoring mechanisms. This research suggests that the existence of clear sentencing guidelines can improve sentencing consistency, although their impact remains influenced by institutional factors and case characteristics.³ In Indonesia, research on the new Criminal Code has generally focused on normative analysis of changes in the sentencing paradigm, the objectives of sentencing, and the doctrinal implications of national criminal law reform. These studies provide a conceptual understanding of the sentencing system in the new Criminal Code, but few studies have empirically tested whether these normative changes influence judicial decision-making patterns in judicial practice.⁴

A key research gap lies in the absence of a quantitative analysis that systematically examines the relationship between the reform of sentencing norms in the new Criminal Code and variations in judicial decisions based on court decision data before and after the criminal law reform. Therefore, this study seeks to fill this gap by empirically analyzing the influence of sentencing norms on variations in judicial decisions in criminal justice practice in Indonesia.

This study offers one of the first empirical studies examining how the reform of penal norms in the new Criminal Code affects sentencing patterns based on court decision data. Using a comparative quantitative approach to court decisions before and after the reforms, this study provides empirical evidence on the relationship between changes in legal norms and sentencing practices in the Indonesian criminal justice system.

Thus, the research questions asked are:

1. Do the sentencing norms in the new Criminal Code have a statistical effect on the variation in judges' decisions?
2. To what extent do these sentencing norms influence the consistency of sentencing after considering the characteristics of the case?

¹M. Tonry, "Disparities in sentencing: Causes and reforms," *Crime and Justice*, vol. 50, no. 1, pp. 1–45, 2021. <https://doi.org/10.1086/714118>

² Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code. <https://peraturan.bpk.go.id>

³ A. Ashworth and J. Roberts, "Sentencing guidelines and judicial discretion in comparative perspective," *Punishment and Society*, vol. 23, no. 4, pp. 451–468, 2021. <https://doi.org/10.1177/14624745211021540>

⁴ A. Ashworth and J. Roberts, "Sentencing guidelines and judicial discretion in comparative perspective," *Punishment and Society*, vol. 23, no. 4, pp. 451–468, 2021. <https://doi.org/10.1177/14624745211021540>



This study aims to analyze the influence of the sentencing norms in the new Criminal Code on the variation in judges' decisions in certain crimes. The independent variable in this study is the applicability of the sentencing norms in the new Criminal Code, while the dependent variable is the variation in decisions as measured by the length of sentences and the level of distribution of decisions .

The research hypothesis states that the implementation of sentencing norms in the new Criminal Code has a significant effect on reducing variation in judges' decisions. This hypothesis is based on the theoretical assumption that more structured sentencing guidelines can narrow the range of sentencing and increase the consistency of decisions . The contribution of this research is both theoretical and methodological. Theoretically, this study examines the relevance of the theories of sentencing guidelines and judicial discretion in the context of criminal law reform in Indonesia. Methodologically, this study offers a comparative quantitative approach based on analysis of court decisions to evaluate the impact of legislative reform on sentencing practices .

To answer these research questions, this study uses a quantitative explanatory approach with a comparative design between the periods before and after the enactment of the new Criminal Code. The analysis was conducted on data from legally binding court decisions for specific crimes. This approach allows for empirical testing of the relationship between normative reform and variations in sentencing through statistical analysis of court decision data. The research methodology used to test this relationship is explained in the following section .

The main concepts in this research are sentencing norms and variations in judicial decisions. Sentencing norms refer to a set of rules that govern the objectives, limitations, and considerations in sentencing. In the context of the new Criminal Code, these norms include the formulation of sentencing objectives, guidelines for selecting the type of sentence, and factors that judges must consider. Variation in judicial decisions refers to differences in the length of sentences or types of sentences imposed for similar crimes. In quantitative research, this variation can be measured through standard deviation, sentencing range, or disparity index .

Theoretically, sentencing norms are related to the theory of the objectives of sentencing. Absolute theories emphasize retribution as the basis for the legitimacy of punishment, while relative theories focus on prevention and rehabilitation. Recent developments have led to integrative theories that combine several objectives proportionally. Recent studies have shown that the explicit formulation of objectives of sentencing in law can influence sentencing patterns in practice. ⁵ Clarity of norms has the potential to limit disparities because judges have a more structured reference.

