

# The Role Of The Lubuk Pakam Correctional Institution In Providing Guidance To Female Prisoners

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**Submission date:** 02-May-2024 09:59PM (UTC-0500)

**Submission ID:** 2369455406

**File name:** I\_of\_Sociology\_and\_Law\_-\_VOLUME\_1,\_NO.\_2,\_MAY\_2024\_hal\_64-75.pdf (809.24K)

**Word count:** 5180

**Character count:** 28518

## The Role Of The Lubuk Pakam Correctional Institution In Providing Guidance To Female Prisoners

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**Abstract.** *The correctional system aims to restore prisoners, especially women prisoners, as good citizens, and also aims to protect the community against the possibility of criminal acts by prisoners, especially women prisoners. As well as an application and an integral part of the values contained in Pancasila. From some of the possibilities that occur, the government changed the role to the Correctional Institution, meaning that the convicts are placed together and the placement process and activities according to the schedule since the convict entered the institution, in addition to the length of serving the sentence. Although this institution is not directly related to law enforcement, it plays a major role in creating public order in legal life. This research is focused on literature studies or document studies because this research is mostly carried out on secondary data and Primary Data as a trap, the data to be obtained in this study were collected by means of library research (Library Research) The library material referred to consists of primary legal materials, namely related legislation in accordance with the Criminal Code. The research specification used is descriptive analysis, namely describing the results of research with data that is also complete and as detailed as possible. Description is intended for primary, secondary and tertiary data related to legal certainty about the rights of women prisoners in Lubuk Pakam correctional institutions legislation and theories that have been relevant. The presence of Class IIB Lubuk Pakam Correctional Facility is expected to be able to provide good and appropriate guidance to prisoners and provide information to the public about the implementation of inmate guidance in detention centres through mass media and newspapers or other means in accordance with the intention of changing the public's view of prisoners, that prisoners can return to society without discrimination. The implementation of women prisoners' development in Lubuk Pakam Penitentiary contains several procedures starting from the reception of prisoners, registration to the next stage of the implementation of prisoners' development. In the implementation stage itself consists of stages, namely the initial stage of teaching prisoners to have religious and legal awareness, the advanced stage which gives direction to prisoners to always display their talents and skills so that when in the Penitentiary, prisoners have positive activities to do.*

**Keywords:** *Role, Correctional Institution, Development, Prisoners, Women.*

### INTRODUCTION

Indonesia is a state of law, this is reflected in the 1945 Constitution article 1 paragraph (3) which states that Indonesia is a state of law. So all matters must be resolved legally. Law regulates human life from being in the womb until death. Even the last will of a person who has died is still regulated by law. Law regulates all aspects of community life (economic, political, social, cultural, defence, security, and so on). Article 28 paragraph (1) of the 1945 Constitution of the Republic of Indonesia also affirms that every person is entitled to recognition, guarantees, protection, and certainty of a just law and equal treatment before the law. In an effort to realise the principles of the State, the imposition of punishment is given not only as a form of revenge but an effort to restore the state of the community environment to be safe, orderly and conducive. Criminal punishment is not only to be able to provide a deterrent effect but to make the perpetrators of criminal acts aware so that they do not repeat their actions and realise their mistakes.

Received April 20, 2024; Revised May 03, 2024; Published May 31, 2024

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Where the guidance system for prisoners, especially women prisoners, is changed from the prison system to the correctional system, as contained in Law Number 12 of 1995 concerning Corrections. The correctional system aims to restore prisoners, especially female prisoners, as good citizens, and also aims to protect the community against the possibility of criminal offences by prisoners, especially female prisoners, as well as an application and an integral part of the values contained in Pancasila. From some of the possibilities that occur, the government changed the role of the Correctional Institution, meaning that the convicts are placed together and the placement process and activities according to the schedule since the convict entered the institution, in addition to the length of serving the sentence. Although this institution is not directly related to law enforcement, it plays a major role in creating public order in legal life. Correctional institutions are the end of the criminal justice process in Indonesia.

Correctional Institution is a place to achieve the goal of coaching for prisoners, especially female prisoners through education, rehabilitation, and reintegration so that prisoners can be accepted in the midst of society and not repeat their mistakes. To implement the correctional system, participation does not only come from correctional officers, but community participation and support from the family, because the prisoners themselves must have coaching principles, namely themselves, family, community and government officials (Guidance of prisoners, especially female prisoners, is carried out continuously since the prisoners enter the Correctional Institution). Criminal Law is often referred to as the ultimum remedium, namely the last sanction or ultimate sanction if other sanctions that have been applied are considered unsuccessful. The imposition of sanctions through the imposition of punishment by putting someone in prison is expected to be able to reduce the number of crimes in Indonesia. The implementation of imprisonment with correctional system in Indonesia currently refers to Law Number 12 Year 1995 on Corrections. Correctional is the final institution of the criminal justice system in Indonesia. Correctional Institution called Lapas is a place for guidance for prisoners and Correctional Students. However, until now people are more familiar with the name prison.

