

Implementation of Law No. 12 of 1995 on Correctional Services in the Rehabilitation of Children

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Abstract: This study aims to analyze the child rehabilitation model implemented at the Class IIB Special Juvenile Rehabilitation Center (LPKA) and to assess the effectiveness of its implementation in shaping the personality and independence of juvenile inmates. **The method used** was empirical legal research, conducted at a Class IIB correctional facility with a population consisting of all juvenile inmates and a sample of three juvenile inmates. Data collection techniques included observation, interviews with juvenile inmates and correctional officers, and documentation. The data obtained were analyzed qualitatively by interpreting them into detailed and systematic descriptions, which were then discussed to draw inductive conclusions addressing the research questions. **The novelty** of this study lies in its direct examination of child rehabilitation practices based on empirical experience within correctional institutions. **The results** of the study indicate that the juvenile rehabilitation model at the Special Juvenile Correctional Institution is divided into two forms: character development and independence training. Character development includes group Dhuhr prayer, Islamic religious activities, catch-up education programs, morning exercises, and counseling sessions conducted by correctional facility mentors. **The conclusion** of this study confirms that the rehabilitation of children at the Special Juvenile Correctional Facility is generally structured through two main models, namely character development and independence training, which play a crucial role in the rehabilitation process and the shaping of juvenile inmates' behavior. **Keywords:** Children; Rehabilitation; Correctional Facility.

Abstrak: Penelitian ini bertujuan untuk menganalisis model pembinaan anak yang diterapkan di Lembaga Pembinaan Khusus Anak (LPKA) Kelas IIB serta menilai efektivitas pelaksanaannya dalam membentuk kepribadian dan kemandirian narapidana anak. **Metode penelitian** yang digunakan adalah penelitian hukum empiris, yang dilaksanakan di Lapas Kelas IIB dengan populasi seluruh tahanan anak dan sampel sebanyak tiga narapidana anak. Teknik pengumpulan data dilakukan melalui observasi, wawancara dengan narapidana anak dan petugas lapas, serta dokumentasi. Data yang diperoleh dianalisis secara kualitatif dengan cara menginterpretasikan data ke dalam uraian kalimat yang terperinci dan sistematis, kemudian dibahas untuk selanjutnya ditarik kesimpulan secara induktif sebagai jawaban atas permasalahan penelitian. **Kebaruan penelitian** ini terletak pada pengkajian langsung terhadap praktik pembinaan anak berbasis pengalaman empiris di lembaga pemasyarakatan.

Hasil penelitian menunjukkan bahwa model pembinaan anak di Lembaga Pembinaan Khusus Anak terbagi menjadi dua bentuk, yaitu pembinaan kepribadian dan pembinaan kemandirian. Pembinaan kepribadian meliputi kegiatan sholat dzuhur berjamaah, kegiatan keagamaan Islam, program pendidikan kejar paket, senam pagi, serta kegiatan konseling yang dilakukan oleh sahabat lapas. **Kesimpulan** penelitian ini menegaskan bahwa pembinaan anak di Lembaga Pembinaan Khusus Anak secara umum telah terstruktur melalui dua model utama, yakni pembinaan kepribadian dan pembinaan kemandirian, yang berperan penting dalam proses rehabilitasi dan pembentukan perilaku narapidana anak.

Kata Kunci: Anak; Pembinaan; Lapas.

1. INTRODUCTION

Our children are the next generation and the future of our nation depends on whether their current circumstances are favorable or unfavorable.¹ Article 1(1) of Law No. 35 of 2014 on Child Protection defines a child as a person under the age of 18 (eighteen), including a child still in the womb. As the future of the nation, children need to be given special attention, including the fulfillment of their rights. Children's rights must be fulfilled as a form of protection for human rights.² These regulations address children's rights in general, including the right to life, the right to a name, the right to education, the right to basic health care, the right to practice one's religion, the right to freedom of expression, the right to play, the right to think, the right to be creative, the right to rest, the right to socialize, and the right to social security. This means that the right to education is a fundamental right that must be granted to children. Children are a vital component of a nation; they are a gift from God Almighty and the future generation of the nation who must be cared for and protected. As mandated by the Indonesian Constitution, or the 1945 Constitution of the Republic of Indonesia: "Every child has the right to grow, live, and develop, as well as the right to protection from violence and discrimination."³

In general, the purpose of criminal law is to establish order, justice, and peace in the life of society, the nation, and the state by preventing acts that could harm legal interests, whether those of individuals, the community, or the state, and by protecting those interests. Thus, the imposition of criminal sanctions is not an end in itself but rather a means to achieve the true objectives of criminal law. Juvenile delinquents (those involved in crime), whose presence has become a reality in society, require comprehensive rehabilitation.⁴

¹ Lutfie Noor Hasanah, "Dalam Perspektif Hukum Islam Program Studi Hukum Keluarga Islam Jurusan Ilmu- Ilmu Syari' Ah Fa Kultas Syari' Ah Institut Agama Islam Negeri (Iain) Purwokerto," 2017.

