



**POAD 9050**

**Masters Dissertation in Public Administration**

***Why SP4N-LAPOR!, as a promising national complaint-handling system in Indonesia, is yet to function optimally in curbing authority abuse practices in Indonesia.***

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## Abstract

This research project evaluates the reasons behind the current poor quality of organisational responses to corrupt behaviour-related complaints lodged by citizens through the SP4N-LAPOR! channel and its implications to the fulfilment of perceived justice (interactional justice, distributive justice, and procedural justice). There is little literature which has investigated the factors to be considered to improve the quality of organisational responses in a complaint management system regarding public services. Therefore, this dissertation is dedicated to scrutinising the five factors which are alleged must be improved to optimise the national complaint-handling system in Indonesia. Furthermore, SP4N-LAPOR! has promising aspects which need to be optimised to combat corruption and fulfil the required standards. These aspects are a set of applicable laws and regulations related to SP4N-LAPOR! which an increased number of government institutions being granted access to by the Administrator to settle complaints lodged via SP4N-LAPOR!, an increased number of registered accounts being granted access to lodge complaints via SP4N-LAPOR!, law and enforcement units being given access to enforce via SP4N-LAPOR!, and the involvement of the Ombudsman of the Republic of Indonesia (ORI) as the highest supervisory body of public service. Quality organisational responses (Davidow, 2014) to corrupt practice allegations delivered by public service providers and their related parties enhance the level of satisfaction for the justice perceived by public service customers and, as a result, this improves public trust in the government. The fulfilment of six basic dimensions of perceived justice with a comprehensive and committed synergy among the related parties is a necessity. Therefore, this paper will focus on the related organisational responses to corruption-related complaints reported via the SP4N-LAPOR! channel. Through a qualitative methodology analysing data gathered from the SP4N-LAPOR! website and a review of relevant literature, this paper presents evidence that the low quality of organisational responses from related institutions has hindered SP4N-LAPOR! from becoming an effective tool in curbing the corrupt behaviours of public officials in Indonesia.

## Introduction

The national complaint-handling system named Layanan Aspirasi dan Pengaduan Online Rakyat (LAPOR) was officially launched in June 2012. Its current version is 3.0 (ORI, 2019). With this recent development, which includes a name change from LAPOR to Sistem Pengelolaan Pengaduan Pelayanan Publik Nasional-LAPOR! (SP4N-LAPOR!), this complaint-handling system enables management of government institutions to continuously promote, dismiss, add, or demote officials who are in charge of responding to citizen-lodged complaints in SP4N-LAPOR!. Another function in SP4N-LAPOR! enables those government institutions with access granted to monitor statistical data regarding the complaints and aspirations recorded in the system (Ministry of Administrative and Bureaucratic Reform, 2019).

The abuse of authority by public service providers is considered the 'modus operandi' of corruption in many developing countries, including Indonesia. Corrupt public officials misuse the professional discretion authorised to them as a commodity to increase their income. Hence, to obtain a standardised service from corrupt officials, individuals or groups of individuals need to relinquish a portion of their resources. The demand for this commodity, professional discretion by public sector officials, was at its highest at the beginning of the globalisation era when multinational companies from developed countries were empowered to treat any cost related to illegal surcharges levied by corrupt officials in developing countries as a tax-deductible component (Pacini *et al.*, 2002). The corrupt practice identified in the form of an illegal surcharges levy has irritated some parties who feel burdened and aggrieved morally and financially. According to the SP4N-LAPOR! website, there were 1,389,891 complaints lodged via SP4N-LAPOR! from 2012 to the end of December 2018, with 801,257 registered users at the end of that period. The operation of SP4N-LAPOR! accommodates the three main underlying principles of the 'E-government 2.0' concept and these are transparency, participation, and collaboration (Maryam *et al.*, 2018). Nevertheless, the effectiveness of this customer service-oriented policy, which is the Control Function in the management concept, will depend on how related parties respond to allegations of the abuse of authority, as lodged by Indonesian citizens.

By referring to the international ranking of corruption in Indonesia as listed on the Corruption Perception Index (CPI) 2019, an index updated annually by Transparency International, a global Non-governmental Organization headquartered in Germany, it can be measured that Indonesia is still perceived as a relatively corrupt country. Of the complaints lodged via SP4N-LAPOR!, many pertain to the accusation of corrupt practices conducted by public officials. These accusations are reported either by individuals or organizations. Corrupt officials exchange professional discretion for money with individuals, and they can further increase this income stream by selling approvals to Small and Medium-sized Enterprises (SMEs) and large companies. This might be likened to a 'two-sided coin'. On the one side, public officials collect illegal levies whereas, on the other side, enterprising agents offer money to bribe public officials. Yet, both the individuals and the Small and Medium-sized Enterprises are the parties most harmed by this illegal practice (Zhou and Peng, 2012, p. 915).

Any corrupt behaviour-related complaint is a serious accusation. Both the complainant and the accused must obtain the same degree of legal protection from the investigation and prosecution process, while continually experiencing safety and security about the confidentiality of their personal information (Brewer, 2007, pp. 551-552). Therefore, when responding to any serious accusation, the Indonesian government must provide and apply a set of policies that deliver comprehensive and fair settlements. These policies should embrace and reconcile all interested parties to consciously, transparently, actively, and collaboratively work together to fight corruption through the effective application of the national complaint management system called SP4N-LAPOR!. The proactive involvement of all authorised parties enhances the quality of organisational responses to corruption allegations lodged by Indonesian citizens. The first party which needs to proactively respond to corruption accusations which implicate their institutions is management, especially the operational managers of those public service providers (Achmad and HaulaRosdiana, 2018, p. 18). This is aligned to the 'Three Lines of Defence' concept in risk management (IIA, 2013). Management teams in government institutions must exercise their capacity to assure every single accusation implicating their organisations are solved comprehensively. Management is required to apply all the available policy instruments optimally in the settlement process. The operational

management teams of government institutions responsible for the supervision of any program should assign this control task to an Internal Compliance Unit.

In the Ministry of Finance of the Republic of Indonesia, for example, the Internal Compliance Unit, as the second line of defence, is expected to conduct a set of assurance activities and internally update the Ministry's management team about any deviation-related findings as this facilitates better compliance with the Ministry's Standard Operating Procedures (Achmad and HaulaRosdiana, 2018, p. 18). Considering that corruption is a criminal violation, the Internal Control Unit at the Ministry of Finance of the Republic of Indonesia, for example, is equipped with the capacity to conduct at least a preliminary investigation to answer any legal accusations against one of its public officials. The Internal Control Unit, through this investigation process, provides a set of recommendations in administrative form, legal form, or both administrative and legal forms. If the Internal Compliance Unit finds that a public official has administratively conducted wrongdoing, then an administrative correction must be made. If the investigation has convincingly yielded valid evidence that a public official has breached the anti-corruption law, then the Internal Compliance Unit must deliver this information to the Internal Audit Unit or the Inspectorate General as the Third line of Defence (Achmad and HaulaRosdiana, 2018, pp. 18-19).

The Internal Audit Unit, with the consent of the most senior level management of a government institution, is then required to pass the results of its investigation to law enforcement units. Legal action must subsequently and meticulously be conducted to prevent any negative legal implication which could attract legal sanctions against management for errors in the sentencing of known corrupt individuals or any claim for compensation from the government. This is why management must not take any organisational action without first considering the legal system and its processes. While waiting for a court verdict regarding the act of corruption, management is mandated to update the 'Follow-up' field below a particular complaint in the SP4N-LAPOR! system for public information. In this way, the complainant sees a concrete commitment from the government institution to resolve the issue, thereby protecting the integrity of honest public officials while concurrently dissuading corrupt officials from committing further crimes. After accepting the verdict, management must make a final decision regarding the case and inform the public in detail of the outcome. Besides the imposition of administrative or legal sanctions on the corrupt official,

management also works with the Ombudsman to strengthen internal control aspects including the control attributes of the Standard Operating Procedures in the provision of public services.

Better quality organisational responses directly improve the quality of organisational fairness delivered to complainants. Furthermore, improved organisational fairness promotes interactional justice, distributive justice, and procedural justice, especially when guilty public officials are punished. Either the administrative or legal sanctions imposed on the corrupt officials triggers an effective reaction of shock among public officials (Abdulai, 2009). This reaction then forces other potentially corrupt officials to reconsider their actions before they breach the law, especially in cases of corruption. Eventually, this process should bring about a decrease in corruption levels in Indonesia.

Although the SP4N-LAPOR! has been functioning for more than seven years, the rate of organisational response captured in SP4N-LAPOR! is still low. According to Maryam *et al.* (2018), in February 2018, implicated public organisations had responded thoroughly to only 11.76% of all lodged reports; the Administrator of SP4N-LAPOR or the Presidential Staff Office (KSP) had approved just 11.6% of the total number of complaints; and the implicated organisations had not responded to 19.4% of the complaints filed against them. Meanwhile, the “In Progress” status was at 15.32% of total complaints. Lastly, the Administrator closed 35.95% of the total number of reports as they were deemed to not fulfil the minimum requirements for a submitted report. Nevertheless, the 11.76% of settled reports is promising when we consider that 35.95% were dropped (Maryam *et al.*, 2018). Furthermore, from the 11.56% completed reports, 160,681 of the 1,389,981 reports were solved. If the settlement of the 11.6% of claims resulted in guilty public officials being administratively and legally sanctioned, corruption levels overall should also have been negatively affected. Unfortunately, there is no information available which details the settlement actions of these complaints.

Therefore, the goal of this dissertation is to critically evaluate to what extent SP4N-LAPOR! promotes organisational responses to corruption-related reports. By scrutinising corrupt behaviour reports lodged throughout 2019, this paper argues that there are several constructive recommendations for the supervision of internal

corruption. It is believed an assessment of organisational responses can be used to transform SP4N-LAPOR! into a more effective tool to curb corruption. These recommendations include a strengthened capacity of the SP4N-LAPOR! Administrator, measures such as incentives which will encourage the private sector to lodge more reports, the improved role of the Internal Control Function in organisations, the strengthened capacity and involvement of law enforcement units, and improving the role of the Ombudsman. The study will explore private sector participation, organisational responses, organisational fairness, the embracement of law enforcement units in corruption complaint resolution, and the optimisation of the role of the Ombudsman in corruption complaint resolution.

First of all, this dissertation will present the research methodology and approach used. Secondly, it will provide a literature review regarding aspects of SP4N-LAPOR! as a national complaint-handling system in Indonesia, the concept of perceived justice, the concept of internal control, anti-corruption law enforcement units, and the role of the Ombudsman. Next, five findings regarding the current application of SP4N-LAPOR! will be detailed and followed with discussion and analysis arguing for a better approach and greater participation, collaboration, and transparency, as suggested by Izzati (2015). Conclusions will be offered based on the evidence collected.

### **Methodology and Methods**

Qualitative research will be conducted to answer the research question of this study, 'Why SP4N-LAPOR!, as a promising national complaint-handling system in Indonesia, is yet to function optimally in curbing authority abuse practices in Indonesia'. This research will optimise the use of recent and relevant literature related to the handling of complaints lodged via online reporting systems, especially those of SP4N-LAPOR!. Document and content analysis methods will also be exercised in this study. This study will use secondary data that will be collected from the online SP4N-LAPOR! application, analysed using Microsoft Excel software, and then processed and digitally documented. For this study, the data used will be all the public domain reports related to abuse of authority allegations lodged in SP4N-LAPOR! from January to December 2019. The data retrieved will be screened to omit any reports or messages that contain threats, verbal abuse, racial discrimination or pornography; they will be considered as irrelevant spam messages.



