



The implementation of children's prosperity in Indonesian community institutions

Sri Endah Wahyuningsih¹, Wilsa², HR Mahmutarom³

¹ Faculty of Law, Sultan Agung Islamic University, Semarang, Indonesia

² Doctoral Program Faculty of Law, Sultan Agung Islamic University, Semarang, Indonesia

³ Faculty of Law, Wahid Hasyim University, Semarang, Indonesia

Abstract

The Children are the next generation who must be fostered, and given protection from all kinds of threats and obstacles. Article 18 Law Number 12 of 1995 concerning Corrections states that the Criminal Child is placed on the child *LAPAS*. Article 12 of this Law treats Child inmates placed in Correctional Institutions. and against criminal children in Correctional Institutions, classification is carried out on the basis of: a. age; b. gender; c. the length of criminality imposed; d. types of crime, and e. other criteria according to the needs or development of coaching. Coaching is an activity to improve quality towards God Almighty, prisoners and correctional students. The results of the research revealed that in Cane Class II-B Correctional Institution there were 4 child inmates, in the Class II-B Correctional Institution in Kuala Simpang City there were 7 child inmates, and the Langsa Class II-B Correctional Institution had 1 child prisoner. inhibit some of the process of fostering child prisoners as prisoners, also resulting in the non-fulfillment of the rights of child prisoners, due to the situation and conditions in the correctional institution that do not support the implementation of coaching because the three Penal Institutions class II-B are adult correctional institutions, thus carried out on inmates have not shown a sense of compassion for children because they do not recognize the rights of child prisoners.

Keywords: coaching, child inmates, correctional institutions, humanitarian

1. Introduction

The State of Indonesia is based on the Pancasila which is a benchmark for aspects of the life of the nation and state. Pancasila is a guideline of balance and harmony in living together in the community, both as a person with society, nature, environment and with Allah SWT. Pancasila is the life guideline of the Indonesian people as stated at the opening of the 1945 Constitution of the Republic of Indonesia ^[1].

According to Moh. Hatta, as quoted by Ruslan Saleh Pancasila, consists of two fundamentals, namely fundamental politics and moral fundamentalism. By putting moral fundamentality on the state and government, it has a solid foundation, the governor does the right thing, carries out justice, goodness and honesty and brotherhood comes out and inward. With the political fundamentals of government that adheres to high morals created the achievement of a social justice for all the people of Indonesia. Referring to the thoughts of Moh. Hatta above, it can be concluded that Pancasila is not only a basic norm of the life of national law, but also a basic norm of other norms, such as moral norms, moral norms, ethical norms and values. Therefore, Pancasila requires that the legal order be in harmony with moral norms, in accordance with moral norms and ethical norms which are guidelines for every citizen to behave ^[2].

Talking of delinquency is closely related to morality, delinquency is taken from the term juvenile delinquency. The term juvenile delinquency, derived from juvenile means young, children, young children, typical characteristics in the teenage period; whereas delinquency means wrong doing,

neglected, which is then extended to mean evil, social, criminal, rule breaker, noisy maker, troublemaker, terrorist, irreparable, vain, evil and others, delinquency is very influential on life is good. Because it disturbs the peace in the community that will eventually be settled legally through the judicial process.

The law is something that is abstract, cannot be seen and cannot be touched, which can be seen is everyday human behavior, more precisely the behavior of human law. The law itself is the result of human work in the form of norms that contain instructions for humans to behave, this is related to human existence as intelligent beings, so that every human behavior must be regulated normatively in the sense that humans must behave according to norms the norm that is determined as the handle of his life. Through normalizing this behavior, law enters all aspects of human life, as Steven Vago said; "The normative life of the state and its citizens". In order for this behavior to be colored by Pancasila values, the positive legal norms prevailing in Indonesia must breathe Pancasila ^[3].

Therefore, delinquency or crime can be said to be deviant behavior because it violates norms in living together in society. According to Saparinah Sadli, deviant behavior is a real threat or threat to social norms that underlie life or social order, can cause tension individual and social tensions and constitute a real or potential threat to social order. Thus, crime in addition to being a humanitarian problem, crime is also a social problem. According to Benedict S. Alper is "the oldest social problem" However, deviant behavior in children who

violate the rules in the community will certainly be processed legally through the juvenile criminal justice system (Law No. 11 of 2012 concerning juvenile justice system) if found guilty of violating the law and incant change the status of the child as a child inmate. Prisoners are convicts who have lost their independence in the Penitentiary ^[4].

