

Fulfillment of the Rights of Intellect Citizens Through the Assimilation Program in Correction Centers

Ahmad Muhammad Ridwan Saiful Hikmat¹, Alvin², Herdi Iman Muttaqin³, Muchamad Afif Suganda⁴, Mar'ie Muhammad⁵

¹ Faculty of Law Study Program Nusantara Islamic University Bandung Indonesia.
EM: ahmad.m.ridwan@uninus.ac.id

² Faculty of Law Study Program Nusantara Islamic University Bandung Indonesia.
EM: alvin@uninus.ac.id

³ Faculty of Law Study Program Nusantara Islamic University Bandung Indonesia.
EM: herdiiman@uninus.ac.id

⁴ Faculty of Law Study Program Nusantara Islamic University Bandung Indonesia.
EM: afifsuganda@uninus.ac.id

⁵ Faculty of Law Study Program Nusantara Islamic University Bandung Indonesia.
EM: mariemuhammad@uninus.ac.id

*Corresponding author: Ahmad Muhammad Ridwan Saiful Hikmat (ahmad.m.ridwan@uninus.ac.id)

Received: 20 January 2023

Accepted: 15 April 2023

Citation: Hikmat AMRS, Alvin, Muttaqin HI, Suganda MA, Muhammad M (2023) Fulfillment of the Rights of Intellect Citizens Through the Assimilation Program in Correction Centers. *History of Medicine* 9(1): 99–107. <https://doi.org/10.17720/2409-5834.v9.1.2023.014>

Abstract

Desired writing goals achieved is to research and find out the effectiveness of assimilation according to Law Number 22 of 2022 concerning Corrections and its implementation in fulfilling the rights of inmates through the assimilation program at Bapas. Therefore, the research method includes research specifications, namely analytical descriptive, normative juridical approach methods, through the library research stage, namely researching and studying secondary data obtained through library research data collection techniques, which are then analyzed secondary data. juridical -quality f. This study produces the conclusion that is the effectiveness of assimilation according to Law Number 22 of 2022 concerning Corrections and its implementation in fulfilling the rights of inmates through the assimilation program at Bapas can be concluded that the legal aspect that stands out from the new correctional era today is through community involvement in correctional functions. This is considered to be more effective, coupled with the existence of an integrated justice system and with regard to implementation in fulfilling the rights of inmates, it can be known through the assimilation program at the Bapas regulated through the Guidelines for the Implementation of Conditional Rights for Convicts in accordance with Law Number 22 of 2022 concerning Corrections Number Pas- 20.Ot.02.02 Year 2022.

The Correctional System is an arrangement regarding the direction and limits as well as ways of fostering Correctional Families or also known as prisoners whose guidance must be based on Pancasila which is carried out in an integrated manner between the coach, the person being coached, and the community to improve the quality of prisoners (Correctal clients). The Correctional System which has been implemented since 1964 must of course be based on the applicable laws and

regulations regulated in Law Number 22 of 2022 concerning Corrections. The penitentiary law strengthens efforts to create a correctional system which is a coaching system for inmates of correctional facilities. Penitentiary or better known as Lapas is a fostered place for those who have committed a crime or violated the law (convicts). The purpose of the existence of this correctional system has been regulated in Article 2 of Law Number 22 of 2022 concerning Corrections,

namely to foster convicts with the status of inmates to become better human beings, raise awareness in inmates of their mistakes, improve themselves, not repeat violations of the law so that when released they can be accepted again by the community, participate actively in development, and can live as law-abiding and responsible citizens. One form of realizing the right of integration for convicts with society is by providing assimilation, which is one of the coaching programs in every prison in Indonesia.

Besides aims to restore correctional inmates as good citizens, the penal system also aims to protect the public against the possibility of repeated criminal acts by correctional inmates, and is an application and an integral part of the values contained in Pancasila.²

To carry out coaching in prisons, a program is needed that makes the coaching process achieved as it should. Whereas coaching outside prisons is carried out by Correctional Centers as stipulated in Article 1 paragraph 20 of Law Number 22 of 2022 concerning Corrections. Which states that Bapas is an institution to carry out correctional client guidance. Bapas himself has duties and functions as the organizer of some of the main tasks of the Directorate General of Corrections in the regions. The forms of guidance given to correctional clients vary from coaching on religion, skills, to personality coaching. This guidance is given with the aim that correctional clients can live well in society as citizens and be responsible, to provide motivation, so that they can improve themselves and not repeat crimes (residive).

