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The Fulfilment of Rights of Inmates Based on Law Number 12 of 1992 Concerning Corrections in the Class IIA Sidoarjo Correctional Institution

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Abstract
Inmates undergoing the sentence handed down by the Panel of Judges at trial have the right to receive correctional education. Inmates’ rights are guaranteed by relevant institutions, including the Class IIA Sidoarjo Correctional Institution. The program is intended for inmates to change their negative behavior through various mechanisms and processes regulated by applicable laws.

Keywords: Rights of Correctional Education, Inmates, Class IIA Sidoarjo Correctional Institution

Introduction
The General Provisions of Article 1 Number (3) of Law Number 12 of 1995 concerning Corrections reads, “Correctional Institutions, hereinafter referred to as Lembaga Pemasyarakatan (LAPAS), are places that provide correctional education for inmates”. Article 5 Number (3) of this law also states that correctional education is a system that regulates the
direction, boundaries, and method of undergoing rehabilitative programs for inmates to get them aware of their wrongdoings. The program also encourages inmates to become better and prevents them from convicting other criminal acts to be welcome again by the community.

Penitentiary or correctional institution as the final institution in the criminal justice process is the place for convicts to undergo their criminal sentences (Nyoman and Jaya, 2001:31). Correctional institutions protect the community by revocating criminal convicts' independence and imprisonment to make them deter and prevent the occurrence of a crime. Correctional institutions foster and educate prisoners to prepare them for getting back as members of the wider community (Dwidja and Priyatno, 2009: 103).

Problems often occur regarding the implementation of correctional education, including the inability of correctional institutions to carry out correctional duties, resulting in non-optimal correctional education. This condition often triggers conflicts between inmates with prison officers. Riots also often occur between fellow inmates due to unfair facilities and treatment for certain inmates. Furthermore, security problems often occur since, in fact, illegal smuggling still occurs in correctional institutions.

**Literature Review**

This study analyzed the implementation of the rights of correctional education for inmates in the Class IIA Sidoarjo Correctional Institution based on Law Number 12 of 1995 concerning Corrections.

**The Rights of Correctional Education for Inmates based on Law Number 12 of 1995 Concerning Corrections**

The right to receive correctional education is one of the inmates’ rights. Inmates are being imprisoned based on their sentences, and they are also entitled to receive assistance. Correctional Institutions as places to foster and guide inmates should carry out their duty to provide correctional education as stipulated in Law Number 12 of 1995 concerning Corrections. Article 1 Paragraph (2) of Law Number 12 of 1995 concerning Corrections explains that Correctional Institutions should provide proper correctional facilities based on Pancasila, and correctional education should be carried out in an integrated manner by involving several elements of society. By the end of the education programs, inmates are expected to become better persons who can positively contribute to the community.

As mentioned in Article 14 of Law Number 12 of 1995 concerning Corrections, 13 prisoners’ rights should be guaranteed in the prison as follows.

1. The right to perform religious activities;
2. The right to receive both spiritual and physical care;
3. The right of receiving education and teaching;
4. The right of being given proper health services and food;
5. The right to submit a complaint;
6. The right of being provided with reading materials and the rights to participate in legal mass media broadcasts;
7. The right to earn wages for doing some work;
8. The right to receive visits from family, legal counsel, or other persons;
9. The right to get a reduction (remission);
10. The right to be given assimilation opportunities, including time off to visit family
11. The right to get parole.
12. The right to get leave before being set free; and
13. The right of other rights based on applicable laws and regulations.

The Fulfilment of Inmates’ Rights in the Class IIA Correctional Institution in Sidoarjo

Implementation is an action to carry out a predetermined plan in a careful and detailed manner. The implementation of a plan is regarded as complete when it is permanently done. The term implementation not only relates to activities, but it also refers to a well-planned activity that is seriously carried out to reinforce certain norms to accomplish the goals of the activity (guru Pendidikan.co.id 2021, June 27th).

In providing assistance and education for inmates, the Class IIA Sidoarjo Correctional Institution divides the education program into character building and independence encouragement. Various kinds of activities have been organized by the Class IIA Sidoarjo Correctional Institution and must be undertaken by all inmates.

The Class IIA Sidoarjo Correctional Institution guarantees the fulfillment of inmates’ rights based on Article 14 of Law Number 12 of 1995 concerning Corrections as follows.

1. The right to perform religious activities
Inmates are allowed to perform religious obligations such as 5-time prayers for Muslims and going to church for Christian inmates. Some facilities are available in Class IIA Sidoarjo Prison, including a mosque for Muslim prisoners and a church for Christian prisoners. Meanwhile, for Hindu and Buddhist inmates, worship activities are carried out independently in their respective rooms due to the unavailability of worship facilities.

2. The right to receive both spiritual and physical care
The Class IIA Sidoarjo Correctional Institution categorized two spiritual activities: religious-spiritual activities and national spiritual activities. Religious-spiritual activities include Qur’an recital, praying, Bible study in churches located in the Class IIA Sidoarjo Correctional Institution. Meanwhile, nationality-based activities include Scouts and ceremonies in commemorating National Days attended by all prisoners and officers. Inmates are also encouraged to do physical activities and sports such as volleyball, football, badminton, aerobics, and table tennis. Physical activities are carried out every morning from 07.00 to 09.00 AM.