Coaching in the dictionary can be formulated with the word "build" whose meaning is building, establishing, striving to have more progress so coaching is often interpreted in a process of improving a system and how to change things towards better and meaningful, while according to Mitfta Thoha Coaching is a better action, process, outcome or statement. But in government regulation No. 31 of 1999 concerning coaching and coaching of prisoners assisted Article 1 paragraph (1) states: coaching is an activity to improve quality towards God Almighty, Prisoners and correctional students, this is because someone has committed a criminal act. While the criminal act according to Moeljatno is an act that is prohibited by a rule of law, which prohibition is accompanied by a threat (sanction) in the form of a particular criminal ^[5].

Correctionalism is an activity to assist, correctional inmates based on the institutional system and ways of coaching that are the final part of the criminal system in criminal justice system and subsequently declared a criminal child placed in the juvenile correctional facility of child inmates placed in Correctional Institutions. and against criminal children in Correctional Institutions, classification is carried out on the basis of: a. age; b. gender; c. the length of criminality imposed; d. types of crime, and e. other criteria according to the needs or development of coaching ^[6].

It is known in Indonesia that not all regions have special Penitentiaries especially in district / city areas, because there are still inmates placed in adult correctional institutions, this can be seen from the results of interviews of some prison staff who place inmates in Class II-B Penitentiary There are 4 child inmates in Cane City, in Kualasimpang City Class II-B Correctional Institution, there are 7 child inmates, and Langsa City Class II-B Penitentiary has 1 child prisoner, this will certainly hamper some of the process of fostering child's as inmates Correctional facilities, due to the non-fulfillment of the rights of child inmates, are due to situations and conditions in Correctional Institutions that do not support ^[1].

2. Research Methods

This study uses a juridical empirical approach method, where the law is not only faced as a rule or rules, but includes legal work in the community. The research specification is analytical descriptive, because this research is intended to provide a detailed, systematic and comprehensive description of all things both legislation and legal theories. The types and sources of data in this study use primary data and secondary data. Primary data is data obtained directly from field research.

Secondary data is as initial data, namely laws (laws), government regulations. Proof through the article which is then followed by primary data or field data, which examines the effectiveness of a law and wants to find a relationship (correlation) between various symptoms or variables as a data collection tool consisting of document study, observation, and

interview (interview) as a support, so that it can be concluded here that the writer wants to see in terms of the effectiveness of the operation of Law Number 12 of 1995 concerning Corrections, which is concerning the implementation of coaching child prisoners in the Penitentiary, and how the role of Law No. 11 of 2012 concerning the justice system child crime, in the process of carrying out the formation of child prisoners in the Penitentiary.

3. Result and discussion

3.1 Legal arrangement and implementation of the development of child prisoners in correctional institutions in Indonesia

In Indonesia Guidance for inmates is placed in the correctional facility, Dr Saharjo, S.H, proposes the idea of changing the goal of fostering prisoners from the prison system to the Correctional system, according to him treating prisoners to require a correctional system ^[7]. Which means that it must be run through the basic process of the correctional system. in addition to the Law number 12 of 1995 concerning correctionally above, there are several legal bases so that development can be carried out perfectly, including:

a) Republic of Indonesia Law Number 39 of 1999 concerning Human Rights

Article 66 of the Republic of Indonesia Act No. 39 of 1999 concerning Human Rights states as follows

Paragraph 1: every child has the right not to be subjected to mistreatment, torture or inhuman punishment.

Paragraph 2: a death sentence or life sentence cannot be imposed on a child who is a child.

Paragraph 3: every child has the right not to be deprived of his liberty against the law.

Paragraph 4: when, detention or criminal imprisonment of a child may only be carried out in accordance with applicable law and can only be carried out as a last resort.

Paragraph 5: every child deprived of his liberty has the right to receive humane treatment and by paying attention to personal development needs in accordance with his age and must be separated from adults except for his interests.

Paragraph 6: every child who is deprived of his liberty has the right to effectively obtain legal assistance or other assistance at every stage of the applicable law.