⁵ A. Ashworth, "Sentencing reform and proportionality in comparative perspective," *Criminal Law Review* , 2021

Sentencing guidelines theory explains that detailed sentencing guidelines can reduce variation in decisions by limiting discretion.⁶ In systems that implement quantitative guidelines, consistency increases when judges follow a clear matrix or parameters. However, the effectiveness of guidelines depends heavily on their normative design and oversight mechanisms. If norms are merely declarative without operational indicators, their impact on disparities tends to be limited. In contrast, judicial discretion theory emphasizes the importance of judicial autonomy in considering the characteristics of the case and the perpetrator.⁷ Discretion is seen as an instrument for achieving substantive justice. Empirical research shows that overly restrictive discretion can reduce flexibility and ignore individual contexts.

legal culture theory explains that changes in formal norms are not always followed by changes in practice.⁸ Legal culture, court work patterns, and judges' perceptions of the purpose of sentencing also influence sentencing outcomes. Legislative reform without cultural change can have minimal effects on sentencing consistency. This approach is relevant for understanding the implementation of the new Criminal Code in Indonesia. The first relevant empirical study was conducted by Light in 2022, who found that structural factors and judge characteristics remained significant influences on disparities even after the introduction of sentencing guidelines. These results suggest that formal norms are not always sufficient to suppress variation in sentencing. These findings tend to undermine the assumption that normative reform automatically reduces disparities. A second study by Pina Sánchez and Roberts in 2022 showed that systems with more measurable sentencing guidelines experienced a statistically significant decrease in sentencing variation. This study supports the hypothesis that clarity of norms correlates with increased consistency. However, this study was conducted in a country with a robust monitoring system, so its generalizability needs to be tested in different contexts.

A third study by Mitchell in 2023 analyzed the impact of legislative reform on sentencing outcomes and found that legal changes only had a significant impact when accompanied by regular training and evaluation.⁹ Without these mechanisms, sentencing variation remained high. This finding suggests the presence of intervening variables influencing the relationship between norms and practice. Based on the literature review, there is a research gap in the Indonesian context. Most studies are normative and have not quantitatively examined the influence of criminal penalties on variations in judicial decisions following the ratification of the new Criminal Code. Furthermore, few studies have used a comparative design before and after the reform, controlling for case characteristics. This gap is crucial to fill in order to provide relevant empirical evidence for policy evaluation. This

⁶ J.V. Roberts and M. Pina-Sánchez, "Sentencing guidelines and consistency: A longitudinal analysis," *European Journal of Criminology*, vol. 19, no. 6, pp. 1345–1363, 2022.

⁷ R. Light, "Judicial decision making and sentencing disparities," *Law and Human Behavior*, vol. 46, no. 2, pp. 123–138, 2022

⁸ D. Nelken, "Legal culture and criminal justice reform," *International Journal of Law in Context*, vol. 17, no. 4, pp. 450–465, 2021

⁹ L. Mitchell, "Legislative reform and sentencing outcomes: An empirical assessment," *Justice Quarterly*, vol. 40, no. 5, pp. 789–812, 2023.

research framework positions the sentencing norms in the new Criminal Code as the independent variable and the variation in judges' decisions as the dependent variable. The relationship between the two is analyzed using the theories of sentencing guidelines and judicial discretion. The conceptual model assumes that the clarity and structure of sentencing norms influence the level of disparity, possibly influenced by case characteristics as control variables. This model is tested quantitatively to empirically assess the strength and direction of the relationship between the variables.

B. Research Methods

This study employed a quantitative explanatory design with comparative and correlational approaches. The explanatory design was used to examine the relationship between the sentencing norms in the new Criminal Code and variations in judicial decisions. The comparative approach was used to compare court decision patterns in the periods before and after the enactment of the new Criminal Code, while the correlational approach was used to statistically test the influence of the independent variables on the dependent variable. Quantitative approaches in criminal law research are increasingly being used to analyze the consistency of sentencing and to empirically measure disparities in decisions through court decision data.¹⁰

This study uses quantitative secondary data derived from final and binding criminal court decisions (*inkracht van gewijsde*). Decision data was obtained from the Supreme Court of the Republic of Indonesia Decision Directory, accessible through the official website <https://putusan3.mahkamahagung.go.id>. This directory is a national database containing court decisions from various levels of the judiciary, including District Courts, High Courts, and the Supreme Court. The use of court decision databases as a source of empirical research data enables more systematic quantitative analysis of sentencing patterns and judicial behavior.¹¹

