Reconstruction of the Ombudsman's Authority in Preventing Public Service Maladministration Following Ombudsman Regulation Number 61 of 2025

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SEIKAT
Jurnal Ilmu Sosial, Politik dan Hukum

e-ISSN: 2964-0962

SEIKAT: Jurnal Ilmu Sosial, Politik dan Hukum

https://ejournal.45mataram.ac.id/index.php/seikat

Vol. 5, No. 5, Oktober 2026

Page: 5262-5273

Available at:

https://ejournal.45mataram.ac.id/index.php/seikat/article/view/4631

DOI:

https://doi.org/10.55681/seikat.v5i5.4631

Article History:

Received: 05-08-2026

Revised: 10-09-2026

Accepted: 20-10-2026

Abstract *: Changes in the Ombudsman's supervisory approach through Ombudsman Regulation Number 61 of 2025 position Maladministration Assessment as a crucial instrument for promoting prevention and improvement of public services. The problem is, the existence of an assessment instrument does not automatically guarantee that the Ombudsman's authority is capable of working preventively when maladministration is still found in practice. This study aims to analyze the implementation of the Ombudsman's authority in preventing maladministration and formulate a more adequate reconstruction of the authority. The study uses normative legal methods with a statutory approach, a conceptual approach, and a case approach. The case of prolonged delays in the service of certificate blocking applications at the Gorontalo City Land Office is used as a practical illustration to test the adequacy of the design of the authority. The results show that Ombudsman Regulation Number 61 of 2025 has strengthened the preventive orientation through assessment, mapping of potential maladministration, and follow-up improvements, but still needs to strengthen the integration between assessment, supervision, corrective action, and follow-up monitoring. Reconstruction is needed so that the Ombudsman's authority is more proactive in preventing maladministration. This strengthening is important to ensure that supervision does not stop at identifying violations, but results in continuous improvements to the service system.*

Keywords *: ombudsman; maladministration; public services; prevention; oversight.*

Abstract : Perubahan pendekatan pengawasan Ombudsman melalui Peraturan Ombudsman Nomor 61 Tahun 2025 menempatkan Penilaian Maladministrasi sebagai instrumen penting untuk mendorong pencegahan dan perbaikan pelayanan publik. Persoalannya, keberadaan instrumen penilaian belum dengan sendirinya menjamin bahwa kewenangan Ombudsman mampu bekerja secara preventif ketika maladministrasi masih ditemukan dalam praktik. Penelitian ini bertujuan menganalisis pelaksanaan kewenangan Ombudsman dalam pencegahan maladministrasi serta merumuskan rekonstruksi kewenangan yang lebih memadai. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan, pendekatan konseptual, dan pendekatan kasus. Kasus penundaan berlarut dalam pelayanan permohonan pemblokiran sertifikat pada Kantor Pertanahan Kota Gorontalo digunakan sebagai gambaran praktik untuk menguji kecukupan desain kewenangan tersebut. Hasil penelitian menunjukkan bahwa Peraturan Ombudsman Nomor 61 Tahun 2025 telah memperkuat orientasi preventif melalui penilaian, pemetaan potensi maladministrasi, dan tindak lanjut perbaikan, tetapi masih diperlukan penguatan integrasi antara penilaian, pengawasan, tindakan korektif, dan pemantauan tindak lanjut. Rekonstruksi diperlukan agar kewenangan Ombudsman lebih proaktif dalam mencegah maladministrasi. Penguatan tersebut penting untuk memastikan pengawasan tidak berhenti pada identifikasi pelanggaran, tetapi menghasilkan perbaikan sistem pelayanan yang berkelanjutan.

Kata Kunci : ombudsman; maladministrasi; pelayanan publik; pencegahan; pengawasan.

