

# ANALYSIS OF THE IMPLEMENTATION OF ARTICLE 85 OF LAW NUMBER 11 OF 2012 CONCERNING THE JUVENILE CRIMINAL JUSTICE SYSTEM

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## **Abstract**

*The purpose of the Correctional System is the bleaching of life, life, and livelihood relationships between correctional prisoners and society. Strictly speaking, the correctional system bridges the process of negative life between Correctional Prisoners and elements of society through coaching, and changes towards a positive, humane, and moral life. how is the implementation of Article 85 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and obstacles in the implementation of Article 85 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System at a special development institution for children LPKA Bandar Lampung. Normative juridical approach and empirical juridical approach using secondary data and primary data. The implementation of Article 85 of Law Number 11 of 2012 concerning the Child Criminal Justice System at a special development institution for children LPKA Bandar Lampung in organizing education, training, skills, and coaching has been going well. However, it has not been maximized because there are several obstacles in its implementation, including the time limit for training which is accompanied directly by the trainer and not all ABH can participate in skills training. The obstacle is that there are still ABH who do not realize the urgency of the activities of providing guidance on education, skills, and training, so they are unable to take advantage of what should be their right in coaching to form a human character that can change for the better.*

**Keywords:** *Coaching, Children, Child Special Development Institution.*

## **Abstrak**

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Tujuan dari Sistem Pemasyarakatan adalah pemutihan hubungan hidup, kehidupan dan penghidupan antar warga binaan pemasyarakatan dengan masyarakat. Tegasnya pemasyarakatan menjembatani prosesnya kehidupan negatif antara Warga Binaan Pemasyarakatan dengan unsur-unsur masyarakat melalui pembinaan, perubahan menuju kehidupan yang positif, berkemanusiaan dan bermoral. bagaimanakah implementasi Pasal 85 Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak dan kendala dalam implementasi Pasal 85 Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak di LPKA Bandar Lampung. pendekatan yuridis normatif dan pendekatan yuridis empiris dengan menggunakan data sekunder dan data primer. Implementasi Pasal 85 Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak di LPKA Bandar Lampung dalam menyelenggarakan pendidikan, pelatihan, keterampilan, pembinaan sudah berjalan dengan baik. Namun belum maksimal dikarenakan ada beberapa kendala dalam pelaksanaannya diantaranya batasan waktu pelatihan yang didampingi langsung oleh pelatih dan tidak semua ABH bisa mengikuti pelatihan keterampilan. Kendala masih adanya ABH yang tidak menyadari urgensi dari kegiatan pelaksanaan pemberian bimbingan pembinaan pendidikan, keterampilan dan pelatihan tersebut, sehingga tidak mampu memanfaatkan yang seharusnya menjadi hak mereka dalam pembinaan untuk membentuk karakter manusia yang bisa berubah menjadi lebih baik.

**Kata Kunci:** Pembinaan, Anak, Lembaga Pembinaan Khusus Anak.

## **INTRODUCTION**

### Background

The Indonesian state is a state of law. This is in accordance with Article 1 Paragraph 3 of the 1945 Constitution. The national goal of the Indonesian state is to protect the entire Indonesian nation and the entire Indonesian homeland and advance the general welfare, educate the nation's life, and participate in implementing a world order based on independence, lasting peace, and social justice. It can be explained that the Indonesian state wants to realize social justice for all Indonesian people and this must be realized in people's lives.

The equality of every person in law and government is recognized normatively and implemented empirically. In the framework of this principle of equality, all discriminatory attitudes and actions in all forms and manifestations are recognized as prohibited attitudes and actions, except for special actions. Certain groups of citizens who can be given special treatment that is not discriminatory, for example, are women or children. (Jimly Asshiddiqie, 2022)

Children are an integral part of human survival and the sustainability of a nation and state. In the Indonesian constitution, children have a strategic role, which explicitly states that the state guarantees the right of every child to survival, growth, and development and to protection from violence and discrimination. Therefore, the best interests of the child should be realized as the best interests for the survival of humanity. The consequences of the provisions of Article 28B of the 1945 Constitution of the Republic of Indonesia need to be followed up by making government policies aimed at protecting children. Thus, there needs to be a paradigm shift in handling children in conflict with the law, based on the roles and duties of the community, government, and other state institutions that are obliged and responsible for improving children's welfare and providing special protection to children in conflict with the law. (Tuwo, 2019)