The data retrieved from the SP4N-LAPOR! website will be analysed to capture a comprehensive understanding of organisational responses and their reasoning during the specified period.

It should be noted that this paper is limited by the growing number of localised complaint-handling systems which are replications of SP4N-LAPOR!. The localised complaint-handling systems launched by local government institutions has increased the opportunity to satisfactorily settle complaints lodged via SP4N-LAPOR at a local level (Lisa, 2019). As such, this paper will rely on secondary data obtained from a variety of sources including published journal articles, books, reports, websites, newspapers, and national statistical data.

## **Literature review**

This research project evaluates the reasons behind the current poor quality of organisational responses to corrupt behaviour-related complaints lodged by citizens through the SP4N-LAPOR! channel and its implications to the fulfilment of perceived justice in terms of interactional justice, distributive justice, and procedural justice. This paper will also review the promising aspects of SP4N-LAPOR!, the concept of perceived justice, the involvement of the Ombudsman, and the participation of law enforcement units.

### ***Promising aspects of SP4N-LAPOR!***

Many scholars have analogised corruption as a dangerous disease. Even, in their perspectives, the act of corruption can be treated as a cancer (King, 2000; Bhargava, 2005; Harrison, 2017). Kangas *et al.* (2002, pp. 500-501) emphasises that “More specifically, cancer is a term used to describe a bodily process during which cells in the body grow in an uncontrolled and unregulated manner to the extent that amass of cells develop to form a tumor. Cancers are harmful to the body because they tend to invade and damage surrounding tissues and interfere with the normal functioning of tissue region. They are also harmful because they tend to metastasize throughout the body. Cancers from different cell types, grow at different rates, cause different symptoms, and respond differently to medical treatments”. This explanation has shown that cancer is very complicated to detect or even to mitigate. Based on the explanation

of Kangas *et al.* (2002, pp. 500-501) regarding a cancer, in order to provide data and information needed by a doctor so that a set of medical treatments can be conducted properly to a patient with cancer, then at least a patient must have provided complete and true cancer-related symptoms. Since it is hard rather impossible to expect the provision of data and information regarding the act of corruption from the perpetrators of corruption, this dissertation will try to optimise the role of the victims. In this dissertation, a patient with cancer is a user of public service in Indonesia who is plausible to become a victim of corruption. Public service users can provide data and information regarding the quality of obtained public services, the conduct of public officials, or the standard operating procedures in the provision of public service. Corruption-related complaints are among of these data and information.

Indonesian government has launched a national complaint handling system to gather these data and information. This complaint management system has enabled many citizens of Indonesia to lodge their experience regarding their interactions with any process of public service provision. In other words, complainants will provide data and information regarding corruption-related symptoms. SP4N-LAPOR! has enabled them to aim particular public service providers in their hope of a thorough settlement if any dissatisfaction during and after the provision of public service is perceived by users. Through this complaint management system, Indonesian government is expected to take informative, corrective, or even coercive actions in order to enhance the quality of public service. The quality of any settlement action will be related to the response of the complained public service provider. Indonesian government has appointed the Presidential Staff Office (KSP) as the management team of SP4N-LAPOR!. KSP is obliged to ensure the right distribution and right acceptance of complaints lodged by citizens into this national complaint handling system, so that the complaints will be delivered to the right public service providers to be responded and resolved.

The Presidential Staff Office (KSP) is the Administrator assigned to realise the application of Presidential Regulation No.76 of 2013 to the Public Service Complaint Management Process. The appointment of the KSP to this function should optimise quality organisational responses as The President of the Republic of Indonesia is the highest-ranked leader of the national government administration. At the end of 2018, there were 34 ministries, 96 institutions, and 493 regional governments connected with SP4N-LAPOR!. According to this official, purpose-built, public website which also

accepts submissions via social media (Dini *et al.*, 2018), SP4N-LAPOR! had 801,257 registered users throughout Indonesia at the end of 2018. These users lodged 1,389,981 reports between 2012 and the end of 2018. On average, there were 570 reports lodged per day. Sequentially, the largest number of reports were lodged directly through the website, then by Short Messages Service (SMS), Twitter and, finally, mobile application. Of these reports, it is believed that a considerable portion were allegations of corrupt practices. Besides the growing popularity of citizen participation in the use of SP4N-LAPOR!, SP4N-LAPOR! also accommodates the involvement of the National Police Institution, the Attorney General Office, and the Ombudsman of the Republic of Indonesia. The involvement of these law enforcement units enhances the legal certainty of the settlement of corruption-related complaints lodged via SP4N-LAPOR!.

Based on the Corruption Perception Index (CPI) 2019 issued by Transparency International, a global Non-government Organization headquartered in Germany, Indonesia ranks 89 out of 140 continuously assessed countries and received a score of just 40 out of a possible 100. Therefore, it is reasonable to consider Indonesia as a country where a high degree of corruption in the public sector occurs. In most authority abuse-related cases, a corrupt official is the perpetrator while a public service user is the victim. SP4N-LAPOR! is designed to be accessible for victims so they can submit reports implicating allegedly guilty parties that are already integrated into the system, with a view to facilitating justice with the collaboration of the complainant and a degree of transparency for the complainant (Izzati, 2015).

To lodge a complaint in the SP4N-LAPOR! website, a citizen is required to be connected to the internet and have a registered SP4N-LAPOR! account. Indonesian citizens can use a range of Information and Communication Technology (ICT) devices spanning from a personal computer to a computer tablet or a smartphone. There were 132 million internet users in Indonesia in 2017 and 92 million of them accessed the Internet using smartphones in that year (Lim, 2018, p. 162). This growing number of Internet users in Indonesia are located countrywide. This fact should optimise the use of crowdsourced reporting systems such as SP4N-LAPOR!. Despite that fact, Indonesia struggles to control the corrupt behaviour of its public officials, as evidenced by the Corruption Perception Index. 'Emarketer', a global and credible digital marketing organisation, forecasted that by 2018, Indonesia would have more than 100

million active smartphone users accounting for approximately 40 percent of its total population (Muharni *et al.*, 2016, p. 1). Since professional discretion originates from the delegated authority, corrupt public officials tend to abuse their power to obtain financial benefit. SP4N-LAPOR! acknowledges the existence of corrupt practice allegations reported by Indonesian citizens. The adoption of text-mining technology for classification of textual reports enables users to gather data related to corrupt practice allegations and feedback by using the platform's "Report Finder" function. Therefore, it is no longer necessary for users to apply data-mining methodology when searching the site since SP4N-LAPOR! is equipped with a search engine, making it more user-friendly (Fauzan and Khodra, 2014; Sadat, 2014; MEGAWATI, 2015; Surjandari *et al.*, 2016). A user can readily evaluate the commitment of related parties regarding a social issue by assessing the journey of a complaint from 'Officially Lodged' through to 'Officially Closed' by the Administrator. Nevertheless, some scholars have found that the level of organisational responses in settling complaints is still low (Sadat, 2014; Peixoto and Fox, 2016; Siregar *et al.*, 2017). Despite this fact, with the current capacity of SP4N-LAPOR!, it is reasonable to expect that some corrupt officials have been sanctioned as justice is enforced following an organisational response. A small portion of organisational justice positively impacts the behaviour of criminals to curb their illegal behaviour.

### ***The concept of perceived organisational response***

Both employees and customers value the just and firm implementation of organisational responses. While honest employees expect their organisation to appreciate their performance and contribution to the achievement of the organisation's goals, customers expect the organisation as the service provider to prioritise customer satisfaction. Regarding customer satisfaction, Davidow (2014) designed the 'A-Craft Model' to classify the six dimensions of organisational response which encompass attentiveness, credibility, redress, apology, facilitation, and timeliness. These six dimensions of organisational response are the result of three perceived justices expected by the complainant. These three perceived justices are interactional justice, distributive justice, and procedural justice (Davidow, 2014). According to Davidow (2014), an attentive response from the organisation implicated positively affects the complainant's perception of interactional justice, whereas an explanation from the

organisation implicated regarding the problem tends not to have a positive or significant relationship with interactional justice. Furthermore, redressing the response from the organisation implicated positively influences the complainant's perception of distributive justice, and apologising in the response also positively affects the complainant's perception of distributive justice. Finally, facilitating justice has a significant and positive impact on the complainant's perception of procedural justice, while a rapid response from the organisation implicated has a significantly negative impact on the complainant's perception of procedural justice.

According to the central regulation referred to by all the parties interacting in SP4N-LAPOR!, which is Presidential Regulation No.76 of 2013 regarding Public Service Complaint Management, the capacity to realise the six dimensions of organisational responses according to Davidow (2000) is generally accommodated. In terms of attentiveness, this particular regulation encouraged administrators to be more customer-friendly so that any institution can gather as much reliable data regarding the personal or institutional experience as possible. Davidow (2014) concludes that the more attentive the service in a complaint-handling system, the more satisfaction of interactional justice could be perceived by complainants. As a consequence, more people voluntarily provide the data needed to control the use of authority by public officials, especially when deviations of its use occur.

In terms of credibility, this regulation enables government institutions to defend their dignity against any complaints which implicate their officials, especially regarding fraudulent practice allegations. Management can provide confessions, clarification, explanations, and reasoning to respond to public curiosity regarding a particular case of allegedly corrupt public service provision. Organisations should protect their agents by instilling a presumption of innocence in the first place and considering the occurrence of system errors in the provision of public service processes on occasion. An institution's reputation is preserved by providing adequate explanations regarding reported problems so that the complainant can be convinced that the institution is dealing with the issue genuinely (Davidow, 2014).

In terms of redress, the government is expected to account for the recovery of any state, individual, or organisational loss caused by the misconduct of officials who have been found guilty. In other words, the verdict must return the stolen asset to the rightful

owner or at least to the state. To add to the effectiveness of this redress response, the government should implement a legal mechanism called 'shifting the burden of proof' regarding the eradication of the criminal's act of corruption, which is officially regulated through Law No. 20 of 2001 in connection with Law No. 31 of 1999. Besides imprisonment, the complainant or reporter of the corrupt act is satisfied with the economic punishment when there is a chance that the complainant or reporter will obtain fair compensation (Davidow, 2014).

In terms of an apology, the implication of the apology triggers a public expectation for the organisation to either fix the systemic issue or punish the culprit. In other words, a relevant corrective action must be made to prove the sincerity of the apology and its adequacy (Benoit and Brinson, 1994). Through the implementation of a relevant corrective action following the statement of apology, public trust is allowed to reach its optimum level. The point is the government must compensate for the inconvenience experienced by the public in their interaction with corrupt public officials or the failed system. A sincere apology from a public service provider through such further concrete action enhances the level of public satisfaction with the public service offered (Davidow, 2014).

In terms of facilitation, an organisation must already have institutionalised policies, procedures, or tools to resolve problems reported by public service users (Davidow, 2014). The appointment of an Internal Control Unit as the unit in charge of handling the corrupt practice allegation adds to the organisation's level of success in this area. Falling within the Internal Control Unit's domain of facilitation, the adoption of a complaint-handling system which can be flexibly adjusted to organisational needs enhances the effectiveness of the settlement process. Furthermore, the collaboration between a service provider and the related parties including law enforcement units by at least providing them with data is needed to legally conduct further investigation. The elements mentioned above should be exercised by management to thoroughly answer the fraud allegations implicating the government institutions (Davidow, 2003, pp. 235-236).