Guidance in the Penitentiary is carried out based on the practice of the precepts contained in Pancasila. Promoting human values and respecting human rights for everyone who must be fostered in the Penitentiary. In accordance with the 1945 Constitution on human rights contained in Article 28 A confirms that everyone has the right to life and the right to defend life and life. The function of the Penitentiary is not only as an executor of the punishment but in order to foster and shape a person's behaviour so that after returning to the general public

can be trusted and become a good human being and can participate in national development. The existence of coaching in the Penitentiary is expected to have a positive impact and influence on the awareness process of the perpetrators of criminal acts. Guidance for prisoners, especially women, is carried out through the Women's Correctional Institution.

Guidance and guidance of prisoners in correctional institutions in practice must be improved considering the various approaches, one of which is a religious approach. In this case the approach is very instrumental in human life, especially for prisoners. The existence of this is like being able to solve various problems faced, it will also change one's own perspective on various kinds of problems that exist in life. A person's religious level can be assessed during adolescence, because it will later become a determinant when they are in adulthood. The rights possessed by prisoners should be given by way of a personality development that is directed at mental development and character so that prisoners become fully human, devoted and responsible to themselves, family, society, while the development of independence is directed at fostering talents and skills so that later prisoners can return to their role as free and responsible members of society. The development of the purpose of inmate development is closely related to the purpose of development.

## **RESEARCH METHODS**

The legal research method is a scientific activity based on certain methods, systematics, and thoughts, which aims to study one or several certain legal symptoms by analysing them, except that, an in-depth examination of the legal facts is also carried out to then try to find a solution to the problems that arise in the symptoms concerned. Research is a key tool in the development of science and technology. This is also because research aims to reveal the truth systematically, methodologically and consistently. Through the research process, data that has been collected and processed is analysed and constructed. Because research is a scientific tool for the development of science and technology, the research methodology applied must always be adjusted to the science that is the parent.

Research method is also a knowledge skill, which means that as knowledge it can be learnt from books and does provide knowledge for those who learn it. However, knowledge alone is still not a guarantee for those concerned to use and apply it in a research activity. According to the opinion of Soerjono Soekanto who stated that methodology is an absolute element that must exist in research and development in science. In terms of terms, the definition of research methodology is different from the definition of research methods. Methodology is a science that examines the theoretical concepts of various methods, procedures or ways of working, as

well as the concepts used. Strictly speaking, methodology is a branch of science that studies and studies research methods. Meanwhile, research methods are technical descriptions used in the author's research.

Methodology is a science that examines the theoretical concepts of various methods, procedures or ways of working, as well as the concepts used. Strictly speaking, methodology is a branch of science that studies and studies research methods. Meanwhile, the research method is a technical description used in the author's research. Method is defined as the logic of scientific research, the study of research procedures and techniques. Research is essentially a series of scientific activities and therefore can use scientific methods to explore and solve problems, or to find something truthful from existing facts. As a scientific research, the series of research activities starting from data collection to data analysis are carried out by paying attention to the rules of scientific research, as follows:

The research specification used is descriptive analysis, namely describing the results of research with data that is also complete and as detailed as possible. Description is intended for primary, secondary and tertiary data related to legal certainty about the rights of women prisoners in Lubuk Pakam correctional institutions legislation and theories that have been relevant. Descriptive analytical is trying to describe or describe events and events without making hypotheses and statistical calculations. Descriptive analytics is what is stated by respondents in writing or verbally, as well as their real behaviour, which is studied and studied as a whole. In accordance with the title and problems to be discussed in this study and in order to provide useful results, this research was conducted with empirical juridical research (empirical legal research method'. Empirical juridical research method is another word that is a type of sociological legal research and can be mentioned with field research, which examines the applicable legal provisions and what has happened in people's lives.

As well as in this study conducted in order to obtain materials in the form of: theories, concepts, legal principles and legal regulations related to the subject matter. The scope of normative legal research according to Soerjono Soekanto includes:

- a. Research into legal principles.
- b. Research into legal systematics.
- c. Research into the level of legal synchronisation vertically and horizontally.
- d. Comparison of law.
- e. Legal history.