INTRODUCTION

Public service is a form of state presence that is directly related to the fulfillment of public rights. In a state governed by the rule of law, service delivery is not only assessed by the availability of administrative institutions and procedures, but also by the state's ability to ensure that each service is provided appropriately, transparently, fairly, and free from irregularities. When services do not operate in accordance with legal obligations, the issue is no longer simply a matter of the quality of government administration, but also relates to the protection of public rights to public services. In this context, the Ombudsman of the Republic of Indonesia holds a strategic position as an external oversight institution that functions to oversee the implementation of public services and prevent maladministration. A study of the Ombudsman's position shows that this institution plays a crucial role in overseeing the implementation of public services and serving as a supporting instrument for the realization of good governance.[1]

Public service issues in Indonesia demonstrate that the existence of oversight mechanisms has not completely eliminated maladministration. Prolonged delays, procedural irregularities, failure to provide services, and other forms of administrative irregularities remain issues encountered in public service delivery. Research on preventing maladministration in the land sector, for example, shows that the high number of public reports related to land issues indicates that prevention mechanisms have not been fully effective in suppressing the occurrence of maladministration.[2] This finding is important because land services are a type of service that has direct legal consequences for the community, especially regarding the certainty of land rights and administration.

In the development of the Ombudsman institution, this issue gained a new context following the enactment of the Republic of Indonesia Ombudsman Regulation Number 61 of 2025 concerning the Assessment of Maladministration in Public Service Provision. This regulation came into effect on April 15, 2025, and revoked Ombudsman Regulation Number 22 of 2016 concerning the Assessment of Compliance with Public Service Standards. This change indicates a shift in the orientation of the Ombudsman's oversight instruments: from assessing compliance with service standards to an assessment directly directed at maladministration.[3] Thus, the regulatory changes should not be understood only as technical changes to the assessment method, but as changes to the supervisory design whose consequences for the Ombudsman's authority in preventing maladministration need to be seen.

Ombudsman Regulation No. 61 of 2025 establishes Maladministration Assessment as a preventive measure. This assessment aims to obtain an overview of the quality of public services, map potential maladministration, encourage providers to make improvements, and enhance legal culture and awareness in service delivery.[4] This concept demonstrates that the Ombudsman's function should not stop at handling reports after maladministration has occurred. Prevention

[1] Regina Angelita Br Sebayang and Hartati, *The Role of the Ombudsman as a Public Service Oversight Institution in Indonesia,* Vol. 2, Mendapo: Journal of Administrative Law, 2021, pp. 63–75.
[2] Auxell Putra Tritama, Agus Yulianto, and Amelia Ayu Paramitha, Pr*evention of Maladministration Carried Out by the Jakarta Ombudsman in Public Services in the Land Sector,* Brawijaya Law Student Journal, 2022, pp. 1–15
[3] Dinda Dana Pratiwi and Karyadin, *The Position and Role of the Ombudsman of the Republic of Indonesia in the Indonesian Legal System,* Vol. 12, Uniski Law Journal, 2023, pp. 47–58.
[4] Salsabila Amalia Putri Yoesvizar, *The Role of the Ombudsman in Preventing Maladministration of Public Services Based on the General Principles of Good Governance,* Vol. 22, Fairness and Justice: Scientific Journal of Legal Studies, 2024, pp. 43–56.

requires oversight to act early by identifying potential problems, analyzing their causes, and initiating corrective action before they escalate into public harm.

Conceptually, this approach aligns with the idea that preventing maladministration requires systematic steps. Research on the East Nusa Tenggara Ombudsman's prevention patterns indicates a series of stages: detection, analysis, and implementation of recommendations, accompanied by monitoring and mentoring.[5] This means that prevention is not simply understood as simply finding errors from service providers, but must be followed up with mechanisms that ensure that these findings result in changes in service delivery. At this point, the relationship between assessment and oversight authority becomes crucial because the effectiveness of prevention depends on the institution's ability to link assessment results to corrective actions.

The problem then lies in the relationship between the authority granted normatively and the ability of that authority to operate in practice. Several previous studies have shown that the Ombudsman has carried out its oversight and handling functions for maladministration, but its effectiveness is still influenced by various factors, including institutional limitations and follow-up by service providers. Research on the Ombudsman in North Sumatra, for example, indicates that the Ombudsman's performance in handling maladministration has been quite effective, but findings regarding the relationship between compliance levels and the number of reports indicate that the existence of compliance assessments does not always directly correlate with a decrease in public reports.[6] This condition shows the need to view the Ombudsman's supervision not only from the perspective of its ability to resolve reports, but also from the perspective of the supervisory instrument's ability to prevent the same problems from reoccurring.