The Republic of Indonesia as a legal state based on Pancasila and the 1945 Constitution aims to create a prosperous, safe, orderly, advanced and characterized state and nation's life. In realizing this order of life, it is carried out by filling independence through gradual and planned national development. The method used is through Pelita, the national development program as well as long and medium term development plans, the development activities carried out include

fostering, perfecting and controlling the state so that it is able to carry out its duties always based on the law based on the spirit and attitude of community service.³

The need for restrictions on rights is intended to maintain balance in a society, maintain discord, and efforts to improve and increase social sanctions that have been fading in modern society. In Indonesia specifically in the field of criminal law these rights are in Law Number 12 of 1995 concerning Corrections, which in Article 14 mentions the rights of a convict.

The history of law cannot be ignored if people want knowledge about the law itself. According to Soejono Soekanto, the history of law has a role in determining the relationship between the present and the past, between law and the value system in society and the relationship between the present and the future between law and changes in society.⁴

In order to create a penitentiary system, the government is trying to replace all statutory provisions which are still based on the prison system with regulations based on Pancasila values and the 1945 Constitution, thus forming the Correctional Law which consists of 8 chapters and 54 articles.⁵

For the Indonesian state which is based on Pancasila, new ideas regarding the function of punishment which is no longer just a deterrent but also an effort to rehabilitate and social reintegrate inmates of correctional institutions have given birth to a coaching system for more than thirty years which is known and called the correctional system.⁶

Penitentiary as an institution that is given the task of carrying out coaching and rehabilitation of inmates has a classic problem, there are still many recidivists who are often seen as failures and the ineffectiveness of the coaching and rehabilitation system is always in the spotlight. In fact, it is not solely because of the system but awareness and other factors that are the cause of the large number of recidivists so that the problem of recidivism becomes a link that must be broken.

²Adi Sujanto, Indonesian Correctional System Building Independent Humans, Jakarta: Directorate General of Corrections Ministry of Law and Human Rights of the Republic of Indonesia, 2004. p.21

³The elucidation of Law Number 5 of 1986 concerning State Administrative Court was last amended by Law Number 51 of 2009 concerning the Second Amendment to Law Number 5 of 1986 regarding State Administrative Court.

⁴Soejono Soekanto, Usefulness of Sociology of Law for Lawyers, Bandung: Alumni, 1976, p.11.

⁵R. Soegondo, The Biological Needs of Convicts From the Viewpoint of Religious and Psychological Law, Jakarta: Politea, 1982, p.125.

⁶General Explanation of First and Second Paragraphs of Law No.12 of 1995 concerning Corrections.

Correctional system organized in order to form correctional inmates to become fully human, realize mistakes, improve themselves and not repeat crimes so that they can be accepted again by society and their environment, can play an active role in development, and can live normally as good citizens and be responsible.⁷

Inmates as convicts serving prison terms have rights protected by human rights and Indonesian law, one of which is by granting remissions. Remission is essentially the right of all convicts and applies to anyone as long as the convict is serving a temporary sentence, not life imprisonment or death penalty.⁸

The purpose of punishment will not work optimally if someone who commits a violation of the law is not subject to sanctions. Criminal sanctions are one way to deal with criminal acts. The use of criminal sanctions to deal with crime is the oldest way, as old as human civilization itself, some even mention it as the older philosophy of crime control.⁹

Guidance provided by correctional institutions such as job training or skills as a provision for inmates in accordance with the interests, skills and desires of convicts does not necessarily make convicts better in living life when they return to society, instead the label as an ex-convict is a factor that hinders an ex-convict. convicts to change and become an obstacle to carrying out what is obtained from the penitentiary, this is mostly ex-convicts find it difficult to participate again with society in general, feel not accepted by society and return to committing crimes which then ex-convicts appear to commit crimes again, known as recidivists.

