

FAIR INMATE COACHING PATTERNS

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Abstract

This study is based on the legal positivism concept, which states that norms are written, made and promulgated by state authorities, and uses a qualitative method to produce a description of the fair coaching pattern. Correctional Institutions have a very strategic task as the most potential place in realizing the objectives of punishment with coaching. However, this cannot be realized without the awareness of the inmates themselves. To realize this, the Correctional Institution functions as an educational institution that provides useful training for inmates to create, produce, and excel. They have the same opportunity as other community members to be able to contribute as active and productive community members in development. Thus, the fair coaching pattern of inmates is implemented with the correctional system and, basically, a situation/condition that allows for the realization of correctional objectives in accordance with the definition of coaching i.e. the process carried out by the Correctional Institution to inmates. For better and fairer coaching without any discrimination, the Corrections Institution should carry out its main duties as stipulated in the Ten Correctional Principles.

Keywords: Coaching; Fair; Inmate.

A. INTRODUCTION

Inmate coaching requires various elements, especially the form of institutions that are appropriate to the level of development of all life and a sense of dedication to achieve justice. In addition, the community who is responsible for law violation must be directly be involved in coaching the inmates and be encouraged to accept the inmates who have been released from Correctional Institutions as one of their citizens and assist them in living a new life. Coaching is aimed at psychiatric to develop creativity, feeling,

intention and social skill and curb in controlling one's lust and perform God's commands.

The Correctional System is a process of coaching a person who commits a legal error and has received a legal decision from the court to serve in LAPAS for a certain period of time, undergoes a coaching process to realize his mistake and change for the better. As a rule or legal basis can be seen clearly, there is nothing wrong. The spirit of correctionalism also reflects a more human goal in the Prison system. But of course we shouldn't just stop there, at the level of rules. We must also look at the application of these rules in the field. In the application in the field, there are several things or conditions that appear to be contrasting or contrary to the spirit contained in the basic rules of correctional law above.¹

Penitentiary functions as a forum for guiding convicts to undergo a judicial ruling.² His physical life and workforce to be healthy, strong and able to stand alone by getting *halal* and adequate earnings; and his personality as individuals and members of the community to have a sense of self-worth and full responsibility and like to serve the community and the state so that he is more aware of his obligations and rights as citizens and respect the law. Of the many types of criminal sanctions, imprisonment is more commonly used to punish criminal offenders. This can still be seen until now. By limiting the freedom of movement of the criminal offender in prison, we can say that imprisonment is more effective in punishing the criminal offender. In the prison system, detention matters. Thus, a prison is a place to accommodate criminal offenders with the purpose of making them deterrent (regret) and no longer commit criminal acts. Thus, the government makes a strict, often inhumane, regulation.³ It must be recognized that the Institute socialization is expected to be fostering institutions as mandated in Law Number 12 of 1995 About Corrections.⁴

Detention center is a place to hold suspects or the defendant for a while before the court ruling with permanent legal force.⁵ Imprisonment is one type of criminal sanctions most commonly used to cope with criminal problems. The use of imprisonment as a means to punish criminal offenders began in the late 18th century, which stemmed from the individualism ideology and the humanitarian movement so that imprisonment increasingly plays an important

1 Victorio H. Situmorang, Correctional Institution as Part of Law Enforcement, *e-Journal Balitbangkumham*, Volume 13, Nomor 1, Maret 2019, Page.85-98

2 Leny Apriyani, Pattern Of Fostering Inmates On Correctional Institutions Of Dki Jakarta Province In Prevention Of Certain Repetition Of Criminal Acts In The Sea, *Journal Keamanan Maritim*, Volume 4 Nomor 1 Tahun 2018. Page.3

3 C.I. Harsono HS, *New System of Prisoners Development*. Djambatan, Jakarta, 1995, Page.22

4 Nizar Apriyansyah, Development of Correctional Officer Competencies In Overcoming Drugs Trafficking At Correctional Institution And Detention Center, *Journal De Jure*, Volume 16 Nomor 4, December 2016, Page.396

5 Rahtami Susanti, Strengthening The Model of Islamic Religion for Narapidana And Resistance In Banyumas State Private House, *Journal Kosmik Hukum*, Volume 17, Nomor 2, June 2017, Page.1

role and shifts the position of the death penalty and punishment of the body that is considered cruel. For this reason, imprisonment is the most frequently imposed sentence by a judge's decision, so this condition deserves more attention and needs to be renewed. According to Mulder in Dwidja Priyatno, "The politics of criminal law must always pay attention to the issue of renewal as well as the problem of deprivation of liberty."⁶

They violate the norms of life as a result of their inability to deal with life situations and conditions that are very difficult and have an impact on frustration, apathy, job loss, unemployment, and other problems such as not meeting basic needs.⁷ We cannot blame the above view completely because so far, the public itself has not received adequate information description as a result of a scientific study of the situation that occurs in the Correctional Institution of Kedungpane, Semarang. Therefore, there should be a proof to answer various questions about the condition of the Correctional Institution, whether the application of its management pattern is very bad and degrading human dignity or on the contrary, very good and fair.