3. The right to education and guidance
Educational activities consist of three equivalency education services: Kejar Paket A for elementary school, Kejar Paket B for junior high level, and Kejar Paket C for high school level. The Class IIA Sidoarjo Correctional Institution cooperates with a third party, Standar Kegiatan Belajar Kota Sidoarjo or Sidoarjo City Learning Activity Standard, to carry out educational and teaching activities every Monday to Thursday at 08.00-11.00 AM.

4. The right of being given proper health services and food
The Class IIA Sidoarjo Correctional Institution provides 24-hour health services in a polyclinic run by health workers such as doctors and midwives. However, inmates are referred to Sidoarjo City Regional General Hospital for more advanced health care for emergencies. The Class IIA Sidoarjo Correctional Institution always serves healthy and proper food to fulfill inmates’ nutritional needs.

5. The right to submit a complaint
Inmates are allowed to file complaints. They are also allowed to enjoy music arts, radio broadcasts, and praying together. Apart from these activities, inmates can also submit complaints through the guard posts available in each block of inmates’ cells.

6. The right of being provided with reading materials and the rights to participate in legal mass media broadcasts
Despite limited independence, inmates can still do entertainment activities, such as reading and using recreational media. A library is available for inmates who want to read, and they can also watch television and listen to radio broadcasts.

7. The right to earn wages for doing some work
Inmates are also guided to work to improve their abilities which will be helpful for them when they are set free. Some businesses are run by The Class IIA Sidoarjo Correctional Institution, including car wash, cafes, and handicrafts stores. Inmates who work in these enterprises will earn wages that can be used to pay for the costs while being in prison and their costs when they return home.

8. The right to receive visits from family, legal counsel, or other persons
Families and certain people are allowed to visit inmates. Any visitor should have their baggage checked and their data recorded. Visitors can meet inmates in a special room that is well-guarded.

9. The right to get a reduction (remission)
There are two types of remissions for inmates: special remission and general remission. Special remissions are given to prisoners before religious days, while general remissions are given to prisoners before Indonesia’s independence day celebration on August 17th.

10. The right to be given assimilation opportunities, including time off to visit family;
There are two kinds of assimilations, namely homework and social work. Homework assimilation activities are carried out within the prison environment. Meanwhile, social work assimilation activities blend prisoners into community life, letting them participate in activities carried out by the community and pay attention to the norms that apply in the community.

11. The right to get parole
Inmates who are given parole must fulfill the conditions as stated in Article 82 of Regulation of the Minister of Law and Human Rights Number 3 of 2018 concerning Terms and Procedures for Granting Remission, Assimilation, Prison Leave, Pre-release Leave, and Conditional Leave as follows:
1) Well-behaving and not violating any disciplinary regulation within six months;
2) Actively participating in the correctional education program. ; and
3) Having completed half of their imprisonment sentence.
These activities help integrate prisoners with community life to be better people after leaving the correctional institution.

12. The right of prison leave before release
Like the right to get parole, prisoners are also given the opportunity to be assisted in such a way that they are prepared to be a part of the wider community based on the norms and rules that apply. To obtain this opportunity, prisoners must meet the requirements mentioned in Article 102 of the Regulation of the Minister of Law and Human Rights Number 3 of 2018.
1) Having completed at least 2/3 of the imprisonment sentence, with the least imprisonment sentence of 9 years;
2) Well-behaving and the minimum imprisonment of 9 months; and
3) Maximum total of 6-month leaves prior to the release and the last imprisonment.
13. The right of other rights based on the applicable laws and regulations that apply

   In the provisions of relevant laws and regulations, inmates are entitled to the right to vote following Article 14 paragraph (1) of Law Number 12 of 1995 during the general election, where the election is held, and their data remain confidential (Interview with Dedi Nugroho, 2021).

**Research Method**

This study employed the empirical juridical approach in which legal materials are being observed. The sociological approach to law is used to investigate legal aspects within social interactions in society and serves to identify and clarify non-legal materials for research purposes or legal writing (Ali 2013, 105).

**Results and Discussion**

The fulfillment of inmates’ rights is categorized into personality development and independence reinforcement. Article 14 of Law Number 12 of 1995 concerning Corrections mentioned 13 rights for inmates. One of the most basic is to worship according to their religion or belief. The Class IIA Sidoarjo Correctional Institution gives this opportunity to inmates to allow them to practice religious activities in certain places of worship located within the Class IIA Sidoarjo Correctional Institution.

**Conclusion**

The fulfillment of inmates’ rights is carried out with mechanisms and conditions that follow applicable laws and regulations. The Class IIA Sidoarjo Correctional Institution grants 13 rights to prisoners based on Article 14 of Law Number 12 of 1995 concerning Corrections. These rights are given to help inmates learn from their mistakes to be a person with positive contributions to the community.

**Limitation of the Study**

This study is limited to the implementation of the rights of prisoners given by the Class IIA Sidoarjo Correctional Institution based on Law Number 12 of 1995 concerning Corrections. The Class IIA Sidoarjo Correctional Institution covers the entire city of Sidoarjo.

**Declaration of conflicting interest**

Inmates’ rights need to be obtained to improve themselves. Thus, they will be welcome in the community. Therefore, this study is worth conducting to make sure that inmates are developing themselves to be welcome by the surrounding society as stipulated in relevant laws that apply.

**Funding**

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