Humans, in addition to being personal beings with all their unique personalities, are social beings who are naturally created to live together. A life that needs each other, work hand in hand and work together in order to meet needs and for the purpose of survival, is a reality that shows that humans are creatures that are dependent (interdependent) with each other.¹⁰

As a form of effort from the government to increase correctional inmates, it has made regulations as implemented through Government Regulation Number 99 of 2012 concerning

Requirements and Procedures for Implementing the Rights of Correctional Inmates. Based on this presentation, it was identified how effective assimilation was according to Law Number 22 of 2022 concerning Corrections and how it was implemented in fulfilling the rights of inmates through the assimilation program at Bapas.

Research Methods

The research method used in this journal research uses a normative juridical approach, which is a method in normative legal research using primary sources of secondary data or library materials. Secondary data in legal research is data obtained from the results of a literature review or review of various literature or library materials related to research issues or materials which are often called legal materials. Legal materials consist of:

1. Primary legal materials, namely binding legal materials, which consist of laws and regulations.
2. Secondary legal materials, namely legal materials that provide explanations regarding primary legal materials, such as research results, books written by experts, scientific articles, journals and others.
3. Tertiary legal materials, namely legal materials that provide instructions or explanations of primary and secondary legal materials such as dictionaries, encyclopedias, which in this study were processed selectively.
4. The secondary data, which is in the form of primary legal materials, secondary legal materials and tertiary legal materials, is processed selectively and systematically and does not use statistics.

Results And Discussion

The Effectiveness of Assimilation According To Law Number 22 Of 2022 Concerning Corrections

Correctional System and Effectiveness

The passage of Law Number 22 of 2022 concerning Corrections on 3 August 2022 is a

⁷Ibid., p. 126.

⁸Ibid., p. 127.

⁹Marlina, *Penitensier Law*, Bandung: Aditama Reflika, 2011, p.27.

¹⁰M. Abdul Kholiq, "Juridical Review of Differences in Default, Fraud and Embezzlement", 2008, (<http://pkbh.uui.ac.id/analisa-Hukum/analisa-Hukum/tinjauan-yuridis-regarding-differences-an-wanprestasi-deception-and-deception.html>), accessed 22-06-2023, at 20. 22 WIB.

new chapter in the correctional system in Indonesia. This rule replaces Law Number 12 of 1995 concerning Penitentiary which is considered to be out of step with the times and the demands of society. When Law Number 22 of 2022 comes into force, the previous law governing correctional institutions, namely Law Number 12 of 1995, is repealed and declared no longer valid.

The latest law states that correctional facilities are part of an integrated criminal justice system that organizes law enforcement in the field of treatment of detainees, children and assisted citizens in the pre-adjudication, adjudication and post-adjudication stages.

Correctional administration as part of an integrated criminal justice system is based on a system referred to as a correctional system which is an arrangement regarding directions and boundaries and methods of implementing correctional functions in an integrated manner between officers, detainees, children, inmates, and the community.

Through this law it proves juridically that penitentiary has entered a new era, tracing the process of the long journey of the correctional system which began in 1963, namely the 1st correctional period. and new thinking that the purpose of imprisonment is correctional.¹¹

At the conference of the Directorate General of Corrections in Lembang Bandung 1964, there was a change in the term penitentiary. What was previously interpreted as a useful member of society becomes a return to the integrity of life-lives.

The long process of the penitentiary system in Indonesia is also inseparable from the role of stakeholders who have struggled to achieve correctional goals. The underlying question is whether this law is more effective than the previous regulations.

Following are the legal aspects in the new Penitentiary Law, so that it improves and becomes the best version to realize the correctional system:¹²

First, the position of the penitentiary in the integrated criminal justice system. The correctional facility, which is almost 60 years old, has become quite mature if it is analogous to humans. Along with this, the demands for

the implementation of correctional facilities are expected to develop day by day. Various phenomena such as overcrowding in prisons and detention centers, as well as other problems, are often unfinished topics of discussion.

Law Number 22 of 2022 concerning Corrections explains that the position of correctional institutions in the integrated criminal justice system is part of the law enforcement process in the context of providing services as well as coaching and mentoring for social reintegration. Penitentiary no longer refers to imprisonment in treating correctional inmates. The past condition places that correctional as the final destination for the punishment of someone who has been sentenced by a court decision or who is still waiting for a court decision.

