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The Role of Special Guidance Institutions for Children in Achieving the Rehabilitation Objectives for Juveniles in Conflict with the Law in Pangkalpinang, Bangka Belitung Province.

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Abstract: The treatment of children in conflict with the law is a critical component of efforts to achieve restorative justice, as mandated by Law No. 11 of 2012 on the Juvenile Criminal Justice System (SPPA). The Special Child Development Institution (Lembaga Pembinaan Khusus Anak, LPKA) Class II Pangkalpinang holds a strategic role in carrying out rehabilitation programs aimed at protecting children's rights and preparing them for reintegration into society. This study employs an empirical juridical method with a qualitative approach, incorporating document analysis, interviews, and direct observation of the rehabilitation programs implemented at LPKA Class II Pangkalpinang. The findings reveal that although rehabilitation programs, such as formal education, skills training, and personality development, are conducted in line with the principles of restorative justice, their effectiveness is hindered by limitations in human resources and supporting facilities. These constraints significantly affect the psychosocial development of the juvenile inmates. This study concludes that the rehabilitation programs at LPKA Class II Pangkalpinang have made positive contributions to fulfilling the rights of children in conflict with the law. However, achieving optimal outcomes necessitates improving staff competencies, providing adequate facilities, and strengthening cross-sectoral cooperation to fully realize the goals of the rehabilitation programs. The findings contribute to the existing body of knowledge on juvenile justice systems by offering an in-depth analysis of the practical challenges faced in implementing restorative justice principles within institutional settings. Additionally, this study provides actionable insights for policymakers and practitioners to enhance the effectiveness of rehabilitation programs, emphasizing the need for systemic and multi-sectoral collaboration to support the reintegration process.

Keyword: Children in Conflict With the Law, Child Rehabilitation, LPKA, SPPA.

INTRODUCTION

Human rights (HAM) are fundamental entitlements inherent in every individual from birth, representing the essence of human dignity. These rights necessitate robust legal protection to ensure their fulfillment. The effectiveness of human rights realization hinges on the existence

of adequate legal frameworks. The success of human rights protection relies on the presence of clear and firm legal procedures to safeguard these rights (Asandi, 2017). Consequently, law must not merely reflect power but serve as an instrument to guarantee the protection of citizens' rights. Law represents human rights in essence, and justice within the law depends on the extent to which it ensures fundamental human rights.

Children, as a vulnerable group, possess inherent human rights from birth, recognized as children's rights. Born free, children's freedom must not only be preserved but also protected and nurtured. These rights encompass the right to life, protection, and self-development, which constitute shared responsibilities among parents, families, communities, and the state (Haling, Halim, Badruddin, & Djanggih, 2018). Ensuring this protection is crucial for children to secure their fundamental rights, enabling them to grow into complete individuals in adulthood.

During their developmental years, children require special attention and protection. Providing equal rights as those granted to adults is insufficient, as children often encounter unsupportive social conditions such as armed conflicts, exploitation, hunger, and neglect. Juvenile delinquency refers to actions contrary to legal and social norms, often labeled as "social defects." These acts encompass violations of legal norms and societal standards by children, signifying behaviors that contravene both state laws and community morals (Nofitasari & Wahyuningtyas, 2021).

Children in conflict with the law require special attention, as they are in vulnerable situations that threaten their dignity and future. The state is obligated to ensure adequate legal protection for these children. Law No. 35 of 2014 on Child Protection, which amends Law No. 23 of 2002, reaffirms the state's commitment to guaranteeing children's rights as part of human rights. Every child is entitled to survival, growth, and development, as well as protection from violence and discrimination, as stipulated in the 1945 Constitution of Indonesia.

Law No. 11 of 2012 on the Juvenile Criminal Justice System (SPPA) provides a comprehensive legal framework for protecting the rights of children in conflict with the law. SPPA emphasizes the principles of restorative justice and the use of imprisonment as a last resort (*ultimum remedium*). These principles are reflected in Article 6, which stipulates that the juvenile justice system aims to ensure the protection and best interests of children. SPPA also mandates the establishment of specialized institutions, such as Probation Offices (*Balai Pemasyarakatan*, *Bapas*) and Special Child Development Institutions (*Lembaga Pembinaan Khusus Anak*, *LPKA*), to deliver rehabilitation programs tailored to children's needs.