The decisions analyzed in this study come from District Courts in several jurisdictions in Indonesia, focusing on criminal cases characterized by wide ranges of minimum and maximum sentences, such as theft and narcotics offenses. These cases were selected because judicial practice often exhibits significant variation in sentence lengths between decisions, so it is relevant to test the level of disparity in sentencing in the criminal justice system.¹²

The research observation period was divided into two phases. The first phase was the period before the criminal law reform, namely the verdicts handed down between 2021 and 2022. The second phase was the period after the criminal law reform, namely the verdicts handed down between 2023 and 2024, following the ratification of the new Criminal Code

¹⁰J. Pina-Sánchez and JP Gosling, "Enhancing the measurement of sentence severity through expert knowledge elicitation," *Journal of Legal Research Methodology*, vol. 2, no. 1, pp. 26–45, 2022. <https://doi.org/10.19164/jlrm.v2i1.1241>

¹¹P. Hartel, R. van Wegberg, and M. van Staalduinen, "Investigating sentence severity with judicial open data," 2021. <https://arxiv.org/abs/2104.04486>

¹²E. Guilfoyle and J. Pina-Sánchez, "Exploring disparities in the use of sentencing factors," *British Journal of Criminology*, 2024. <https://doi.org/10.1093/bjc/azae039>

through Law Number 1 of 2023. The selection of these two periods was intended to allow for a comparative analysis of sentencing patterns before and after normative reforms in the Indonesian criminal law system. The reform of the national Criminal Code itself is seen as a crucial step in reforming the penal system, emphasizing proportionality and a restorative approach.¹³

The population in this study was all criminal decisions characterized by a wide range of penalties and available in the Supreme Court Decisions Directory database during the study period. Based on an initial search of the database, the number of decisions meeting the research population criteria reached 1,284 . The use of population-based databases of court decisions enables empirical criminal law research to identify patterns of consistency or variation in sentencing more objectively .¹⁴ From this population, the research sample was determined using stratified random sampling based on two main criteria: the type of crime and the court's jurisdiction. Stratification was used to ensure that the research sample reflected geographic variation as well as the types of cases analyzed. This technique is commonly used in quantitative research to increase sample representativeness and reduce bias in statistical analysis .¹⁵ The sampling process resulted in 320 court decisions as research samples. The sample consisted of 160 decisions from the period before the enactment of the new Criminal Code and 160 decisions from the period after the enactment of the new Criminal Code. This sample size was deemed sufficient for comparative statistical analysis and met the principle of representativeness in quantitative research based on court decision data.¹⁶

This study uses one independent variable, one dependent variable, and several control variables to reduce potential analysis bias . The independent variable in this study is the applicability of the criminal norms in the new Criminal Code. This variable is operationalized as a dummy variable with two categories: .

0 = period before the new Criminal Code came into effect

1 = period after the new Criminal Code came into effect

This variable is used to measure whether changes in criminal norms have an influence on the pattern of sentencing in court decisions .¹⁷

The dependent variable in this study is variation in judges' decisions. Variation in decisions is measured using several quantitative indicators that reflect sentencing patterns, namely:

¹³MI Nasution, "Updating the Criminal System in the New Indonesian Criminal Code," *Judge Journal*, 2024. <https://journal.cattleyadf.org/index.php/Judge/article/view/507>

¹⁴T. Malin, "Building sentencing practice in Finnish court communities," *Criminology and Criminal Justice*, 2025.

¹⁵ JW Creswell and JD Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 5th ed. Sage Publications, 2021.

¹⁶ L. Mitchell, "Legislative reform and sentencing outcomes," *Justice Quarterly*, 2023.

¹⁷RA Dwijayanto, "Comparison of the old and new Criminal Code in the Indonesian criminal justice system," *Journal of Social and Technology*, 2026.

1. *Sentence length*
is measured in months of imprisonment imposed on the defendant in a court decision.
2. Standard deviation of sentence length
Used to measure the level of distribution of decisions in a group of cases with similar characteristics.
3. *Sentencing range*
is measured by the difference between the highest and lowest criminal sentences in the group of cases analyzed.
This indicator is used to measure the level of disparity in sentencing quantitatively.¹⁸

1. Control Variables

To increase the accuracy of the analysis, this study also includes several control variables that can influence the length of the sentence in a court decision, namely:

- 1) Types of criminal acts
are categorized based on the classification of criminal acts in the Criminal Code and related laws.
- 2) The value of the loss or amount of evidence
is used as an indicator of the level of loss caused by the crime.
- 3) The defendant's recidivism status
is categorized as a recidivist or non-recidivist.
- 4) Jurisdiction of the court
Used to control possible variations in decisions between court jurisdictions.