Concerning timeliness, replies to complaints should be handled sensitively with carefully written statements that the reports have been well-received and distributed to the appropriate parties. Necessary action must be taken by the implicated institution

to deliver the sufficient data expected by the reporters regarding the settlement of problems. The reporter or claimant of a corrupt practice allegation may never attain both a reliable and efficient response from the implicated organisation since the settlement of the corruption claim requires many resources including time. Rash actions only lead to the suffering of innocent people. So, it is not only a matter of offering efficient replies but also to offer redress in the replies themselves (Davidow, 2003, p. 232).

Nevertheless, this paper argues that every organisation implicated still needs to improve its capacity when actualising a quality organisational response.

### *Internal control concept*

Since many countries' public sectors implement management concepts adopted from the private sector, government institutions worldwide exercise functions embedded in these management concepts. With the adoption of management concepts in the public sector, taxpayers expect the level of efficiency, effectiveness, responsibility, and accountability to increase to a more optimum level. One of the main functions in management concepts is the Control Function (Merchant, 1982; Anthony, 1988; Merchant and Otley, 2006). While it is obliged to monitor the ongoing process of public service delivery, management teams in the public sector typically assign this task to a unit called the Internal Control Unit. The Internal Control Unit ensures that all activities conducted in an organisation comply with the applicable laws and regulations while also upholding efficiency, responsibility, and accountability.

In Indonesia, many organisations in both the public and private sectors recognise the concept of the Three Lines of Defence as it is a part of the Enterprise Risk Management (ERM) concept, as campaigned for by the Institute of Internal Auditors or IIA (IIA, 2013). Supervisory activities conducted by management are known as the First Line of Defence in the concept of Internal Control. Meanwhile, supervisory activities conducted by the Internal Control Unit are known as the Second Line of Defence. These First and Second Lines of Defence are called the 'on-going-process of supervision', which is generally known as monitoring activities. Management can use the reports produced by the Internal Control Unit in the decision-making process for all aspects overseen by the Internal Control Unit.

The last or Third Line of Defence in the Three Lines of Defence concept is the Internal Audit Unit, also known as the Internal Audit Function or Internal Auditor. This Unit conducts a set of post-activity supervisory tasks encompassing audit, evaluation, review, survey, and assessment. There are 474 Internal Auditor Units in government ministries, agencies, and local governments. The party able to most competently answer questions about internal circumstances occurring within a government organisation is its Internal Auditor. The Internal Audit Function must remain current with the laws and regulations for compliance, efficiency, effectiveness, responsibility, and accountability – including profiling data about alleged corrupt officials. Authority abuse practices in the public sector are also embraced in the tasks performed by the Internal Audit Function. Hence, this obligation is strengthened by the issuance of Law Number 30 of 2014 concerning Government Administration (AP Law) in Article 20, Particles (1) to (6), which present the role of the Internal Auditor in the supervision of authority abuse:

- 1) “Supervision of the prohibition on misuse of authority as referred to in nature Article 17 and Article 18 is carried out by the government internal control apparatus.
- 2) The results of the supervision of the government internal control apparatus as referred to in particle (1) in the form of:
  - a. no errors;
  - b. there are administrative errors; or
  - c. there are administrative errors that cause state financial losses.
- 3) If the results of the supervision of the government internal apparatus in the form of administrative errors as referred to in paragraph (2) letter b, follow-up in the form of administrative improvements in accordance with the provisions of the legislation.
- 4) If the results of the supervision of the government internal apparatus in the form of administrative errors that cause losses to the state finances as referred to in paragraph (2) letter c, a state financial loss is refunded no later than 10 (ten) working days from the date of deciding and publishing the results of supervision.
- 5) Restitution of state losses as referred to in paragraph (4) shall be billed to the Government Agency, if the administrative error referred to in paragraph (2) letter c occurs not because of the element of abuse of authority.
- 6) The recovery of state losses as referred to in paragraph (4) shall be billed to Government Officials, if the administrative error as referred to in paragraph (2) letter c occurs due to an element of abuse of authority.”



As a result of this Act No. 30 of 2014, any complaint alleging the corrupt practices of public officials for which the organisation has an Internal Audit Function must be handled by that organisation's Internal Auditor in the first place before law enforcement units can participate in the process. Therefore, this research will determine the extent of the optimisation of the Internal Audit Function in the settlement of corrupt practice-related complaints lodged in SP4N-LAPOR!. The low rate of the quantity or quality of involvement by the Internal Audit Function contributes to the ineffectiveness of SP4N-LAPOR! in curbing the corrupt practices of public officials.

### ***Anti-corruption law enforcement units***

Indonesian citizens use SP4N-LAPOR! in their efforts to obtain better quality public services by helping the government in their reporting of a wide range of corruption practice allegations conducted by public officials (Izzati, 2015). Indonesia offers the following national definition for corruption: "Any deed which is intentionally conducted to increase an individual's total tangible or intangible assets in exchange for illegally taking from the State's finances or the economy". This definition for corrupt actions is provided in Article 2 of the law on Eradication of the Criminal Act of Corruption no. 31 of 1999 in connection with Law No. 20 of 2001 (Prayitno *et al.*, 2017). Meanwhile, Article 3 of the law on Eradication of the Criminal Act of Corruption no. 31 of 1999 in connection with Law No. 20 of 2001 regulates law enforcement to combat illegal levies related to the abuse of office or authority. Most of the corruption cases in Indonesia involve two parties. The first party is the corrupt officials who act as the public service provider and the second party is the citizens as the public service user. The corrupt officials tend to misuse their authority to make public service users exchange money for administrative services. In another way, corrupt officials abuse the public's ignorance of laws and regulations to extort illegal levies from targeted segments of society.

Meanwhile, the private sector, in conducting business activities, bribe public officials to attain quality services when acquiring particular licences or approvals. They engage in this illegal activity to be more competitive in the market. Timing is a decisive factor if a company wants to become more profitable or gain market share. Meanwhile, salaries in the public sector in Indonesia have not improved since 2014. Furthermore, the methods of corruption used to avoid detection from authorised parties have

evolved. To more reliably settle authority abuse allegations reported by public service users, the government should optimise the involvement of law enforcement units. On this note, it is important to capture the extent of law enforcement involved in settling reports of corruption lodged in SP4N-LAPOR!

### *The role of the Ombudsman*

Corruption eradication efforts in Indonesia conclude with the Ombudsman of the Republic of Indonesia (ORI) and the Anti-corruption Framework (Sherlock, 2002). Sherlock (2002, p. 369) states that with the power of the media, parliament and public pressure, the quality and quantity of organisational responses to recommendations delivered by the Ombudsman are improved. The advancement of Information and Communication Technology, marked by the digitalisation of almost all aspects of public service processes, the procedure for the submission of public users' complaints, as well as the implementation of an open government, should all help the ORI to enhance public service quality through its recommendations. However, according to Asmara (2017), various weaknesses identified in the ORI need to be corrected first for the ORI to optimally protect citizens' rights against maligned administration practices such as abuse of authority. Nevertheless, the enhanced SP4N-LAPOR! has increased the role of this highest supervisory body in the post-public service delivery process. This is aligned to the spirit of SP4N-LAPOR! which aims to improve the quality of public service in Indonesia. Public Service Law (Law no. 25/2009) regulates the maximum timeframe for the resolution of every complaint lodged by the public and this is considered as meeting the minimum required standards of the Administrator. Indonesian Public Service Law No. 23/2009, Article 50, Particles (1) and (2) state:

- 1) "Public service provider is obliged to decide the result of any complaint examination no later than 60 (sixty) days after the complaint document is approved based on its completeness.
- 2) Decision as it is mentioned in particle (1) is obliged to be delivered to the complainant no later than 14 (fourteen) days after the final decision has been taken."

Regarding the settlement of public service-related issues reported via SP4N-LAPOR!, according to Ministry of Administrative and Bureaucratic Reform (2016), if a report has not been resolved by the organisation implicated within 60 days, the Administrator will facilitate the complainant to escalate the report for the ORI to oversee its settlement.

## Findings

This section explains the current circumstances regarding the comparison between the expected organisational response and the actual organisational response from various parties who scrutinise the implementation of SP4N-LAPOR!. The purpose of this section is to detail the causal inferences originating from the quality of the organisational response as captured either in the framework of SP4N-LAPOR! or its application. The following section will provide a limited yet critical analysis of these actors and their roles in the realisation of values underlying SP4N-LAPOR!. From this analysis, it will draw constructive insights to improve the performance of SP4N-LAPOR! in the future.

### *Law and regulations related to SP4N-LAPOR! and its implications*

To assure the realisation of all values underlying SP4N-LAPOR!, there are laws and regulations which have equipped all interested parties with the technical guidance to answer questions about the what, who, when, where, why, and how the alleged acts of corruption occurred and defence thereof. Therefore, on one official website (KSP, 2018), there are eight main laws and regulations which are related to the implementation of SP4N-LAPOR! as follows:

- “Law No.14 of 2008, which regulates the Openness of Public Information,
- Law No.25 of 2009, which regulates Public Service,
- Indonesian Government Regulation No. 61 of 2010, which regulates the technical guidance of Law No.14 of 2008 about the Openness of Public Information,
- Indonesian Government Regulation No.96 of 2012, which regulates the technical guidance of Law No.25 of 2009 about Public Service,
- Presidential Regulation No.76 of 2013, which regulates Public Service Complaint Management,
- Presidential Regulation No.26 of 2015, which regulates the Unit of Presidential Staff,
- Regulation of Ministry of Administrative and Bureaucratic Reform No.24 of 2014, which regulates the Technical Guidance of the Management of National Public Service Complaints,

- Regulation of Ministry of Administrative and Bureaucratic Reform No.3 of 2015, which regulates the Roadmap of the System Development of Management of National Public Service Complaints.”

Of the laws and regulations mentioned above, the most significant regulation which has accommodated the detailed needs of SP4N-LAPOR! is Presidential Regulation No.76 of 2013 which regulates Public Service Complaint Management. This law can be considered as regulating the technical guidance of SP4N-LAPOR!.

Indonesia has a hierarchy of laws and based on Law No.10 of 2004, The Law of Lawmaking Article 7, Particle (1), there are five overarching sets of connected laws, ranked here in order of legitimate authority (Butt, 2010, pp. 7-8):

1. “The 1945 *Constitution (Undang-undang Dasar 1945)*,
2. Statutes (*Undang-undang*)/Interim Emergency Laws (*PERPU*),
3. Government Regulations (*Peraturan Pemerintah*),
4. Presidential Regulations (*Peraturan Presiden*),
5. Regional Regulations (*Peraturan Pemerintah*).”

Based on that hierarchy, Presidential Regulation No.76 of 2013 is not an autonomous regulation since it is made by referring to the order commanded in a higher regulation on the basis of authority, which is Law No.25 of 2009. In other words, Presidential Regulation No.76 of 2013 is different from any other regulation which contains legal uncertainty or conflicts with higher regulations (Aji *et al.*, 2020). Law No.25 of 2009 provides the general framework for resolving complaints about the poor provision of public services. Of the various Articles and their Particles, Law No.25 of 2009, Article 40, Particle (3) enables citizens to report public service providers which have allegedly failed to fulfil their obligations or comply with the applicable laws and regulations, and to implicate the public officials who delivered the substandard service. Following Article 40, Article 41 orders the senior management of public service providers to impose standardised sanctions on entities who fail to fulfil their obligations or comply with the applicable laws and regulations, whereby the direct supervisor must impose sanctions on public officials who delivered the substandard service. Concerning the quality of organisational responses, there is no section in this law which regulates a set of actions to be taken in the management of SP4N-LAPOR! when it is found that

the reported government institutions have failed to fulfil their obligations, comply with the applicable laws and regulations, or deliver the standardised service in the settlement of public service complaints.