Paragraph 7: every child deprived of his or her liberty has the right to defend himself and obtain justice in front of an objective child court and does not take sides in a trial closed to the public.

Children should also have the right to get proper education and freedom of play with other children of their age, as stated in Law No. 39 of 1999 concerning human rights Article 60 and Article 61, stating:

Article 60

Paragraph 1: every child has the right to obtain education and teaching in the framework of his personal development in accordance with his interests, talents and level of intelligence.

Paragraph 2: every child has the right to seek, receive and provide information in accordance with the level of intellectuality and age for the sake of his development as long as it is in accordance with the values of decency and decency.

Article 61

Every child has the right to rest, hang out with children who are of the same age, play colorful in accordance with their interests, talents, and level of intelligence for the sake of their development.

Regarding the development of child inmates placed in correctional institutions sometimes not getting their rights other than facilities is limited the possibility of all that is expected is not fulfilled, as well as the placement of prisoners who are not in the special Penitentiary for children, more attention should be paid to the coaching process because they still have a lot to get guidance and education, both spiritually and physically, so that after they have finished their crimes they will be easily accepted in their society, because they show regret for their actions and contend, then for the implementation of child prisoners guidance refers to Government regulations^[8].

b) Republic of Indonesia Government Regulation Number 99 of 2012 concerning Second Amendment to Government Regulation number 32 of 1999 concerning Requirements and Procedures for the Implementation of Right of Corrected Citizens

This Government Regulation is a government regulation that regulates the requirements and procedures for the implementation of the right of prisoners, in order to improve the quality of devotion to God Almighty, intellectual thinking, attitudes and behavior of professional prisoners, health, physical and spiritual prisoners and correctional students. Government Regulation Republic of Indonesia Government Regulation Number 99 of 2012 concerning Second Amendment to Government Regulation Number 32 of 1999 concerning Requirements and Procedures for the Implementation of Right of Corrected Citizens. Addressing that which changes, namely Article 34, 34A-23C, Article 36, 36 A, 38A, Article 39 and Article 43. 43A, 43B and 54A (regulating remission, assimilation and granting of parole, and statements concerning the entry into force of PP this) so that in the discussion of personality coaching and independence development there is no change.

Republic of Indonesia Government Regulation number 99 of 2012 concerning Second Amendment to Government Regulation Number 32 of 1999 concerning the Terms and Procedure for the Implementation of Right of Prisoners' Patronage, stating that inmates are required to attend religious education and guidance programs in the fields regulated in Articles 2.3 and 4.

c) Presidential Decree Number 36/1990, 77/2003 and 95/M/2004 concerning Indonesian Child Protection Commission

Presidential Decree Number 36 / 1990, 77 / 2003 and 95 / M / 2004 is one form of legal basis for the establishment of the Indonesian Child Protection Commission, abbreviated as KPAI, is an independent Indonesian institution established

based on Law Number 23 of 2002 concerning Protection The child who has been amended by the Republic of Indonesia Law Number 35 of 2014 is in order to improve the effectiveness of child protection. Presidential Decree No. 36/1990, 77/2003 and 95 / M / 2004 are the legal basis for the establishment of this institution. Furthermore, it was also explained that the central KPAI members consisted of 9 people, consisting of 1 chairman, 2 deputy chairmen, 1 secretary, and 5 members. Indonesian child protection institutions (KPAI) have a special task in dealing with child problems.

The task of the Indonesian Child Protection Commission is as an institution that moves on children's issues. KOMNAS PA has the following tasks: Implementing the mandate / policy set by the National Forum for Child Protection; Outlines the agenda of child protection in the Annual Program; Establish and strengthen networks of cooperation in child protection efforts, both with NGOs, civil society, government agencies, as well as international, government and non-government institutions; explore resources and funds that can help increase child protection efforts; as well as carrying out office and personnel administration to support the performance of the Child Protection Institution^[9].