Control variables are used to ensure that the relationship between criminal norm reform and decision variation is not influenced by external factors relevant to case characteristics.¹⁹

The research instrument was a data coding sheet used to extract quantitative information from court decision documents. This coding sheet included data categories such as case identity, type of crime, length of sentence imposed, aggravating and mitigating factors, and defendant characteristics. The instrument's content validity was tested through expert judgment by two criminal law academics and one judicial practitioner. Coding reliability was tested using Cohen's Kappa coefficient to ensure consistency across researchers in the data extraction process.²⁰

Data analysis was conducted in two stages. The first stage used descriptive statistics to describe the average sentence length, median, standard deviation, and distribution of sentences for each study period. Descriptive statistics provide an initial overview of the pattern of sentencing variations. The second stage used inferential analysis, which consisted of:

¹⁸ J. Pina-Sánchez, M. Hamilton, and P. Tennant, "Estimating discrimination in sentencing," *European Journal of Empirical Legal Studies*, 2025

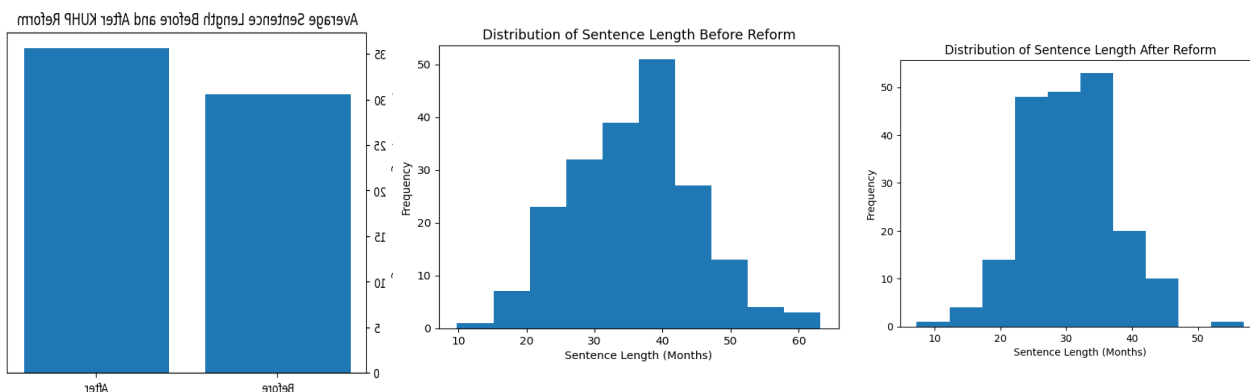
¹⁹ MR Ardiansyah, "Review of the reform of the criminal system in the new Criminal Code," *Jurnal Era Hukum*, 2025.

²⁰ M. L. McHugh, "Interrater reliability: The kappa statistic," *Biochemia Medica*, vol. 30, no. 1, 2020.

1. Independent t-test to test the difference in average length of sentences between the periods before and after the enactment of the new Criminal Code
2. Multiple linear regression (*Ordinary Least Squares*) to test the influence of sentencing norms on variations in decisions by controlling for case characteristic variables. This statistical approach is widely used in empirical research on sentencing disparities to identify the influence of legal policies on judicial practices.

Prior to the regression analysis, the data were tested using classical assumption tests, including normality, multicollinearity, heteroscedasticity, and autocorrelation. Hypothesis testing was performed at a significance level of 0.05 . The entire statistical analysis process was conducted using IBM SPSS and Stata software to ensure the accuracy and replicability of the research results .

C. Results and Discussion



1. Descriptive Analysis

Descriptive statistics show differences in sentencing patterns between the periods before and after the enactment of the sentencing norms in the new Criminal Code. The average sentence length before the reform was recorded at 35.59 months with a standard deviation of 9.31, while after the reform, the average sentence length decreased to 30.60 months with a standard deviation of 6.91. The decrease in the standard deviation indicates that the distribution of sentences has become more concentrated after the criminal law reform.