Childhood presents complex challenges, including risks of involvement in criminal acts. Indonesia's correctional system prioritizes rehabilitation to restore social relationships and reintegrate children into society. Rehabilitation for children in conflict with the law is not solely punitive but aims to transform them into better individuals. LPKA plays a critical role in achieving this objective through programs focusing on skill development, education, and character building, equipping children to reenter society and avoid future criminal behavior. This rehabilitation is vital in preventing recidivism and offering juvenile inmates the opportunity to reform.

Sentencing should aim to deliver positive impacts through a more humane approach. In this context, rehabilitation focuses on correcting the behavior of children in conflict with the law, providing opportunities for them to amend their mistakes, and preparing them to function productively in society after leaving LPKA. The emphasis is on character building and potential development rather than punishment alone.

Unfortunately, children involved in legal conflicts often face social stigma and discrimination within their communities, including in schools. Many children detained in adult facilities struggle with reintegration, heightening the risk of recidivism. Studies indicate that 82% of children detained in adult facilities are likely to reoffend, often with more severe offenses (Pertiwi & Saimima, 2022).

According to Pound, social engineering involves guiding human behavior, as legal subjects, from disobedience to compliance. This transformation occurs through codified and uncoded norms that enforce explicit instructions and prohibitions with mandatory sanctions (Safri Hariansah, 2022). The principle of *parens patriae* positions the state as the primary protector of children's rights. This protection must prioritize the best interests of children, aligned with Pancasila's values. Article 64(2) of Law No. 35 of 2014 stipulates that the state and society share the responsibility of safeguarding children, particularly those entangled in legal issues.

LPKA serves as the primary institution for rehabilitating children in conflict with the law. Article 1(19) of Law No. 22 of 2022 on Corrections mandates LPKA to provide rehabilitation programs encompassing education, skill development, and child

rights protection. As such, LPKA is expected to act as an effective platform for fulfilling children's rights while supporting their reintegration into society.

The study titled "The Role of Special Child Development Institutions in Achieving Rehabilitation Goals for Children in Conflict with the Law in Pangkalpinang, Bangka Belitung Province" aims to evaluate the compliance of LPKA's rehabilitation procedures with applicable legal provisions. This research aspires to offer in-depth insights into the effectiveness of rehabilitation efforts within the institution in achieving the legal objectives of child rehabilitation programs.

METHOD

This study employs a normative juridical approach combined with an empirical approach to evaluate the role of the Class II Special Child Development Institution (LPKA) in Pangkalpinang in achieving the objectives of child rehabilitation programs for children in conflict with the law. The normative juridical approach is utilized to analyze the statutory regulations governing child rehabilitation in LPKA Pangkalpinang, as well as the institutional policies implemented therein. To obtain primary data, this study conducted a document analysis of policies, procedures, and rehabilitation programs applied in LPKA Pangkalpinang. Additionally, interviews were conducted with LPKA officers and other relevant stakeholders to gather insights into the implementation of rehabilitation efforts and the challenges encountered in achieving these objectives.

Secondary data were collected from relevant legal literature, including laws, government regulations, and previous research studies discussing child rehabilitation and the role of LPKA Pangkalpinang in this context.

The data analysis process was carried out qualitatively using content analysis to uncover the meaning of documents and policies applicable at LPKA Pangkalpinang. Thematic analysis was also employed to identify key patterns related to the effectiveness of rehabilitation programs conducted at LPKA Pangkalpinang. This dual approach aims to provide a deeper understanding of LPKA Pangkalpinang's role in fulfilling rehabilitation objectives and its contribution to the social reintegration of rehabilitated children into society.

The findings of this research are expected to offer valuable recommendations for the development of child rehabilitation policies at LPKA Pangkalpinang and similar institutions in Indonesia. By addressing the challenges and leveraging best practices, this study seeks to enhance the efficacy and sustainability of rehabilitation initiatives for children in conflict with the law, ensuring better reintegration outcomes and compliance with restorative justice principles.

RESULTS AND DISCUSSION

Analysis of the Implementation of the Rehabilitation System in LPKA Pangkalpinang from the Perspective of Human Rights and the Best Interests of the Child

Guidance is a systematic and directed process aimed at improving an individual's quality of life through the development of their potential, both intellectually, emotionally, and socially. This process includes the development of skills, knowledge, attitudes, and abilities relevant to a person's life goals. In the context of education, guidance plays an important role in enhancing cognitive, psychomotor, and affective abilities, making it an integral part of both formal and informal education (Abdulatif & Dewi, 2021).