While the role of KPAI is to monitor and develop child protection: Advocating and mentoring the implementation of children's rights; Receiving complaints of violations of children's rights; Conduct a strategic study of various policies concerning the best interests of the child; Coordination between institutions, at regional, national and international levels; Providing legal assistance services for proceedings in court representing the interests of children; Conduct referrals for recovery and reunification of children.; Organizing education and training, introduction and dissemination of information about children's rights^[10].

d) Decree of the Minister of Justice of the Republic of Indonesia Number. M 02. PK.04.10 dated April 10, 1999 concerning Ministerial Decree of Guidance Pattern / Detention

Decree of the Minister of Justice of the Republic of Indonesia Number. M 02. PK.04.10 Dated April 10, 1999 Concerning the Ministerial Decree The pattern of coaching / Prisoners is to explain about the formation of personality and the pattern of independence development

In the case of the implementation of coaching inmates in the Correctional Institution, it has been adjusted to the Decree of the Minister of Justice of the Republic of Indonesia No. M, 02-PK.04.10 of 1990, concerning the Pattern of Prisoners' Coaching which divides into 2 (two) parts namely Personality Development and Self-Development Coaching.

The correctional system is implemented in order to form community fostered citizens in order to become fully human, and realize their mistakes, improve themselves and not repeat criminal acts so that they can be accepted back in their communities, for the purpose of achieving guidance in correctional institutions.

The Government has formulated Law Number 12 of 1995 concerning Corrections where. explained that Correctional Guidance is carried out based on the principles, namely: a. Guidelines; b Behavioral and service equality: c Education

and guidance: d Respect for human dignity: e. Losing independence is the only suffering: f. Guaranteed the right to keep in touch with certain families and people. As well as according to Article 12 paragraph (1) Law Number 12 of 1995 concerning Penatarak states that in the context of fostering prisoners in LAPAS, classification is based on age, sex, length of sentence imposed, type of crime, and other criteria according to needs. or development coaching ^[11].

While the implementation of personality coaching is fostering religious awareness, fostering national and state awareness, fostering intellectual capacity. Legal awareness coaching. Coaching integrates with the community. While this Independent Development is provided through programs including:

1. Skills to support independent businesses such as handicrafts, home industries, referencing machines and electronic equipment, etc., skills to support small-scale industrial businesses, for example, processing rattan into household furniture, brick making, tile and so on;
2. The skills developed in accordance with their talents, for example, have talent in the field of art, so efforts are made to be channeled to artists' associations to develop and earn a living;
3. Skills to support industrial businesses or inmates, especially child inmates must be in accordance with the prisoner's talents and interests, as well as the type of coaching provided must be positive and not just fill the time, therapy will really benefit self-improvement, improvement the convict's behavior and behavior.

Development is to grow all the abilities and talents contained in the child. With some descriptions of legislative regulations and presidential decrees which become a reference for the process of fostering child inmates in Lapas, the government seems enthusiastic to realize and prioritize the values of humanity, this can be seen in the principles of coaching system in Correctional Institutions Law No. 12 of 1995 concerning Corrections, as well as in the Decree of the Minister of Justice of the Republic of Indonesia No. M, 02-PK.04.10 of 1990, concerning Patterns of Prisoners' Coaching which divides into 2 (two) parts namely personality coaching and independence development. so that after the prisoners are free to undergo punishment, aware of their mistakes and intend to become better human beings, as well as useful for the family, nation and state ^[12].

3.2 Weaknesses faced in the Implementation of Guidance for Child Prisoners in Correctional Institutions in Indonesia Based on Humanitarian Values

As is well known, the penitentiary is a place to guide inmates who have been declared as prisoners and placed in prison.

Correctional institutions that have been established as indicators of success in Correctional Institutions, are clearly illustrated how the method or process of development can run according to the correctional system.

Systematically increasingly here, it can be said that the implementation of Correctional Development in Indonesia has progressed in Indonesia, but even so it cannot be denied that there are a number of weaknesses in the Penitentiary in Indonesia, this can occur due to the physical condition of the

LAPAS building and also to officials and officers (HR) including:

a) Physical Problems of Correctional Buildings

Today, the problem experienced by almost all correctional institutions is the number of correctional dwellings, for example about the number of dwellings / inmates (WBP) not proportional to the current capacity of the Penitentiary; for example in the class II-B Correctional Institution of Langsa city, which amounts to 451 prisoners while the capacity (capacity) is only 144 inmates, as well as 435 prisoners in Class II-B Kuala Simpang while the capacity (capacity) of 136 inmates, as well as the Cane WBP City Class II-B correctional institution 318 inmates while the capacity (capacity) of only 75 inmates looks average flat almost experienced over capacity, conditions like this contradict the provisions set by the Minimum Standard Rules For Treatment Of Prisoners ^[7].