In the context of an integrated criminal justice system, now correctional facilities are not the final part of the criminal justice system, but have started since the beginning of the criminal justice process. This new law replaces previous regulations which are no longer in line with developments in community law and do not fully reflect the needs of the penitentiary system. This can be seen by the application of the rights of prisoners who have not been fully regulated in Law 12/1995 concerning Corrections. Now the rights of inmates of correctional institutions have been given in the form of counseling and legal assistance, to receive humane treatment and to be protected from acts of torture, exploitation, omission, violence, and all actions that endanger the physical and mental. Second, the requirements of convicts to obtain their rights. The new Correctional Law has explained more broadly related to the requirements for convicts to obtain their rights. It was further explained that in granting convicts' rights, prisons or detention centers can refer to Article 10 Paragraph 2, namely that inmates must have good behavior, actively participate in coaching programs, and have shown a reduced level of risk. This is different from the previous law which did not accommodate the designation of a reduced level of risk. Reducing the level of risk ideally

¹¹Rida Miftah, *Coaching in the Development of International Education*, Bandung: CV Bimbel Perdana, 2017, p. 127.

¹²Purwanto, *Welcoming a New Era of Penitentiary*, Kaltim Post, 2022

should be carried out by an assessment (assessment) of inmates who have undergone a series of coaching in prisons or detention centers. Since the beginning of entry, inmates must undergo an assessment.¹³

The purpose of this assessment is to measure the repetition rate of criminal acts and so that the right program can be given based on the needs of each inmates. The hope is that by following the programs that have been implemented in prisons and detention centers, prisoners will behave better and change their outlook on life from before receiving coaching. Indicators of reducing the level of risk must go through an assessment process carried out by assessors in prisons or detention centers. One of the instruments used is the Indonesian Recidivism Risk (RRI) and the criminogenic needs instrument.

Community counselors as correctional officers can also carry out assessments in an effort to assess the feasibility and risk of repetition of crimes committed by convicts. The results of this assessment will be evaluated periodically to ascertain whether there is a reduction in the level of risk carried out by convicts. Even though prisons or detention centers do not yet have adequate assessors, social counselors can carry out a feasibility assessment of the appropriate development program plans and program interventions so that inmates can participate in the program according to their potential and needs. It is undeniable that the current limited number of social advisers (PK) is not sufficient to provide correctional services to the number of inmates or clients handled. Moreover, the social adviser in this latest law is also stressed not only focusing on making community research, mentoring, supervision, sessions of correctional observer teams, but also being involved in making assessments.

The number of community counselors is currently 2,700. Meanwhile, the need for PK papas throughout Indonesia is 5,000. This means that currently only half of PK needs are met or 53 percent of the total needs. Over time, the government must realize that the presence of PK in its development is very

important. The number of PKs must be increased to balance the number of convicts who will be ready to carry out the reintegration program.¹⁴

In the aspect of granting rights to inmates, there is a gap in that the granting of rights regardless of the crimes committed by inmates so that there is a tendency for cases of extraordinary crimes, namely narcotics, terrorism and corruption, to receive the same rights. This can be debated considering that the review that is used as the basis of reference is for the sake of upholding human rights itself.

Third, the implementation of the correctional function has shown the function of correctional institutions in detention centers, temporary child care institutions (LPAS), prisons, and special children's development institutions (LPKA), by providing certain treatment to groups with special needs. This includes, among others, children, assisted children, women in the reproductive function, people with chronic diseases, people with disabilities, and elderly people.¹⁵

In addition, a prominent aspect of the new correctional era today is the involvement of the community in correctional functions. It was emphasized that the public can propose correctional programs, assist in the implementation of correctional programs, participate in mentoring ex-convicts and assisted children, and can conduct community research. These are all additional aspects that were not previously explained in the previous Correctional Law.

With the involvement of the community's role in this correctional system, it is a good effort to encourage input, suggestions, and supervision of correctional programs. Bearing in mind that one of the principles in implementing the correctional system is mutual cooperation which can only be realized with the synergy of various parties.