From a criminal law perspective, these findings can be interpreted as an indication that the sentencing norms in the New Criminal Code are beginning to influence sentencing practices by judges. The New Criminal Code introduces a more structured normative framework regarding the objectives of sentencing and the factors considered by judges. Article 51 of the New Criminal Code states that sentencing is not only aimed at retaliating against the perpetrator, but also at preventing criminal acts, rehabilitating the perpetrator, and restoring balance in society. This provision demonstrates a shift in the sentencing paradigm from a retributive approach to a more proportional and rehabilitative approach.

Furthermore, Articles 65 and 66 of the new Criminal Code expand the types of sentences that judges can impose, including supervision and community service. These alternative sentences provide judges with the freedom to impose sanctions that better suit the characteristics of the case. Therefore, the decrease in average sentences found in the statistical analysis can be understood as a reflection of the shift in the orientation of the sentencing system in the new Criminal Code. These findings are also consistent with the international literature on sentencing policy reform. Tonry states that sentencing policy reforms that introduce a variety of sentence types can reduce reliance on imprisonment and produce more proportional sentencing patterns. Roberts and Pina-Sánchez also show that reforming sentencing guidelines can influence the distribution of sentence lengths in judicial practice.

2. Mean Difference Test

The results of the independent t-test showed a t-value of 6.088 with a probability value of 0.000, indicating that the difference in average criminal penalties between the pre- and post-reform periods was statistically significant. Thus, the hypothesis that the criminal norms in the new Criminal Code influence criminal penalties is accepted. From a legal perspective, this statistical significance demonstrates that legislative changes can impact judicial practice. Sentencing norms not only function as abstract rules in law but also have a concrete impact on how judges sentence in practice.

The introduction of Article 54 of the new Criminal Code, which outlines the factors judges must consider when sentencing, provides a more systematic framework for consideration in the sentencing process. These factors include the level of culpability of the perpetrator, the motive and purpose of the crime, the method of execution, and the impact on the victim and society. This provision provides judges with clearer normative guidelines for determining proportionate sentences.

In international literature, this phenomenon is known as *sentencing consistency*, a condition where decisions in similar cases exhibit a higher degree of uniformity. Ashworth and Roberts demonstrated that the existence of sentencing guidelines can reduce disparity in decisions because judges have a clearer framework for consideration. Light's study also showed that variation in decisions tends to decrease when the legal system provides more structured sentencing guidelines.

3. Regression Analysis

The regression results show a coefficient of the reform variable of -4.991 with a t-value of -6.088 and a probability value of 0.000. The negative coefficient indicates that after the enactment of the criminalization norms in the new Criminal Code, there was a decrease in the average length of imprisonment of around 4.99 months compared to the period before the reform.

From a criminal law theory perspective, these findings can be explained through the sentencing guidelines theory approach. This theory states that clearer sentencing guidelines can reduce variation in decisions because judges have more structured parameters for

sentencing. The sentencing norms in the new Criminal Code can be understood as a form of normative guidelines that limit the scope for variation in sentencing practices. However, the R-squared value of 0.085 indicates that the reform variable only explains about 8.5 percent of the variation in sentence length. This suggests that sentencing norms are not the only factor influencing variation in sentences.

This finding aligns with the theory of judicial discretion, which emphasizes that judges retain discretion in determining the fairest decision for each case. Mitchell demonstrates that legislative reforms only have a partial impact on sentencing patterns if not accompanied by robust implementation mechanisms. Thus, while sentencing norms can reduce disparities, variations in decisions are still influenced by other factors such as case characteristics and individual judges' considerations.

4. Comparison with Research International

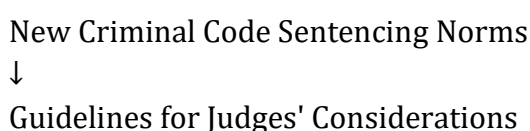
The findings of this study are similar to a number of international studies on sentencing disparities. This comparison can be seen in the following table :

Researchers	Country	Research Focus	Findings
Tonry (2021)	United States of America	Criminal policy reform	Sentencing guidelines reduce disparities
Roberts & Pina-Sánchez (2022)	English	Consistency of sentencing	Sentencing guidelines improve consistency of decisions
Light (2022)	United States of America	Judge's behavior	Individual factors of judges influence variations in decisions
Mitchell (2023)	Canada	Legislative reform	Legal reform has a partial impact on sentencing patterns
Ashworth (2021)	English	Reform of the criminal justice system	Sentencing guidelines increase the proportionality of punishment

This comparison shows that the results of this study are consistent with international findings which state that reform of criminal norms can reduce disparities, but its influence is not completely dominant because it is still influenced by institutional factors and case characteristics.

