

CORPORATE CRIMINAL LIABILITY IN LAW ENFORCEMENT AGAINST PREMANISM

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Abstract: The practice of thuggery carried out by corporations is often found in the loan repayment process. This had resulted in the mushrooming of debt collector businesses, which generally employed high-profile ex-convicts who were used as collateral to intimidate other parties. In this study, the type of research used is normative juridical research using a law approach and a case approach. From the results of the study, it can be concluded that the enforcement of corporate criminal law against thuggery activities in the four cases studied by the authors was carried out by applying a penal policy (repressive effort). Repressive efforts were made against the Defendants by making arrests and then examining them for questioning for their actions. However, because the actions of the Defendants have greatly disturbed the public, especially the truck trailer drivers, especially the actions of the Defendants are also contrary to the applicable rules, for that the Public Prosecutor submits the Defendants to trial for later examination and trial by the Panel of Judges in the fairest way possible. The application of corporate criminal responsibility to thuggery, in this case the Panel of Judges sentenced the Defendants who were involved in one unit to PT. Tanjung Raya Kemilau, meaning, in this case the Panel of Judges applies the first model of the theory of corporate responsibility proposed by Mardjono Reksodiputro, namely "Corporate Management as the maker and the manager is responsible", while still aligning theory and applicable legal rules as stated in Article 48, Article 49, Article 50, Article 56, Article 486, Article 487 and Article 595 of the latest Draft Criminal Code. Thus, as one of the law enforcement officers, the panel of judges has carried out their duties in accordance with applicable regulations.

Keywords: Liability, Corporate, Thug

I. INTRODUCTION

Indonesia is one of the developing countries, it is said that the current National Development of Indonesia has shown very rapid progress. In this case, development does not only concern development in the economic field, but also involves all aspects of people's lives, including development in the legal field, in the economic field, and even in the social and political fields. Development and development of course cannot be separated from the influence of globalization and the development of science and technology that is developing so fast. However, this globalization, of course, in addition to creating benefits for human life, of course, must be wary of its negative side effects,¹

In relation to the current era of globalization, the existence of a corporation has a large enough contribution to both human interests and the interests of the state. It is said that because corporations cannot be separated from social life or in other words, in order to meet the needs of mankind today it cannot be separated from the existence of corporations. As stated above, in addition to human beings, the existence of corporations is also felt to be important for the interests of the State. This is because corporations have a very important role in the national economy, precisely in order to increase the economic growth of a country.²

However, the important role and positive things that can be taken from a corporation as mentioned above cannot always be realized, but with the unavoidable existence of today's corporations, it is often followed by violations or even unlawful acts including violations of criminal law.³

The practice of thuggery carried out by corporations, especially in the business world, is often found in the loan repayment process. This had resulted in the mushrooming of debt collector businesses, which generally employed high-profile ex-convicts who were used as collateral to intimidate other parties. In the new order era, the practice of intimidation was not uncommon among those who were considered to be "impeding" business expansion plans, including the real estate and office businesses. Not only that, the practice of thuggery also infects the political world which is full of certain interests.⁴

The behavior of thuggery is a social problem that starts from the mental attitude of people who are not ready to accept jobs that are considered less prestigious. Thugs in Indonesia have existed since the colonial era, the Dutch colonial era, apart from acting alone, the perpetrators of thuggery have also used several local champions to carry out acts of lower-level thuggery. Thugs are criminal acts of violence and are also very clearly regulated in the Criminal Code which is regulated in Article 89 of the Criminal Code, (Article 365 of the Criminal Code), Extortion (Article 368 of the Criminal Code), rape or rape (Article 285 of the Criminal Code), persecution (Article 351 of the Criminal Code) which of course can disrupt public order and cause unrest in the community.⁵

In general, criminal law functions to regulate and organize people's lives so that public order can be created and maintained. So of course, the practice of thuggery is expected to be accommodated by consistent law enforcement from law enforcers in Indonesia. But in reality, we still encounter many acts of violence that occur in society. This kind of phenomenon indicates that it turns out that criminal law which has sanctions that are punishment (punishment) has not been able to overcome the problems that occur in society, including in

¹Kristian, "The Urgency of Corporate Criminal Liability", Journal of Law and Development, Volume 3, Number 1, October-December 2013.