In this study, the researcher used the concept of law which are positive norms within the national legal system. This study is doctrinal, that is, law is a manifestation of the symbolic meanings of social behaviors as an impact in their interactions. This study is also non-doctrinal, a legal study with a qualitative approach. This study is based on the legal study conducted with a doctrinal and non-doctrinal approach. This study is also based on the legal positivism concept, which states that legal norms are identical with written norms made and promulgated by state authorities.⁸ Crime that happened certainly not free from the law that becomes an umbrella for uphold of justice and truth.⁹ From this introduction, we can form the problem and the purpose this article are The coaching patterns applied at the Correctional Institution.

B. RESEARCH METHODS

This study is based on the legal positivism concept, which states that norms are written, made and promulgated by state authorities, and uses a qualitative method to produce a description of the fair coaching pattern. Correctional Institutions have a very strategic task as the most potential place in realizing the objectives of punishment with coaching.

6 Dwidja Priyatno, *Prison Criminal Implementation System in Indonesia*. PT Refika Aditama, Bandung, 2006, Page. 2

7 Petahuddin, Program For Empowerment Of Lapas Ii.Bota City Parepare, Proceeding National Seminar, Volume 3, Nomor 1, 2017. Page.155

8 Ronny Hanitijo Soemitro, *Research Methods and Jurimetry*, Ghalia Indonesia, Jakarta, 1988, Page.32

9 Siska Pratiwi, *The Impact Of Electricity Weld Training Programs in Increasing The Economic Social Economic Social Status in Pandeglang District*, Pandeglang District, Banten Province, Journal E-Plus, Volume 2 Nomor 1, February 2017, Page.89

C. RESULT AND DISCUSSION

1. Inmate Coaching Patterns Applied at the Correctional Institution of Kedungpane, Semarang.

The inmate coaching pattern applied at the Correctional Institution of Kedungpane, Semarang is adjusted to meet its objective based on Article: 2 Law Number 12 of 1995 concerning Corrections, which states: "Correctional system is implemented to make correctional inmates become a complete human, aware of their mistakes, improve themselves, and not repeat their criminal acts, so they can be re-accepted by the community, actively play a role in development and live normally as good and responsible citizens." The patterns are as follows:

a. The Inmate Coaching Pattern, divided into 3 stages:

1) Early Stage (1/3 of initial imprisonment period).

In the initial stage of coaching, the inmates are placed in maximum security to protect their interests from the threat of violence and extortion of the senior inmates. In this stage, there are 2 activities, Admission and Orientation. In this stage, the environmental observation and research are conducted within approximately 1 (one) month. The next stage of personality coaching, which consists of the coaching of religious awareness, national and state awareness, intellectual abilities and legal awareness.

2) Middle Stage (2/3 of imprisonment period).

Middle stage coaching is the continuation of personality coaching which consists of skills to support independent businesses, small industrial businesses, businesses according to their respective talents and industrial, agriculture, plantation businesses. Besides that, assimilation in the Correctional Institution is also carried out with independent work, worship, social service, sports and family visit.

3) Final Stage (1/3 of final imprisonment period).

This final stage of coaching takes the form of planning and implementing an integration program for inmates who meet the requirements to be fostered outside the prison by the Correctional Center (Bapas) called the correctional client counseling by providing guidance to improve the quality of piety to Allah SWT, Almighty God. The inmates also get a minimum security.

b. Management Coaching Pattern, including:

- 1) Clothing, which is worn in the environment where the imprisonment is carried out, namely: Blue uniform, economical and easy to wash according to work needs, and facilities for sleeping, showering, eating, and drinking.