² Wahab Aznul Hidayat et al., "Realizing Restitution Justice for Child Victims of Sexual Assault," *JURNAL USM LAW REVIEW* 7, no. 3 (December 2, 2024): 1484–97, <https://doi.org/10.26623/julr.v7i3.9697>.

³ Sofi Artnisa Siddiq, "Pemenuhan Hak Narapidana Anak Dalam Mendapatkan Pendidikan Dan Pelatihan," *Pandecta: Research Law Journal* 10, No. 1 (2015), <https://doi.org/10.15294/Pandecta.V10i1.4195>.

⁴ Wahab Aznul Hidayat, "The Role of Witness and Victim Protection Agency for Imekko Tribe in Criminal Justice System in Sorong," *Law and Justice* 8, no. 2 (2023): 176–91, <https://doi.org/10.23917/laj.v8i2.2363>.

A study conducted by Musbirah Arrahmania, et al. in 2021, titled "The Effectiveness of No. 12 of 1995 on Corrections Regarding the Rights of Inmates in Correctional Institutions" revealed that the implementation of wage and insurance premium payments to inmates or residents at workplaces is carried out through contracts between the Palopo IIA Correctional Institution and its partners, including in agriculture, animal husbandry, welding shops, and furniture production. Although many obstacles have been encountered, the community has been striving to overcome them. Furthermore, the ideal model for providing wages and insurance premiums to working inmates or residents is based on the National Institute of Law Enforcement and Criminal Justice (NILECJ) guidelines, such as the implementation of work release programs. The Palopo IIA Correctional Facility still needs to work hard to achieve this ideal model.⁵

Efforts to rehabilitate delinquent children require specific and comprehensive measures. A wide range of aspects related to the lives of delinquent children, both physical and psychological, need to be addressed in a systematic manner. Currently, the government has provided numerous facilities to rehabilitate delinquent children, namely the State Juvenile Correctional Institutions. Under current regulations, judges do not have the authority to determine the length of the educational program that the child in question must undergo.

2. METHOD

The type of research used in this study is empirical legal research. This research, also known as the sociological approach to law, examines law as a real social phenomenon (actual behavior), rather than merely as written rules.⁶ Empirical legal research aims to examine how the law actually functions in society. The data sources used are primary data sources, which consist of key data collected directly from individuals who are directly involved with the research subject. In the context of this empirical legal research, primary data was obtained through interviews with respondents, informants, and sources, including law enforcement officials, government agency officials, and other relevant parties in the city of Sorong. Secondary data consists of information obtained through literature reviews and documents from previous studies.

Primary Data Collection: Primary data is collected directly from primary sources through fieldwork. In empirical or sociological legal research, there are three main methods commonly used: interviews, questionnaires, and observation. However, in this study, the researcher used two main techniques, namely: a. Interviews, a data collection method conducted through direct interaction with respondents at the research site; b. Observation, which involves direct observation of the factual situations and conditions in the field related to the research subject. Through these methods, the researcher can gain a concrete understanding of the

⁵ Musbirah Arrahmania, Abd Asis, And Audyna Mayasari Muin, "Efektivitas Undang–Undang Nomor 12 Tahun 1995 Tentang Pemasyarakatan Terkait Hak-Hak Warga Binaan Di Lembaga Pemasyarakatan Kelas Iia Kota Palopo," *Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 8, No. 2 (2021): 1–18, <https://doi.org/10.24252/Al-Qadau.V8i2.19541>.

⁶ Suyanto, *Metode Penelitian Hukum* (Surabaya: Unigres Presss, 2022).

Implementation of Law No. 12 of 1995: A Case Study of a Class IIB Prison in Sorong City. Secondary Data Collection: Data was obtained through a literature review by gathering and documenting various sources related to the research topic. After the data and legal materials have been collected, the next step is to organize the data in a structured manner to facilitate the analysis process. This organization is carried out in stages, moving from the general to the specific, and includes: Review, Data Categorization, Data Verification, Data Validity Assessment, Data Analysis, and Drawing Conclusions.