Therefore, the right to education and teaching is a basic right for every individual (Yusuf et al., 2022). The rights inherent in him must be upheld and protected so that children can grow into meaningful individuals. The protection of children's rights is very important because children are whole human beings, who therefore have rights as human beings. Child protection is thus part of the implementation of human rights. (Hadi Supeno, 2010)

The correctional system adopted by Indonesia is regulated in Law Number 15 of 1995 concerning the Correctional System. The principle adopted by the correctional system today places detainees, prisoners, state children, and correctional clients as subjects and are seen as individuals and ordinary citizens and are faced not with a background of retaliation but with guidance and coaching. The difference in correctional system that applies at this time is very different from what applied in the prison system in the past, which gives implications for differences in the ways of guidance and coaching carried out, then due to differences in the objectives to be achieved. In general, it can be said that correctional coaching and guidance should be improved through the approach of mental development, religion, Pancasila, and so on. However, in practice, children are positioned as objects and the treatment of children in conflict with the law tends to harm children.

In creating a good coaching system, participation does not only come from the officer, in an effort to provide participation, but a correctional officer must also always act in accordance with the principles of the correctional. In educating and fostering correctional students, correctional officers must say inmates as citizens who believe they still have the productive potential for nation-building. Therefore, they are also trained to master certain skills in order to be able to live independently and be useful for development. This means that the coaching and guidance provided cover the mental and skill fields. Armed with the mental skills and abilities they already have, hopefully, they can successfully integrate themselves into society. All of these efforts are carried out in a planned and systematic manner so that as long as they are in coaching they can repent, realize their mistakes, and be determined to become useful human beings for the nation and state.(Petrus, 2006)

Regarding this, Soejono Dirdjosisworo stated that what is meant by the guidance of prisoners is all efforts to improve prisoners with the intention of directly and at least avoiding the repetition of the behavior that caused the judge's decision. The Correctional Institution has duties and functions in providing guidance to prisoners or students, providing guidance, preparing facilities and managing work results, maintaining security and order, and conducting administrative affairs of the Correctional Institution household. The Correctional System is identical to social reintegration, convicts are not only the object but also the subject of training.

In the Law of the Republic of Indonesia Number 11 of 2012 concerning the Juvenile Criminal Justice System, Article 85 of the Law of the Republic of Indonesia Number 11 of 2012 paragraphs 1-3 reads:

- 1) Children sentenced to imprisonment are placed in a special development institution for children or LPKA.
- 2) Children as referred to in paragraph (1) are entitled to receive guidance, mentoring, supervision, assistance, education and training, and other rights in accordance with the provisions of laws and regulations.
- 3) The Child Special Development Institution or *LPKA* is obliged to organize education, training, skills, coaching, and fulfillment of other rights in accordance with the provisions of laws and regulations.

Soejono Dirdjosisworo said that the state is obliged to organize coaching for children, both educational coaching, skills coaching, and personalized coaching, but in reality, the obligation of coaching at the Special Development Institute for Children, hereinafter abbreviated as LPKA, has not run optimally, especially in skills coaching.

Due to the lack of outside educators, while for this skills development at LPKA, consists of activities for Agricultural Development, Animal Husbandry, Exchange, Arts, and Information Technology (IT), specifically Information Technology (IT) is not running as regulated.

Correctional students when serving their sentence must be separated from adults. This is done to protect children's rights, anticipate things that can affect their development, and avoid children doing bad things if placed with adults in correctional institutions (*LAPAS*) (Saputro, 2017). All residents of the Special Development Institute for Children (*LPKA*) Class II Bandar Lampung are Correctional Students (*Andikpas*) under the age of 18 years. LPKA is obliged to organize education, skills training, coaching, and other fulfillment of children in accordance with statutory provisions (Candra, 2020). All Correctional Students (*Andikpas*) are required to follow the coaching pattern in the Class II Bandar Lampung Special Development Institution for Children, which includes coaching activities in work, sports, and worship according to their religion and beliefs. While outside coaching is assimilation, namely providing work to Correctional Students (*Andikpas*) outside the Correctional Institution. In participating in coaching activities, Correctional Students (*Andikpas*) are grouped into one.