The scope of this research will be carried out by drawing legal principles, which are carried out on written and unwritten positive laws. This research can be used to draw legal principles

in interpreting laws and regulations. In addition, this research can also be used to find legal principles that are formulated both implicitly and explicitly. Data collection instruments refer to material tools used to obtain data and record it. This research is focused on literature studies or document studies because this research is mostly carried out on secondary data and Primary Data as a trap, the data to be obtained in this research is collected by means of library research (Library Research) The library material referred to consists of primary legal materials, namely laws and regulations related to the title of this research and the Criminal Code. Similarly, secondary legal materials are studied in the form of scientific works of experts including research results (including theses and dissertations) related to the research title. To complement the legal materials, it is also supported by tertiary legal materials such as: dictionaries, encyclopedias, interpretations, journals and so on. The data obtained in this research will be analysed qualitatively in accordance with the specification of the nature of the research to examine between theory and practice at Lubuk Pakam Correctional Institution. Qualitative data analysis is to explore social facts not only on the surface but also to explore what really happens behind the real events.

## **DISCUSSION AND ANALYSIS**

Corrections is the final institution of the criminal justice system in Indonesia. Correctional Institution called Lapas is a place for guidance for prisoners and correctional students. However, until now people are more familiar with the name prison. Coaching in a Correctional Institution is carried out based on the practice of the values of the precepts contained in Pancasila. Promoting human values and respecting human rights for everyone who must be fostered in the Penitentiary. In accordance with the 1945 Constitution on human rights contained in Article 28 A confirms that everyone has the right to life and the right to defend life and life. The function of the Penitentiary is not only as an executor of the punishment but in order to foster and shape a person's behaviour so that after returning to the general public can be trusted and become a good human being and can participate in national development. The existence of coaching in the Penitentiary is expected to have a positive impact and influence on the awareness process of the perpetrators of crime. Guidance for prisoners, especially women, is carried out through the Women's Correctional Institution. Each prisoner who is in the Penitentiary comes with a different criminal case background.

In Law Number 12 Year 1995 on Corrections, it turns out that the issue of women prisoners is not mentioned. Because only convicts are mentioned, there is no distinction between male prisoners and female prisoners, this means that there has been a vacuum of

norms, so in the future this needs to be regulated norms between male prisoners and female prisoners cannot be treated the same, given the physical and psychological differences between men and women. Correctional Institution is a place to provide guidance to prisoners and correctional students in Indonesia. Before the term correctional centre was introduced, the place where prisoners were held was called a prison. The concept of correctional was refined by the decision of the official conference of prison leaders on 27 April 1964 which decided that the implementation of imprisonment in Indonesia is carried out with a correctional system that departs from the idea of the need for better treatment of prisoners through guidance and coaching with the principle that people who are lost must be nurtured by providing provisions for life as a good and useful citizen in society. The success or failure of the guidance of prisoners in prisons including Lubuk Pakam Correctional Facility depends a lot on prison officers, this cannot be separated from their function where officers will directly deal with prisoners. Therefore, officers in fostering prisoners must have the ability to be on duty, because the task of fostering prisoners is not solely related to the prisoners themselves, but is related to elements of society which are also expected to participate actively and positively in fostering prisoners.

Correctional Institutions as part of a form of criminal justice system aims to realise one of the objectives of the criminal justice system, namely to socialise and rehabilitate lawbreakers. The purpose of fostering lawbreakers is not merely revenge, the real purpose of punishment in Indonesia is that convicts can improve themselves so that the objectives of the correctional system can be achieved, namely, prisoners or correctional foster residents are considered someone who has made mistakes and gone astray so that the prisoner is fostered and guided so that he can become a better person. The correctional system is an order regarding the direction and limits and ways of fostering correctional prisoners based on Pancasila which is carried out in an integrated manner between the Pembina, the fostered, and the community to improve the quality of correctional prisoners so that they realise their mistakes, improve themselves, and do not repeat criminal acts so that they can be accepted back by the community environment. The role of correctional officers in the prisoner development system at Lubuk Pakam Correctional Facility is as follows:

1. Officers as Mentors and Educators
2. Officer as Social Worker
3. Officer as Guardian or Parent
4. Officers as Security Maintainers
5. Officer as Communicator with the Community

To carry out their duties as communicators with the community correctional officers perform three forms of activities, namely:

- a. Include prisoners in community activities. Examples: volleyball matches, gotong royong with the community around Lubuk Pakam Correctional Institution.
- b. Involving the community in penitentiary activities. For example: there is a schedule determined by Lubuk Pakam Correctional Institution officers to hold visits or activities for prisoners, both from family relatives and the community in this case NGOs.
- c. Providing information to the community. Example: providing counselling on the dangers of drugs and HIV/Aids.