²Ibid, p. 577

³Ibid, p. 578

⁴Masrudi Muchtar, Debt Collector in Criminal Law Policy Optics, Aswaja Presindo, Yogyakarta, 2013, p. 23

⁵Ibid, p. 80

the business world. Thus, many of these things encourage corporations to commit criminal acts in the form of thuggery business activities.⁶

One example of a case of thuggery has occurred in the capital city, precisely in Cengkareng, West Jakarta. These thugs disguised themselves as security guards. This case began with a video on Facebook owned by Rendi Puguh Gumilang on Sunday (26/8/2018) which uploaded three people showing thugs collecting money from the owner of Ruko Seribu Cengkareng, West Jakarta. The thugs under the guise of security are suspected of extorting up to tens of millions of rupiah over the years at the Ruko Seribu Cengkareng complex. If residents do not pay, the shop facilities and even existing buildings will be damaged. The shopkeepers were forced to ask the thugs for Rp. 350,000 per month for money. They reasoned, the money was for security and cleaning costs on behalf of the company.⁷

West Jakarta Criminal Investigation Unit Head, AKBP Edy Suranta Sitepu said that one of the new shophouse owners was asked to pay Rp 24 million. The thugs also did not hesitate to damage the bridge construction belonging to the new shophouse owner because they refused to pay the requested money. As a result, the police arrested 7 thugs who were considered to often ask shop owners for money. They are subject to multiple layers of articles, namely Article 170 of the Criminal Code on Violence against People or Goods in Public, Article 368 of the Criminal Code on Extortion, and Article 335 of the Criminal Code on Forcing Others to Do or Not Do Something with Violence.⁸

In this study, the author examines Decision No. 994/Pid B/2021/PN Jkt.Utr. with Defendant I Wahyu als Bujol and Defendant II Achmad Maulana als Lana, Decision Number 977/Pid.B/2021/PN Jkt.Utr. with the Defendant Ari Rahman alias Ari Black bin Andreas, Decision Number 952/Pid/B/2021/PN. Jkt.Utr. with Defendant I Rasian and Defendant II Dian Rastiawan and Decision Number 947/Pid.B/2021/PN Jkt.Utr with Defendant I Aswan Alias Iwan Tato, Defendant II Fauzi Prastyo Alias Jipau Bin Muhammad Soleh, Defendant III Rachmat Rizki Alias Rizki Alias Akay Bin Husein Supriyadi late and Defendant IV Suhendri Alias Sadik Bin Matori.

II. RESEARCH METHODS

This research is included in normative juridical research. The normative juridical research method (library law research) is the method or method used in legal research which is carried out by examining existing library materials. This research refers to the legal norms contained in the legislation, court decisions.⁹The approach used in this research is the statute approach and the case approach. The legal approach is to examine the Criminal Code (KUHP), Law Number 1 of 1946 concerning Criminal Law Regulations, and Supreme Court Regulations Number 13 of 2016 concerning Procedures for Handling Criminal Acts by Corporations (PERMA Corporate Crime). Meanwhile, the case approach is carried out by reviewing the Decision Case Number 994/Pid B/2021/PN Jkt.Utr. with Defendant I Wahyu als Bujol and Defendant II Achmad Maulana als Lana, Decision Number 977/Pid.B/2021/PN Jkt.Utr. with the Defendant Ari Rahman alias Ari Black bin Andreas, Decision Number

⁶Adami Chazawi, *Criminal Law Lessons Part I*, PT. Raja Grafindo Persada, Jakarta, 2012, p. 15

⁷Kaleidoscope, "The Case of Thugs in the Capital City", <https://megapolitan.kompas.com/read/2018/12/31/21171121/kaleidoskop-2018-case-thuggish-di-ibu-kota>[accessed on 17/12/ 2021, 4:36 p.m.]

⁸Ibid

⁹CFG Sunaryati Hartono, *Legal Research in Indonesia at the End of the 20th Century*, Alumni, Bandung, 1994, p. 143.