Another issue arises with the robustness of the Ombudsman's oversight findings. In institutional practice, the Ombudsman has the authority to provide corrective actions, suggestions for improvement, and recommendations, but the impact of these oversight findings on service providers remains problematic. A study of the Ombudsman's position within the Indonesian legal system shows that its audit and oversight findings play a crucial role in overseeing public services, but the effectiveness of these findings remains dependent on the follow-up mechanisms implemented by service providers.[7] Even research that specifically examines the role of the Ombudsman as a supervisory institution found that one of the problems still faced is the weak implementation of recommendations because the sanction instruments against parties who do not implement them do not yet provide strong coercive power.[8]

This issue becomes even more relevant when the preventive function is placed at the heart of the Ombudsman's oversight design. Prevention should have a different orientation than simply resolving individual reports. If oversight is only effective after the public submits a report, then the function is more closely aligned with a corrective mechanism for maladministration that has already occurred. Conversely, the preventive function requires the ability to identify patterns, identify potential issues, and encourage improvements to the service system. Research on the

[5] Jery Wunu Nggandung, *Public Service Maladministration Prevention Pattern by the East Nusa Tenggara Ombudsman,* Vol. 2, Kybernology: Journal of Government and Public Administration, 2024, pp. 724–734.
[6] Resnu Ardian Pratama and Simson Ginting, *Effectiveness of the Performance of the Ombudsman of the Republic of Indonesia Representative Office of North Sumatra in Handling Maladministration in Public Services,* Vol. 11, JIAP: Journal of Public Administration Science, 2023, pp. 32–43.
[7] Felicya Astwilanda Putri and M. Fachri Adnan, *Efforts to Prevent Maladministration of Public Services by the Ombudsman of the Republic of Indonesia in West Sumatra Province,* Vol. 2, Journal of Public Administration Students, 2020, pp. 33–41.
[8] Resty Lestari, *The Role of the Ombudsman of the Republic of Indonesia as a Public Service Supervisory Institution,* Vol. 6, Rewang Rencang: Jurnal Hukum Lex Generalis, 2025, pp. 1–16.

Ombudsman's preventive oversight also positions prevention as a mechanism that must be able to operate before maladministration develops into a more serious service problem.[9]

This situation is empirically illustrated in the case of prolonged delays in the processing of certificate blocking applications at the Gorontalo City Land Office. The Gorontalo Representative Office of the Republic of Indonesia Ombudsman stated that it found maladministration in the form of prolonged delays in handling these applications after investigating public complaints. The Ombudsman then took corrective action in the form of coaching for employees handling blocking applications and monitoring incoming applications.[10] This case is not placed as a separate object of study, but is used to show the existence of problems in the relationship between the design of preventive authority and the reality of public service delivery.

This case highlights a more fundamental issue than simply the existence of administrative errors by a single service provider. When maladministration in the form of protracted delays is still discovered and intervention is initiated following public complaints, questions arise about the extent to which the Ombudsman's authority is designed to effectively carry out its preventive function. This question is relevant because Ombudsman Regulation Number 61 of 2025 has introduced the Maladministration Assessment as an instrument normatively directed at identifying potential maladministration and encouraging service improvements. Therefore, the issue lies not in the Ombudsman's lack of authority, but in the adequacy of its structure to effectively link assessment, prevention, oversight, and follow up.

Previous studies have discussed the role of the Ombudsman in preventing maladministration, prevention patterns, monitoring public services, and handling public reports.[11] However, these studies generally use the framework of Ombudsman Regulation Number 41 of 2019 or assessment instruments prior to the 2025 regulatory changes. Even the latest study on Ombudsman Regulation Number 61 of 2025 has viewed Maladministration Assessment as a preventive oversight instrument and early warning mechanism.[12] However, there is still room for analysis regarding the reconstruction of the Ombudsman's authority after the change in the instrument, particularly by testing the adequacy of the relationship between the assessment of maladministration as a preventive instrument with supervision and follow-up on service problems that still occur.

Therefore, this research is not aimed at merely describing the Ombudsman's authority or rehashing the discussion on the Maladministration Assessment function. This research seeks to examine whether the authority structure established after the enactment of Ombudsman Regulation Number 61 of 2025 has been able to address the need for preventive maladministration prevention. The analysis then focuses on the need for authority reconstruction by integrating maladministration assessment, prevention, public service oversight, and follow-up actions within a single Ombudsman authority structure. This direction aligns with the research focus, which places the authority for assessment and prevention, oversight and follow-up, and the strengthening

[9] Ilham Azhari, Mumaddun Khaerudin Salami, and Meriza Elpha Darnia, *Legal Analysis of the Ombudsman's Preventive Supervision of Digital-Based Public Services to Prevent Maladministration,* Vol. 10, Riau Law Journal, 2026, pp. 112–126.