The Standard Minimum Rules for Treatment of Prisoners. What must be fulfilled by an institution related to accommodation of assisted citizens is the provision of cell space in the form of rooms that must be occupied by each prisoner. except for large rooms, more than one prisoner can be determined by carefully selecting prisoners who will be placed in one room. For a narrow room and occupied by more than one prisoner, the nature must be temporary.

In addition to not complying with the minimum standards, according to the Penitentiary Officers, Excess capacity also affects the coaching process carried out. The training process is not optimal and the vocational training center can be assured that it cannot run optimally. Of course, the concentration is more focused on the security than on coaching, so that many of the officers of the Penal Institution point towards attention to implementing security compared to carrying out community development guided ^[13].

b) State of Over Capacity in Correctional Institutions

With regard to the correctional building it is very influential with over-capacity conditions in the Penitentiary, because with the increase in the number of prisoners, it certainly cannot be separated from the increase in crime rates, especially cases, drugs, adult prisoners and child crime, on average drug cases.

Residents of Penitentiary Institutions in Class II-B Quality Center which is dominated by drug crime for inmates both adult prisoners and child inmates. dealers and users / users, which is seen by almost 80 (%) of adult inmates, and child inmates 20% of course this is a problem. While in other prisons that place child prisoners in adult correctional institutions are crimes of sexual abuse (sexual abuse and harassment.)

First of all, the most important thing to discuss is how to overcome the problem of coaching children who are placed in Correctional Institutions that are not child specific (adult LAPAS) while according to the Laws the coaching process must be based on the Penal Code (Law No. 12 of 1995) where stated in the framework of coaching against prisoners in the LAPAS carried out classification on the basis, age, sex; the length of time the criminal is prosecuted; kind of crime; and other criteria according to the needs or development of coaching. Child inmates should be placed in special prisons

for children, according to the special protection law for those who are in conflict with the law as stipulated in Article 64 of the Child Protection Act and this is carried out through several protections:

1. Humane treatment by paying attention to needs according to their age;
2. Separation from adults;
3. Providing legal assistance and other assistance effectively;
4. Implementation of recreational activities;
5. Exemption from torture, punishment or other cruel, inhuman and degrading treatment and degree
6. Avoidance of the imposition of life and / or criminal death penalty;
7. Avoidance of arrest, detention or imprisonment, except as a last resort and in the shortest time;
8. Provision of justice before a juvenile court that is objective, impartial, and in a closed session for the public;
9. Avoidance of publication on his identity;
10. There is assistance from parents / guardians and people trusted by children;
11. Providing social advocacy;
12. Giving personal life;
13. Providing accessibility, especially for children with disabilities;
14. Providing education
15. Providing health services;
16. Granting other rights in accordance with the provisions of the legislation

It is known that the process of fostering children must be carried out humanely in accordance with dignity and must also be in accordance with the rights of the child. Thus, it seems that it is not easy for prisoners to obtain their rights. correctional facilities inhabited by adult inmates. Thus, it is difficult to understand how child inmates to get their rights as prisoners placed in adult correctional institutions should they still be guided under the care of their parents but must be separated from people's attention or care old and family and barely get their rights as children because of the lack of facilities and infrastructure. It can be understood that children range from violence and abusive treatment that is inhumane when they are in the same cell despite different rooms in adult correctional institutions. In addition to the two problems mentioned above, there were also found several other problems. Of equal importance were the problem of prisoners themselves and human resources, namely officials and officers in each Penitentiary ^[14].

c) Guidance and work facilities in the correctional institution

In the period of 55 years of working in prisons in Indonesia, many things have ups and downs, alternations that have colored the long journey of Penitentiary which is an important part of fostering legal violations in the country. there are still a lot of homework for this institution both in infrastructure and ultrasound, but the spirit of self-improvement continues.