The imposition of punishment is not merely an effort to take revenge, but most importantly as an effort to provide guidance and protection. In the implementation of the process of providing guidance and protection in Class IIB Lubuk Pakam Correctional Facility, several obstacles come from officers, prisoners, the community, facilities and infrastructure as well as obstacles in administration. The forms of obstacles originating from officers are related to the skills of officers who require bringing in experts who are experts in the field of psychology and in the field of technical skills. This can be overcome by bringing in non-permanent officers from outside such as religious preachers, doctors, sociologists, and technical personnel from a Lubuk Pakam Vocational Training Centre. Due to qualified human resources being one of the standards for the achievement of prisoner development, the officer plays an important role in carrying out the process of prisoner development, where a lot of work is not achieved if the human resource factor is not supported by science, as well as the necessary facilities and infrastructure. So it needs special attention because:

- 1) Lack of proper implementation of the coaching programme.
- 2) The low interest of the prisoners to participate in the coaching programme.
- 3) The lack of adequate correctional technical personnel.
- 4) Low enthusiasm of officers to carry out their duties.
- 5) Officers lack mastery in their respective fields of work.
- 6) Lack of supporting facilities and infrastructure in carrying out tasks..

With reference to the problems that exist in the development of prisoners in Lubuk Pakam Correctional Facility, it is necessary to find solutions to overcome this problem, including: holding briving and conducting strict supervision. The obstacles originating from prisoners, the community and infrastructure in Lubuk Pakam Correctional Facility are caused by:



- 1) Barriers from Prisoners
- 2) Barriers from the Community
- 3) Barriers to Facilities and Infrastructure

Regarding the implementation of the coaching of skills activities provided to female prisoners at Lubuk Pakam Correctional Facility where there are indeed various types and the coaching of these skills activities is very useful for training the independence of prisoners later after leaving prison to start a new life in the community. Prisoners who have served half of their sentence are entitled to participate in the assimilation programme. This cooperation has a very positive influence on the development and improvement of the quality of coaching later. Based on the above discussion, the implementation of coaching for female prisoners in Lubuk Pakam Correctional Facility has shown that the implementation system and mechanism used in coaching female prisoners in Lubuk Pakam Correctional Facility both in the form of mental and spiritual coaching and physical coaching have been provided through activity programmes ranging from education, skills, spirituality, sports and arts that are in accordance with the provisions in Law No. 12 of 1995 concerning Corrections.

For this reason, it is very important to have a Women's Correctional Institution whose position can only be devoted to prisoners who are female. The placement of female prisoners is differentiated from male prisoners. This is because female and male prisoners clearly have differences in terms of physical and psychological. The different placement is also expected to prevent fatal acts such as violence, abuse and sexual harassment. It is regulated in Article 12 of Law Number 12 of 1995 concerning Corrections that the guidance of women prisoners in correctional institutions must be carried out in the Women's Correctional Institution Every prisoner who is in the Women's Correctional Institution carries out his activities and carries out activities in accordance with the rules and procedures that have been established. Prisoners are prepared to be someone better so that after returning to society can be accepted and can be responsible to be someone better. In the Women's Correctional Institution in general, skills training is given in accordance with the habits of women in general to increase their creativity so that after leaving the Correctional Institution they are able to participate in national development.

Coaching in the Lubuk Pakam Women's Correctional Institution is carried out by Correctional Institution officers in accordance with their respective duties and obligations. In the Penitentiary, inmates are given coaching which aims to shape the character of the inmate to become a whole human being and have a better personality. Coaching is carried out to educate prisoners to have responsibility so that after returning to society they can be trusted

and have the provisions to become independent human beings. Can be accepted back by the community, can coexist reasonably like the community in general and is expected not to repeat or make mistakes again after leaving the Lubuk Pakam Women's Correctional Institution only to foster female prisoners and prisoners only. It is not intended for male prisoners. Since it was built, its position is specifically for the development of female prisoners. Inmates are given guidance, namely activities to improve the quality of devotion to God Almighty, intellectual, professional attitudes and behaviour, physical and spiritual health.