Society as part of the correctional system should not be passive and must contribute in terms of concern. This is what is hoped for through community groups who care about correctional institutions as agents of change in moving the pattern of coaching and mentoring

¹³ Ibid.

¹⁴ <https://ejournal.balitbangham.go.id/index.php/kebijakan/article/view/1512> in the Implications of Changing the Correctional Law on the Treatment of Detainees, Children and Correctional Families, accessed: 06-20-2023 at 16:00: 23 pm.

¹⁵ Ibid.

to the inmates. Coordination efforts carried out by PKs can be well established if community groups can jointly support the mentoring program to optimize social reintegration programs for inmates who will become clients in correctional institutions. It is hoped that in the future PK demands will be able to demonstrate the existence of duties and functions in society as a result of the shift in the orientation of imprisonment to a form of rehabilitation and restorative justice that seeks to restore life, life and livelihoods. We all realize that in order to realize the functions of correctional facilities, starting from services, coaching, social guidance, treatment, security, and observation in accordance with the mandate of the law, we cannot work alone. Therefore, the role of law enforcement officers and the community must work together to support a just correctional program.

The Correctional System is a series of criminal law enforcement units, therefore its implementation cannot be separated from the development of a general conception of punishment. The Correctional System aims to restore inmates as good citizens, it also aims to protect the community against the possibility of repeating criminal acts by inmates of correctional institutions.¹⁶

Effectiveness places more emphasis on the aspect of the goals of an organization, so if an organization has succeeded in achieving the goals that have been set, it can be said to be effective. According to Herlambang "Effectiveness is the ability to choose the right goals for achieving the goals that have been set".¹⁷ Furthermore, according to Danim "effectiveness is fostering creativity".¹⁸

Pasolong stated that:

"Effectiveness be defined as the degree to which a social system achieves its goals. Effectiveness must be distinguished from efficiency. Efficiency is efficiency. Efficiency is mainly concerned with goal attainment".¹⁹ Effectiveness is meant as the level of how far a social system achieves its goals. The word effective comes from the English language,

namely effective which means successful or something that is done successfully. According to Harbani Pasolong, "effectiveness basically comes from the word "effect" and this term is used as a causal relationship. Effectiveness according to the literal meaning is an effect or result desired in an action, namely the state of achieving the expected or desired goal, through the completion of work according to a predetermined plan. Effectiveness shows how the level of ability of a person or group in achieving predetermined goals during a certain period. The more able to achieve the goals that have been determined and the closer to the goals to be achieved, so that it can be said to be more effective."²⁰

Based on the expert opinion, it can be concluded that effectiveness is the result that has been achieved correctly, namely on time, on cost, on the right resources and on target according to plan. Effectiveness is a multi-dimensional concept, meaning that in defining effectiveness it varies according to the knowledge base one has with convergence to achieve the goals set by the organization.

Effectiveness is meant as the level of how far a social system achieves its goals. The word effective comes from the English language, namely effective, which means successful or something that is done successfully. According to Harbani Pasolong, "effectiveness basically comes from the word "effect" and this term is used as a causal relationship. Effectiveness according to the literal meaning is an effect or result desired in an action, namely the state of achieving the expected or desired goal, through the completion of work according to a predetermined plan. Effectiveness shows how the level of ability of a person or group in achieving predetermined goals during a certain period. The more able to achieve the goals that have been determined and the closer to the goals to be achieved, so that it can be said to be more effective."²¹

Assimilation

The legal basis for granting assimilation to convicts Article 10 paragraph (1) of Law

¹⁶Dwija Priyatno , Prison Prison Implementation System in Indonesia , Refika Aditama, Bandung, 2006, p.103.

¹⁷ Donni, Juni Priansa., Agus Garnida Office Management Effective, Efficient and Professional. Bandung: Alfabeta. 2013. p.18 .

¹⁸ Danim, Sudarwan, Motivation Leadership And Effectiveness Group ., Jakarta: Rineka Cipta, 2012. p.118

¹⁹ Pasolong, Harbani , Public Administration Theory . Bandung: Alfabeta, 2007. p.138.

²⁰Pasolong, Public Administration Theory . Bandung: Alfabeta. Bandung. 2011. p . 4.