[10] Ombudsman of the Republic of Indonesia, "Ombudsman Provides Corrective Action to Gorontalo City Land Office",https://ombudsman.go.id/perwakilan/news/r/pwkmedia--ombudsman-beri-aksi-korektif-kantor-pertanahan-kota-gorontalo, accessed October 4, 2026.

[11] Salsabila Amalia Putri Yoesvizar, *The Role of the Ombudsman in Preventing Maladministration of Public Services Based on the General Principles of Good Governance,* Vol. 22, Fairness and Justice: Scientific Journal of Legal Studies, 2024, pp. 43–56.

[12] Velya Putrica Salsabila, Yeni Sulistiowati, and Khoirul Anwar. *The Function of Maladministration Assessment in Public Service Delivery by the Ombudsman of the Republic of Indonesia as an Effort to Improve the Quality of Public Services.* Vol. 6, Arus Jurnal Sosial dan Humaniora, 2026, pp. 1827–1836.

of the Ombudsman's authority within the perspective of constitutional law as a single series of analyses.

Thus, this study aims to analyze the implementation of the Ombudsman's authority in preventing maladministration of public services after the enactment of Ombudsman Regulation Number 61 of 2025 and formulate a reconstruction of the Ombudsman's authority that is more adequate in preventing maladministration. This study is expected to provide a conceptual contribution to the development of state administrative law and constitutional law, particularly regarding the strengthening of the Ombudsman's position as an external supervisory institution that not only functions to find and resolve maladministration, but also has an authority design that is able to encourage changes in the public service system in a preventive and sustainable manner.

RESEARCH METHOD

This study uses a normative legal research method that focuses on the analysis of legal norms, principles, concepts, and doctrines related to the Ombudsman's authority in preventing maladministration of public services. The selection of the normative method is based on the research object that focuses on the construction of the Ombudsman's authority after the enactment of Ombudsman Regulation Number 61 of 2025, so that the research problem is analyzed through primary legal materials in the form of Law No.-Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, Law-Law Number 25 of 2009 concerning Public Services, Ombudsman Regulation Number 61 of 2025, and other related regulations. The research uses a legislative approach.-statute approach to examine the construction of the Ombudsman's authority in various legal provisions, a conceptual approach to analyze the concepts of maladministration, prevention, supervision, and authority of state institutions, and a case approach using the case of prolonged delays in the service of certificate blocking applications at the Gorontalo City Land Office as an illustration of the application of the Ombudsman's authority in practice. The use of normative legal research with an appropriate approach is necessary so that the analysis does not stop at the description of the rules, but is able to find legal issues and provide arguments for the need to update the construction of authority.[13]

Legal materials were collected through a literature review, encompassing primary, secondary, and tertiary legal materials. Primary legal materials were reviewed to identify the basis of authority, limits of authority, assessment mechanisms, forms of supervision, and follow-up actions that the Ombudsman can take. Secondary legal materials, in the form of journal articles, books, research findings, and expert opinions, were used to build a conceptual framework and enrich the legal arguments, while tertiary legal materials were used as supporting materials to clarify the terms and concepts used. All legal materials were analyzed descriptively-analytically and prescriptively, through an inventory, classification, interpretation, and synchronization of norms, then compared with the issues reflected in the case to identify deficiencies in the construction of authority. The results of the analysis were then used to formulate a reconstruction of the Ombudsman's authority that integrates maladministration assessment, prevention, supervision, and follow-up actions as a series of preventive oversight. This approach allows the research to produce prescriptive arguments regarding the form of authority that should be established, rather than simply describing the existing authority.[14]

[13] Kornelius Benuf and Muhamad Azhar, *Legal Research Methodology as an Instrument for Analyzing Contemporary Legal Problems,* Vol. 7, Gema Keadilan, 2020, pp. 20–33.
[14] DL Sonata, *Normative and Empirical Legal Research Methods: Distinctive Characteristics of Legal Research Methods,* Vol. 8, FIAT JUSTISIA: Journal of Legal Studies, 2015, pp. 15–35.