3. DISCUSSION

3.1. Implementation of Law No. 12 of 1995 on Special Rehabilitation Institutions for Children (LPKA)

3.1.1. The Special Juvenile Correctional Facility has a Vision and Mission, and the Vision of the Class II B Special Juvenile Correctional Facility in Sorong

The vision of the Sorong Class II B Special Juvenile Correctional Institution is to restore harmony in the relationships, lives, and livelihoods of its inmates as individuals, members of society, and creatures of God Almighty (to foster self-reliant individuals).⁷ The mission of the Sorong Class IIB Correctional Institution is to provide care for inmates and to offer rehabilitation and guidance to inmates.⁸ Meanwhile, the objectives of the Class II B Special Juvenile Correctional Facility in Sorong City include ⁹: (a). To help individuals under correctional supervision become well-rounded individuals who recognize their mistakes, reform themselves, and refrain from repeating criminal acts, so that they may be reintegrated into society, play an active role in development, and live decent lives as good and responsible citizens. (b). To guarantee the protection of the human rights of detainees, inmates, and probationers in order to facilitate the process of rehabilitation and guidance.

Facilities for educational and vocational activities are also well-equipped, including classrooms, a library, an art room, a vocational training room, a sewing room, a prayer room, a playground, a garden, a fish pond, and farmland. According to Mr. Gabriel Silalahi.¹⁰ The existing facilities for the special rehabilitation of children at the Class II B Sorong Correctional Facility are sufficiently suitable for use and can support the activities of the children in the facility; however, some renovations may be carried out on rooms that need repair. Furthermore, the Class II B Sorong Special Juvenile Correctional Facility is the only juvenile detention center in the Southwest Papua region managed by the Ministry of Law and Human

⁷ F Togatorop, "... Di Lembaga Pemasyarakatan Kelas Iib Sorong Papua Barat The Founding System Of Convict By Basic Nature And Chateristic Territory In Lembaga ...," 2012, [Http://Repository.Unhas.Ac.Id/Id/Eprint/10552/1/Fritlestog-2740-1-Tesis-1-2.Pdf](http://Repository.Unhas.Ac.Id/Id/Eprint/10552/1/Fritlestog-2740-1-Tesis-1-2.Pdf).

⁸ Farrah Syamala Rosyda, "Implementasi Pemenuhan Hak Pendidikan Untuk Anak Pidana Di Lembaga Pembinaan Khusus Anak Kutoarjo," *Amnesti Jurnal Hukum* 2, No. 1 (2020): 43–56, <https://doi.org/10.37729/Amnesti.V2i1.651>.

⁹ S Tarwiyah, H Tuasikal, And S Sriyati, "Pemenuhan Hak Narapidana Anak Sebagai Upaya Perlindungan Di Lembaga Pemasyarakatan Kelas Ii B Kota Sorong," *Unes Law Review* 6, No. 3 (2024): 9114–29, <https://www.review-unes.com/index.php/Law/Article/View/1855>.

¹⁰Wawancara Dengan Bapak Gabriel Silalahi Sebagai Petugas Penjagaan Tahanan Pada Tanggal 20 Maret 2025

Rights of the Republic of Indonesia.¹¹ The inmates at this prison are all from the province of Southwest Papua. According to Mr. Gabriel Silalahi, a prison guard:

The juvenile detainees here are limited to the Southwest Papua region; some are from Sorong City itself, while others are from outside Sorong City but are registered residents of other regencies within the same province. Mr. Gabriel Silalahi, a detention center guard, added that:¹² Juvenile and adult prisons¹³ we have separate areas, specifically a children's section and an adult section. We limit each cell for juvenile inmates to 2–4 people. The juvenile detention center differs from the adult prison due to various considerations, such as moral and environmental factors, and the way they are managed is also different. The inmates here have been convicted of a variety of crimes.

Table 1. Number of children at the Class II B Special Juvenile Correctional Facility in Sorong

Year	Total	Case Numbers
2020	Case	8
2021	Case	5
2022	Case	9
2023	Case	14
2024	Case	7
2025	Case	6

On average, the children in the Juvenile Detention Center are still of school age or under 18 years old.¹⁴ At that age, education becomes extremely important. And Mr. Gabriel Silalahi, a correctional officer at the Sorong City Correctional Facility, said, "We are doing everything we can to ensure that when these juvenile inmates are released, their mindset will have changed and they will not return to this place. So, in the rehabilitation program we provide, we do our utmost to offer them training that will be beneficial to them."¹⁵

3.1.2. Child Rehabilitation Model at the Class II B Special Juvenile Rehabilitation Center in Sorong

With the enactment of Law No. 11 of 2012 on the Juvenile Criminal Justice System, which mandates the establishment of Special Juvenile Correctional Institutions (LPKA) as a replacement for Juvenile Correctional Facilities, and Article 84(2) of Law No. 11 of 2012 on the

¹¹ Elsa Manora Siregar Et Al., "Pemenuhan Hak Pendidikan Bagi Narapidana Anak Di Lembaga Pembinaan Khusus Anak," *Angewandte Chemie International Edition*, 6, No. 11 (1967): 82–95.