The implementation of the rehabilitation system at the Class II Special Child Development Institution (LPKA) in Pangkalpinang demonstrates a commendable commitment to upholding the principles of children's rights, as outlined in the Juvenile Criminal Justice System Law (UU SPPA). Based on the findings, rehabilitation activities at LPKA Pangkalpinang are structured around three main components: education, personality development, and independence training.

Educational Development, Personality Development, and Independence Training programs have been effectively implemented. However, to provide a clearer understanding of the characteristics of children involved in these programs, the following presents the profile of rehabilitated children at LPKA Class II Pangkalpinang:

Table 1. Profile of Inmates at LPKA Class II Pangkalpinang

Aspect	Number
LPKA Capacity	
- Number of Inmates	34
- Number of Detainees	5
Total Number of Inmates	39
Total Capacity	60
Overcapacity	0 %
Foreign Nationals	-
Children	39
Women	-
Elderly (Over 60 years old)	-
General Criminal Offenses	
- Murder	1
- Theft	6
- Embezzlement	-
- Others	18
Special Criminal Offenses	
- Narcotics	14
- Terrorism	-
- Corruption	-
- Money Laundering	-
- Human Trafficking	-
- Illegal Logging	-
Religion	

-	Islam	39
-	Protestant Christianity	-
-	Catholic Christianity	-
-	Buddhism	-
-	Hinduism	-
-	Confucianism	-

Source : Registration of the Class II Special Child Development Institution Pangkalpinang.
Data as of November 25, 2024.

This table presents the profile of juvenile inmates at LPKA Class II Pangkalpinang, detailing their number, types of offenses committed, nationality, and religious affiliations. It illustrates the demographic diversity and criminal trends among the inmates, which can be essential for assessing the institution's rehabilitation programs and the socio-legal challenges faced by these children.

Education Development

The education program at LPKA Class II Pangkalpinang is conducted in collaboration with SPNF SKB Pangkalpinang City and takes place every Tuesday through Thursday from 1:30 PM to 2:30 PM local time. This program aligns with the principle of the Best Interests of the Child as outlined in the Child Justice System Act (UU SPPA), which prioritizes the child's right to education. Through formal education, the inmates are equipped with skills and knowledge that will help them reintegrate into society with relevant qualifications and competencies, ultimately enhancing their prospects for a successful reintegration process.

Personality Development

Personality development at LPKA Class II Pangkalpinang is implemented through a variety of activities, including spiritual education, scouting, arts, sports, recreation, and counseling. The spiritual activities involve the Ministry of Religious Affairs of Pangkalpinang City and the Ash Shaleha Foundation, while the scouting program is run by the Pangkalpinang City Scout Movement. These programs aim to instill moral and social values in the inmates, helping them develop a positive character. This aligns with the objectives of the Child Justice System Act (UU SPPA), which seeks to build better character in children and reduce the likelihood of recidivism in the future. These personality development programs contribute to fostering social responsibility, self-discipline, and emotional stability, essential for reintegration into society.

Independence Training

Independence training at LPKA Class II Pangkalpinang is essential in equipping inmates with the necessary skills for their reintegration into society. Programs such as hydroponics and welding (Las & Baja Ringan) provide practical opportunities for inmates to acquire valuable skills that are directly applicable to daily life. These initiatives are in line with the key objectives of the Child Justice System Act (UU SPPA), which prioritizes offering children the opportunity to develop independence and lead improved lives following rehabilitation. Such vocational training not only endows them with marketable skills but also fosters self-sufficiency, which is crucial for reducing the likelihood of recidivism and ensuring their successful reintegration into society.

Evaluation of LPKA Pangkalpinang's Compliance with Standard Procedures for Handling Children in Conflict with the Law in Accordance with the Convention on the Rights of the Child

The evaluation of LPKA Class II Pangkalpinang's compliance demonstrates that the institution has made significant efforts to implement the principles outlined in the Convention on the Rights of the Child through various rehabilitation programs. However, despite the considerable efforts, LPKA Class II Pangkalpinang still faces several challenges in its implementation.

Compliance with the Best Interests of the Child Principle

In general, LPKA Class II Pangkalpinang has made strides in fulfilling the best interests of the child principle within its existing rehabilitation programs. Nevertheless, the greatest challenge faced is the shortage of qualified counselors specifically trained to address the psychological and social issues that many of the children face. The lack of trained counselors forces LPKA Class II Pangkalpinang to maximize available resources; however, the efforts made to resolve this issue have been considerable.