According to Presidential Regulation No.76 of 2013, in the consideration section, Particle (b), the establishment of a complaint channel and the assignment of related tasks and functions to the management of public service complaints aims to fulfil public needs to obtain a quality, reasonable, and just public service. It should be expected that the public's problems related to substandard public service obligations, neglect and the violation of laws by public officials are mitigated through effective implementation of this policy. Therefore, it is obvious that the government is trying to minimise all risks related to poor public service quality, including the risk of corrupt bureaucracy through the optimisation of a management system for public service complaints and the active participation of citizens as the end-users of the public service. Nevertheless, without committed organisational responses from the public service providers about which complaints have been lodged, it is difficult to discourage corrupt officials. Furthermore, to create a supportive environment that persuades all parties, especially the targeted public service providers, to deliver mitigative organisational responses, the role of legitimate and authoritative management of SP4N-LAPOR! is essential. The Unit of Presidential Staff as a legitimate authority which is assigned to manage the SP4N-LAPOR! is only obliged to verify the lodged complaints and promptly channel them to the implicated institutions for them to respond to and resolve quickly, precisely, orderly, thoroughly, and accountably. In other words, the settlement of every complaint depends on the institution for which the complaint is filed.

The implicated institutions are obliged to resolve public service-related problems lodged in SP4N-LAPOR! within 60 days since all case-related documents fulfil the minimum requirements as mentioned in Article 12, Particle (1) of Presidential Regulation No.76 of 2013. Yet, this regulation does not mention a set of actions to be taken by SP4N-LAPOR! management when the implicated institutions fail to meet the complaint settlement's due date. As a consequence, the management of SP4N-LAPOR! experience difficulties in persuading the implicated organisations to record appropriate settlements of complaints lodged in SP4N-LAPOR! (Izzati, 2015). The absence of capacity of the SP4N-LAPOR! management to impose any continuously

improved commitment from the implicated government organisations in terms of complaint settlement impacts the quality of organisational responses recorded in SP4N-LAPOR!.

The insufficiency of authority or even the absence of power which the management of SP4N-LAPOR! is equipped with directly influences the quality of organisational responses as depicted in the data retrieved from the complaint management system. Table 1 shows 2019 information about the follow-ups delivered by the organisations alleged to have engaged in corruption.

**Table 1 Initial response (X) information regarding corruption-related allegations**

Types of Fraud Allegations	Number of Reports	Initial response (in days)			
		≤ 5 days	5 < X ≤ 30	30 < X ≤ 60	> 60
Authority Abuse	108	35	15	7	51
Corruption	38	10	11	0	17
Intentional Mismanagement	70	14	21	3	32
Illegal Surcharge	98	23	23	5	47
Graft	11	2	0	0	9
Embezzlement	3	0	1	0	2
<b>Total</b>	<b>328</b>	<b>84</b>	<b>71</b>	<b>15</b>	<b>158</b>

Of the 328 corruption-related reports lodged in SP4N-LAPOR! in 2019, approximately 25.6% were at least modestly responded to by the organisations about which the complaints were made within five working days; approximately 21.6% were initially responded to by those institutions within five to 30 working days; approximately 4.57% were modestly responded to by the implicated organisations within 30 to 60 working days; and approximately 48.17% were not even modestly responded to by the reported public service providers within 60 working days. The response times identified above could be caused by the lack of authority assigned to the management of SP4N-LAPOR! to persuade public service providers about which complaints have been made to deliver quality organisational responses to these corruption allegations (Izzati, 2015). Until now, SP4N-LAPOR! management could only verify and distribute complaints reported by Indonesian citizens. The verification and distribution abilities delegated to SP4N-LAPOR! management are inadequate to improve the compliance level of public service providers in delivering quality organisational responses to alleged acts of corruption reported by Indonesian residents. To coerce public service managers to conduct their tasks and functions within the boundaries of the applicable

law, it is highly recommended that the lawmakers in Indonesia improve current laws and regulations related to the application of SP4N-LAPOR!, especially Presidential Regulation No.76 of 2013.

In addition, regarding the lack of authority delegated to the management of SP4N-LAPOR! to encourage or force the public service providers about which corruption complaints have been filed to deliver quality organisational responses, comments from complainants confirm a decrease in public trust in this national complaint-handling system. After conducting a deeper observation into the dataset, Table 2 shows three examples of disappointment regarding the performance of follow-up actions delivered by the implicated organisations, as captured in SP4N-LAPOR!.

**Table 2 The disappointment of complainants regarding the follow-ups to SP4N-LAPOR! complaints**

Report Number	Complainant Comment Column
4884758	<i>Terimakasih. Oleh karena laporan tidak diproses lebih dari 5 hari, maka cukup bukti bagi saya bahwa (1) terlapor ignoran (2) Saber Pungli tidak berfungsi.</i> (Thank you. This report has not been processed for more than 5 days. It is evident to me that (1) the institution which I complained about is ignorant, and (2) the Illegal Levy Law Enforcement Task Force does not function.)
4931664	<i>Sudah lebih 5 hr kerja tp tidak ada tindak lanjut.</i> (It has been more than 5 working days, yet there is no follow-up.)
5029103	<i>Kenapa belum ada jawaban solutif yang jelas dari pihak yang sudah diberi disposisi?</i> (Why is there still no clear mitigative answer from the assigned party?)

Translated from Bahasa into English by the author.

After delving deeper into the dataset, it is observed that none of these reports have been redressed even at the time of writing, even though these critical comments have been subsequently submitted by the complainants. Therefore, the supporting evidence in terms of cynical comments from complainants should encourage the Indonesian government to improve the capacity of SP4N-LAPOR! management to impose better quality organisational responses from the government institutions for

which complaints have been lodged. Unfortunately, the absence of comprehensive evaluation regarding organisational responses in SP4N-LAPOR! from management must have facilitated this shortcoming.

### ***The role of the private sector, civil societies, and NGOs in promoting organisational responses***

A growing number of people understand that to achieve the optimal fulfilment of people's needs, there are three national-level pillars which must work collaboratively to reach the most disadvantaged and marginalised citizens. To maintain the quality of tangible or intangible products and services produced and delivered to the public by the private sector and Non-governmental Organisations (NGOs), the Indonesian government has issued sets of related policies along with action plans. The private sector and NGOs have their own complaint-handling systems which function as an early warning system for the quality of the products and services they offer (Lee, 2004; Einwiller and Steilen, 2015). The efficiency, effectiveness, and accountability of the performance of the private sector and NGOs in the process of converting available resources into products or services have inspired many governments all around the world to adopt best practice management systems already applied and proven as reliable by the private sector and NGOs. One of these best practices is the complaint-handling system. An effective complaint-handling system comprises of at least three main aspects which can be assessed by the stakeholders. The first aspect is the conduct of organisational staff or agents who are involved in every stage of the life cycle of a product or service. The second aspect is the quality of the Standard Operating Procedures and how they impact the experience of end-users in their attempt to obtain a public service. The third aspect is the quality of the products and services distributed to the market.

People who manage public resources may be considered as public sector professionals. These professionals are expected to deliver high-quality services by correctly performing the tasks and functions assigned to them. Nevertheless, as in many other developing countries and due to the inadequacy of the national budget, in Indonesia public service professionals are placed in a situation where their financial remuneration is unsatisfactory. Maintaining a satisfactory level of financial remuneration is fundamental for government professionals to rationally conduct their obligations and willingly comply with the applicable laws and regulations of the same



time (Tjiptoherijanto, 2019, p. 438). Coupling the low incomes of government professionals with Indonesia's ranking in the Corruptions Perception Index 2019, which ranks Indonesia 85 out of 180 countries assessed and gives Indonesia a score of 40 out of a possible 100 (Transparency, 2019), private actors and NGO agents are presented with a significant opportunity to bribe government professionals. Ultimately, such practices depend on the public service users as to whether they consciously accept, refuse or ignore the opportunity to engage in such malpractice, or to lodge official complaints regarding any illegal surcharge sought by alleged corrupt public sector professionals when attaining public services. The prioritisation of profiteering or a favourable cost-benefit analysis applied either by the private sector or NGOs versus the importance of making lawful decisions affects the final decision of those public service users as to whether they will engage in the practice of corruption. In other words, the user of the public service is prepared to forgo the finances lost when paying bribes for greater, future benefits. This suffices to support the idea that alleged corruption cases resulting from a failure in the first aspect of the complaint-handling system should be discoverable in SP4N-LAPOR!

As a consequence of the failure in the first aspect of the complaint-handling system, there is also a significant possibility that the private actors and NGO agents face circumstances where public service-related laws and regulations which should be adhered to via a set of Standard Operating Procedures are violated or neglected by both the public service providers and their users. For all actions and levies which are not mentioned explicitly or implicitly in the related laws or their derived technical guidance processes for the provision of public services, or even conducted blatantly against the law as deliberate acts of crime, either the public servants or the service users should not have engaged with the other to breach the law and enforce justice. Furthermore, when it comes to the application of professional discretion, the implementation must not contradict the general principles of good governance as regulated in Act No.30 of 2014 about Government Administration. In other words, when a government professional applies discretion which is not justified by the general principles of law, the affected parties are encouraged to report an allegation of malpractice. Once again, regarding the laws and regulations being neglected or violated, either the just personal values or the just organisational values are tested as to whether to accept, refuse or ignore the malpractices, or to lodge a complaint

regarding the substandard operating procedure and its application. This suffices to support the idea that alleged corruption cases resulting from a failure in the second aspect of the complaint-handling system should be discoverable in SP4N-LAPOR!. As in a 'domino effect', failure to conduct either the first or second aspects of the complaint-handling system should affect the quality of public services delivered to the users of those services. Government officials are recruited to execute laws and regulations and their derivative technical guidance with integrity, while the Standard Operating Procedures are issued to provide directions to public officials on how to deliver public services lawfully. The fusion of quality public sector professionals and well-planned, applicable, and reliable Standard Operating Procedures produce high-quality or at least standardised public services. With the current ranking of Indonesia on the Corruption Perception Index, however, it can be argued that either private actors or NGO agents must experience failures in the expected collaboration between public sector professionals and their continuously evolving Standard Operating Procedures for the provision of public services. Therefore, it may be assumed that the quality of public services delivered to end-users is substandard. Eventually, in terms of poor quality public services, either the just personal or organisational values are tested as to whether to accept, refuse or ignore the alleged malpractice, or to lodge official complaints regarding the substandard public service provided. This suffices to support the idea that alleged corruption cases resulting from a failure in the third aspect of the complaint-handling system should be discoverable in SP4N-LAPOR!.

The three aspects to the provision of public services (on-the-spot behaviours of government agents or officials, Standard Operating Procedures, and public service quality) can all be monitored and assessed by the involved actors spanning from government officials to private actors, NGOs, and individual persons using SP4N-LAPOR!. Pertaining to the provision of public services, government officials or their agents are the permanent actors while the private actors, NGOs, and individual persons are categorised as replaceable actors. The following sections of this dissertation will discuss the role of each replaceable actor to optimise the use of SP4N-LAPOR!, especially concerning making improvements to organisational responses. The analysis of organisational responses, either based on data retrieved from SP4N-LAPOR! or open sources, will not only focus on the actions of the public service provider about which the complaint is made but also the actions of the private sector,

NGOs and individual agents as the public service recipients. In some cases, however, government institutions and public sector professionals could be positioned as public service recipients. Therefore, it can be argued that a quality response by the parties involved in the provision of public services positively impacts SP4N-LAPOR! and this, in turn, improves the overall quality of the public service offered.

