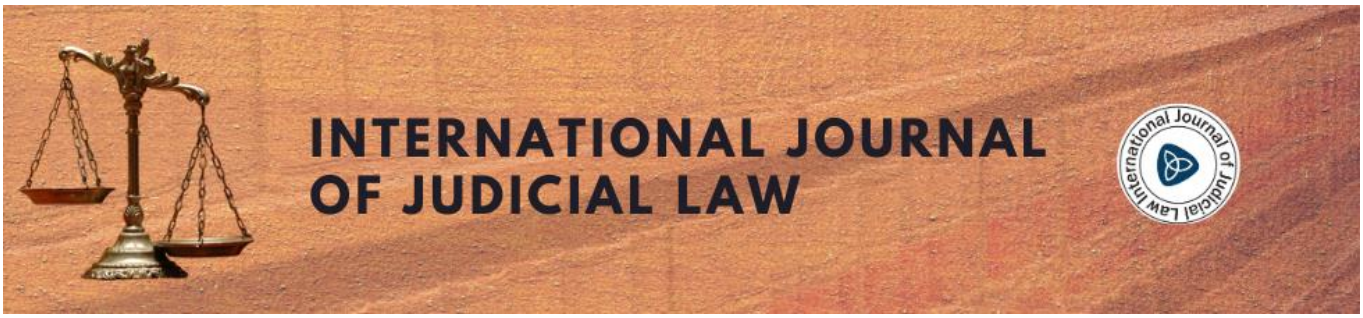




## Implementation of Law Number 22 of 2022 Concerning Community Provision in Handling Corruptive Students (Class II LPKA Study, Central Lombok)

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### Abstract

This study was conducted to determine and analyze the implementation of the rights of foster children as stipulated in Article 12 letters a and c of Law Number 22 of 2022 in the handling of correctional students at the Class II Central Lombok Correctional Institution (LPKA) and the role of the Class II Central Lombok Correctional Institution (LPKA) in preventing repeated criminal acts ( recidivism ). This study used empirical legal research. The approach methods used were the statutory approach, conceptual approach, sociological approach, and anthropological approach. The type of data in this study is primary data supported by secondary data. The data collection technique in this study uses empirical data collection techniques with sample techniques. In this study, the data analysis used is a qualitative method and the drawing of conclusions in this study uses a deductive reasoning method. The results obtained from the research conducted are that the implementation of Article 12 letter a of Law Number 22 of 2022 concerning Corrections has been carried out. However, the services provided are not evenly distributed due to limited existing worship facilities. The implementation of Article 12 letter c has also been carried out through collaboration with third parties. The Special Child Development Institution (LPKA) in carrying out its role to prevent the repetition of criminal acts ( *recidivism* ) by children is carried out by establishing a foster guardian system, so that the guidance provided is more optimal, in addition to creating a routine schedule of psychological consultations through collaboration with third parties. However, there are several factors that become obstacles for LPKA Central Lombok in preventing repeated criminal acts by foster children, namely internal factors regarding budget limitations in carrying out maximum guidance. External factors are related to family dysfunction and the environment of foster children.

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### 1. Introduction

Indonesia is a country based on law, which can be interpreted as meaning that the State of Indonesia is a state of law. This constitutional recognition is stated in Article 1 paragraph (3) of the 1945 Constitution which states: " The State of Indonesia is a state of law." The legal position in society is not only a guideline for attitudes and actions, but also as a tool to protect the rights of all members of society, including the rights of children.

Article 28 B paragraph (2) of the 1945 Constitution states that "Every child has the right to survival, growth and development and has the right to protection from violence and discrimination." All child protection instruments that have been regulated in Indonesia do not regress in their application to children who are in conflict with the law based on a court decision that has

obtained permanent legal force (*in cracht*). Children still have the right to survival, growth and development and have the right to receive education, health and social security services according to their physical, mental and spiritual needs even though they have a certain legal case or are in a correctional institution.<sup>[1]</sup>

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, in Article 1 number 2, emphasizes that "children in conflict with the law are children in conflict with the law, children who are victims of criminal acts, and children who are witnesses to criminal acts." A child who has been determined to be a convict is guided at a Special Child Development Institution or abbreviated as LPKA.

(LPKA) is an institution or place where children serve their sentences.<sup>[2]</sup> LPKA, which is the final component of the juvenile criminal justice system, is responsible for providing development programs in the form of personality development, independence development, and education. LPKA's existence is expected to function well, as its establishment respects and protects the rights of children in its care, demonstrating the state's concern for children, ensuring they become the nation's future generation.