¹²Wawancara Dengan Bapak Gabriel Silalahi Sebagai Petugas Penjagaan Tahanan Pada Tanggal 20 Maret 2025

¹³ Muhammad Iqbal David, Husni Silvia, "Pembinaan Narapidana Anak Di Lembaga Permasalahannya Anak Kelas I Tanjung Gusta," *Jurnalrectum* 4, No. 1 (2022): 82–94.

¹⁴ Hamza Baharudin Wahyudin, Said Sampara, "Kalabbirang Law Journal," *Kesiapan Menikah* 2, No. April (2020): 14–21.

¹⁵Wawancara Dengan Bapak Gabriel Silalahi Sebagai Petugas Penjagaan Tahanan Pada Tanggal 20 Maret 2025

Juvenile Criminal Justice System states that¹⁶: Children have the right to services, care, education and training, guidance and support, as well as other rights in accordance with the provisions of laws and regulations. Therefore, the LPKA plays a vital role in providing guidance to children.

Guidance for children is an effort to enhance their knowledge and abilities, with the aim of bringing about changes in their attitudes and behavior. As stated in the explanatory notes to the SPPA Law, guidance refers to activities aimed at improving children's character, piety toward God Almighty, intellectual development, attitudes and behavior, skills training, professional development, and physical and mental health, both within and outside the juvenile criminal justice process. The term "children" in this context refers to those undergoing guidance at Special Juvenile Guidance Institutions.¹⁷ The independence-building program includes making batik sandals, crafting items such as bags and keychains, gardening, fish farming, traditional music and band skills, cooking classes, futsal, and creating school bulletin boards.¹⁸ As in the following interview excerpt: "We, the correctional officers, greatly appreciate the young people who are willing to change. In fact, we organize various activities to keep them busy so that they don't get bored during their rehabilitation period and can participate in many positive activities."¹⁹

3.2. Obstacles in the rehabilitation process at the Class I Special Juvenile Rehabilitation Center in Sorong

The following are the challenges faced by staff in carrying out the guidance process: The limited schedule: the various nonformal educational activities offered at the Class II B Sorong Juvenile Correctional Facility only take place from morning to noon and are held Monday through Saturday (for vocational activities), while arts and crafts activities take place on Fridays and Saturdays. GED preparation classes are held Monday through Friday from 9:00 a.m. to 11:00 a.m. Since these classes last only two hours per day, they are still considered insufficient. There are many underlying factors, one of which is that the participants are unmotivated;

¹⁶ Agus Darwanta, "Penerapan Prinsip Terbaik Untuk Anak (The Best Interest Of The Child) Dalam Pemenuhan Hak Anak Di Lembaga Pembinaan Khusus Anak The Application Of The Best Interest Of The Child Principle On The Fulfillment Of Children ' S Rights In Children Penitentiary Abstract Pendahuluan Anak Merupakan Titipan Illahi Yang Perlu Dibimbing Agar Menjadi Manusia Yang Berguna Bagi Bangsa , Negara , Masyarakat , Dan Keluarga . Indonesia Dengan Ketentuan Dasar Yang Mengatur Tentang Pemenuhan Hak Anak Selain Uud 1945 , Juga Telah Diatur Dalam Convention On The Rights Of The Child Atau Konvensi Hak Anak Khususnya Dalam Pasal 2 Ayat (1) , Konvensi Diratifikasi" Xxiv, No. 1 (2020): 60–76.

¹⁷ Sabaruddin, Fenti U Puluhulawa, And Udin Hamim, "Model Pembinaan Anak Yang Berkonflik Dengan Hukum Dalam Sistem Pemasyarakatan," *Philosophia Law Review* 1, No. 2 (2021): 104–25.

¹⁸ Fransiska Novita Eleanora And Esther Masri, "Pembinaan Khusus Anak Menurut Sistem Peradilan Pidana Anak," *Jurnal Kajian Ilmiah Universitas Bhayangkara Jakarta Raya* 18, No. 3 (2018): 215–30.