952/Pid/B/2021/PN. Jkt.Utr. with Defendant I Rasian and Defendant II Dian Rastiawan and Decision Number 947/Pid.B/2021/PN Jkt.¹⁰

III. RESULTS AND DISCUSSION

1. Enforcement of Corporate Criminal Law Against Thugs Activities

Law enforcement is the process of actually functioning legal norms as guidelines for behavior or legal relations in the life of society, nation and state. Law enforcement can also be interpreted as the implementation of law by law enforcement officers and by everyone who has an interest in accordance with their respective authorities according to the applicable legal rules. According to Mardjono Reksodiputro, law enforcement is the apparatus' efforts to ensure legal certainty, order and legal protection in the current era of modernization and globalization.¹¹

In line with the definition of law enforcement put forward by Mardjono Reksodiputro, in this case the enforcement of corporate criminal law against thuggery activities can be carried out with the efforts of the police. Police efforts in tackling criminal acts are known by various terms, including penal policies or strafrechtspolitik and non-penal policies. Penal policy is an attempt to tackle crime through criminal law enforcement, which is rational, that is, it fulfills a sense of justice and usability. In the context of tackling crimes against various means as a reaction that can be given to criminals, in the form of criminal and non-criminal means, which can be integrated with one another.¹²

Meanwhile, non-penal efforts cover a fairly broad field. The main objective of overcoming corporate crime through non-penal efforts is to improve certain social conditions, but indirectly have a preventive effect on corporate crime. These non-penal efforts can include government actions to change the corporate structure through laws and regulations, changing attitudes and corporate structures voluntarily, administrative actions from officials/bureaucracies, social sanctions in the form of publications against corporations that commit fraud. criminal acts, consumer actions to suppress deviant behavior from corporations, collective sanctions based on integrated shame thinking, executive excommunication, community service sanctions,¹³

In carrying out efforts to overcome corporate crime with thuggery activities, one of which the police must take in two ways, namely preventively and repressively:¹⁴

a. Preventive Countermeasures

In the effort to overcome thuggery, preventive efforts (prevention) are felt to have a very important and very useful role. Some of the reasons why devote greater attention to prevention efforts before thuggery practices occur are as follows:

- 1) Preventive action is better than repressive and corrective action. Prevention efforts do not always require a complex organization and bureaucracy, which can lead to bureaucratism that is detrimental to the abuse of power or authority. Prevention efforts are more economical than repressive and rehabilitation efforts. In order to serve a larger number of people, it does not require as much and energy as in repressive and rehabilitation efforts according to comparison. Prevention efforts can also be carried out individually or individually and do not always require expertise as in repressive and rehabilitation efforts. For example, keep yourself from becoming a victim of thuggery and other crimes.

¹⁰Ibid, p. 184

¹¹Andi Hamzah, Indonesian Criminal Procedure Code, Sinar Graphic, Jakarta, 2013, p. 87

¹²Erdianto Effendi, Indonesian Criminal Law, An Introduction, Rafika Aditama, Bandung, 2010, p. 90

¹³Ibid

¹⁴Sholehuddin, Sanction System in Criminal Law, Basic Idea of Double Track System and Its Implementation, Publisher PT. Rajagrafindo Persada, Jakarta, 2003, p. 281-283

- 2) Prevention efforts need not have negative consequences, such as stigmatization (stamping of convicted or fostered thuggery perpetrators), exile, suffering in various forms, human rights violations, hostility or hatred towards one another that can lead to recidivism. Structural victimization (the occurrence of victims of certain structures can be reduced by the existence of these prevention efforts, for example victims of a punishment system, certain regulations so that they can experience mental, physical and social suffering).
 - 3) Prevention efforts can also strengthen unity, harmony and increase a sense of responsibility towards fellow community members. Thus, prevention efforts can help people develop a better state and society. Because it secures and seeks stability in society, which is needed for the implementation of national development to achieve a just and prosperous society. Efforts to prevent crime and other irregularities can be an effort to create a person's mental, physical and social well-being.
- b. Repressive Countermeasures

In addition to carrying out preventive measures against thuggery, the police must also take repressive measures. The repressive efforts carried out have the intention of tackling the thuggery that has occurred in the community. This is intended to provide a deterrent effect to the perpetrators of thuggery. In an effort to be repressive, the police must carry out special operations with the code "Street Crime Operations" whose implementation has been structured by the POLRI. The police take legal action against acts of thuggery, whether individual thuggery, group thuggery or against the thuggery of the apparatus. The legal action in question is to conduct structured raids and arrest perpetrators of thuggery caught in raids.¹⁵