When delegated power is abused, public officials have generally been considered the more powerful party equipped with authority while the end-users of the public service are considered to be the less powerful or defenceless opponent. It can be argued that until recently, the private sector in developing countries has been exploiting the most vulnerable weakness of a public sector professional, which is their desire for a better standard of living. Profiteering remains the leading motive for the private sector to bribe government officials but this bribery practice is only beneficial for large companies such as multinational organisations (O'Toole and Tarp, 2014, p. 569). Meanwhile, the Small and Medium-sized Enterprises (SMEs) endure negative impacts on their growth, productivity and even employment when extorted by government officials (O'Toole and Tarp, 2014; Kanu, 2015). Therefore, the most negatively affected private actors, SMEs, should ideally lodge their complaints into SP4N-LAPOR! when faced with corruption by public service providers. On the other hand, the most advantaged private actors, which are large and multinational companies, are more likely to consciously accept this corrupt practice to benefit from higher earnings after tax and after those corruption-related costs as much as possible.

The imperfections of the government and private sectors in the provision of public services encourages the formation Non-government Organisations (NGOs) which function locally, domestically, or internationally (Carr and Outhwaite, 2011, p. 620). When NGOs deliver their services, there is a high possibility that they will interact with government institutions. To be specific, an agent of an NGO applies for a public service and is served by a public sector professional. As with SMEs, which experience the negative impacts of public service corruption, either small to medium NGOs or their employees may experience dealings with corrupt public officials. When an NGO employee reports alleged corruption to their NGO employer (Rinaldi *et al.*, 2007, p. 6), the NGO should be more capable of standing firm against that act of corruption. Therefore, such alleged acts of corruption should be visible in the data retrieved from SP4N-LAPOR!. Besides assessing the role of NGOs in combatting corruption using a

complaint management system, this paper will attempt to determine whether there is a difference in organisational responses when corruption-related complaints are lodged by NGOs rather than by individuals.

The last and most essential user which must be considered is the individual. Until Artificial Intelligence completely replaces human workers and their dynamic personal values, then either the government, the private sector, or the NGOs will always be managed and operated by the one and only intellectual actor, which is a human worker or a group of human workers. When a government operating on a low budget, or an SME, or a small to medium-sized NGO experiences a loss in financial resources due to an act of corruption and, as a consequence, experiences negative impacts on its growth, productivity and even employment, it should be assumed an individual must have experienced the worst possible negative effects resulting from that act of corruption. Based on the data retrieved from SP4N-LAPOR! in 2019, Table 3 shows the participation level of the private sector, NGOs, and individuals in the improvement of public service quality via the corruption-related complaints lodged via SP4N-LAPOR!.

**Table 3 The involvement of Private Sector, NGO, and Individuals in SP4N-LAPOR!**

Types of Fraud Allegations	Number of Reports	Complainants		
		Private Sector	NGO	Individual
Authority Abuse	108	1	4	103
Corruption	38	0	2	36
Intentional Mismanagement	70	0	1	69
Illegal Surcharge	98	0	0	98
Graft	11	0	0	11
Embezzlement	3	0	0	3
<b>Total</b>	<b>328</b>	<b>1</b>	<b>7</b>	<b>320</b>

Based on the data retrieved from SP4N-LAPOR! in 2019, of the 328 corruption-related allegations lodged, only one report or approximately 0.3% of the total number of reports were lodged by the private sector. This single case belonged in the Small and Medium-sized Enterprise category. This data confirms the findings of O'Toole and Tarp (2014) and Kanu (2015) that the private sector still considers the level of corruption in Indonesia as insignificant compared to the opportunity to be gained from the optimisation of business deals requiring approval from government officials. Following the private sector, of the 328 corruption-related allegations lodged, only

seven reports or approximately 2.1% of the total number of reports were lodged by NGOs. Meanwhile, the remainder of the reports or approximately 97.5% of the total number of reports were lodged by individuals. According to these statistics, it can be assumed that the demand for public sector professional discretion is still high from both the private sector and NGOs. If the low level of participation of both the private sector and NGOs does not improve, then it would be difficult for public service users, especially the Small and Medium-sized Enterprises and lower to middle-class individuals, to obtain quality public services in the future.

If this type of financial loss resulting from corruption in the provision of public services does not encourage individuals from low to middle-income classes to lodge complaints either individually or in groups, then it is necessary to scrutinise other influential aspects. It can be argued that these elements affect an individual in the decision-making process about whether to lodge a complaint against the three aspects in the provision of public services or to not file a report at all. These influential aspects will be discussed as a sequence in the following sections of this paper.

In addition, as a result of further analysis of the dataset retrieved from SP4N-LAPOR!, a complaint has been discovered which indicates corrupt collaboration between a large and wealthy entity and government officials.

**Table 4 The indication of corrupt collaboration between the private sector and government institutions.**

Report number	Complaint Content
5000090	<i>dengan hormat kepada bapak presiden republik indonesia, saya ingin melapor terkait kasus yang sedang menimpa paman saya Tuan x. serta ijinan saya mengajukan surat perlindungan hukum. bahwa paman saya menjadi korban dugaan tindakan kriminalisasi yang dilakukan oleh seorang pengusaha properti besar di daerah jawa timur berinisial tk, wn, dengan perusahaan yang dibentuknya untuk dugaan tindakan kejahatan korporasi dan dugaan adanya tppu ( tindak pidana pencucian uang ) untuk mendapatkan keuntungan besar dan mencoba merampas objek tanah yang menjadi transaksi dengan menggunakan sistem</i>

*ppjb. pola yang mereka gunakan tergolong rapi, terstruktur, sistematis dan masif. bahkan mereka menggunakan oknum perwira di instansi kepolisian untuk mencoba menjerat paman saya agar bisa dipidana. namun saya melihat ada upaya pengebakan dan penyalahgunaan keadaan agar upaya kriminalisasi terhadap paman saya dapat dilakukan dan mencegah upaya hukum perdata yang sedang kami tempuh saat ini guna mempengaruhi putusan dari kasus perdata yang sedang kami gugat. sehingga dapat saya duga adanya "operasi senyap kelompok mafia" dalam kasus ini, yang diduga sudah bergerak hingga trunojoyo, jakarta.*

(With my respects to the President of the Republic of Indonesia, I would like to report some related cases that are happening to my uncle, Mr X. Allow me to submit a legal protection letter. My uncle became a victim of alleged criminalisation by a large property entrepreneur in the East Java area with the initials TK, WN, and with a company he formed for alleged corporate crime and alleged Tindak Pidana Pencucian Uang (the act of money laundering) to obtain large profits and try to seize substantial profits. Plots of land are transacted using the PPJB system. The patterns they use are neat, structured, systematic and massive. They even used officers in the police force to try to catch my uncle so they could not be convicted but I saw an attempt to entrap my uncle and abuse the situation so that criminalisation efforts against my uncle can be carried out and prevent civil law efforts that we are currently taking to influence the verdict of the civil, litigation cases that we are involved in. So, I suspect the existence of "the silent operations of this mafia group" in this case, which is thought to have move to Trunojoyo (National Police Institution), Jakarta.)

Translated from Bahasa into English by the author.

From the report above it can be argued that society has been made aware that large and wealthy entities are still affecting decision-making processes of the government in Indonesia by exploiting the predicaments of inadequate budgets, low salaries, a lack of traditional meritocracy, the low probability of detection, and managerial ignorance (Quah, 2019).

## *Managerial capacity to deliver quality organisational responses*

The first decisive aspect in the process of making a complaint alleging corruption in the provision of a public service is the managerial capacity to facilitate an organisational response to a lodged complaint. There is no party more capable of settling problems related to managerial functions, which encompass planning, organisation, actuating, control, and evaluation, than the management team itself. Using the analogy of human anatomy, management may be considered the 'brain' of an organisation, while the other parts of the organisations act based on the orders given by the brain. Hence, all public sector employees, as members of the organisation, are performing their tasks and functions based on the decisions of management. Furthermore, to work effectively and efficiently, management divides itself into three levels which are bottom management, middle management, and senior management. When a problem cannot be resolved by bottom management, it is escalated to middle management who, in turn, may escalate the matter to senior management. To assure that any decision made by the management team is at least minimally reliable and accountable, it is important to conduct a test for corruption, Such corruption could possibly also be captured from the data retrieved from SP4N-LAPOR!.

The one party within an organisation which should comprehend the potential risks faced by fraud more than any other party is the management team. The adoption and the application of new public management concept in public sector in Indonesia (DJAMHURI and MAHMUDI, 2006; Rajiani, 2011), may have influenced the regulators in the development of Public Service Law (Law no. 25/2009). This is evidenced by a set of coercive action plans which are regulated in Article 41, Particles (1), (2), and (3), in which management, as the higher structure in an organisational body or as a direct supervisor, is granted the authority to impose relevant sanctions on either its subordinate unit or individuals if any of them have failed to fulfil their assigned obligations or comply with the applicable laws and regulations. Nevertheless, the management teams of public service providers in developing countries are faced with circumstances where the welfare of government employees and organisational budgets are not able to improve the standard of living expected by public sector professionals. As a consequence, in many cases management has intentionally

ignored acts of corruption which have been identified by the implementation of risk management, especially regarding the risk of fraud (Van Rijckeghem and Weder, 2001). Besides, management decides to consciously consider the risk of fraud as a tolerable level of risk. It can also be argued that management capacity is not at the same level between the public service providers.

One of the managerial functions which is supposed to be taken seriously is the Control Function (Tanzi, 1998, pp. 5-6). Management normally assigns the tasks and functions of the Control Function to an Internal Control Unit. The Internal Control Unit, in the completion of its tasks and functions, delivers daily, monthly, or even yearly reports to keep management updated with the data needed for decision-making processes. Iskandar (2019) states that “During this time, the government’s internal supervisory apparatus (GISA) is known as inspectorate, namely Inspectorate General at the ministry/non-ministry, Provincial Inspectorate, Regency/City Inspectorate, Central and Local Environmental Supervisory Officials (PPLH and PPLHD), specifically to oversee the compliance of business men/activities in the environmental field.” Unfortunately, Indonesia has a low standard of Government Internal Supervisory Apparatus (APIP). Based on an assessment conducted by the Finance and Development Supervisory Agency (BPKP) as the coach of the government’s Internal Auditor, in late 2014 and of the 474 Government Internal Supervisory Apparatus (APIP) in government ministries, bodies, and regional governments, 404 APIP or 85.23% were categorised as Level 1, 69 APIP or 14.56% were Level 2, and just one APIP or 0.21% had reached Level 3 (BPKP, 2015). According to the Internal Audit Capability Model, each level of capability consists of six assessed aspects encompassing the role and service of the APIP, human resource management, professional practice, accountability and performance management, organisational culture and its relationship with the management structure. The accumulation of merit points with six elements determines the position of an APIP spread across five levels ranging from Level 1 (Initial) to Level 2 (Infrastructure), Level 3 (Integrated), Level 4 (Managed) and Level 5 (Optimized). The higher the level, the better the quality of the APIP. The lack of capacity for APIP is confirmed in Table 5 below.



**Table 5 The optimisation of APIP service by management in the settlement of complaints**

<b>Types of Fraud Allegations</b>	<b>Number of Reports</b>	<b>Assigned to APIP</b>
<b>Authority Abuse</b>	108	5
<b>Corruption</b>	38	0
<b>Intentional Mismanagement</b>	70	3
<b>Illegal Surcharge</b>	98	0
<b>Graft</b>	11	1
<b>Embezzlement</b>	3	1
<b>Total</b>	<b>328</b>	<b>10</b>

Of the 328 corruption-related reports, only 10 reports or approximately 3.04% were assigned to the APIP by management. Of course, this fact stands in tension with the spirit of the adoption of management's underlying principles from the private sector. In this case, the Internal Control Function is not functioning optimally. As a consequence, management will experience difficulties when it is required to make the right decision regarding any corruption-related allegations implicating its institution. To mitigate this predicament, the Indonesian government must take action to strengthen the role of the APIP in its application of laws and regulations regarding the delivery of public services.