Children as perpetrators of crimes is a common phenomenon. Children in conflict with the law are essentially still developing, requiring special treatment that differs from that of adults. Guidance for children in conflict with the law does not focus on punishment, but rather on protection and rehabilitation so that the child can return to society as a better person.

The large number of children involved in criminal acts, or what we often call children in conflict with the law, is evident from the number of children in foster care over the past 5 years in the Class II Special Child Development Institution in Central Lombok. Based on preliminary research conducted on November 5, 2025, the number of children in foster care in the LPKA over the past 5 (five) years was 320 (three hundred and twenty) people, where there are always recidivists in foster care every year.

The above data also shows that despite ongoing rehabilitation, there are still *recidivists among juveniles* each year. This also serves as an indicator of the success of the correctional system, indicating that the system is not yet fully effective in achieving its primary goal of preventing juveniles from committing crimes and enabling them to reintegrate into society.

Based on the above, there are interesting issues to examine. Normatively, children's rights are regulated in correctional law, but not all of these rights have been optimally fulfilled. The continued presence of juveniles in custody who commit repeat crimes (*recidivism*) serves as a benchmark for the success of the current correctional system.

An in-depth analysis is needed regarding the rights of foster children in LPKA that are able to prevent children from committing repeated crimes (*recidivism*), such as the implementation of Article 12 letters a and c of the Correctional Law. The phenomenon of *recidivism* shows that the fulfillment of the rights of foster children that have been regulated in the law is not optimal. The existence of this condition, the author is interested in conducting research on

the implementation of the rights of foster children in letters a and c of Article 12 of Law Number 22 of 2022 and the role of LPKA Class II Central Lombok in preventing repeated crimes (*recidivism*).

The problems discussed in this research are how is the implementation of the rights of foster children as stipulated in Article 12 letters a and c of Law Number 22 of 2022 in the development of correctional students at the Class II LPKA, Central Lombok, what is the role of LPKA Class II Central Lombok in preventing repeated criminal acts (*recidivism*).

## 2. Research Methods

The type of research conducted in this study is Empirical Legal Research. Empirical Legal Research is a type of legal research that analyzes and examines the operation of law in society. Empirical legal research examines law conceptualized as actual behavior, as an unwritten social phenomenon experienced by everyone in social life. Empirical legal research is also called sociological legal research.<sup>[3]</sup>

The approaches used in this research include a statutory approach, a conceptual approach, a sociological approach, and an anthropological approach. The statutory approach serves as a benchmark for assessing the implementation of legal rules or related norms in the field. The conceptual approach serves as a reference for observing and analyzing facts or data found in the field. The sociological approach addresses the factors affecting law enforcement in implementing norms relevant to the research. The anthropological approach focuses on viewing and understanding the law from the perspective of the perpetrator or inmates.

This study uses primary data obtained from the field. Data collection in the field was conducted by the author through interviews with correctional institutions and inmates at the Class II Central Lombok Special Juvenile Correctional Institution. This primary data is supported by secondary data. Secondary data collection is carried out by studying and collecting data related to the research object. This data was obtained from bibliographic books, laws and regulations, internet browsing, and other documents.

The data collection technique in this study uses empirical data collection techniques with sample techniques carried out through direct face-to-face *interviews* with respondents and sources.

## 3. Result and Discussion

### 3.1. Overview of The Research Location

Class II Special Child Correction Institution of Central Lombok, hereinafter abbreviated as LPKA Class II Lombok Tengah is an institution under the Directorate General of Corrections, where the responsibility is carried out by the Head of the Correctional Division of the NTB Regional Office of the Ministry of Law and Human Rights. LPKA Central Lombok has the task of being a place for guidance or serving a criminal period for children in the jurisdiction of West Nusa Tenggara Province who are in conflict with the law who have received a decision from a court that has permanent legal force (*ingkrak*). Through the "Regulation

<sup>1</sup> Tyastiti, Pita. "Implementation of Children's Educational Rights at Special Child Development Institutions at Regional Offices II Jakarta," *Suara Hukum Journal*. Vol. 5, No. 1, (March 2023): p. 3

<sup>2</sup> Law Number 22 of 2022 concerning Corrections, Article 1 number 19, State Gazette Number 165 of 2022, Supplement to the State Gazette Number 6811.