RESULTS AND DISCUSSION

The research results show that the enactment of the Republic of Indonesia Ombudsman Regulation Number 61 of 2025 brought about significant changes in the construction of public service oversight. This change is evident in the shift in assessment instruments from compliance with service standards to Maladministration Assessment. This regulation specifically regulates the objects and measurements of maladministration assessments, as well as the assessment stages. This change substantively broadens the orientation of oversight, as maladministration is no longer solely focused on...-eyes as a problem that is handled after public reports are received, but also as a problem whose potential must be mapped through an assessment mechanism.[15]

This authority must be placed within the framework of the Ombudsman's function as an external supervisor of public services.-Law Number 37 of 2008 grants the Ombudsman the authority to receive reports, conduct investigations, request information, examine documents, and provide recommendations. Meanwhile, Law Number 37 of 2008 provides the Ombudsman with the authority to receive reports, conduct investigations, request information, examine documents, and provide recommendations.-Law Number 25 of 2009 grants the Ombudsman broader powers in overseeing public services. Thus, the Ombudsman's authority extends beyond merely resolving reports and can also be directed toward encouraging improvements in service delivery.

Problems arise when the authority to assess and the authority to prevent are analyzed as a single entity. Assessments provide information about service conditions and potential maladministration, while prevention requires follow-up action on that information. Therefore, assessments should not stop at providing a score or opinion. Assessment results must serve an operational purpose, providing a basis for determining which service areas require supervision, corrective action, and monitoring.

Table 1. Authority for Assessment and Prevention of Maladministration

No	Aspect	Normative Conditions	Analytical Problems
1	Evaluation	Mapping potential maladministration	The assessment results need to be followed up
2	Prevention	Encourage service improvements	Need to connect with supervision
3	Measurement	Produces an overview of service quality	It is not enough to just produce value
4	Potential for maladministration	Identified through assessment	Must be the basis of intervention
5	Repair	Driven by assessment results	Need a monitoring mechanism

Source: Regulation of the Ombudsman of the Republic of Indonesia Number 61 of 2025, processed.

The table shows that the most important changes in Ombudsman Regulation Number 61 of 2025 are not only-The focus lies not in changing assessment instruments, but rather in the opportunity to alter oversight work patterns. When assessment results can be used to determine service risks, the Ombudsman can intervene before maladministration develops into harm to the

[15] Manda Maulana, Fauziah Kurniati, and Muhammad Khoirul Anwar, *Focus of the Indonesian Ombudsman's Supervision: Evaluation of Maladministration in Public Services in Greater Jakarta,* Vol. 10, Restorica: Scientific Journal of Public Administration and Communication Sciences, 2024, pp. 82–88.

public. Conversely, if assessment results are used only to describe service conditions without generating measurable oversight actions, the preventive orientation has not been fully achieved.

This need is all the more crucial because maladministration is often recurrent. Delays in service, procedural deviations, failure to provide services, or other forms of irregularity do not always occur as isolated incidents. Maladministration can arise from unclear procedures, weak internal oversight, inadequate resources, or established work patterns within the organization. Therefore, prevention is not simply a matter of resolving a single report. Prevention must be directed at the underlying causes that allow maladministration to recur.[16] In this context, the authority to assess is strategic. Assessments can be a gateway to identifying service patterns that pose a risk of maladministration. This information can then be used to determine monitoring priorities and corrective actions. With this approach, Maladministration Assessments can function as a preventive oversight tool, not simply an evaluation tool.[17]

This construction also demonstrates that maladministration prevention is closely linked to the quality of supervision. Prevention does not stand alone as a socialization activity or issuing warnings, but rather is a process encompassing identification, analysis, improvement, and monitoring. Preventive supervision must be able to provide information on potential problems before they develop into maladministration that harms the public.[18]

The second finding relates to the implementation of public service oversight and follow-up on the results. Based on an analysis of the Ombudsman's authority framework, oversight essentially consists of a series of interrelated activities: receiving or obtaining information, conducting inspections, identifying problems, providing corrective actions or recommendations, and monitoring their implementation. Therefore, the success of oversight cannot be measured solely by the Ombudsman's ability to identify maladministration. Success must also be seen in its ability to bring about changes to problematic services.