- 2) Health, medical services by holding regular checkups on health, food, sanitation and hygiene.
- 3) Food, considered through processing, serving and increasing good endurance.
- 4) Spirituality, religious lectures and worship according to their respective religions.
- 5) Recreation, *gamelan* (Javanese musical instrument) art, sports, listening to the radio and watching TV.
- 6) Personality and Independence Coaching Pattern based on the Decree of Minister of Justice of the Republic of Indonesia No. M.02-PK.04.10 of 1990 concerning Inmate Coaching Pattern, including:
 - c. Personality Coaching: (1) Religious awareness coaching. (2) National and state awareness coaching. (3) Intellectual ability coaching. (4) Correctional Inmate (WBP) coaching. (5) Legal awareness coaching. (6) Coaching on integration with the community (Assimilation, Conditional Release, Pre Free-Leave).
 - d. Independence Coaching: (1) Productive works i.e. carpentry, sewing, shaving, farming, screen printing, car washing and soap making. (2) Domestic works i.e. cooking, cleaning, gardening, and painting.

2. Problems and Solutions in Coaching the Inmates at the Correctional Institution of Kedungpane, Semarang.

With the Corruption Court (Tipikor) in Semarang City, all cases of corruption in Central Java are examined and decided here. In carrying out their duties more easily, public prosecutors leave their detainees at the Correctional Institution of Kedungpane, Semarang. As a result, the prison has overcapacity. This resulted in the protection of the inmates not to run as it should. Besides, there is no additional food budget, which makes the health services and worship of the inmates not function as they should. It is expected that the Central Java Provincial Government build the Corruption Correctional Institution in Semarang because Semarang is the capital city of Central Java.

3. Fair Inmate Coaching Pattern at the Correctional Institution of Kedungpane, Semarang.

The Correctional Institution of Kedungpane, Semarang is one of the technical implementing units in corrections based on the Decree of the Minister of Justice of the Republic of Indonesia No. M.01.PR.03 of 1995 concerning the Organization and Work Procedures of Correctional Institutions. It has the duty and function to carry out policies in corrections, care and coaching of inmates in accordance with prevailing laws and regulations. Those who are losing their independence as inmates

undergoing their punishment must continue to be fostered with patterns and principles as good and fair as possible without any discrimination.

The fair inmate coaching patterns must comply with the second and fifth principles of Pancasila, namely: "Just and Civilized Humanity" and "Social Justice for All Indonesian People." Therefore, the human rights of the inmates as prisoners who are undergoing punishment must always be upheld and they must be treated humanely by applying the basic principles that exist in the inmate coaching patterns at the Correctional Institution of Kedungpane, Semarang.

For the better and fairer coaching, the correctional institutions must carry their duties in accordance with the standard operational procedures with reference to the main duties of correctional institutions as stipulated in the Ten Correctional Principles, namely¹⁰:

- a. Protecting the misguided people by giving them the provision to live as good and useful citizens in society.
- b. Giving punishment is not an act of revenge from the State.
- c. Repentance cannot be achieved by torture, but guidance.
- d. The State has no right to make someone worse/eviler than before they enter the institution.
- e. During the loss of freedom of movement, the inmate must be introduced to society and must not be exiled from it.
- f. The works given to inmates must not be time-consuming or only serve the interests of the department or State at any time.
- g. Guidance and education must be based on Pancasila.

Each person is a human being and must be treated as is even if he/she has lost his way.

- a. Inmates are only sentenced of losing independence as the only suffering that they can experience.
- b. They must be provided and fostered with the infrastructure that can support the function of rehabilitation, correction, and education in the correctional system.

With the above description, if the inmates at the Correctional Institution of Kedungpane, Semarang are free from their punishment, they will be well accepted by the community and the environment and can live properly as they should, given that the punishment functions as *Ultimum Remedium* because of something that is desired. Thus, it becomes a process of social rehabilitation and reintegration of inmates as prisoners at the Correctional Institution of Kedungpane, Semarang by applying fair coaching patterns.

10 C.I. Harsono. HS, *New System of Prisoners Development*, Djambatan, Jakarta, 1995, page.2-3

D. CONCLUSION

Based on the result and discussion, the conclusions are as follows: The coaching patterns applied at the Correctional Institution of Kedungpane, Semarang consist of 3 stages of early, middle, and final coaching as well as management, personality and independence coaching; The problems in coaching the inmates is that the coaching cannot function well because of overcapacity of the prison as there are many remand corruption inmates. The solution is that a Corruption Correctional Institution must be built in Semarang; The fair coaching must be in line with the second and fifth principles of Pancasila and apply the Ten Correctional Principles. And Special Criminal Correctional Institution with more adequate capacity of inmates.

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