The current condition at the Class II Children's Special Development Institution (*LPKA*) Bandar Lampung is that there are still many Correctional Students who do not participate in the activities scheduled by the LPKA due to the lack of compliance from the Correctional Students themselves in carrying out the rules and the coaching program. The author also sees the phenomenon of a lack of concern and awareness as well as the skills of officers in the LPKA in the implementation of the fulfillment of the daily rights of the *Andikpas*.

Based on the background description above, the author is interested in conducting research entitled: Analysis of the Implementation of Article 85 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

## **RESEARCH METHODS**

The type of research used in this scientific paper is empirical juridical, The types and sources of data used in this research are: 1) Primary data, namely empirical data obtained from respondents based on the results of interviews. 2) Secondary data, namely data obtained through literature studies, legal references, laws, and regulations on corrections.

## **RESULTS AND DISCUSSION**

### **Implementation of Article 85 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System at the Special Development Institute for Children Class II Bandar Lampung.**

Based on the results of research at the Special Development Institute for Children Class II Bandar Lampung (LPKA), according to Ms. Mulyani, the Acting Head of the Special Development Institute for Children Class II Bandar Lampung, stated that in principle the system of treatment and development of children based on the correctional system is an integrated, continuous and continuous treatment process from pre-adjudication, adjudication, and post-adjudication even to the stage of guidance after serving a sentence. The treatment and development program in LPKA must be based on the process and stages of correctional development. The development process in LPKA is carried out until the child is 18 (eighteen) years old while in LPKA. Every child is obliged to follow and carry out the process and stages of coaching for sure, what is important is how the students follow the process. It can be understood that the treatment and coaching program at LPKA also requires Officers who have insight into knowledge, education, and seriousness in

carrying out their duties, in order to achieve coaching for Children in Conflict with the Law cannot be ignored, this is something that has the most important and strategic meaning so that in its implementation it requires the existence of Officers or Employees who have certain qualities and qualifications to carry out coaching for Children in Conflict with the Law at the Special Development Institute for Children (LPKA) Class II Bandar Lampung. Development of Children in Conflict with the Law must be carried out in such a way that it is beneficial, both during the sentence and after completing the sentence. Given the age range of Children in Conflict with the Law in the Special Development Institute for Children Class II Bandar Lampung is 14-19 years old, so they have the same opportunity as children, in general, to be able to contribute as active and productive members of society in development.

With this orientation, the coaching activities carried out at LPKA as much as possible encourage the creation of a conducive climate and provide opportunities for ABH to develop their potential which is realized in the form of productive education, skills, and training guidance activities in accordance with their talents, educational background skills or expertise.

Third parties are companies or individuals or legal entities outside the Directorate General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia that employ ABH (article 1 Decree of the Minister of Justice of the Republic of Indonesia No.M.01PP.02.01 of 1990 concerning Funds for Supporting ABH Development and Incentives for ABH Work).

The implementation of Article 85 of Law Number 11 of 2012 concerning the Child Criminal Justice System, especially in terms of ABH development at the Class II Bandar Lampung Special Development Institute for Children, is realized in two forms,



namely mental development and independence. Development of independence in LPKA is realized in the form of providing guidance on education, skills, and training to ABH which aims to provide skills and provide activities to provide added value and activities while serving a sentence. To realize the goal of fostering ABH LPKA, many have limited budgets and existing resources, so the active participation of all parties is needed. According to Mr. Pebri Sadam, the Head of the Development Section, it is stated that specifically the development of Children in Conflict with the Law is intended so that during the coaching period and after completing the sentence, the first is to succeed in re-establishing self-esteem and self-confidence and being optimistic about the future, the second is to successfully gain knowledge, at least skills to be able to live independently and participate in national development activities, then succeed in becoming a law-abiding human being who is reflected in his orderly and disciplined attitude and behavior and fosters a sense of social solidarity, and the last is to succeed in having a soul and spirit of service to the nation and state.

Correction is a process, a therapeutic process where the prisoner at the time of entering the correctional institution feels in a state of disharmony with the surrounding community. The correctional system also assumes that the nature of unlawful acts by correctional prisoners is a reflection and a rift in the relationship between life, life, and livelihood between the person concerned and the surrounding community. Therefore, the purpose and the Correctional System is the bleaching of life, life, and livelihood relationships between correctional prisoners and the community (reintegration of life, life, and livelihood).