Table 2. Supervision and Follow-up of Supervision Results

No	Stage	Function	Need for Strengthening
1	Identification	Identify potential/suspected maladministration	Early detection
2	Inspection	Testing facts and services	Root-oriented
3	Corrective action	Driving improvement	Touching the service system
4	Monitoring	Ensuring follow-up	Connect with the next evaluation
5	Evaluation	Assessing change	Be the basis for re-prevention

Source: Undang-Law Number 37 of 2008, Law-Law Number 25 of 2009, Regulation of the Ombudsman of the Republic of Indonesia Number 61 of 2025, processed.

The main problem lies in the post-finding phase. Monitoring results lose some of their preventive function if corrective actions only address the issues experienced by the complainant without improving the service mechanisms that caused the problems. Therefore, corrective actions should have a dual focus: resolving existing issues and preventing similar issues from arising.

[16] Ria Maya Sari and Rosdiana, *Analysis of the Role of Maladministration Prevention in Long-Term Ombudsman Positioning,* Vol. 13, Jurnal de Jure, 2021, pp. 22–38.
[17] Velya Putrica Salsabila, Yeni Sulistiowati, and Khoirul Anwar, *The Function of Maladministration Assessment in Public Service Delivery by the Ombudsman of the Republic of Indonesia as an Effort to Improve the Quality of Public Services,* Vol. 6, Arus Jurnal Sosial dan Humaniora, 2026, pp. 1827–1836.
[18] Ni Nyoman Wisua Wirantini and I Ketut Sudiarta, *Ombudsman Supervision of Maladministration in the Public Service System,* Vol. 10, Kertha Wicara: Journal of Legal Studies, 2021, pp. 713–725.

Follow-up actions are also related to the level of compliance of service providers. Data on the implementation of Ombudsman recommendations for the 2021–2024 period shows that 58% of recommendations have been implemented, 17% have not been implemented, and 25% are still under monitoring. This situation indicates that monitoring results have not yet fully resulted in finalized changes at the service provider level.[19]

Thus, follow-up cannot be positioned as an administrative step after an audit, but rather must be part of the effectiveness of oversight authority. This situation has consequences for the design of prevention. If oversight results are not fully implemented, the potential for recurrence of maladministration remains open. This demonstrates a direct relationship between the effectiveness of follow-up and the success of prevention. Prevention will not be effective if oversight results do not have sufficient impetus to drive changes in service delivery.[20]

In practice, this problem can be seen in the case of prolonged delays in processing certificate blocking applications at the Gorontalo City Land Office. The Ombudsman found maladministration after investigating the service issue and then took corrective action in the form of guidance and monitoring of incoming applications.[21] The case used in this study is not to assess the overall performance of the Gorontalo City Land Office, but rather to illustrate that maladministration issues can still arise in public services and require supervisory intervention. The case also cannot be directly stated as a failure of Ombudsman Regulation Number 61 of 2025 because there is insufficient basis to conclude that the case is the object of Maladministration Assessment based on the new regulatory mechanism before the maladministration occurs. The case position is more appropriately used to demonstrate the problem to be answered by the reconstruction of authority, namely how the Ombudsman's authority can be strengthened to be able to act early in recognizing and preventing potential maladministration.

Thus, the problem identified is not a lack of authority from the Ombudsman. The Ombudsman already has relatively broad audit and oversight powers. The problem is that the relationship between these powers has not yet fully formed an integrated prevention cycle. Assessments generate information, audits produce findings, corrective actions generate demands for improvement, and monitoring ensures follow-up. These stages should not operate independently.-Alone.

This need for integration also relates to the effectiveness of the Ombudsman's recommendations. Normatively, recommendations are crucial because service providers are obligated to implement them. However, implementing recommendations in practice still faces challenges such as agency commitment, limited resources, lack of understanding, weak follow-up mechanisms, and limited authority.[22] This condition shows that strengthening the Ombudsman's authority is not enough by adding inspection instruments, but must also strengthen the relationship between the results of supervision and changes in services.

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[19] Danu Firman Solihin, Rusnan, Sarkawi, and Agung Setiawan, *Implementation of Recommendations Issued by the Ombudsman of the Republic of Indonesia in the Provision of Public Services,* Vol. 4, Jurnal Kebijakan, 2025, pp. 196–205.