It must be believed that the correctional system in the future will experience significant development due to changes in the environment and strategic development, both on a national,

regional and international scale. The changing changes are in line with the process of reform and global transformation marked by the formation of a society that is very critical and presents various problems that are requirements with the content of Human Rights, democratization and other central issues, and the future emergence of various levels of good crime are transnational crime, organizers, white collar crime, economic crime, in addition to various criminal acts that are conventional and transitional.

According to Law Number 12 of 1995, Correctional Institution is an activity to foster correctional inmates (WBP) based on the system, institutions, and ways of coaching that are the final part of the criminal system in criminal justice, this begins with Dr. Sahardjo on 5 July 1963 introduced the idea of parenting as a basic guideline for implementing prisoners in prison. (LAPAS) in Indonesia.

About 10 correctional principles. whose contents are "that the conviction of criminal acts of revenge from the state is therefore not entitled to make people worse / worse than before entering the country. He also said that coaching and guidance must be carried out as the treatment of fellow human beings even though he has been misled Transparency of correctional ideas creates values and norms known as sub-cultures (LAPAS imagery), in reality often covered, hidden and even ignored. LAPAS sub-culture is an interaction between residents and officers, affecting the survival of the institution and the success of coaching in the midst of the public problems faced ^[15].

Correctional Institutions are known to be government institutions that are vulnerable to various violations, both institutional and individual, as well as from the story, both from the families of prisoners and the mass media often raise the bad image of the Penitentiary, for example the existence of illegal levies on LAPAS, as well with the report on LAPAS is the safest place for drug trafficking to compare if outside of LAPAS, the fact that evidence of crime has occurred, drug trafficking can be controlled in LAPAS or in ROUTES.

Various good and bad events are a sign of how dynamic socialization is. An unforgettable crime is the incident of burning in the Cipinang penitentiary during the reform period. It must be admitted that correctional system cannot be separated from the macro system of government, meaning that when the state is in a critical period, it will also impact the correctional system as part of the system, for example, there has been a runaway prisoner from the Langsa Class II-B Penitentiary in 2016 with a case drugs caused by over-capacity conditions. according to the statement of the Head of the correctional institution a maximum of 145 people, but currently has reached 613 people. Likewise, the Class II-B Penitentiary in Kuala Lumpur has seen riots in LAPAS in 2017 by burning LAPAS rooms and damaging the LAPAS facility, which is also a glimpse of the causes reported for limiting inmates' family visits ^[10].

Likewise, with Class II-B LAYER of Cane City, Southeast Aceh whose inhabitants reached 370 people so that the inmates had to sleep in the musholla and in the living room. All of these incidents cannot be denied by the penyasanya because of the overcrowded LAPAS so that it is very easy to steal the attention of the LAPAS officers because of the conditions of the LAPAS and security officers that are not

comparable, Other things that can happen for example:

1. Deviations that occur at LAPAS

Actually the aim of the Penal Institution is to maintain or not reduce the rights inherent / owned by someone in the inmates, this often creates a burden, on the one hand it clearly reduces one's freedom, but on the other hand must uphold human rights (HAM), another problem is the problem of how to adjust to various makeshift facilities and infrastructure. All of this originated from the effect of the different treatment of Correctional Officers on inmates, in fact there were many violations caused by differences in behavior and actions that were different from the attitudes of each LAPAS officer^[16].

This is not a secret, this opportunity is intentionally utilized by LAPAS officers who should be used by LAPAS officers to introduce good deeds (good values) and the norms of Correctional Institutions, but the reality is not like that, instead it happens otherwise, officers give not supposed to. In addition, there is also a difference in treatment, especially for child inmates, it is very susceptible to discrimination against inmates until the end of serving time^[17].

The worst condition is also not uncommon in LAPAS because discrimination often occurs against the rich and the poor, it is clear that this potential has a potential, will cause complications in the LAPAS, and trigger riots in LAPAS, the worst thing is recorded in the memory of the child inmate, from the behavior adult criminal behavior, it is not impossible that child inmates will imitate adult criminal behavior, institutional reality which is believed to be a means to foster inmates, the worst conditions that will make prisoners' personalities worse and even become brutal.

2. Coaching process in LAPAS

Inmate coaching is known as correctional, which was allowed by the late Dr. Saharjo, S. H. He gave ideas to change the bad behavior of the prison rule to the correctional system that contains 10 correctional principles that must be carried out in the process of counseling prisoners in prisons.