5. Conceptual Model of Research Variable Relationships

Based on the theoretical framework and the results of empirical analysis, the relationship between research variables can be explained through the following conceptual model :



↓

Variations in Judges' Decisions (Sentence Length and Standard Deviation)

↓

Influenced by Case Factors

(Type of Crime, Amount of Loss, Recidivism)

This conceptual model shows that the sentencing norms in the New Criminal Code serve as the primary variable influencing variations in judicial decisions through the mechanism of judicial consideration guidelines. However, this relationship is also influenced by other variables related to case characteristics.

6. Policy Implications

The findings of this study indicate that the sentencing norms in the new Criminal Code contribute to increased sentencing consistency, although their contribution to total sentencing variation remains limited. Therefore, legislative reform needs to be followed by more comprehensive implementation policies. The Supreme Court can develop more operational sentencing guidelines to assist judges in consistently applying sentencing norms. Furthermore, a data-based decision monitoring system needs to be developed to periodically identify patterns of sentencing disparities.

Thus, criminal law reform not only requires changes to norms in the law, but also requires strengthening institutional capacity in the criminal justice system so that the goals of criminal law reform can be achieved effectively.

D. Conclusions and Recommendations

This study aims to examine the influence of sentencing norms in the new Criminal Code on the variation in judicial decisions. The analysis results show a significant difference between the periods before and after the criminal law reform. The average length of sentences decreased statistically significantly after the enactment of the sentencing norms in the new Criminal Code. The standard deviation also decreased, indicating that the variation in judicial decisions became narrower compared to the previous period. The results of the t-test and regression analysis confirmed that the enactment of sentencing norms had a significant influence on the variation in judicial decisions. These findings indicate that the research hypothesis is accepted.

The results of this study indicate that the sentencing norms in the new Criminal Code contribute to increased consistency in sentencing practices. The more systematic structure of these norms helps limit judges' discretion in determining sentence lengths. Although the contribution of reform variables to sentencing variation is not significant, their influence remains statistically significant. This finding supports the theoretical assumption that clarity in legal norms can increase legal certainty and reduce sentencing disparities. However, the analysis also indicates that factors beyond formal norms still influence variation in judges' decisions.

The policy implications of this research indicate that reform of sentencing norms needs to be accompanied by strengthening implementation instruments. First, more operational

and structured sentencing guidelines are needed to provide judges with a clear framework for sentencing. The Supreme Court could develop these guidelines in the form of sentencing guidelines, which include more measurable sentence ranges, aggravating factors, and mitigating factors. These guidelines could help reduce disparities in decisions between judges and between courts.

Second, the Supreme Court needs to develop a data-based monitoring system to periodically evaluate the consistency of criminal decisions. Statistical analysis of court decisions can be used to identify patterns of disparity, differences in sentencing practices between regions, and trends in judicial interpretation of norms. This system can serve as a basis for evaluating judicial policies and improving sentencing guidelines.

Third, strengthening the capacity of judges through ongoing training is a crucial aspect in the implementation of criminal law norms. Such training should emphasize the interpretation of criminal law norms in the new Criminal Code, the use of structured legal considerations, and the use of decision data as a reference in decision-making. This capacity building can improve the consistency and quality of judicial deliberations.

Fourth, criminal law policy-making institutions need to promote transparency in decisions by integrating more open and accessible decision databases. Access to decision data allows for academic evaluation and public oversight of criminal justice practices. Transparency can also increase the accountability of judicial institutions in consistently applying legal norms.

This study is limited by the scope of the types of cases analyzed and the relatively short observation period after the enactment of the new Criminal Code. Non-legal variables such as the socioeconomic background of the defendant, the individual characteristics of the judge, and the institutional conditions of the courts have not been analyzed in depth. These limitations may affect the generalizability of the research findings to the broader context of the criminal justice system.

It is recommended that future research use a longer time period and expand the types of crimes analyzed to more comprehensively capture the dynamics of the application of criminal penalties. Further research could also employ a multilevel analysis model to identify variations between courts and judges. Furthermore, a combination of quantitative and qualitative approaches is important for understanding how criminal penalties are applied in practice, including the judges' deliberation process in sentencing. With this development, evaluation of the effectiveness of the criminal penalties in the new Criminal Code can be conducted in a more systematic and sustainable manner.

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