The low quality of the APIP should weaken managerial capacity to conduct its Control Function. The weakened Control Function of management must affect managerial competence to deliver improved organisational responses either in the terms of quantity or quality. A failure to deliver an adequate quality and quantity of organisational responses to corruption-related complaints is a failure to improve perceived justice by the complainants. It is assumed that the higher quality of justice perceived by a complainant related to the settlement of a reported corruption allegation, then the higher the level of trust in overall managerial performance, and that this will subsequently be followed by an increase in the number of complaints and positive word-of-mouth advertising of that trust. The higher quality of justice perceived regarding public service complaints, then the more effective the impact of shock on the organisation will be. In turn, every public sector professional will consider their actions more carefully when they are confronted with an opportunity to violate the applicable law and regulations. Furthermore, the characteristics of the act of corruption

should persuade management to consider a collaborative settlement with the help of related-law enforcement units. There must be a strong defensible reason which made the lawmakers in Indonesia decide that all actions related to an act of corruption must be categorised as extraordinary crimes. Furthermore, an extraordinary crime should be handled meticulously by professional legal actors.

According to data retrieved from SP4N-LAPOR! in 2019, managerial capacity in delivering quality organisational responses, especially in the terms of perceived justice, can be seen in Tables 6, 7, and 8.

## Interactional Justice

**Table 6 The application of interactional justice to corruption-related reports**

Types of Fraud Allegations	Number of Reports	Unresponded Complaints	Responded Complaints	Interactional Justice	
				Attentiveness	Credibility
Authority Abuse	108	47	61	50	26
Corruption	38	12	26	21	8
Intentional Mismanagement	70	20	50	37	18
Illegal Surcharge	98	40	58	47	18
Graft	11	9	2	2	1
Embezzlement	3	2	1	1	0
<b>Total</b>	<b>328</b>	<b>130</b>	<b>198</b>	<b>158</b>	<b>71</b>

According to Davidow (2014, p. 13), an organisational response which is attentive will positively affect the perceived justice in terms of interactional justice. In other words, complainant satisfaction with the public service will increase if management succeeds in delivering appreciation to complainants regarding their efforts to lodge complaints. Table 6 shows that managerial capacity in producing attentive responses to corruption-related complaints throughout 2019 comprised 158 attentive responses or approximately 79.80% of the 198 responded complaints. While the importance of attentive responses to realise the perceived interactional justice is recognised, Davidow (2014, p. 13) states that credibility does not have a positive relationship with interactional justice and public service providers are still required to improve the delivery of credible responses regarding corruption-related complaints lodged via SP4N-LAPOR!. In other words, complainants do not need any excuse from management regarding any predicament related to the provision of public service. Therefore, management should improve their performance by trying to avoid the same case happening again in the future. This condition, which accounts for only 71 or approximately 35.86% of the 198 complaints credibly responded to by implicated

institutions, needs to be improved if the Indonesian government wishes to improve the satisfaction level of public service users regarding organisational responses via SP4N-LAPOR!. Meanwhile, attentive responses are only meant to appreciate the involvement of citizens in the improvement of public services through lodged complaints. The credible responses describe the extent the managerial capacity understands predicaments related to the provision of public services.

## Distributive Justice

**Table 7 The application of distributive justice to corruption-related reports**

Types of Fraud Allegations	Number of Reports	Unresponded Complaints	Responded Complaints	Distributive Justice	
				Redress	Apology
Authority Abuse	108	47	61	2	10
Corruption	38	12	26	1	8
Intentional Mismanagement	70	20	50	0	12
Illegal Surcharge	98	40	58	1	13
Graft	11	9	2	0	1
Embezzlement	3	2	1	0	0
<b>Total</b>	<b>328</b>	<b>130</b>	<b>198</b>	<b>4</b>	<b>44</b>

According to Davidow (2014, p. 13), both redress and apology have positive relationships with distributive justice. Complainants want apology responses written to them as evidence of managerial commitment to thoroughly settling each complaint. Well-delivered distributive justice positively impacts public satisfaction with public services. In fact, in terms of redress responses, the management of public service providers in Indonesia could only deliver four redress responses or approximately 2% of the 198 responded complaints in total. Besides the positive relationship between redress and distributive justice, Davidow (2014, p. 13) states that a redress response has a stronger effect on distributive justice than an apology. In terms of an apology response, in 2019, the management of public service providers offered 44 or approximately 22.22% apology responses from 198 responded complaints in total. In the same degree with attentiveness, apology responses are meant to reduce the disappointment perceived by citizens when obtaining poor public service. On the other hand, redress proves managerial capacity to mitigate emerging predicaments in the provision of public services. Management is involved in the settlement of a problem in the provision of public service plans to minimise the risks or to reduce its impact.

## Procedural Justice

**Table 8 The application of procedural justice to corruption-related reports**

Types of Fraud Allegations	Number of Reports	Unresponded Complaints	Responded Complaints	Procedural Justice	
				Facilitation	Timeliness
Authority Abuse	108	47	61	19	3
Corruption	38	12	26	9	1
Intentional Mismanagement	70	20	50	11	0
Illegal Surcharge	98	40	58	18	2
Graft	11	9	2	0	0
Embezzlement	3	2	1	1	0
<b>Total</b>	<b>328</b>	<b>130</b>	<b>198</b>	<b>58</b>	<b>6</b>

According to Davidow (2014, p. 13), facilitation has a positive relationship with procedural justice; meanwhile, timeliness has a negative significant relationship with procedural justice. The underlying value of facilitation is that each lodged complaint should be handled by all the related parties to ensure its settlement. Meanwhile, the underlying value of timeliness is that the settlement of any corruption-related complaints will not take a long time. In fact, in terms of facilitation, the management of public service providers facilitated 58 or approximately 29.29% of the 198 responded complaints in total. In terms of timeliness, the management of public service providers delivered six or approximately 3.03% on-time responses out of 198 responded complaints in total. Both facilitation and timeliness aspects are designed to measure managerial capacity in the settlement of any complaint lodged in SP4N-LAPOR!.

Nevertheless, besides the lack of managerial capacity in delivering quality organisational responses to corruption-related allegations lodged in SP4N-LAPOR!, there is also the risk of managerial ignorance about the quality of an organisational response. While data used in this dissertation is retrieved from SP4N-LAPOR! for 2019, SP4N-LAPOR! was officially launched to the public in 2013 and this fact is enough to support the idea of managerial ignorance in the delivery of quality organisational responses to corruption-related complaints. Tables 6, 7, and 8 show there were 130 corruption-related allegations which have not been responded to or approximately 39.63% of the 328 lodged complaints in total. Furthermore, Table 7 shows that of the 328 corruption-related complaints lodged via SP4N-LAPOR! in 2019, only four or approximately 1.21% of these were settled by the public service providers. Based on this information, there is a significant risk that, in general, the management teams of public providers neglect acts of corruption in the provision of public services.

### *The role of law enforcement units in promoting organisational responses*

According to the Presidential Regulation No.76 of 2013 in Article 2, Particle (d), the government encourages public service providers to channel aimed to them when they concluded that the settlement of these complaints are beyond their capacities. And the breach of the law is including in this category. This Particle cannot be directly defined as encouraging the involvement of law enforcement units in the settlement of corruption-related complaints. Yet, it is widely accepted that a law enforcement unit should be equipped with the competence needed to solve the case of a violation of the law. There is a significant possibility that after a punishment has been imposed on an individual who is found guilty, that an appeal to a higher court will be lodged by that individual against the management team's decision. This results from the low quality of Internal Auditors as managerial assistance should have been provided to law enforcement units in their investigation. When it comes to corruption, Indonesian citizens put their hope in a superior law enforcement unit known as the KPK (Corruption Eradication Commission). The performance of the KPK in terms of handling corruption is believed to be better than the other law enforcement units (Attorney General's Office and National Police of Indonesia) (Schütte, 2012). Nevertheless, even though SP4N-LAPOR! accommodates the public's need of directing complaints directly to the Attorney General's Office (AGO) and the National Police of Indonesia, the KPK (Corruption Eradication Commission) is not granted access to improve the quality of organisational responses to those corruption-related complaints.

The absence of the KPK's involvement in SP4N-LAPOR!-lodged complaints negatively impacts the quality of organisational responses, especially in cases of alleged corruption. This is compounded by the fact that both the AGO and the police force are categorised as professionals who lack integrity. Inadequate budgets, low salaries, a lack of traditional meritocracy, the low probability of detection, and managerial ignorance all facilitate corruption in both the AGO and the police force (Quah, 2019). Given these circumstances, it is unrealistic to assume that organisational responses could be improved with the assistance of law enforcement units. Since law enforcement units struggle with their own internal corruption problems, the public service providers prefer to settle corruption-related complaints themselves.

Even when the KPK is eventually granted access to SP4N-LAPOR! and both the AGO and the police force have finally addressed their internal weaknesses, there is still another predicament which must be resolved before public service providers can work collaboratively with law enforcement units.

Government Administration (Law no. 30/2014) Article 20, Particle (1) states that the supervisory and initial investigation of an alleged abuse of power by a government professional must be conducted by the Government Internal Supervisory Apparatus (APIP). In other words, the Internal Audit function, falling under the public service providers management team, has the privilege to conduct supervisory and initial investigation activities. When the Internal Auditor concludes through a thorough audit process that a public official has breached the applicable laws and regulations, the case is then handed over to the related law enforcement units.

Table 9 shows the position of law enforcement units in the settlement of all acts of corruption allegations lodged in SP4N-LAPOR! in 2019.

**Table 9 The position of law enforcement units regarding the acts of corruption reports**

Types of Fraud Allegations	Number of Reports	Implicating Law Enforcement units	Implicating Other Providers	Collaboration with Law Enforcement Units
Authority Abuse	108	17	91	0
Corruption	38	4	34	0
Intentional Mismanagement	70	3	67	0
Illegal Surcharge	98	14	84	0
Graft	11	6	5	0
Embezzlement	3	0	3	0
<b>Total</b>	<b>328</b>	<b>44</b>	<b>284</b>	<b>0</b>

This data should encourage the Indonesian government to deploy all available resources to mitigate acts of corruption. The involvement of law enforcement units should be a promising breakthrough to settle corruption allegations since they are equipped with a wide range of powers to handle extraordinary crimes (Sherlock, 2002; Prahassacitta, 2016). Some complainants have even tagged law enforcement institutions in their SP4N-LAPOR! reports as they are expecting a thorough investigation and appropriate settlement. In fact, of the 284 corruption-related allegations lodged in SP4N-LAPOR! in 2019, not one of them was mitigated collaboratively between management and law enforcement units. Surprisingly, of the

44 corruption-related allegations implicating law enforcement units (National Police of Indonesia and Attorney General Office of the Republic of Indonesia), only three or approximately 6.81% were responded to by the implicated institutions. Of the 41 corruption-related complaints lodged in SP4N-LAPOR! which implicate the National Police of Indonesia, only one or approximately 2.43% were responded to by their implicated management teams, while 40 or approximately 97.57% of the corruption-related allegations were not responded to yet. This data provides evidence that before expectations can be placed on law enforcement units to effectively combat the corrupt practices conducted by public sector professionals, large enterprise, NGOs or high-wealth individuals, it is important for all law enforcement units to firstly address their own internal issues related to corruption.