In line with the explanation above, if it is related to the four decisions that the researcher is examining, namely Decision Number 994/Pid B/2021/PN Jkt.Utr with the Defendants Wahyu alias Bujol and Achmad Maulana alias Lana, Decision 977/Pid.B/2021/PN Jkt.Utr with the Defendant Ari Rahman Alias Ari Black Bin Andreas, Decision Number 952/Pid/B/2021/PN.Jkt.Utr with the Defendant Rasian, and Decision Number 947/Pid.B/2021/PN Jkt.Utr with the defendant Aswan Alias Iwan Tato, Fauzi Prastyo Alias Jipau Bin Muhammad Soleh, Rachmat Rizki Alias Rizki Alias Akay Bin Husein Supriyadi Late, and the defendant Suhendri Alias Sadik Bin Matori it can be seen that the Defendants have been submitted by the Public Prosecutor to the Trial with all of their charges related to thuggery activities, namely the actions of the Defendants as regulated and subject to criminal penalties respectively in Article 363 paragraph (1) of the Criminal Code, Article 480 paragraph (1) of the Criminal Code on confiscation and Article 368 paragraph (2) of the Criminal Code.

If we look closely, the law enforcement theory proposed by Mardjono Reksodiputro with the four cases studied by the researcher, in this case the enforcement of corporate criminal law against thuggery activities is carried out by applying a penal policy (repressive effort). Repressive efforts were made against the Defendants by making arrests and then examining them for questioning for their actions. However, because the actions of the Defendants have deeply disturbed the public, especially the Container Trailer Truck Drivers, especially the actions of the Defendants are also contrary to the applicable regulations, the Public Prosecutor submits the Defendants to the Court to be examined and judged by the Panel of Judges in the fairest way possible.

According to the author, the efforts made by law enforcement officers are appropriate in tackling criminal acts of thuggery committed by corporations. The prison sentence

¹⁵Ibid

imposed on the Defendants is not solely for revenge, but as a form of responsibility for the actions committed by the Defendants.

The author also argues that related to the enforcement of corporate criminal law, the theory of corporate criminal liability that can be applied in this problem, especially those committed by thugs, can be applied to the Strict Liability or Absolute Liability theory of corporate criminal responsibility. The doctrine that supports or justifies corporate criminal liability is strict liability or absolute liability or in some literature it is also called liability without fault or called no-fault liability or liability without fault. In this doctrine or theory, criminal liability can be requested without having to prove the guilt of the perpetrator of the crime. Therefore,

Quoting a statement from Barda Nawawi Arief, it is often questioned whether strict liability is the same as absolute liability. Regarding this there are 2 (two) opinions that differ from one another. The first opinion states that strict liability is an absolute liability. Thus, it can be said that this first group equates the understanding between strict liability and absolute liability. The reason or rationale for this is that in the case of strict liability, a person who has committed a prohibited act (*actus reus*) as formulated in the law can already be convicted without questioning whether the perpetrator had an error (*mens rea*) or not. So, someone who has committed a crime that meets all the elements in the formulation of the law must or absolutely can be punished.¹⁶In the common law legal system, as quoted by Barda Nawawi Arief in his book "Comparative Criminal Law", Strict Liability applies to three kinds of offenses, namely as follows:

- a. *public nuisance*(disturbing public order, blocking highways, emitting unpleasant odors that disturb the environment.)
- b. *criminal libel*(slander, defamation); and
- c. *Contempt of court*(violation of court order).

The theory of corporate criminal responsibility, strict liability and vicarious liability, basically can also be applied to criminal acts committed by corporations for violations of the law they have committed. This is because corporate crime is one of the crimes that requires extraordinary handling and the impact resulting from corporate crime will certainly endanger the interests of the wider community.

2. Implementation of Corporate Criminal Liability Against Thugs

Criminal liability is the blaming of a person for his reprehensible actions and the imposition of suffering intentionally imposed by the state on a person who is proven to have committed a criminal act or a disgraceful act. So that the imposition of a sentence on a person who is proven guilty of committing a crime is a form of criminal responsibility that he must accept. Criminal liability cannot be separated from criminal acts, and vice versa, a criminal act cannot stand alone without criminal responsibility. This means that criminal liability will be enforced if the person who will be asked for criminal responsibility has committed a crime. Likewise, criminal acts¹⁷

According to Mardjono Reksodiputro, there are three models of corporate criminal responsibility, namely:

- a. The Corporate Manager as the maker and management is responsible;
- b. The corporation is the maker, and the administrator is responsible;
- c. Corporations as producers and also as responsible.¹⁸

¹⁶Barda Namawi Arief, Law Enforcement Issues and Crime Management Policies, PT. Citra Aditya Bakti, Bandung, 2001. p. 40.