Efforts of LPKA Pangkalpinang to Address the Shortage of Counselors

LPKA Class II Pangkalpinang has taken several steps to address the shortage of counselors, including:

Training and Skill Enhancement for Staff

LPKA Class II Pangkalpinang regularly conducts training for its staff to better equip them to handle various situations involving the children in their care, including those with special needs such as psychological issues or behavioral disorders. These training sessions focus on a more humane, human rights-based approach, with the aim of enhancing the effectiveness of the rehabilitation process.

Collaboration with External Parties

LPKA Class II Pangkalpinang has also partnered with third-party organizations, such as non-governmental organizations (NGOs) and psychologists from HIMPSI Bangka Belitung, to provide additional support to inmates who require specialized assistance. This collaboration helps mitigate the counselor shortage by providing additional resources to support the success of the rehabilitation programs.

Table 2. Rehabilitation Schedule at LPKA Pangkalpinang

Type of Rehabilitation	Program	Hari	Waktu
Educational Rehabilitation	SPNF SKB Pangkalpinang	Tuesday to Thursday	13.30 WIB - 14.30 WIB
Personality Development	- Spiritual (Ministry of Religious Affairs, Pangkalpinang)	- Monday, Thursday	08.30 WIB - 11.00 WIB
	- Spiritual (Ash Shaleha Foundation)	- Tuesday	09.30 WIB - 10.30 WIB
	- Scouting (Kwarcab Pangkalpinang)	- Wednesday	09.00 WIB - 11.00 WIB
	- Arts and Sports	- Monday, Friday	13.30 WIB - 14.30 WIB
	- Recreation	- Daily	15.30 WIB - 17.00 WIB
	- Flag Ceremony		Varies

			-	17th of each month	
Independence Training	-	Hydroponics	-	Monday, Friday	08.30 WIB - 10.00 WIB
	-	Vocational Guidance (Welding and Light Steel Roof Frame)	-	Wednesday, Saturday	09.00 WIB - 11.00 WIB

Source : LPKA Class II Pangkalpinang, Rehabilitation Section. Data as of November 25, 2024.

Challenges in the Implementation of the Rehabilitation Program.

Despite the considerable efforts made, the Class II Special Child Development Institution (LPKA) Pangkalpinang continues to face several challenges that may impact the effectiveness of its rehabilitation programs:.

1. Budget Limitations

LPKA often faces budget constraints that limit its ability to provide better facilities, particularly in the areas of education and health services for the children in its care. These financial limitations hinder the institution's ability to enhance its infrastructure, which is crucial for creating an environment conducive to rehabilitation and learning.

2. Limited Human Resources in Rehabilitation

The shortage of experts and professionals in the fields of education, psychology, and social work poses a significant barrier. The insufficient ratio of staff to the number of children in the institution results in a diminished capacity to provide individualized attention, which is essential for the comprehensive development of each child. As a result, the lack of specialized personnel reduces the effectiveness of the rehabilitation programs, impacting the children's progress.

These challenges highlight the need for increased investment in both resources and staff training to ensure that the programs are more effective and aligned with international standards for the rehabilitation of children in conflict with the law.

CONCLUSION

This study emphasizes that the protection of the rights of children in conflict with the law is a state responsibility, as outlined in Law No. 35 of 2014 on Child Protection and Law No. 11 of 2012 on the Juvenile Criminal Justice System (SPPA). The Child Special Development Institution (LPKA) Class II Pangkalpinang plays a crucial role in realizing the principle of the best interests of the child through various rehabilitation programs, including education, personality development, and independence training.

Based on the research findings, the implementation of rehabilitation programs at LPKA Class II Pangkalpinang has generally aligned with the restorative justice principles mandated by the SPPA. The education and skills training programs provide inmates with opportunities for self-improvement and prepare them for reintegration into society in a productive manner. However, some challenges persist, particularly related to the shortage of counselors with specialized competencies.

Efforts undertaken by LPKA Class II Pangkalpinang to address these challenges, such as staff training and collaboration with external partners, demonstrate a commitment to more effective rehabilitation implementation. Nevertheless, further optimization of rehabilitation programs is necessary to ensure that children's rights are fully protected, thereby reducing the risk of recidivism and enhancing the success of social reintegration.

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