

## Children Inmates' Legal Awareness Model: A Case Study at LPKA Maros

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### Abstract

The aim of this study was to determine children inmates' legal awareness model in Penitentiary for Children (LPKA) Maros. This is done to promote the highest level of legal awareness. The research method used is qualitative with a case study approach. Two of his employees at LPKA Maros were involved in this study: Head of the Coaching Department and Head of the Education and Community Counseling sub-department. Data were obtained by observation, interviews and documentation. Data testing techniques were performed with respect to data validity, improving persistence and triangulation. The results showed that there was an individual method in which the inmates were given individual guidance by the coaches of the inmates at LPKA Maros. And then, the method of coaching in groups, coaching from outside oneself, was obtained by the inmates at LPKA Maros from coaching officers at LPKA Maros as well as from outside parties such as from the Makassar Involvement Community, LBH Salewangang, Indonesian Muslim University, Hasanuddin University, Maros District Court and still much more. It can be concluded that children inmates' legal awareness model at LPKA Maros has two methods: the individual method and the group method. LPKA Maros as the only LPKA in South Sulawesi should increase legal awareness development programs so that inmates after receiving legal awareness training at LPKA Maros do not repeat criminal acts.

**Keywords:** Case Study, Children, Inmates, Legal Awareness

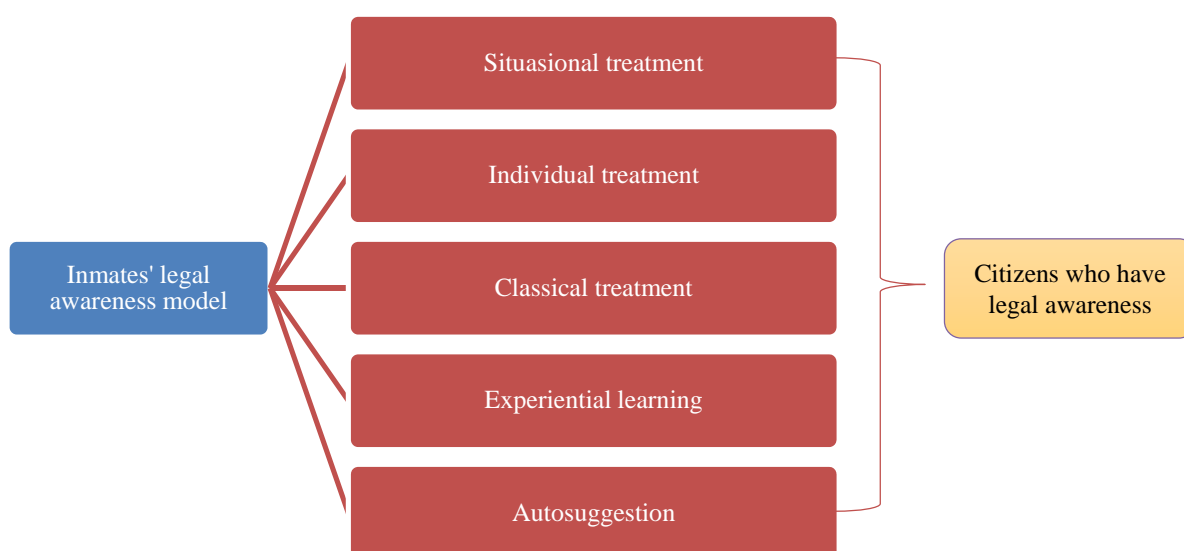
### Introduction

Criminal behavior often unsettles communities as a social phenomenon of the community without considering the social status, economic situation and locality of the victim (Juddin et al., 2021). Ambos (2017) defines crime as a form of conduct that is contrary to human morality, harmful to the nature of society and association, and contrary to law, especially criminal law. A criminal act is committed by an offender or perpetrator, individual or group, who violates a criminal law or regulation when the violation is discovered and punished in judicial proceedings (Katshung, 2006; Suzannah, 2010; Zaksaitė & Radke, 2014). Penalties for offenders, in the form of both fines and corrections, are designed to both compensate victims and deter offenders. A criminal who has been confirmed to obligate a criminal act and has incomplete rights as a citizen in the correctional institution is called an inmate. Inmates are not only adults, but can also be children (Kazeem, 2020).

During this period of growth, the child's psychological state is unstable, so they may follow the actions that are happening around them. Unhealthy environmental conditions, the role of parents who fail to properly guide, monitor, and care for their children, and the ability of governments to protect children's rights and safety, often result in children behaving inappropriately or violating the

law (Levesque, 2021). On that basis, crimes committed by children arise, namely a sense of being unconscious and irresponsible so that the result is creating an uneducated generation. Therefore, minor children tend to do what they want, and that becomes the distribution of the child's will and desires.