10 The principle of guidance and guidance for prisoners is as follows:

- 1) The person who is lost must be protected by giving him the provision of life as a good and useful citizen in society.
- 2) Criminal punishment is not an act of revenge from the state.
- 3) Repentance cannot be achieved by torturing to do with guidance.
- 4) The state has no right to make a prisoner worse or eviler than before he entered the Institute.
- 5) During Loss of Independence Moves, Prisoners Must Be Introduced to the Community and Can Not Be Exiled from the Community
- 6) The work given to prisoners must not only be time-consuming only for the interests of the institution or the state. The work provided must be aimed at developing the country.
- 7) Guidance and upbringing must be based on the principle of Pancasila.
- 8) Every person is human and must be treated as a human even though he has been lost. It must not be shown to inmates that he is a criminal.

- 9) The inmates were only sentenced to missing crimes of independence
- 10) The physical facilities of this institution are one of the obstacles to the implementation of the correctional system.

Discussing Problems Patterns of personality coaching and Coaching Guidance for prisoners is a system. Approach to prisoners when the prison institution emphasizes security approach whereas in the prison system a treatment approach is used. In coaching there are several components of coaching, namely coaches, those who are coached, coaching materials, coaching places, and a number of other components, prisoners are both subjects and coaching objects.

Prisoner coaching is not only mental-spiritual training (fostering independence), but also giving employment while in the Correctional Institution (skills development) Implementation of the correctional system in the guiding principle consists of 2 (two) parts, namely coaching done in the correctional and coaching conducted outside the correctional facility^[18].

Coaching in the Institution (Intramural treatment) means that coaching is carried out in the correctional institution with the aim of improving and increasing devotion to the One God, intellectual, attitudes and behavior, physical health-spirituality. While extramural treatment is a destruction done outside the institution correctional treatment after serving a sentence of 1/2 to 2/3 until the end of the sentence period, which aims to improve and develop the ability of prisoners while in prison, which includes providing assimilation, family leave (CMK), free leave (CMB) and parole (PB) this is in accordance with the regulation of personality development guidance and independence guidance formulated in the provisions of the pattern of guidance for prisoners and detainees (KEMENKEH RI No. M.02-PK.04.10. 1990)

This independence in correctional institutions certainly needs to be discussed how with child inmates placed in adult correctional institutions. To get the right to independence that is determined remission will be obtained after serving a sentence of more than 6 (six) months, while child inmates are relatively mild sentences. can be seen in the government regulations regarding remission where the provision states that inmates are entitled to remission if:

1. Every prisoner and criminal child is entitled to remission
2. Remission as referred to in paragraph (1) can be given to convicts and criminal children who have met:
 - a. behaves well;
 - b. has served a period of more than 6 (six) months
3. Requirements for good conduct as referred to in paragraph (2) letters are proven with:
 - a. not serving a disciplinary sentence within the last 6 (six) months counted before the date of remission; and
 - b. has attended a coaching program organized by LAPAS with a good title.

With this provision, the problems that arise are how the objectives of the development of child prisoners can be implemented and run optimally due to time constraints while independence is one of the aims of how the ex-prisoner gets the skills, with those skills into a field of knowledge and able to earn income with the skills he has (child inmate). Thus, this

guidance process is possible not maximally to be obtained by child inmates^[9].

4. Conclusion

- a. The government is so enthusiastic to realize and prioritize humanitarian values, it is seen from several laws and regulations as a reference and guidance in carrying out the training of prisoners, especially child inmates, but with all the weaknesses in all policies, the regulations that have been determined cannot be implemented.
- b. Child prisoners are placed in Class II-B Correctional Institutions (Adult Prison Institutions) There are several weaknesses in the implementation of child prisoner coaching, this occurs because of the physical condition of the LAPAS and also weaknesses of officials and officers (HR), namely: Physical Problems of LAPAS Buildings; State of Over Capacity in Correctional Institution; Coaching Facilities. As well as Weaknesses in Correctional Institutions and officials and their officers (HR) namely; Deviations that occur in the LAPAS; Coaching Process in LAPAS.
- c. It is suggested to the Government, to immediately provide costs / funds to build child-specific correctional institutions in each regency / city, given the increasing number of child crimes, so that the legislation that refers to the development process can be realized so that the development of child prisoners can be maximally achieved.
- d. The punishment of child inmates is relatively mild, it is recommended that the child should not be placed in a Penitentiary unless it is considered very dangerous, inmates who are not dangerous enough to be given social work, or placed in dayah-power to get religious education in order to be aware of the wrong treatment and repent does not contain evil and intends to live better