[20] Muhammad Fachry Dharmawan and Robinsar Marbun, *Compliance of Public Service Providers in Implementing the Recommendations of the Ombudsman of the Republic of Indonesia Regarding Maladministration in 2019,* Vol. 11, Law and Civil Society, 2021, pp. 285–304.

[21] Ombudsman of the Republic of Indonesia, "Ombudsman Provides Corrective Action to Gorontalo City Land Office",https://ombudsman.go.id/perwakilan/news/r/pwkmedia--ombudsman-beri-aksi-korektif-kantor-pertanahan-kota-gorontalo, accessed October 4, 2026.

[22] Muazzinah, Saiful Akmal, Amrul Fadhil, and Reza Fathurrahman, *The Effectiveness of the Aceh Ombudsman Representative's Maladministration Handling: An Insider Perspective,* Vol. 29, Business & Bureaucracy: Journal of Administrative and Organizational Sciences, 2022, pp. 166–176.

The third finding relates to the reconstruction of the Ombudsman's authority from a constitutional law perspective. This reconstruction does not involve the arbitrary creation of new authority, but rather a restructuring of the use of existing authority to more effectively carry out its preventive function. The proposed construction positions the Maladministration Assessment as the initial source of information, then links it to potential mapping, oversight, corrective action, monitoring, and evaluation.

Table 3. Reconstruction of the Ombudsman's Authority

No	Present condiition	Reconstruction	Direction of Results
1	Assessment produces values/opinions	Become the basis for risk mapping	Early detection
2	Prevention and supervision are not yet integrated	Formed as a single cycle	Preventive supervision
3	Case-oriented corrective action	Aimed at system improvements	Prevention of recurrence
4	Post-action monitoring	Become the basis for the next evaluation	Continuous monitoring
5	Information is spread on the results of the examination	Processed into a monitoring basis	Risk-based decision making

Source: Regulation of the Ombudsman of the Republic of Indonesia Number 61 of 2025, processed.

This reconstruction positions the Ombudsman not as an institution that takes over the authority of service providers, but as an external supervisor capable of directing oversight results to improve the service system. This position maintains the Ombudsman's institutional boundaries. The Ombudsman does not supersede the administrative decisions of service providers, but rather ensures that providers implement improvements when service issues are identified.

From a constitutional law perspective, this construction is crucial because the Ombudsman is a state institution that carries out oversight functions outside of the government's internal oversight mechanisms. Therefore, strengthening the Ombudsman's authority must maintain its independence and oversight character. This authority should not be directed towards executive authority, but rather should be strengthened to include the ability to detect, examine, take corrective action, and monitor the provision of public services.[23] This strengthening also needs to consider the binding power of oversight results. If assessment and inspection results do not have sufficient consequences for administrators, prevention efforts will struggle to achieve their goals. Therefore, the reconstruction of authority must clarify the relationship between findings of maladministration, corrective actions, monitoring, and compliance evaluation. Each oversight result should result in verifiable follow-up actions and serve as a basis for further oversight.[24]

Within this framework, the Maladministration Assessment can be positioned as the initial instrument in a monitoring cycle. The assessment results are used to identify potential risks, which then form the basis for determining monitoring priorities. If maladministration is discovered, corrective action is directed not only at resolving individual issues but also at changing the

[23] Ariani Zega and Lenny Husna, T*he Authority of the Indonesian Ombudsman in Public Service Aspects,* Vol. 6, Jurnal Hukum Lex Generalis, 2025, pp. 1–12.
[24] Intan Meitasari, Shinta Hadiyantina, and Indah Dwi Qurbani, *The Urgency of Special Adjudication by the Republic of Indonesia Ombudsman in Resolving Public Service Disputes,* Vol. 5, Jurnal Bina Mulia Hukum, 2020, pp. 103–118.

procedures or service mechanisms that caused them. Monitoring results are then used to determine whether the risks have been mitigated or whether further monitoring is necessary.[25] This model has important implications for the preventive function. The Ombudsman no longer operates solely on public reports, but can use assessment results and monitoring information as a basis for determining priority preventive actions. Public reports remain important as a source of information regarding service issues, but they are not the only source.-the sole source for determining the direction of supervision. Thus, the preventive function can evolve into risk-based supervision.[26]