There is a fact that this crime and delinquency will inevitably increase the number of children involved in lawsuits for child offenders in Indonesia. In this regard, children need legal awareness. Legal awareness is a dimension that every citizen should have, including those classified as inmates (Lopez, 2019). According to Priel (2008), legal awareness is people's own intrinsic value or awareness of the laws they have and are expected to exist. There are two things that lead a person to break the law. Namely, the first is breaking the law by criminals, who already consider it a habit and even a necessity. Second, the existence of laws becomes inconsistent along with the demands of existing life. In order to become a law-abiding society, the legal awareness must permeate. The children inmates' legal awareness development model or method is shown in Figure 1.



**Figure 1. The children inmates' legal awareness development model**

There are five methods of children inmates' legal awareness, namely situasional treatment, individual treatment, classical treatment, experiential learning and autosuggestion (Cahyaningtyas, 2020). On situasional treatment, the coach must be able to change the way the child thinks, not to be affected by the situation but master the situation so that the coaching material can be absorbed properly. Individual treatment methods are given to children individually. Children can be grouped but the coach must know the needs, character, level of maturity, emotions, logic of each individual child. The group coaching method (classical treatment) is carried out by giving speeches, questions and answers, simulations, role playing or team formation. The role of the group must be active both individually and in groups. The materials and methods of coaching must also involve the group so that the coaching process is more impactful. In this method, the coach must be able to invite children to understand the positive values that grow in the community or group as guidance material. The

method of learning from experience (experiential learning) emphasizes the experiences that children experience. Communication is important because many things happen because of communication errors. Then, autosuggestion is self-motivation. Autosuggestion will be effective if a child knows how to apply it by having high self-confidence. Autosuggestion is a means to influence the human subconscious by entering suggestions, influences, and orders, to take an action in accordance with the suggestions given.

Legal awareness is related to legal compliance, and what distinguishes it is fear of sanctions (Gowder, 2013; Lahteenmaki-Uutela et al., 2019). Legal awareness of the absence of sanctions is a formulation from the legal community regarding scientifically implemented assessments of the values implied by people with respect to existing or expected laws. The existence of legal awareness plays an important role for the community itself. Weak legal awareness leads to weak legal compliance, and conversely, strong legal awareness leads to strong legal compliance (Bertea, 2015; Di Giovanni, 2016; Ladner et al., 2014). Observance of the law is public loyalty and awareness of generally applicable laws when this loyalty is manifested in behavior consistent with the status quo.

Legal awareness, especially for inmates, can be developed in penitentiary. Penitentiaries are meant to see and treat offenders as human beings (Chiao, 2013; Dagan & Baron, 2021; Zaibert, 2013). By comparison, the purpose of the prison system is simply to punish criminals. Its image is negative because society sees prisons as places for bad people. As a result, many inmates face hostility from members of society after returning home. Penitentiaries are not just places to provide funds, but are also expected to play a role in improving inmates so that they do not repeat acts that are against the law, society, and religion. It is also where prisoners live, build, and educate. Once the criminal case is over, they can be good citizens, control their lives outside of prison and obey the law. Numerous patterns of development in correctional facilities are inseparable from dynamics aimed at transforming inmates into livelihood citizens after being incarcerated in penitentiary.

Penitentiary for Children (LPKA) Maros is one of the special child development institutions in South Sulawesi Region with the highest number of child prisoners compared to other correctional institutions in South Sulawesi Region. Based on observations, several LPKA Maros inmates were determined to have been in and out of penitentiary for repeat offenses. Children should be taught to be perfectly legal and intelligent citizens so that they can live better in the mainstream of society and not repeat the same behavior, or at least have a deterrent effect (Moore, 2002). It is certainly very sad to be, but this does not seem to be the case for some inmates. With reference to the background explained, this study seeks to clarify children inmates' legal awareness model in LPKA Maros. This is done to promote the highest level of legal awareness.

### **Methodology**

The research method used in this study is a qualitative method to reveal something behind existing phenomena. The approach used is a case study because this research requires an in-depth study to obtain various information using various data collected in more detail in order to sharpen knowledge in an object under study regarding the model of fostering legal awareness for inmates in LPKA Maros.

### **Participants**

Two staff members of LPKA Maros were involved in this study, consisting of the Head of the Coaching Department and the Head of the Education and Community Counseling sub-department. Determination of participants in this study was carried out using a purposive sampling

technique. This is because the two sections are directly related to activities of fostering legal awareness for the inmates.