¹⁹ Sokhib Naim et al., "Perwujudan Restitutio in Integrum Sebagai Hak Anak Korban Tindak Pidana," *JURNAL USM LAW REVIEW* 8, no. 3 (October 28, 2025): 1683–96, <https://doi.org/10.26623/julr.v8i3.12668>.

another is the selection process for participants in vocational and arts activities.²⁰ This selection process is conducted to identify participants who demonstrate talent and dedication. It is hoped that there will be no significant obstacles during the program's implementation. Limited class hours and activity time pose a challenge to the effective implementation of non-formal education, as these activities take place only in the morning. Classes are held only from 9:00 a.m. to 11:00 a.m. and cover only one subject per day. This is done to prevent inmates from becoming bored with their studies, as such boredom could lead to laziness in learning; consequently, the decision was made to limit the number of class hours.

Lack of motivation: Due to their status as inmates, participants in the non-formal education program at the Class II B Sorong Juvenile Detention Center already exhibit poor behavior that influences their mindset, causing them to act as they please without considering the consequences. They are still lazy when it comes to looking out for their own well-being, let alone helping others around them. According to Mr. Gabriel Silalahi: "The inmates here are somewhat selfish and insensitive; this may be influenced by the fact that they don't know one another well, so they sometimes struggle to adapt to the other inmates."

According to Ms. Eli Sabet Dallo,²¹ As the deputy head of the registration section at the Class IIB prison in Sorong, he described the challenges he faces as an officer in providing guidance to inmates: "The challenge is that they're different from others. They're troubled youth, so we have to go along with what they want without letting that affect the others. We try to understand them, because we can't be too lenient with them, nor can we be too harsh, so that they'll still be willing to go to school."

3.2.1. Efforts to Overcome Obstacles in the Rehabilitation Process at the Class I Special Juvenile Rehabilitation Center in Sorong

The following are efforts to address the obstacles faced by staff in carrying out the guidance process:²² Efforts to address the issue of limited time include improving the learning process through engaging classroom instruction. For vocational training participants, activities will conclude when the intensive course begins, ensuring that students are not disadvantaged. For arts and culture activities, there are no issues since they take place only on specific days, and on Fridays and Saturdays, these activities are held outside of regular teaching hours at the correctional facility. To address the inmates' lack of self-motivation, the prison offers religious study sessions held every Tuesday and Wednesday from 8:00–9:00 a.m. (for Muslims) and on

²⁰ Papy Michael Napu, Rudepel Petrus Leo, And Heryanto Amalo, "Implementasi Hak-Hak Narapidana Berdasarkan Undang-Undang Nomor 22 Tahun 2022 Serta Hambatan-Hambatannya Di Lembaga Pemasyarakatan Kelas Iia Kupang," *Petitum Law Journal* 1, No. 1 (2023): 54–62.

²¹ Wawancara Dengan Ibu Eli Sabet Dallo Sebagai Kasubsi Registrasi Lapas Kelas Ii B Kota Sorong Pada Tanggal 20 Maret 2025

²² Ferry Rhendra P. P. Sitorus, "Prospek Pengembangan Kapasitas Anak Yang Berhadapan Dengan Hukum Di Lembaga Pembinaan Khusus Anak Kelas Ii Jayapura Propinsi Papua," *Sosio Konsepsia* 10, No. 3 (2021), <https://doi.org/10.33007/Ska.V10i3.2014>.

specific days (for Christians). Additionally, instructors and staff at the Sorong Class I Special Juvenile Correctional Facility provide motivational support.

Standards for the Rehabilitation of Children, in accordance with Decree of the Ministry of Law and Human Rights of the Republic of Indonesia No. PAS.49.PK.01.06.01 of 2017 concerning Standards for the Rehabilitation and Reintegration of Children Based on Moral Values. The Class I Special Juvenile Correctional Facility in Sorong has rehabilitation standards for conducting rehabilitation activities for children in its care at the Class I Special Juvenile Correctional Facility in Sorong. These rehabilitation standards are based on the Decree of the Ministry of Law and Human Rights of the Republic of Indonesia No. PAS.49.PK.01.06.01 of 2017 concerning Standards for the Rehabilitation and 59 Reintegration of Children Based on Moral Values.

4. CONCLUSION

Methods Applied by Correctional Officers in Providing Guidance as Part of the Institutional Rehabilitation Process for Children at a Class II B Correctional Facility. Limited time for activities. There are many underlying factors, one of which is laziness; in addition, there is a selection process for participants in skills and arts programs. This selection is conducted to choose participants who demonstrate talent and dedication. It is hoped that there will be no significant obstacles to implementation in the future. Lack of self-motivation among inmates: The cause of their behavior stems from a lack of self-motivation. Their diverse backgrounds and pasts, marked by exposure to negative environments, have left them lacking self-awareness.

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