<sup>3</sup> Muhaimin., *Legal Research Methods*, First Edition, Mataram University Press, Mataram, 2020, p. 80

of the Minister of Law and Human Rights Number M.HH 10.OT.01.01 of 2011 concerning the Establishment of the Class III Mataram Child Correctional Institution" and on July 16, 2012 by the Head of the Regional Office of the Ministry of Law and Human Rights of West Nusa Tenggara, the Class IIB Mataram Correctional Institution Building was inaugurated as the Class III Mataram Child Correctional Institution. On August 5, 2019, the Minister of Law and Human Rights issued "Decree of the Minister of Law and Human Rights Number: M. HH 08.OT.01 YEAR 2019 concerning Special Child Development Institutions within the Ministry of Law and Human Rights" the contents of this decision are changes related to the name of the Class II Mataram Special Child Development Institution to the Class II Central Lombok Special Child Development Institution. The Class II Central Lombok Special Child Development Institution, hereinafter referred to as LPKA Loteng, is located at Jalan Tojong - Ojong, Selebung Village, Batukliang District, Central Lombok Regency, has a land area of 10,361 m<sup>2</sup> and a building area of 1999 m<sup>2</sup> with a residential capacity of 72 (seventy-two) people.

### 3.2. Implementation of The Rights Of Children In Article 12 Letters A And C Of Law Number 22 Of 2022 In The Guidance Of Community Students In Class Ii Counseling Family Center In Central Lombok

Child development is carried out to shape foster children into better individuals. Development is an activity intended to improve the quality of foster children's devotion to God, as well as their attitudes, morals, and behavior. The Special Child Development Institution (LPKA) is one of the administrators of the correctional system and functions as regulated in Article 6 of Law Number 22 of 2022 concerning Corrections. A Special Child Development Institution, hereinafter abbreviated as LPKA, is an institution or place where foster children serve their sentences.<sup>[4]</sup>

The Class II Central Lombok LPKA, a special child-care facility, is obligated to ensure that the rights of children under its care, as stipulated in the law, are fully fulfilled. This is particularly true in matters of worship, education, and self-development, which are rights that can prevent children from committing repeat crimes ( *recidivism* ).

Article 12, letter a, of Law Number 22 of 2022 guarantees that every child and foster child has the right to practice their religion or belief. Furthermore, Article 12, letter c, guarantees that children and foster children have the right to receive education, teaching, and the opportunity to develop their potential.

In the Class II LPKA (Corporate Rehabilitation Institution) in Central Lombok, the right to worship for inmates is fulfilled by creating a routine schedule for their activities from the time they wake up until they go to bed. This schedule includes religious activities. Based on research, inmates' religious activities include congregational obligatory prayers, congregational Dhuha prayers, Quranic recitation, and Islamic outreach to deepen their religious knowledge.

In addition to scheduling religious activities, the Class II Correctional Institution (LPKA) in Central Lombok also provides worship facilities in the form of a mosque, prayer equipment, holy books, prayer equipment, and a spiritual

guidance room. However, the LPKA does not provide a place of worship for non-Muslim inmates. Non-Muslim inmates conduct their prayers in their respective rooms. We can see that the Class II LPKA in Central Lombok has implemented the right to worship. However, the services provided are not evenly distributed due to the limited worship facilities available at the LPKA.

Although worship facilities are not available for specific religions, the Class II Central Lombok LPKA still provides weekly religious instruction for all faiths. This service is conducted by bringing in religious officers, such as religious teachers, from each religion.

In addition to the right to worship, the rights of foster children, which can prevent them from committing repeated crimes ( *recidivism* ), are also stipulated in Article 12, Letter c, of Law Number 22 of 2022 concerning Corrections. These rights relate to the right to education, teaching, and recreational activities, as well as the opportunity to develop their potential while taking into account their developmental needs.

In implementing formal education for foster children, LPKA Class II Central Lombok collaborates with SD SMP 02 Satu Atap based on cooperation agreement Number: WP.21.PAS.6-TI.04.02-1189. In addition, LPKA Class II Central Lombok collaborates with SMAN 1 Terbuka Batu Kliang Utara.

In addition to formal education, the Class II LPKA of Central Lombok also runs a non-formal education program under the LPKA. This program is called the Community Learning Activity Center (PKBM). The PKBM was established based on notarial deed number: 1/02 January 2013, which has an operational permit with number: 421.9/2330/DIKPORA. PKBM provides equivalent education packages A, B, and C.<sup>[5]</sup>

In addition to the right to education, the right to skills development is also crucial, as economic factors are one of the factors that lead children to reoffend. Skills training for foster children is expected to provide a source of income and prevent reoffending.