According to Lawrence Meir Friedman about Legal System, which is the role of law as a means of social control can be seen when the law is projected to create changes

in society, that as a Legal System of the social system, the law includes 3 (three) components, which are:

1. The substance is the rules, norms, and patterns of real human behavior within the system. The substance also means the products produced by people in the legal system, including the decisions they issue, and the new rules they formulate. The substance in the Law of the Republic of Indonesia Number 11 of 2012 concerning the Juvenile Criminal Justice System in Article 85. Article 85 Paragraph 3 explains that LPKA must organize education, training, skills, coaching, and fulfillment of other rights in accordance with the provisions of laws and regulations. According to Mr. Pebri Sadam, the Head of the Development Section, the principle in building coaching at LPKA is to utilize the existing land as efficiently and effectively as possible for educational, skills, and training guidance activities and strive for labor-intensive coaching, so that ABH have as many coaching activities as possible. Almost all ABH participate in coaching activities in the LPKA.
2. According to Friedman, the structure is the skeleton or frame, the part that stays put, the part that gives some sort of shape and boundaries to the whole.
3. Legal culture is the human attitude towards the law (beliefs). values, thoughts, and expectations. Legal culture is also the social state of mind and social forces that determine how the law is used, avoided, or abused.

According to Mr. Pebri Sadam, in trying to improve the quality of life of Children in Conflict with the Law (ABH) as regulated in the Law, thus guidance on personality and independence is carried out for Children in Conflict with the Law to continue to be

pursued as a provision for life in order to become useful citizens in the community, and it is hoped that the Head of the Correctional Institution will as much as possible mobilize and empower the abilities of the officers and coordinate and cooperate well with related institutions.

In cooperation with third parties, LPKA Class II Bandar Lampung partners with government and private agencies in providing coaching guidance skills, education, skills, and training to Children in Conflict with the Law. The purpose of the guidance, education, skills, and training activities between the LPKA and third parties is to provide opportunities for ABH to develop knowledge and skills, make a means for ABH to always behave well, be disciplined and orderly while serving a sentence, and prepare ABH to be able to live independently after completing their sentence so that the skills obtained can be applied in the midst of society.

Third parties who cooperate with the Special Development Institute for Children Class II Bandar Lampung in providing guidance to Children in Conflict with the Law include the Dwi Mulya Tegineneng Education Foundation, which has collaborated with the Special Development Institute for Children Class II Bandar Lampung since 2015 in fulfilling ABH's right to education. The implementation of formal education *kejar paket B* and *kejejar Paket C* is carried out every Monday to Friday from 08.00 - 14.00 WIB. In addition to teaching staff assistance, the Dwi Mulya Tegineneng Education Foundation also provides extracurricular scouting training which is usually held on Saturdays.

The form of cooperation between the Special Development Institute for Children Class II Bandar Lampung (LPKA) and the Dwi Mulya Tegineneng Education Foundation begins with the submission of a cooperation proposal from the LPKA to third parties, in

this case, the Dwi Mulya Tegineneng Education Foundation to provide assistance in organizing formal education in the LPKA.

The infrastructure to support formal education activities available in the Special Development Institute for Children Class II Bandar Lampung is 4 classrooms, 1 teacher's room, 1 reading room, and 3 sports fields. Stationery such as books, pencils, pens, and school uniform equipment are also provided by the Special Development Institute for Children Class II Bandar Lampung which is distributed every new school year to ABH who take part in formal education activities.

In fulfilling children's right to receive Islamic spiritual education, Al-Qirom Islamic Boarding School has collaborated since the Special Development Institution for Children Class II Bandar Lampung officially operated in 2013. The activities provided include praying in congregation dhuhur and asr, providing routine studies every day after dhuhur prayers when entering the month of Ramadan, a Flash Pesantren is also held which aims to bring ABH closer to God, khatam AlQuran activities, Kultum activities, and tarawih prayers in congregation at the Al-Ikhlash Mosque of the Class II Child Special Development Institution Bandar Lampung accompanied by LPKA officers.