¹⁷Muladi and Dwidja Priyatno, Corporate Criminal Liability, Kencana Publisher Prenada Media Group, Jakarta, 2010.

¹⁸Mardjono Reksodiputro, Op.cit.,

In addition, in criminal liability (criminal liability) of the corporate leadership (factual leader) and the giver of orders (instrumentation giver), both can be punished simultaneously. The punishment is not due to physical or actual actions, but is based on the function it carries out in a company. In the first model of responsibility, namely the corporate management as the maker and the management who are responsible, they still accept the principle of *societas/university delinquere non potest*. In this model, the corporation cannot be accounted for, because the corporation cannot be blamed for the disgraceful actions of its management or employees. A criminal act can only be committed by an individual. Fictional ideas about the nature of legal entities do not apply to the field of criminal law.¹⁹

While in the second model, the corporation is the responsible maker and manager. What is done by the corporation is what is done by the equipment of the corporation according to the authority based on its articles of association. The nature of the act that makes the crime is "on-personlijk". The person who leads the corporation is criminally liable, regardless of whether he or she knows about the act. This model does not take into account the principle of error (*mens rea*) in criminal acts so that the management of a corporation can be held accountable (*vicarious liability*).²⁰

While the third model, in which the corporation that acts and the corporation that is responsible, views that the stipulation of the management as the one who can be convicted of corporate crime is not enough. Therefore, it is also possible to convict the corporation and the management at the same time. In addition, this third model is also based on the view that it is clear that corporations are functional actors and receive benefits from various activities, including criminal ones. And if there is no liability for the criminal consequences of the corporation, there will be a void in punishment if the corporation is the owner or license holder.²¹

This is in line with the provisions in Article 46 of the Draft Criminal Code which states "Criminal acts by corporations are crimes committed by administrators who have functional positions in the organizational structure of the corporation or people based on work relationships or based on other relationships acting for and on behalf of the corporation or act in the interests of the Corporation, within the scope of business or activities of the Corporation, either individually or jointly". Furthermore, Article 47 also explains that "Criminal Acts by Corporations can be carried out by the giver of orders, control holders, or beneficial owners of the Corporation who are outside the organizational structure, but can control the Corporation".²²

Based on the two articles above, it can be understood that corporate crime does not only include criminal acts committed by functional management, but also by government providers or owners of corporate benefits outside the corporate organizational structure. That is, if a criminal act is committed by a person as regulated in the two articles, then the crime is classified as a corporate crime and the accountability system can use the model proposed by Mardjono Reksodiputro.

In line with the explanation above, if analyzed based on the four Decisions, The researchers studied were Decision Number 994/Pid B/2021/PN Jkt.Utr with the Defendants Wahyu alias Bujol and Achmad Maulana alias Lana, Decision 977/Pid.B/2021/PN Jkt.Utr with the Defendant Ari Rahman Alias Ari Black Bin Andreas , Decision Number 952/Pid/B/2021/PN.Jkt.Utr with the Defendant Rasian, and Decision Number 947/Pid.B/2021/PN Jkt.Utr with the defendant Aswan Alias Iwan Tato, Fauzi Prastyo Alias Jipau Bin Muhammad Soleh, Rachmat Rizki Alias Rizki Alias Akay Bin Husein Supriyadi

¹⁹Sutan Remy Sjahdeini, *Corporate Criminal Liability*, Grafitti Press, Jakarta, 2006, p. 29

²⁰Ibid

²¹Ibid

²²Draft Criminal Code, Article 7.

the late, and the defendant Suhendri Alias Sadik Bin Matori it can be seen that the Defendants are a unit that has been involved in a company engaged in trading services, security services, labor supply services, goods transportation services, parking management services on the road and off the road, namely PT. Tanjung Raya Kemilau (TRK).

Article 45 of the Draft Criminal Code states that (1) Corporations are the subject of criminal acts; and (2) Corporations as referred to in paragraph (1) include legal entities in the form of limited liability companies, foundations, cooperatives, state-owned enterprises, regional-owned enterprises, or the equivalent, as well as associations, both legal and non-legal entities, or a business entity in the form of a firm, limited partnership, or equivalent in accordance with the provisions of the legislation.