The skills development program at LPKA Class II Central Lombok is carried out in collaboration with the Central Lombok Regency Vocational Training Center (BLK) in accordance with the cooperation agreement Number: 400.3.8.3 / 021108 / UPTD BLK / 2025. The skills development program at LPKA Class II Central Lombok consists of *BarberShop training*, culinary arts, and gardening training.

In addition to the right to education and development of potential, the right to recreation is also crucial and must be provided to children in custody. Fulfilling the right to recreation for children in custody is part of the implementation of a correctional system that upholds the principles of protecting and respecting human rights.

The benefits of recreational rights are also crucial for children's psychological and social development. Through activities such as sports, art, group games, or outdoor activities, children in our care can develop social skills such as cooperation, discipline, sportsmanship, and communication. Furthermore, these activities also provide opportunities for self-expression, building self-confidence, and fostering creativity.

<sup>4</sup> Article 1 Number 19 of Law Number 22 of 2022 concerning Corrections

<sup>5</sup> Documentation, results of an interview with Mr. Heri Jufrianto, Head of Development of LPKA Class II Central Lombok, on April 13, 2026

Psychologically, recreation plays a role in maintaining children's mental health and preventing behavioral disorders such as aggression, isolation, or depression. Therefore, exercising the right to recreation not only fulfills children's basic needs but also serves as a strategic tool in character development. In the Class II LPKA (Penitentiary Institution for the Poor) in Central Lombok, recreational activities for in-service children include hadroh arts training, music, sports, and group viewing.

### 3.3. The Role of Lpka In Preventing Repeated Crimes (Recidivism)

The challenge in the juvenile justice system is the high potential for repeat offenses ( *recidivism* ), given the different psychological conditions of children compared to adults. Criminal accountability for children prioritizes a rehabilitative and developmental approach. This differs from the focus on providing a deterrent effect for adult offenders, in order to protect the community from crime.

In this regard, the role of special child development institutions (LPKA) is crucial. Within these institutions, children under their care must receive guidance, including physical, mental, and social development. Their education must also be given attention. In implementing their education, special child development institutions (LPKA) can collaborate with the education office and other relevant agencies.

The guidance provided by the Special Child Development Institution (LPKA) can prevent children from committing crimes or re-offending after leaving the institution. The Special Child Development Institution (LPKA) plays a crucial role as an institution tasked with not only enforcing court decisions but also implementing development, education, and skills training programs. LPKA also serves as a second home for the children in its care, directly monitoring each child's progress.

In carrying out its role in preventing recurrence of crime, the Class II Central Lombok Correctional Institution (LPKA) implements a foster guardian system. Foster guardians are responsible for accompanying a number of children in their care during their period of rehabilitation.

The LPKA's role in preventing recidivism is not only realized through the implementation of guidance programs as stipulated in Law Number 22 of 2022 concerning Corrections, but also through individual mentoring mechanisms carried out by foster guardians. In practice, foster guardians play a role in identifying problems faced by children, providing motivation, monitoring behavioral changes, and facilitating communication with families. Thus, foster guardians also function as mentors, ensuring that the guidance process is aligned with each child's individual needs.

According to Soerjono Soekanto, the effectiveness of the law is greatly influenced by the quality of law enforcement officers. In this study, foster guardians had the highest level of interaction with children in their care. Therefore, the relationship between the guardian and the children in their care is also an indicator of the LPKA's success in preventing recurrence of crime.

The foster care system established by the Class II Central

Lombok Child Protection Institution aligns with the goal of juvenile punishment, which is to improve the behavior of children in their care so they don't repeat crimes. The existence of foster care reflects a process of fostering through personal relationships.

Foster carers perform a rehabilitative function by helping children rebuild self-confidence, legal awareness, problem-solving skills, and readiness to reintegrate into society. Therefore, the role of foster carers not only supports the implementation of guidance while the child is in the LPKA but also serves as a crucial instrument in reducing the risk of recidivism after the child returns to the community.

The guidance program run by the Class II Special Child Guidance Institution (LPKA) in Central Lombok, in carrying out its role in preventing recurrent crimes (recidivism), also includes weekly psychological counseling. Psychological counseling is one of the most important aspects in preventing recurrent crimes. Preventing *recidivism* is not simply about providing education, skills training, or enforcing discipline, as juvenile criminal behavior is often rooted in psychological issues.

