ABSTRACT

Dissertation entitled The Right of Advocate Immunity in the Criminal Justice System in Indonesia. Advocates as one of the law enforcers who function to find material truth. Advocates are regulated in Law Number 18 Year 2003 concerning Advocates. The Advocate Law regulates the rights of Advocates. The immunity / immunity of an advocate is extended not only when carrying out his profession in court hearings, but outside the court, including in resolving disputes outside the court. The formulation of the problem is the role of the advocate in the Indonesian criminal justice system and what is the nature of giving immunity rights to the Advocate.

The research method uses normative juridical legal research methods, statute approach, and conceptual approach, case approach.

Based on the research, it was found that the Advocate's function in the Indonesian criminal justice system, that advocates as an element for law enforcement and to find and find material truth in the judicial process, especially from the point of view of the legal interests of the assisted clients. Advocates have the function of assisting clients (witnesses, suspects, defendants and convicts) in criminal proceedings. The nature of giving immunity or immunity rights that immunity is immunity in the sense of being immune in lawsuits. Immunity to advocates which means advocates in providing legal services as a profession is immune from lawsuits. Advocates in carrying out the profession of providing legal services, both inside and outside the court, cannot be prosecuted both in civil and criminal terms in carrying out their professional duties in good faith for the interests of the Client in court proceedings. The granting of immunity rights to advocates is essentially only given to lawyers who carry out their profession in the good faith of the lawyers concerned and these actions are within the scope of their professional duties. Without good faith, see an advocate not having immunity so that it is worthy of being processed by law

Keywords: Right of Immunity, Advocate, Criminal Justice System