5. References

1. Wahyuningsih SE. Model of Restorative Justice Settlement in Traffic Accidents with Child as the Perpetrator in Polres Rembang Indonesia. vol. 74, pp. 47-54, 2018.
2. Dölling D, Entorf H, Hermann D, Rupp T. Is deterrence effective? results of a meta-analysis of punishment, Eur. J. Crim. Policy Res. 2009; 15(1-2):201-224.
3. Wahyuningsih SE. The Development Of The Indonesian Criminal Code Derived From The Yudicial Pardon Value In Islamic Law, 2017, 11(2).
4. Yee M, Lee K. International Journal of Law, Crime and Justice Beyond the 'professional project': The political positioning of Hong Kong lawyers, Int. J Law, Crime Justice. 2017; 50:1-11.
5. Wahyuningsih SE, Adi N, Iksan M. The role of scientific testimony in the process of investigation of crime in Indonesia, 2018, 97-103.
6. Reidy TJ, Sorensen JR, Cihan A. Institutional misconduct among juvenile offenders serving a blended sentence, J Crim. Justice. 2018; 57:99-105.
7. Marcuello C, Boira S, García J, JDG, Eito A. International Journal of Law, Crime and Justice Citizen attitudes about the construction of a prison in Spain. Challenge to the concept 'NIMBY. 2017; 50:34-45.
8. Di Ronco A. International Journal of Law, Crime and Justice Disorderly or simply ugly? Representations of the local regulation of street prostitution in the Italian press and their policy implications, Int. J Law, Crime Justice. 2018; 52:10-22.
9. Augimeri LK, Walsh M, Donato A, Blackman A, Piquero AR. SNAP (Stop Now And Plan): Helping children improve their self-control and externalizing behavior problems, J Crim. Justice. 2017; 56:43-49.
10. Wahyuningsih SE, Sholeh M. Judge's Considerations Analysis toward Perpetrators of Criminal Acts of Sexual Violence to Underage Children in Demak District Court Reviewed with Law Number 35 Year 2014 about Children Protection. 2017; 4(35):346-352.
11. Walby K, Piché J, Friesen B. International Journal of Law, Crime and Justice '...they didn't just do it because it was a job': Representing wardens in Canadian penal history museums, Int. J Law Crime Justice. 2017-2018; 53:1-8.
12. Vazsonyi AT, Jiskrova GK. On the development of self-control and deviance from preschool to middle, J Crim. Justice. 2018; 56:60-69.
13. Edwards J, Othman M, Burn S. review of policy drivers and barriers for the use of anaerobic digestion in Europe, the United States and Australia, Renew. Sustain. Energy Rev. 2015; 52:815-828.
14. Burkhardt BC, Sociology A. International Journal of Law, Crime and Justice Who is in private prisons? Demographic profiles of prisoners and workers in American private prisons, Int. J Law, Crime Justice. 2017; 51:24-33.
15. Jin X, Sun IY, Jiang S, Wang Y. International Journal of Law, Crime and Justice The relationships between job and organizational characteristics and role and job stress among Chinese community correctional workers, Int. J. Law, Crime Justice. 2018; 52:36-46.
16. Fouladvand S. International Journal of Law, Crime and Justice Decentering the prosecution-oriented approach: Tackling both supply and demand in the struggle against human trafficking, Int. J Law Crime Justice. 2017-2018; 52:129-143.
17. Batzeveg E, Hwang E, Han S. International Journal of Law, Crime and Justice Confidence in the police among Mongolian immigrants in South Korea and native Mongolians in Mongolia: A comparative test of conceptual models, Int. J Law, Crime Justice. 2017; 50:61-70.
18. Impara E. International Journal of Law, Crime and Justice A social semiotics analysis of Islamic State's use of beheadings: Images of power, masculinity, spectacle and propaganda, Int. J Law Crime Justice. 2017-2018; 53:25-45.