Delving deeper into the dataset retrieved from SP4N-LAPOR!, it is apparent that complainants value the inclusion of law enforcement units in the settlement of acts of alleged corruption, as evidenced by Table 10 below.

**Table 10 The indication of public expectation in the inclusion of law enforcement units in the settlement of acts of alleged corruption.**

Report number	Complainant Comment Column
5187322	<p><i>Terdisposisi ke Kepolisian Negara Republik Indonesia</i></p> <p><i>Dugaan Korupsi pada Program Sertifikat Tanah Masal</i></p> <p><i>Mohon dilakukan pemeriksaan terhadap pelaksanaan program sertifikat masal di desa karangduren kec. Tengaran, kab. Semarang karena terindikasi korupsi</i></p> <p><i>Kronologi:</i></p> <p><i>Sebelum diadakan program sertifikat masal sudah ada pertemuan antara petugas bpn, perangkat kelurahan dan ketua rt. Dan saat ada petugas bpn sudah diputuskan kalo biaya rp. 450.000 setelah petugas bpn pulang perangkat desa mematok harga rp. 600.000 untuk tanah warisan dan rp. 700.000 untuk tanah dari hasil jual beli yang belum tercatat di kelurahan ( belum bayar pologoro). Pada prakteknya sebagian besar harus membayar rp. 700.000 dikarenakan katanya data tanah tidak ada di data desa padahal selama bertahun-tahun sudah bayar pajak atas nama sendiri. Dan saat kami meminta kwitansi</i></p>

	<p><i>sebagai bukti pembayaran, panetia tidak mau memberi dengan alasan tidak ada kwitansi.</i></p> <p><i>Tutup</i></p> <p><i>PERTANAHAN</i></p> <p>(Aimed at and distributed to the National Police of Indonesia.</p> <p>Alleged Corruption in the Mass Land Certificate Program.</p> <p>Please examine the implementation of the mass certificate program in Karangduren village kec. Tengaran, kab. Semarang because it indicates corruption.</p> <p>Chronology:</p> <p>Before the mass certificate program was held, there was a meeting between the officers of the BPN, village officials and the heads of households. When there was a BPN officer present, it was agreed that the cost of Rp. 450,000 would be applied but after the officers left, the village official set a price of Rp. 600,000 for inherited land and Rp. 700,000 for land from sale and purchase results not recorded in the village (not yet paid or “pologoro”). In practice, most must pay Rp. 700,000 because they say there is no land data in the village records even though for years the land taxes were paid on the owners’ behalf. When we ask for receipts as proof of payment, the committee refuses to fulfil these requests, saying that there are no receipts.</p> <p>Lid</p> <p>LAND)</p>
5184086	<p><i>terdisposisi ke Kejaksaan Tinggi Sumatera Selatan</i></p> <p><i>dugaan Tindak pidana Korupsi dana Hibah pada Kab. Ogan Komering Ulu</i></p> <p><i>Kepada yth,</i></p> <ol style="list-style-type: none"> <li><i>1. tim pengelola lapor</i></li> <li><i>2. kejaksaan agung ri</i></li> <li><i>3. kpk</i></li> <li><i>4. pemerintah kabupaten ogan komering ulu selatan provinsi sumatera selatan</i></li> </ol> <p><i>berdasarkan peraturan pemerintah nomor 43 tahun 2018 tentang tata cara pelaksanaan peran serta masyarakat dan</i></p>



	<p><i>pemberian penghargaan dalam pencegahan dan pemberantasan tindak pidana korupsi</i></p> <p><i>kami rakyat indonesia melaporkan dugaan tindak pidana korupsi serta tindak pidana yang dapat dikualifikasikan sebagai delik penyalahgunaan kewenangan dan penyalahgunaan kesempatan karena jabatan diduga bertujuan menguntungkan diri sendiri dan menguntungkan orang lain sehingga diduga telah mengakibatkan kerugian keuangan daerah/negara.</i></p> <p>distributed to the South Sumatra District Attorney Office</p> <p>Alleged criminal Corruption of Grant funds in Kab. Ogan Komering Ulu</p> <p>(Dear:</p> <ol style="list-style-type: none"> <li>1. Team Management of SP4N-LAPOR!,</li> <li>2. Attorney General of the Republic of Indonesia,</li> <li>3. Corruption Eradication Commission,</li> <li>4. Ogan Komering Ulu Regency Government in South Sumatra Province,</li> </ol> <p>Based on government regulation number 43 of 2018 concerning procedures for implementing public participation and rewards in the prevention and eradication of corruption, we, the people of Indonesia, report allegations of corruption and criminal acts which can be qualified as an abuse of authority and opportunity because the position is allegedly aimed at benefitting itself and certain others so it is suspected to have resulted in regional / state financial losses.)</p>
5000090	<p><i>Terdisposisi ke Direktorat Jenderal Imigrasi Cekal Imigrasi Kepada yth,</i></p> <ol style="list-style-type: none"> <li>1. <i>Presiden Republik Indonesia, Bapak Presiden Ir. H. Joko Widodo</i></li> <li>2. <i>Kantor Staf Presiden</i></li> </ol>

3. Menteri Hukum dan HAM Yasonna Hamonangan Laoly SH., Msc., Ph.d,
4. Kementerian Agraria dan Tata Ruang Badan Pertanahan Nasional, Bapak Sofyan Abdul Djalil
5. Kementerian Pendayagunaan Aparatur Negara dan Reformasi Birokrasi Republik Indonesia, Bapak Syafruddin
6. Ketua Ombudsman Republik Indonesia, Bapak Prof. Amzulian Rifai, S.H., Llm., Ph.d
7. Kepala Kepolisian Republik Indonesia, Jenderal Polisi Prof. Drs. H. Muhammad Tito Karnavian, M.A., Ph. d.
8. Komisi Kepolisian Nasional
9. Komisi Pemberantasan Korupsi

*dengan hormat kepada bapak presiden republik indonesia, saya ingin melapor terkait kasus yang sedang menimpa paman saya Tuan x. serta ijin saya mengajukan surat perlindungan hukum. bahwa paman saya menjadi korban dugaan tindakan kriminalisasi yang dilakukan oleh seorang pengusaha properti besar di daerah jawa timur berinisial tk, wn, dengan perusahaan yang dibentuknya untuk dugaan tindakan kejahatan korporasi dan dugaan adanya tppu ( tindak pidana pencucian uang ) untuk mendapatkan keuntungan besar dan mencoba merampas objek tanah yang menjadi transaksi dengan menggunakan sistem ppjb. pola yang mereka gunakan tergolong rapi, terstruktur, sistematis dan masif. bahkan mereka menggunakan oknum perwira di instansi kepolisian untuk mencoba menjerat paman saya agar bisa dipidana. namun saya melihat ada upaya pengebakan dan penyalahgunaan keadaan agar upaya kriminalisasi terhadap paman saya dapat dilakukan dan mencegah upaya hukum perdata yang sedang kami tempuh saat ini guna mempengaruhi putusan dari kasus perdata yang sedang kami gugat. sehingga dapat saya duga adanya "operasi senyap kelompok mafia" dalam kasus ini, yang diduga sudah bergerak hingga trunojoyo, jakarta.*

(Distributed to the Directorate General of Immigration

Immigration Unit

Dear:

1. President of the Republic of Indonesia, Mr. President Ir. H. Joko Widodo,

	<p>2. Presidential Office staff,  3. Minister of Law and Human Rights Jasonna Hamonangan Laoly Sh., MSc., PhD,  4. Ministry of Agriculture and Spatial Planning of the National Land Agency, Mr Sofyan Abdul Djalil,  5. Ministry of Administrative Reform and Bureaucratic Reform of the Republic of Indonesia, Mr Syafruddin,  6. Chairman of the Indonesian Republic Ombudsman, Mr Prof. Amzulian Rifai, S.H., LL.M., PhD,  7. The Head of the National Police of the Republic of Indonesia, General of The Police Prof. Dr. H. Muhammad Tito Karnavian, M.A., Ph.D.,  8. National Police Commission,  9. Corruption Eradication Commission,</p> <p>With my respects to the President of the Republic of Indonesia, I would like to report some related cases that are happening to my uncle, Mr X. Allow me to submit a legal protection letter. My uncle became a victim of alleged criminalisation by a large property entrepreneur in the East Java area with the initials TK, WN, and with a company he formed for alleged corporal crime and alleged Tindak Pidana Pencucian Uang (the act of money laundering) to obtain large profits and try to seize substantial profits. Plots of land are transacted using the PPJB system. The patterns they use are neat, structured, systematic and massive. They even used officers in the police force to try to catch my uncle so they could not be convicted but I saw an attempt to entrap my uncle and abuse the situation so that criminalisation efforts against my uncle can be carried out and prevent civil law efforts that we are currently taking to influence the verdict of the civil, litigation cases that we are involved in. So, I suspect the existence of "the silent operations of this mafia group" in this case, which is thought to have moved to Trunojoyo (National Police Institution), Jakarta.)</p>
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Translated from Bahasa into English by the author.

### ***The role of the Ombudsman in promoting organisational responses***

As the highest public service supervisory body, the Ombudsman of the Republic of Indonesia (ORI) is obliged to assure that the public will obtain goods or services aligned to the applicable laws and regulations. This obligation should be supported by the use of SP4N-LAPOR!. Public Service Law (Law no. 25/2009) emphasises the role of the ORI for the improvement of public services using complaints lodged by citizens

as the end-users of public services. Meanwhile, Presidential Regulation No.76 of 2013, Article 12, Particle (3) empowers the ORI to act according to standardised due dates for complaint settlement. When 60 days since the original lodgement of a complaint has passed, the ORI must assume control of the case and settle it thoroughly. Table 8 shows the corruption-related allegations which must be taken over by the ORI as a result of this 60-day timeframe passing.

**Table 11 Cases which the Ombudsman of the Republic of Indonesia is required to settle**

Types of Fraud Allegations	Number of Reports	Thouroughly Settled	Unsettled for more 60 days
Authority Abuse	108	2	106
Corruption	38	1	37
Intentional Mismanagement	70	0	70
Illegal Surcharge	98	1	97
Graft	11	0	11
Embezzlement	3	0	3
<b>Total</b>	<b>328</b>	<b>4</b>	<b>324</b>

Table 11 shows the necessity of the Ombudsman of the Republic of Indonesia to settle corruption-related complaints which are older than 60 days.