The functions and duties of correctional guidance for prisoners are also carried out in an integrated manner with the aim that after serving a sentence, coaching and mentoring a person who has completed his punishment in the Lubuk Pakam Women's Correctional Institution so that he is able to become a good Indonesian citizen and not repeat his bad actions. The coaching carried out in the Lubuk Pakam Women's Correctional Institution is in the following ways, fostering Independence Prisoners get a special training programme to get things that can be useful for prisoners, namely sewing, sequins, borders, cooking. Because the Lubuk Pakam Women's Correctional Institution is only intended specifically for the development of female prisoners so that the training and skills provided are in accordance with the habits of women in general Personality Development, by way of namely:

- a. Religious Awareness Development
- b. Development of Nation and State
- c. Intellectual Ability Development for Intelligence
- d. Development of Legal Awareness
- e. Physical and Physical Development
- f. Development in the field of Arts
- g. Development in Integrating with the Community
- h. Assimilation coaching programme

The way of counselling in the Correctional Institution for women prisoners is basically not much different from the Correctional Institution in general. It's just that there is a little specificity where in the Correctional Institution women prisoners are given skills coaching such as sewing, embroidery, crafting and cooking which are identical to the daily work of women. In addition, the Women's Correctional Institution also provides menstrual leave for prisoners who experience menstruation. In terms of doing work, female prisoners are given relatively lighter work when compared to male prisoners. This is because women are usually physically weaker when compared to male prisoners.

In addition to being given some skills as mentioned above, the Women's Correctional Institution also provides other skills in the form of PKK lessons. This is intended so that when they leave the Penitentiary, they already have their own skills so that they can become independent human beings and are useful for themselves, their families and society in general and can socialise with the surrounding community. As for female prisoners who are pregnant or breastfeeding, special treatment is given. This is regulated in **Government Regulation Number 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Prisoners Article 20 paragraphs (3, 4 and 5)**, Prisoners and correctional students who are sick, pregnant or breastfeeding, are entitled to additional food in accordance with the doctor's instructions.

The provision of activities for the development of skills for prisoners, through correctional officers, is expected that later return to the middle of society no longer repeats acts that are contrary to applicable law. Likewise, this coaching can provide motivation for the results of self-change in enyongsong a better future. However, in realising this noble goal, it cannot be fully implemented on an ongoing basis because there are several obstacles experienced. Low interest and concern from institutions or companies to participate in providing guidance to prisoners in correctional institutions. This happens because the tasks in correctional institutions, especially correctional institutions, cannot contribute reciprocally, and cannot foster a sense of pride.

This is due to the problem of funding support in fostering activities that are skills that can be used to create their own jobs or can work for other parties according to their skills. The Correctional System as a place to provide guidance to prisoners, as a paradigm of the function of the Correctional Institution which was previously a place of retaliation into a place to be able to provide guidance. The obstacles faced by correctional officers in an effort to provide guidance for prisoners are due to the over-capacity conditions of the Lubuk Pakam Penitentiary so that coaching does not run optimally. And some of the prisoners do not have a clear family, so there is no party from the family who participates in providing support by making visits to the Penitentiary. This also has an impact on the absence of family guarantees that must be known by the Head of Village in the area where the prisoner lives.

## **CONCLUSIONS and SUGGESTIONS**

The provision of guidance and protection to convicts so that they become aware and can become good members of society is a new conception of punishment, expected as an effort of rehabilitation and social reintegration. The presence of Class IIB Lubuk Pakam Correctional

Facility is expected to be able to provide good and appropriate guidance to prisoners and provide information to the public about the implementation of inmate development in detention centres through mass media and newspapers or other means in accordance with the intention of changing the public's view of prisoners, that prisoners can return to society without discrimination. The implementation of women prisoners' development in Lubuk Pakam Penitentiary contains several procedures starting from the reception of prisoners, registration to the next stage of the implementation of prisoners' development. In the implementation stage itself consists of stages, namely the initial stage of teaching prisoners to have religious and legal awareness, the advanced stage which gives direction to prisoners to always display their talents and skills so that when in prison, prisoners have positive activities to do. Furthermore, in the second advanced stage, prisoners who have served half of their prison term according to the TPP (Correctional Supervisory Team).

It is better if the existing implementation processes may be the same in each penitentiary, if it is the same, it considers it to be a good thing to be further improved and tightened so that female prisoners and officers work together in the penitentiary, the existence of these obstacles can be avoided together with the cooperation of all parties in it. And the factors regarding these obstacles are true. This factor is closely related to one another so that it becomes a unity that if the obstacle is to be eliminated, it must be all that cannot be if only one or cling to religion to be the basic guidelines for humans living in the world, even when the human being makes a mistake and he must be responsible for what he did.

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