Psychological coaching is carried out in collaboration with a third party, namely PT. SHAFa JAYA FARMA BIRO PSIKOLOGI ADEENA, with a cooperation agreement Number: PK.007/BPA/E/VII/2025.

### 3.4. Lpka Obstacles In Preventing Repeated Crimes

Preventing juveniles from committing repeat crimes ( *recidivism* ) is one of the indicators that determine the success of the rehabilitation program being implemented. However, in practice, the Special Child Development Institution (LPKA) often faces various challenges that become obstacles in preventing juveniles from committing repeat crimes ( *recidivism* ). Factors that hinder LPKA Central Lombok in preventing repeat crimes by juveniles include:

1. Internal factors relate to budgetary constraints on optimal development. Implementing the development program at the Class II Central Lombok LPKA requires not only optimal facilities and infrastructure but also a budget. Budgetary constraints hinder optimal development for children. Inadequate development for children is a contributing factor to children committing repeat crimes ( *recidivism* ).
2. External factors, related to family dysfunction. Parents are a much-needed *support system* for inmates upon their release from the institution. However, in reality, the inmates at the Class II Central Lombok Correctional Institution (LPKA), especially those who are *repeat offenders*, almost all come from dysfunctional families. Most inmates also do not live with their biological parents, resulting in insufficient supervision. When inmates are released or complete their rehabilitation, their families, which should provide a safe haven, actually become the reason for their return to crime.<sup>[6]</sup> In addition to family factors, the inmates' environment is also an external factor that hinders the LPKA in preventing recurrence of crime. Children are a vulnerable group that can fall into bad company. At this stage, the influence of peers is much stronger than that of parents. Once children leave the LPKA and return to their same living environment, they are immediately confronted with the temptations of their former group.

<sup>6</sup> Documentation, results of an interview with Mr. Zul, staff in the Development Division of LPKA Class II Central Lombok, June 29, 2026

#### 4. Closing

##### 4.1. Conclusion

1. The implementation of the rights of foster children as stipulated in Article 12 letters a and c of Law Number 22 of 2022 has been carried out by LPKA Class II Central Lombok. Article 12 letter a is carried out by creating a routine schedule related to the activities of foster children from waking up until going to sleep again. LPKA Class II Central Lombok also provides worship facilities in the form of a mosque, worship tools, holy books, prayer equipment, and a spiritual guidance room. In implementing the right to education as stipulated in Article 12 letter c of Law Number 22 of 2022 LPKA Class II Central Lombok collaborates with SD SMP O2 SATU ATAP and SMAN 1 Terbuka Batu Kliang Utara, while non-formal education is available at LPKA where the program is a program owned by LPKA Class II Central Lombok called the Community Learning Activity Center (PKBM). The skills development program at LPKA Class II Central Lombok consists of *Barber shop training*, culinary arts, and gardening training which is carried out in collaboration with the Central Lombok Regency Vocational Training Center (BLK) and CV. ALEDROSES BARBERSHOP. In fulfilling the recreational rights of foster children, LPKA Class II Central Lombok holds several recreational activities such as hadroh arts, playing music, sports activities, and watching together.
2. The role of LPKA Class II Central Lombok in preventing repeated criminal acts ( *recidivism* ) implements a foster guardian system to maximize the implementation of the guidance program. Foster guardians are responsible for accompanying a number of foster children during the guidance period. This method is carried out to carry out the LPKA's role in preventing *recidivism* by children and is intended so that each child receives more intensive assistance so that behavioral development, psychological conditions, and guidance needs can be monitored optimally. LPKA Class II Central Lombok also routinely carries out psychological guidance to prevent repeated criminal acts, in collaboration with a third party, namely PT. SHAFI JAYA FARMA BIRO PSIKOLOGI ADEENA. However, there are several factors that hinder LPKA Central Lombok in preventing repeated criminal acts by foster children, namely internal factors regarding budget limitations in carrying out maximum guidance. External factors are related to family dysfunction and the environment of foster children.

##### 4.2. Suggestion

1. The government must allocate sufficient funds to provide independent development for children in foster care. It's a well-known fact that economic factors are a contributing factor to children committing crimes. Furthermore, worship facilities for all religions must be equally available to ensure that development does not conflict with the principle of non-discrimination.
2. The special development institution for class II children in Central Lombok must increase the effectiveness of psychological development by providing closed

counseling services to create comfort and provide a safe space for children to express their problems and psychological conditions.

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