**Table 12 The important role of the Ombudsman of the Republic of Indonesia**

Report number	Complaint Content
5000090	<p><i>Terdisposisi ke Direktorat Jenderal Imigrasi Cekal Imigrasi Kepada yth,</i></p> <ol style="list-style-type: none"> <li><i>1. Presiden Republik Indonesia, Bapak Presiden Ir. H. Joko Widodo</i></li> <li><i>2. Kantor Staf Presiden</i></li> <li><i>3. Menteri Hukum dan HAM Yasonna Hamonangan Laoly SH., Msc., Ph.d,</i></li> <li><i>4. Kementerian Agraria dan Tata Ruang Badan Pertanahan Nasional, Bapak Sofyan Abdul Djalil</i></li> <li><i>5. Kementerian Pendayagunaan Aparatur Negara dan Reformasi Birokrasi Republik Indonesia, Bapak Syafruddin</i></li> <li><i>6. Ketua Ombudsman Republik Indonesia, Bapak Prof. Amzulian Rifai, S.H., Llm., Ph.d</i></li> <li><i>7. Kepala Kepolisian Republik Indonesia, Jenderal Polisi Prof. Drs. H. Muhammad Tito Karnavian, M.A., Ph. d.</i></li> <li><i>8. Komisi Kepolisian Nasional</i></li> <li><i>9. Komisi Pemberantasan Korupsi</i></li> </ol>

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2. Presidential Office staff,
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4. Ministry of Agriculture and Spatial Planning of the National Land Agency, Mr Sofyan Abdul Djalil,
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6. Chairman of the Indonesian Republic Ombudsman, Mr Prof. Amzulian Rifai, S.H., LL.M., PhD,
7. The Head of the National Police of the Republic of Indonesia, General of The Police Prof. Dr. H. Muhammad Tito Karnavian, M.A., Ph.D.,
8. National Police Commission,

	<p>9. Corruption Eradication Commission,</p> <p>With my respects to the President of the Republic of Indonesia, I would like to report some related cases that are happening to my uncle, Mr X. Allow me to submit a legal protection letter. My uncle became a victim of alleged criminalisation by a large property entrepreneur in the East Java area with the initials TK, WN, and with a company he formed for alleged corporal crime and alleged Tindak Pidana Pencucian Uang (the act of money laundering) to obtain large profits and try to seize substantial profits. Plots of land are transacted using the PPJB system. The patterns they use are neat, structured, systematic and massive. They even used officers in the police force to try to catch my uncle so they could not be convicted but I saw an attempt to entrap my uncle and abuse the situation so that criminalisation efforts against my uncle can be carried out and prevent civil law efforts that we are currently taking to influence the verdict of the civil, litigation cases that we are involved in. So, I suspect the existence of "the silent operations of this mafia group" in this case, which is thought to have moved to Trunojoyo (National Police Institution), Jakarta.)</p>
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Translated from Bahasa into English by the author.

Of the 324 corruption-related complaints which have passed the 60-day timeframe since being lodged, not one has been responded to by the ORI as the highest public service supervisory body in Indonesia. These cases must be settled by the Indonesian government if public trust is expected to be improved.

### **Analysis & discussion**

This dissertation argues that improvements can be made by the Indonesian government to optimise SP4N-LAPOR! as a promising tool to curb the corrupt practices of government officials. Although some literature emphasises the success stories of complaint-handling systems when improving the quality of products and services in the private and NGO sectors, the adoption of this system by the public sector must be amended and improved since the characteristics of corrupt practices in the provision of public services is quite different compared to the issues encountered in the private and NGO sectors. The complexity of corruption-related problems in developed nations is much more sophisticated than in the periphery of the public

service. This complexity negatively impacts the quality of organisational responses to corruption-related complaints implicating public service providers. However, there is little literature which has investigated the factors which must be considered to improve the quality of organisational responses in complaint management systems regarding public services. Therefore, this dissertation is dedicated to scrutinising the five factors which are alleged must be improved to optimise the national complaint-handling system in Indonesia.

The findings of this study have shown that there are five factors (the applicable laws and regulations; the role of the private sector, NGOs, and individuals; managerial capacity; the role of law enforcement units; and the role of the Ombudsman) which contribute to the quality of organisational responses delivered to the complainants captured in SP4N-LAPOR!. Therefore, this study suggests that to improve organisational responses for an improved standard of public service, the Indonesian government must apply a comprehensive action plan to improve these five factors.

The research offered in this dissertation shows that the contributions of these five factors affect the quality of the organisational response recorded by those organisations in SP4N-LAPOR!. The five factors confirm the findings of literature which focus on their improvements. The qualitative analysis used throughout this dissertation emphasises the importance of these five factors. Hence, this dissertation confirms that the enhancement of these five factors will improve the quality of organisational responses in the use of SP4N-LAPOR!.

This dissertation indicates that laws and regulations related to the SP4N-LAPOR! complaint management system must be improved if the quality of organisational responses delivered by organisations implicated in corruption-related complaints is to be improved. Moreover, it is important to improve Presidential Regulation No.76 of 2013 which offers technical guidance for the application of the complaint-handling system. This presidential regulation must be improved as it details the six types of perceived justice mentioned by Davidow (2014) but it does not aim to firmly realise them. A commitment to the realisation of these six perceived justices will eventually improve the quality of organisational responses. Therefore, the Indonesian government must improve the current laws and regulations to persuade the management teams of public service providers to deliver quality organisational

responses not only for corruption-related complaints but also other complaints related to the following three aspects: the conduct of organisational staff or agents, the Standard Operating Procedures experienced by users in their attempts to obtain a public service, and the quality of products and services distributed to the public.

This dissertation also indicates that the low participation level of the private sector, NGOs, and individuals (especially high-wealth entities) negatively affects the quality of organisational responses delivered by organisations implicated via SP4N-LAPOR!. A commitment to just business practices, especially in the obtainment of business licenses and approvals from the Indonesian government, will eventually aid in the curbing of acts of corruption. With a decreased in demands for discretion by public sector professionals, offers of corruption will eventually decline also. Concerning NGOs and individuals, the Indonesian government must formulate a set of policies which will encourage the private sector, NGOs, and individuals to lodge their corruption-related complaints about the provision of public services via the national complaint-handling system. The income capacity of government officials must also be improved so that the bribes offered by large enterprises, NGOs and high-wealth individuals to public sector professionals, especially in developing countries as mentioned by O'Toole and Tarp (2014), and Kanu (2015), will be negligible in the future. Therefore, the improvement of the overall capacity of government professionals, including their remuneration, is necessary to build an anti-corruption culture in the public sector.

Furthermore, this study also indicates that the overall capacity of management to deliver quality organisational responses regarding corruption-related complaints is still low. The low number of complaints assigned to the APIP shows the emergence of improvements to the Control Function, as emphasised by Tanzi (1998, pp. 5-6). Meanwhile, the considerable number of corruption-related complaints which have not been settled thoroughly by management confirms the ignorance of management teams who ignore the fraud risks identified (Van Rijckeghem and Weder, 2001). The improvement of the Control Function should enable the APIP to provide the data needed by management to make important decisions regarding corruption-related complaints lodged via SP4N-LAPOR!. The improvement of the overall capacity of management, including the welfare of its individuals, will also positively affect the



organisational responses delivered by management in the use of the national complaint-handling system.

Meanwhile, this study further indicates that the low participation of law enforcement units shows another aspect which must be improved in the encouragement of the use of law enforcement to help settle corruption-related complaints. With collaborative work between management and the APIP especially but also with other law enforcement units, the quality of organisational responses to corruption-related complaints recorded in SP4N-LAPOR! could be significantly improved. However, this study also indicates that the law enforcement units in Indonesia face the same predicament of corruption as the other public service providers, as mentioned by Quah (2019). Therefore, before expecting a better performance from law enforcement units in this national complaint management system, it is necessary for the Indonesian government to firstly mitigate the predicaments of inadequate budgets, low salaries, a lack of traditional meritocracy, the low probability of detection, and managerial ignorance as the influential aspects affecting corruption in the public sector of Indonesia.

In terms of the fifth factor scrutinised, this study indicates that the Ombudsman of the Republic of Indonesia (ORI), as the most senior public service supervisory body, has failed to conduct its obligations as mentioned in the applicable laws and regulations. This condition is reflected by the fact that none of the unresponded corruption-related complaints which have passed the minimum 60-day timeframe required for the ORI to act have been adopted by the ORI. As the ORI is positioned in the domain of the public sector, it is obvious that the ORI is experiencing the same predicaments as mentioned by Quah (2019). Therefore, this further reinforces the necessity for the Indonesian government to mitigate the predicaments of inadequate budgets, low salaries, a lack of traditional meritocracy, the low probability of detection, and managerial ignorance as influential aspects affecting corruption in the public sector of Indonesia.

In conclusion, this study aimed to scrutinise the factors which can be improved by the Indonesian government to enhance the quality of organisational responses to corruption-related complaints lodged via SP4N-LAPOR! as a national complaint-handling system. As a result, this dissertation finds that the five factors scrutinised in this research are necessary for consideration by the Indonesian government if the

quality of public service is to be prioritised. Hence, this study confirms existing studies, which argue that the quality of organisational responses in a complaint-handling system positively affects the overall justice perceived, which will eventually improve the quality of products and services delivered (Davidow (2014, p. 13).

The findings of this dissertation present the qualitative relationships of these five factors regarding the quality of organisational responses to corruption-related complaints as recorded in SP4N-LAPOR!. The applicable laws and regulations related to SP4N-LAPOR! are not granted sufficient authority to persuade the implicated parties to deliver quality organisational responses. The large-wealth entities (private sector, NGOs, and individuals) lack a commitment to the creation of just public services. The management teams of public service providers cannot settle corruption-related complaints and concurrently ignore the results of this risk, especially pertaining to fraud. The law enforcement units are failing to address their own internal corruption problems as well as those of the other public service providers, which face the problems of inadequate budgets, low salaries, a lack of traditional meritocracy, the low probability of detection, and managerial ignorance. Finally, the ORI has failed to conduct its obligations to ultimately settle any outstanding complaints lodged in SP4N-LAPOR!.

## **Conclusion**

Corruption in Indonesia is a sophisticated predicament which needs to be mitigated comprehensively with the help of all related parties. The existence of SP4N-LAPOR! as a national complaint-handling system has increased the level of confidentiality in anti-corruption efforts to combat corruption, while also improving the overall quality of public services. In addition, SP4N-LAPOR! facilitates the underlying values of an open and transparent government by enabling the opportunity for Indonesian residents to lodge their complaints of corruption implicating the public service. Nevertheless, the success of SP4N-LAPOR! in combatting corrupt practices conducted by government officials or agents depends on the quality of organisational responses delivered by the management teams of public service providers. To assure the management teams of the implicated public service providers deliver quality organisational responses, the quality participation of certain important actors is a necessity. Therefore, the roles of

the administrators of SP4N-LAPOR!, the private sector, NGOs, and individuals as the main end-users of public services, the governmental internal control apparatus, law enforcement units, and the Ombudsman of the Republic of Indonesia must all be optimised by the Indonesian government.

A legitimate government should exercise its state-wide capacity to issue a set of laws and regulations encompassing all policy instruments so that the management of SP4N-LAPOR! has adequate power to persuade implicated public service providers to deliver quality organisational responses to corrupt practice-related allegations lodged in SP4N-LAPOR!. The private sector, NGOs, and individuals, especially large-wealth entities, must incorporate the use of SP4N-LAPOR! into their daily business activities. The capacity of the government's internal control apparatus must be improved to provide the data needed by the management teams of public service providers in the decision-making processes about corruption-related accusations lodged via SP4N-LAPOR!. Furthermore, the Indonesian government must also improve the capacity of its law enforcement units so that their involvement in the use of SP4N-LAPOR! will be more proactive and supportive of the management of public service providers in the decision-making processes regarding corrupt practice-related accusations lodged via SP4N-LAPOR!. Finally, the Indonesian government must also strengthen the capacity of the Ombudsman of the Republic of Indonesia so that comprehensive improvement through a set of policy recommendations, produced from a thorough evaluation of the performance of SP4N-LAPOR! and including the organisational responses to corrupt practice-related allegations, can be provided to and used by the management of the implicated public service providers for the improvement of public service quality.

If the Indonesian government succeeds to achieve these recommended measures, then it would follow that the promising aspects which are already available in this national complaint-handling system will significantly alleviate the level of corruption in the provision of public services in Indonesia. The symptoms of corruption have been delivered by citizens, now a set of comprehensive handling actions from Indonesian government are being awaited to improve the quality of public service.

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