### ***Instruments***

In this study, the researcher acts as the primary instrument or human instrument. In short, researchers are planners, implementers, data collectors, analysts, data interpreters and ultimately authors of reports on research results. Researchers obtained information using multiple data collection techniques. To collect the necessary data and information, researchers used interview guides, recording devices, cameras, and more. To support all research activities, researchers should also have a variety of tools to support the collection of data obtained, such as pens used to make notes related to the results of interviews with informants. The tools used are aimed at supporting this research activity regarding the inmates' legal awareness model.

### ***Data Collection Technique***

Data collection techniques were performed by observation, interviews and documentation. Observations completed by researchers at LPKA Maros. The researchers use passive participant observation in which researchers observe directly in field without engaging in activities at LPKA Maros. Researchers conducted in-depth interviews to explore more detailed information from the inmates' legal awareness model at LPKA Maros. In this study, the researchers should prepare interview questions that the researcher can understand well before conducting the interview. Interview questions will be forwarded to informants as appropriate. Documentation implemented by researchers take the form of data collection from archives and documents owned by LPKA Maros. Researchers also photographed and completed the documentation data of the inmates' legal awareness model at LPKA Maros in relation to the required data.

### ***Data Analysis***

Data analysis in this study was performed in three ways: data reduction, data display and verification. The researchers performed a variety of methods to check the validity of the data, one of which was a credibility test, with increased persistence and triangulation. Triangulation in this study uses source triangulation, technique triangulation and time triangulation.

## **Results and Discussion**

Based on the results of research conducted through observation, interviews and documentation, the researchers found that the development of correctional inmates at LPKA Maros involves various parties ranging from internal. In this case, inmates employees who are indeed placed in the coaching section at LPKA Maros with various positions ranging from Head Section of Coaching, Personality Coach, Counseling Coach and Skills Coach. From an external perspective, namely those from outside parties at LPKA Maros, such as collaborating with various parties. This is in line with the statement of the Head of the Development Section at LPKA Maros that LPKA Maros cooperates with various parties. Cooperation is forged with various parties with the hope that the inmates will receive various guidance from various elements in the community. This openness of cooperation will certainly also open up opportunities for agencies to contribute in terms of fostering legal awareness of inmates who should receive more attention rather than being ostracized from their families and communities.

The steps taken to facilitate legal awareness at LPKA Maros are that when a child first enters LPKA Maros, inmates are first screened for identity and experienced cases and then assigned to a block. After being placed in blocks, children supported by children participate in a coaching program that includes the development of legal awareness. Legal awareness can be classical or on an

individual basis and is typically conducted by LPKA Maros supervisors and LPKA Malos partner institutions. Based on interviews with LPKA Maros informants, since they first entered the LPKA Malos, inmates have been trained to know what kind of coaching LPKA Malos coaches can provide to inmates, based on the cases they conducted.

After they start undergoing a period of coaching at LPKA Maros, they will be included in various coaching programs at LPKA Maros, with differences in obligations when the inmates are included in the recidivist category or have committed a repeat of a crime then they are required to follow 70% of the total coaching program required. However, for inmates who are not recidivist, there is no obligation for the amount of coaching that must be followed. There are many programs provided ranging from personality development in which there is legal awareness to skills development where some of the available coaching programs are the result of collaboration with various parties such as campuses, prosecutors' offices to communities in the community.

In carrying out the coaching process at LPKA Maros, the inmates are also regulated in their daily routine, starting from the discipline of not using cellphones, avoiding fights to the prohibition of smoking cigarettes within the LPKA environment. Inmates who violate will be given discipline in the form of light, moderate to severe disciplinary action. Severe discipline such as direct reprimand to making a statement not to repeat the crime again, Discipline is already starting to impose a silent cover in the sense that the inmates are separated in a special cell for seven days and also cannot be visited by the family. And severe discipline the inmates are separated in a special cell for 2x7 days and also cannot be visited by the family until there is a so-called register F, the inmates who fall into this category are given an additional nine months from their detention in exile or isolation.

In the final period of about five months before being released, the children assisted by the children received assimilation from home, which was a coaching program at LPKA Maros which made it different from other LPKAs in Indonesia. The assimilation in LPKA Maros in the form of fostered children will be released from LPKA with the obligation to report to the police in accordance with the child's domicile.