As explained in the previous chapter, that PT. Tanjung Raya Kemilau is a company in the form of a limited liability company which is engaged in road transportation services, while the entire Defendant is a unit involved in the company. That is, PT. Tanjung Raya Kemilau is the subject of a criminal act in the form of a corporation that can be held accountable.

If it is seen in its injunction, the Panel of Judges imposes a sentence on each of the Defendants, namely by imprisonment for the length of time determined for the actions committed by the Defendants. That is, if it is related to the theory put forward by Mardjono Reksodiputro, the model of corporate responsibility used by the Panel of Judges is the first model, namely "Corporate Management as the maker and the manager is responsible". As it is known that the Defendants are a unit that has involvement with PT. Tanjung Raya Kemilau and the Defendants were also responsible for the actions they had committed.

Legal arrangements related to corporate criminal responsibility for thuggery activities have been regulated in Article 46, Article 47, Article 48, Article 49, Article 50, Article 56, Article 486, Article 487 and Article 595 of the Latest Draft Criminal Code. As for the implementation of corporate criminal responsibility against thuggery, the Panel of Judges sentenced the Defendants who were involved in one unit to PT. Tanjung Raya Kemilau, meaning, in this case the Panel of Judges applies the first model of the theory of corporate responsibility proposed by Mardjono Reksodiputro, namely "Corporate Management as the maker and the administrator is responsible", while still aligning the theory and the applicable legal rules contained in Article 48, Article 49, Article 50, Article 56, Article 486, Article 487 and Article 595 of the latest Draft Criminal Code.

As regulated in Article 56 of the Draft Criminal Code, that in sentencing a corporation, the panel of judges must consider: the level of loss or impact caused; the level of involvement of the management who has the functional position of the corporation and/or the role of giving orders, controlling holders, and/or beneficial owners of the corporation; the length of the crime that has been committed; frequency of criminal acts by corporations; form of criminal offense; official involvement; values of law and justice that live in society; corporate track record in conducting business or activities; the effect of punishment on corporations; and/or corporate cooperation in handling criminal acts. When viewed in its entirety of the ruling,

IV. CONCLUSION

The enforcement of corporate criminal law against thuggery activities in the four cases studied by the author was carried out by implementing a penal policy (repressive effort). Repressive efforts were made against the Defendants by making arrests and then examining them for questioning for their actions. However, because the actions of the Defendants have deeply disturbed the public, especially the container trailer truck drivers, especially the actions of the Defendants are also contrary to the applicable regulations, the Public Prosecutor submits the Defendants to the Court to be examined and judged by the Panel of

Judges in the fairest way possible. The author argues that related to the enforcement of corporate criminal law, the theory of corporate criminal liability that can be applied in this problem, especially those committed by thugs, can apply the theory of corporate criminal liability Strict Liability (Strict Liability) or Absolute Liability (Absolute Liability). The doctrine that supports or justifies corporate criminal liability is strict liability or absolute liability or in some literature it is also called liability without fault or called no-fault liability or liability without fault. In this doctrine or theory, criminal liability can be requested without having to prove the guilt of the perpetrator of the crime. Therefore, the author considers that strict liability or absolute liability is a doctrine that negates the principle of absolute error in criminal law. Strict Liability or Absolute Liability theory can be applied. The doctrine that supports or justifies corporate criminal liability is strict liability or absolute liability or in some literature it is also called liability without fault or called no-fault liability or liability without fault. In this doctrine or theory, criminal liability can be requested without having to prove the guilt of the perpetrator of the crime

The application of corporate criminal responsibility to thuggery, in this case the Panel of Judges sentenced to imprisonment for the defendants involved in one unit of PT. Tanjung Raya Kemilau, meaning, in this case the Panel of Judges applies the first model of the theory of corporate responsibility proposed by Mardjono Reksodiputro, namely "Corporate Management as the maker and the administrator is responsible", while still aligning the theory and the applicable legal rules contained in Article 48, Article 49, Article 50, Article 56, Article 486, Article 487 and Article 595 of the latest Draft Criminal Code. Thus, as one of the law enforcement officers, the panel of judges has carried out their duties in accordance with applicable regulations.

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