Risk-based oversight also allows the Ombudsman to allocate resources more proportionally. Providers or types of services with a higher potential for maladministration may receive greater supervisory attention. Conversely, providers showing improvement may be directed to a different monitoring pattern. This approach makes the Maladministration Assessment more substantive because its results influence oversight strategies.[27] This reconstruction also provides a solution to the problem of fragmented authority. As long as assessment, inspection, corrective action, and monitoring are understood as separate activities, the success of one stage does not necessarily lead to the success of the next. Conversely, if the entire process is viewed as a cycle, failures in the follow-up stage can provide information to strengthen subsequent oversight.[28]

Thus, the research findings indicate that Ombudsman Regulation Number 61 of 2025 has provided a stronger foundation for developing the maladministration prevention function, but there is still room to strengthen the functional relationship between assessment, prevention, supervision, and follow-up. Regulatory changes have provided new instruments, while restructuring authority is needed to ensure that these instruments result in changes to supervisory work patterns.

The proposed reconstruction is not oriented towards unlimited expansion of authority. Rather, it is directed towards integrating authority so that assessment results can serve as the basis for risk detection, risk detection as the basis for prevention, findings as the basis for corrective action, corrective action as the object of monitoring, and monitoring results as the basis for subsequent supervisory evaluation. This pattern makes the Ombudsman's authority more preventive while maintaining its corrective function. With this construction, maladministration prevention is no longer understood solely as activities prior to an audit, but rather as the entire supervisory process aimed at preventing maladministration from recurring. This is a crucial point in the reconstruction of the Ombudsman's authority following the enactment of Ombudsman Regulation Number 61 of 2025: changes in assessment instruments must be accompanied by changes in the way assessment results are used to produce preventive, sustainable supervision oriented towards improving the public service system.

CONCLUSION AND SUGGESTIONS

Based on the discussion, the Republic of Indonesia Ombudsman Regulation Number 61 of 2025 has strengthened the orientation of maladministration prevention through the

[25] Doddie Arya Kusuma and Fonny Andikia, *The Role of the Ombudsman of the Republic of Indonesia Representative Office of West Sumatra in Preventing Maladministration of Public Services in Padang City,* Vol. 3, Journal of Social and Economics Research, 2021, pp. 21–29.
[26] Jery Wunu Nggandung, *Public Service Maladministration Prevention Pattern by the East Nusa Tenggara Ombudsman,* Vol. 2, Kybernology: Journal of Government and Public Administration, 2024, pp. 724–734.
[27] Nida Amalia, Hasymi Muhammad, and Muhammad Khoirul Anwar, *The Role of the Ombudsman of the Republic of Indonesia in Preventing Maladministration in the Appointment and Dismissal of Village Officials,* Vol. 6, Journal of Village Government Administration, 2025, pp. 1–15.
[28] Cucuk Endratno and Adi Purnomo Santoso, *Legal Review of the Performance of the Ombudsman of the Republic of Indonesia and Public Services (Case Study Analysis of the Ombudsman of the Republic of Indonesia's Recommendation Decisions),* Vol. 2, National Journal of Law, 2020, pp. 139–152.

Maladministration Assessment instrument. However, this strengthening is not fully optimal if the assessment is only positioned as a measurement instrument. The Ombudsman's authority needs to be placed in an integrated series of assessments, risk mapping, prevention, supervision, corrective action, monitoring, and evaluation. Thus, the Ombudsman's authority will not only function to identify maladministration that has occurred, but also be able to detect potential maladministration and encourage continuous improvement of the public service system.

The recommendation is that the implementation of the Republic of Indonesia Ombudsman Regulation Number 61 of 2025 be directed at strengthening risk-based oversight by using the results of the Maladministration Assessment as the basis for determining prevention and oversight priorities. Furthermore, follow-up corrective actions need to be integrated with monitoring and evaluation mechanisms so that each finding can serve as a basis for improving subsequent public service delivery. This strengthening remains within the Ombudsman's authority as an external oversight institution, so as not to take over the authority of public service providers in carrying out their administrative functions.

THANK YOU NOTE

The author would like to express his gratitude to all parties who provided support, both moral and material, so that the research and preparation of this article could be carried out successfully. Appreciation is also extended to those who provided information, input, and support throughout the research process and the completion of this article.

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