Instilling discipline for inmates is an urgency to be instilled considering to instill habituation for inmates to obey the rule of law during their period of being inmates and of course when they return to the community they will be accustomed to obeying applicable norms. This is in line with what was stated by Dempster & Corkill (1999) who revealed that habituation is the process of creating various situations and conditions (persistent life situations) that contain various reinforcements that allow children in their educational units, at home, in the community, to get used to behaving. This is in accordance with the values and create a set of values that have been internalized and personalized through the process of developing spirituality and emotion (thought of heart), mind (thought), body (sports), compassion (taste), and creativity (thought of intention) as a character.

The coaching that took place at LPKA Maros was carried out in principle consisting of two parts, namely intramural treatment and extramural treatment, in line with what was stated by Dagan & Baron (2021) regarding two principles of correctional development. Intramural treatment means that the coaching is carried out in the correctional institution with the aim of improving and increasing piety to God Almighty, intellectual, attitude and behavior, physical and spiritual health such as the form of activities Yasinan Night (YAMAHA), Hafidz Quran, Friday gymnastics, etc. Extramural guidance carried out is called assimilation, which is the process of fostering correctional inmates who have met certain requirements by integrating them into community life. This is in line with the informant's statement from the Head of the Guidance Section of the LPKA Maros that to follow up on the Decree of the Ministry of Law and Human Rights regarding the Home Assimilation Program,

we from LPKA also enforced this given during Covid-19, so they quickly came out with the home assimilation program. Where later the local correctional center where the child is domiciled will provide supervision to the child who is taking the assimilation of the house and also of course the inmates must still be obliged to report to the local penitentiary.

The coaching program carried out aims to develop the potential, talents and attitudes of inmates, so that the end of the coaching has positive values. Basically, the scope of development is divided into two fields, namely personal development and self-reliance development (Sevastik, 2020). Personality development carried out through programs for fostering religious awareness, fostering national and state awareness, fostering intellectual abilities, fostering legal awareness and fostering integration with the community. Then, self-reliance development provided through skill programs to support self-reliance efforts, skills to encourage small industrial enterprises and skills developed according to individual talents.

Group coaching from outside itself is obtained by the inmates at LPKA Maros from coaching officers at LPKA Maros as well as from outside parties such as from the Makassar Intervention Community, LBH Salewangang, Indonesian Muslim University, Hasanuddin University, Maros District Court and many more. This is in line with Coleman & Lim (2001) stated that group coaching can be done using lecture, question-and-answer, simulation, role-playing, or team building methods.

In group coaching, the role of the group must still be involved, both individually and in groups. So it is not only the coaches who are active, those who are fostered must also be active. Passive inmates must be grown, so they are active and participate in coaching. The coaching material does not have to come from the coach, but can also come from the inmate, or the coaching material that is mutually agreed. In coaching inmates, to achieve maximum results, inmates can arrange coaching for themselves, either individually or in groups. In group coaching, we must be able to invite prisoners to understand the positive values that grow in the community or group, to be used as training materials in groups.

In addition to coaching in groups, the inmates at LPKA Maros also get individual coaching in which the inmates are given individual coaching by the coaches of the inmates at LPKA Maros. Individual coaching is given to the inmates if there are inmates who are judged to really need it. As explained by Mr. Rahmat, that the guidance is in the form of counseling guidance given if there are children who are deemed to be in need, seen from the level of violation of the rules and regulations that apply at LPKA Maros, and so that the inmates can be open with the coaches of LPKA Maros.

This is in line with what was quoted from Deane et al. (1999) in fostering in correctional institutions, the level of intellectual maturity, emotion, logic, of each inmate is not the same. This inequality requires the application of individual coaching. In coaching inmates, individual coaching is often not or less attention to by the coaches. The coaches prefer to hold coaching in groups, because group coaching is considered and felt to be faster in presentation and easier to deliver. Whereas in terms of the effectiveness and efficiency of coaching, individual coaching will be much more impactful. Individual coaching will also bring the officers closer to the inmates, so there is no fear from the inmates against the officers.

Good individual coaching is coaching that has grown from within oneself. The more often do self-development, the more will know that there are so many things that need to be nurtured, things that need to be improved. Self-cultivation means that coaching arises from within one's heart. In this case a person will be able to learn to control himself, learn to think more saturated, about the cause and effect of an action and an act (M. L. Young, 2014).

Individual guidance for inmates can also be carried out by coaches, both coaches from the correctional institution, or coaches from outside, namely religious coaches, community groups, or non-governmental organizations. Coaching from outside oneself, can be coaching originating or in accordance with the needs of inmates' development, or coaching from outside which is considered general guidance, meaning that the material is general material, such as the appreciation and practice of Pancasila, legal awareness, ethics, religion and others. Meanwhile, specific coaching can be in the form of personal consultation, psychology, legal guidance, ethics, and expertise education and so on. Coaching from outside oneself usually based on an analysis of an inmates' personal data, which requires an inmate to receive guidance that has been determined by the coach. So the need for coaching is determined by the coach.