²¹Pasolong, Public Administration Theory . Bandung: Alfabeta. Bandung. 2011. p . 4.

Number 22 of 2022 concerning Corrections states that after fulfilling certain conditions convicts have the right to:

- a. remission.
- b. assimilation.
- c. leave to visit or be visited by family.
- d. conditional leave.
- e. leave ahead of release.
- f. parole; And
- g. rights in accordance with the provisions of the legislation.

This right can be obtained after fulfilling certain requirements as stipulated in Article 10 Paragraph (2) of Law Number 22 of 2022 concerning correctional states that certain requirements as already mentioned in paragraph (1) include:

- a. well behaved.
- b. actively participating in coaching programs; and
- c. has shown a reduced level of risk.

It is hoped that the assimilation and integration program will allow convicts to return to live in society before their sentence ends in a correctional institution. However, in practice the granting of assimilation and integration rights often encounters obstacles because the processes and procedures adopted have not been efficient and effective. In addition, there is still resistance from some members of the public towards convicts who obtain these rights. There is suspicion, stigmatization is one of the obstacles to the implementation of this assimilation and integration. Of course, besides these obstacles, there are still obstacles both from the requirements and those that need to be food for thought. The importance of the goals of assimilation and integration as a program can be seen from the inclusion of these as one of the general goals of correctional implementation. So it is clear that the meaning of assimilation and integration is to encourage convicts to use the opportunities provided by showing good behavior and complying with the provisions that apply while in the Correctional Institution and convicts for some time live in society with certain conditions. It was entrusted to him to seek improvement.

A. Implementation In Fulfilling the Rights Of Assisted Citizens Through The Assimilation Program At Home.

The basis for granting the Assimilation House refers to Law Number 22 of 2022 concerning Corrections. For your information, Law Number 22 of 2022 concerning Corrections mandates fundamental improvements in the implementation of Correctional functions which include Service, Development, Guidance, Community, Treatment, Security and Monitoring by upholding respect, protection and fulfillment of human rights.

The fulfillment of conditional rights for convicts in question includes remission, assimilation, leave to visit or be visited by family, conditional leave, leave before release, and parole in accordance with Article 10 paragraph (1) letter a to letter f of Law Number 22 of 2022 about Corrections.

As an implementation guideline for Law Number 22 of 2022 concerning Corrections, it is regulated in Instructions for the Implementation of Conditional Rights for Convicts in Accordance with Law Number 22 of 2022 concerning Corrections Number Pas-20.Ot.02.02 of 2022

In the arrangement for granting assimilation, it is regulated as stated below:

- a. The granting of assimilation is carried out in accordance with Article 10 of Law Number 22 of 2022;
- b. Certain requirements for assimilation are given in accordance with Article 44 of the Minister of Law and Human Rights Number 3 of 2018;
- c. The completeness of certain conditions for granting assimilation for convicts is regulated in accordance with Article 46 paragraph (1), paragraph (2), paragraph (4), paragraph (5), and paragraph (6) of the Minister of Law and Human Rights Regulation Number 7 of 2022;
- d. For convicts of terrorism crimes, they are still required to pledge the Unitary State of the Republic of Indonesia in accordance with Article 45 paragraph (2) letters a and b of Permenkumham Number 7 of 2022;
- e. Convicts are not required to pay fines and/or replacement money in accordance with Article 45 paragraph (3), Article 46 paragraph (1) letter b, Article 46 paragraph

(3) of the Minister of Law and Human Rights Number 7 of 2022, and Article 47 of the Minister of Law and Human Rights Number 3 of 2018 because it is contrary to Article 10 of Law Number 22 of 2022, so that all convicts are still given assimilation without having to attach a certificate of payment of fines and/or replacement money in accordance with a court decision;

- f. Provisions for granting assimilation to convicts based on Article 45 paragraph (1) of the Minister of Law and Human Rights Number 7 of 2022 are not valid because they conflict with Article 10 paragraph (3) of Law Number 22 of 2022, so the provision of assimilation is carried out based on Article 44 of the Minister of Law and Human Rights Number 3 of 2018;
- g. The provision of assimilation as referred to in Article 66 paragraph (1) of the Minister of Law and Human Rights 7 of 2022 for convicts of certain crimes does not apply because it is contrary to Article 10 of Law Number 22 of 2022, so assimilation in the form of social work in social institutions can be carried out for all convicts;
- h. The procedures and implementation of assimilation are carried out in accordance with the provisions of the Minister of Law and Human Rights Number 3 of 2018 as last amended by the Minister of Law and Human Rights Number 7 of 2022.