It can happen that the inmates does not feel the need for this type of coaching, but because based on the evaluation they must receive coaching, they must accept it. Individual coaching really requires special skills so that the object or subject of coaching can freely express their opinions, there is no feeling of pressure or being forced to accept coaching materials. Coaching from outside oneself can be in the form of written skills courses, for example English, studying at the Open University, Open Middle School, accounting courses and so on. This can be done if the correctional institution does not have the facilities and infrastructure for it. One of the most important external developments is self-knowledge, inviting inmates to know themselves.

Such as traits, habits, strengths, weaknesses, intelligence, skills, ways of thinking, things that have been done and things that will be done, and so on. The self-introduction program can be carried out intensively and effectively for three consecutive days. During that period, the inmates were released from all duties and were not allowed to be visited by anyone. Disconnection with the outside is intended to concentrate more on finding yourself, knowing yourself, perfectly. Maximum concentration for the self-introduction program is intended so that the program can be completely successful.

Legal awareness development programs at LPKA Maros cannot be separated from the contributions of various parties. This can be seen from several legal awareness developments provided by various parties such as the Maros District Court in the context of socializing children's rights. The programs undertaken by the inmates are in line with what is meant by legal guidance, which is carried out by providing legal counseling aimed at fostering legal awareness so that they can become good citizens and obey the law and can enforce justice, law and protection of dignity, and their dignity as human beings (Mathews, 2017).

The implementation of the coaching program is in accordance with the functions and duties of the correctional development of inmates, which is carried out in an integrated manner so that after completing their sentence with the guidance they have undergone, they can become law-abiding citizens. Correctional officers as state servants and as public servants are obliged to live and practice the duties of correctional development with full responsibility. Guidance for inmates provides services and guidance that have been carried out by correctional officers so that the goals of coaching are achieved (Schaufeli & Peeters, 2000; Young & Cocallis, 2019)

The legal knowledge indicator is trying to be socialized by the parties who work together with LPKA Maros, of course, not only knowing the existence of existing laws in Indonesia but also providing an understanding of the existing laws. After understanding the existence of the law, it is also hoped that the inmates at LPKA Maros are able to have a law-conscious attitude so that the final result is of course a manifestation of real law-abiding behavior in everyday life, both in detention and later when they return to community life.

Guidance on legal awareness should be given formally both within school institutions and institutions outside of school with the target of the wider community in the form of giving cultivation to become good citizens, regarding the laws in force in the country. Knowledge of this is expected to raise legal awareness. The cultivation of legal awareness can be achieved through counseling, as well as socialization as was carried out at LPKA Maros.

In fact, there are many other ways that can be done in forming a law-conscious society. Apart from formal education, legal awareness can also be done with non-formal education. These activities are aimed at the wider community, such as legal counseling which is carried out by delivering and explaining laws and regulations to the public, both in open and closed pulpits. Through this counseling, the community can understand what their rights, obligations, and authorities are so that it is hoped that the community can obey and obey the law and create community attitudes and behavior based on the law (du Bois-Pedain, 2014; Gowder, 2013; Pemmaraju, 2015).

### Conclusion

The development of legal awareness for the inmates at LPKA Maros uses two methods, namely the individual coaching method in which the inmates are given individual guidance by the coaches for the inmates at LPKA Maros. Individual guidance is given to inmates if there are inmates who are deemed to really need it, such as if there are children who are considered to be in need, seen from the level of violation of the rules and regulations that apply at LPKA Maros. The method of coaching in groups from outside is obtained by the inmates at LPKA Maros from coaching officers at LPKA Maros as well as from outside parties such as from the Makassar Involvement Community, LBH Salewangang, Indonesian Muslim University, Hasanuddin University, Maros District Court and many more.

Suggestions for the government should continue to support LPKA as an institution for fostering children's legal awareness, considering that legal awareness building is one of the ways to prevent inmates from falling back into prison. It is advisable for LPKA Maros as the only LPKA in South Sulawesi to increase legal awareness development programs so that inmates after receiving legal awareness training at LPKA Maros do not repeat criminal acts. In addition, it is recommended that this research be the first step for researchers who will also conduct research on fostering legal awareness for inmates by examining the obstacles to fostering legal awareness for recidivists so that they fall back into committing similar crimes.

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