Conclusions and Recommendations

Conclusion

The effectiveness of assimilation according to Law Number 22 of 2022 concerning Corrections and its implementation in fulfilling the rights of inmates through the assimilation program at Bapas can be concluded through The legal aspect that stands out from the new era of penitentiary today is the involvement of the community in correctional functions. It is emphasized in the new law that the public can propose correctional programs, assist in the implementation of correctional programs, participate in mentoring ex-convicts and assisted children, and can conduct community

research. These are all additional aspects that were not previously explained in the previous penitentiary law, this is considered to be more effective, coupled with the existence of an integrated justice system and with regard to the implementation of the fulfillment of the rights of convicts through the assimilation program at the Bapas is regulated through implementing instructions from Law No. 22 of 2022 concerning Internal Corrections Instructions for the Implementation of Conditional Rights for Prisoners in Accordance with Law Number 22 of 2022 concerning Corrections Number Pas-20.Ot.02.02 of 2022.

Suggestion

To implement a new policy, the government should carefully prepare what is needed to carry out the policy so that the new policy made can be implemented optimally and does not cause new problems supported by new facilities and infrastructure so that the guidance and supervision function is maximized from In terms of society, education is needed that builds awareness of all elements of society that can be done, accompanied by an explanation that convicts who are sent home because they get assimilated remain under supervision. So as to reduce the negative stigma against prisoners.

Bibliography

Book Source

- Adi Sujanto, Indonesian Correctional System Building Independent Humans, Jakarta: 2017.
- Danim, Sudarwan, Leadership Motivation and Group Effectiveness., Jakarta: Rineka Cipta, 2012.
- Directorate General of Corrections, Ministry of Law and Human Rights of the Republic of Indonesia, 2004.
- Donni, Juni Priansa., Agus Garnida Effective, Efficient and Professional Office Management. Bandung: Alfabet. 2013.
- Dwija Priyatno, Prison Penalty Implementation System in Indonesia, Refika Aditama, Bandung, 2006.

- Marlina, *Penitensier Law*, Bandung: Aditama Reflika, 2011.
- Pasolong, Harbani, *Public Administration Theory*. Bandung: Alfabeta, 2007.
- Purwanto, *Welcoming a New Era of Penitentiary*, Kaltim Post, 2022.
- R. Soegondo, *Biological Needs for Convicts Viewed from the Viewpoint of Religious Law and Psychology*, Jakarta: Politea, 1982.
- Rida Miftah, *Coaching in the Development of International Education*, Bandung: CV Bimbel Perdana, 2017.
- Soejono Soekanto, *Usefulness of Sociology of Law for Lawyers*, Bandung: Alumni, 1976.

Legislation

- The 1945 Constitution of the Republic of Indonesia
- Law Number 5 of 1986 concerning State Administrative Court was last amended by Law Number 51 of 2009 concerning the Second Amendment to Law Number 5 of 1986 concerning State Administrative Court.
- Law No. 12 of 1995 concerning Corrections.
- Law Number 22 of 2022 concerning Corrections
- Instructions for the Implementation of Conditional Rights for Prisoners in Accordance with Law Number 22 of 2022 concerning Corrections Number Pas-20.Ot.02.02 of 2022.

Other Sources

- <https://ejournal.balitbangham.go.id/index.php/kebijakan/article/view/1512> in the Implications of Changing the Correctional Law on the Treatment of Detainees, Children and Correctional Families, accessed: 06-20-2023 at 16:00: 23 pm.
- M. Abdul Kholiq, " Juridical Review of Differences in Default, Fraud and Embezzlement ", 2008, (<http://pkbh.uui.ac.id/analisa-Hukum/analisa-Hukum/tinjauan-yuridis-regarding-differences-an-wanprestasi-deception-and-deception.html>), accessed 22-07-2023, at 20. 2