At the point of children's rights to receive skills coaching, the Class II Bandar Lampung Special Development Institute for Children cooperates with the Metro City Vocational Training Center to cooperate at the Class II Bandar Lampung Special Development Institute for Children. In providing educational guidance skills, skills and training are divided into several fields, such as manual screen printing skills. This screen printing skill activity was attended by 20 ABH and carried out in the LPKA hall for 1 month for 3 hours every day. In this activity, ABH received training on manual fabric screen printing techniques. For this reason, the Child Special Development Institution

collaborates with the Metro City BLK which also teaches how to manually screen printing techniques, which aims to make ABH have skills in printing screen printing manually and can be practiced / can open a screen printing business outside after their release.

The Metro Vocational Training Center has been working with the LPKA since 2021. Until now, in LPKA there have been 3 (three) ABH who are proficient in making screen printing T-shirts with good quality and can be of economic value, this cannot be separated from the guidance of LPKA employees who also play an active role in providing educational, skill and training guidance skills.

The form of cooperation between the Special Development Institute for Children Class II Bandar Lampung and the Metro Vocational Training Center begins with the submission of a cooperation proposal from the LPKA to the BLK to provide skill training assistance in the LPKA. The LPKA prepares the training ground and also the prisoners who will be trained, while the BLK provides the necessary work tools and skills trainers. However, because the training provided by BLK is in the form of a learning package for 1 (one) month and is limited in the number of participants, not all ABH can participate in this training.

The Metro Vocational Training Center provides assistance in the form of fertilizer for plants and also vegetable seeds such as mustard greens, tomatoes, kale, chilies, and others. ABH are also given training on how to plant vegetables so that they grow well and the harvest is of good quality. The LPKA prepares the infrastructure and also the ABH to be trained, while the BLK prepares instructors who are experts in work training.

In fisheries skills development, the Metro Vocational Training Center provided assistance in the form of tilapia catfish seeds. Instructors from BLK also provide training on how to cultivate tilapia and catfish that can produce good fish seeds and economic

value. The LPKA prepares the infrastructure and also the ABH to be trained, while the BLK prepares instructors who are skilled in job training.

Not only with the government but LPKA also collaborates with the private sector in fulfilling ABH's right to obtain skills coaching. CV Ramones Art Pringsewu has been working with the Special Development Institute for Children Class II Bandar Lampung since 2020. In providing skills, skills guidance and training are divided into several fields such as furniture-making training.

CV Ramones Art Pringsewu provides skills in making furniture with good quality so that it can be of economic value and can be used properly. The furniture training was attended by 30 ABH. This can be used as a provision when ABH is free and returned to the community. This is also inseparable from the participation of employees of the Special Development Institute for Children Class II Bandar Lampung. In the activity of Making Salted Eggs CV Ramones Art Pringsewu provides skills in making salted eggs starting from the selection of good eggs, making good salted eggs so as to produce salted eggs with good quality so that they can be economically valuable and can be used properly. Until now, there have been 8 (eight) ABH people who are proficient in making salted eggs. This skill is also inseparable from the role of LPKA employees who provide enthusiasm and encouragement to the ABH to be active and diligent in participating in the skills activities organized.

In the activities of shaving and reflection skills, CV Ramones Art Pringsewu provides skills in Barbershop activities with good quality so that they can be of economic value and can be useful. Until now, there have been 5 (five) ABH who are proficient in barbershop activities and it is hoped that this can be used as a provision when they are

free and return to the general public. This is also inseparable from the participation of LPKA Bandar Lampung employees.

In conducting skills training for education, skills, and training guidance, the Correctional Institution has Standard Operating Procedures (SOP) that must be implemented by correctional institution officers. These things are facilities for skills development equipment, namely classrooms for theoretical learning, including blackboards, tables, study benches and stationery, practice rooms, and equipment for educational guidance, skills, and training activities. Then raw materials, space/place for storing raw materials and skills equipment, space/place for storing production results, work safety equipment (fire extinguishers, masks, gloves, helmets, etc.), and safety boxes/medicines.

Job Training Guidance Administration includes a work apple book, a job training guidance inventory book including Dartar Inventory Room (DIR), Item Identification Card (*Kartu Induk Barang*, KIB), an inventory mutation book, guidance book/guidance and training rules, a skill guidance type book, ABH daily activity report book, production book, work equipment book, production sales book, raw material receipt book, deposit book to the receiving treasurer / PNBPN, and stock-taking book.

There are also visual documents/data, namely activity data boards including day and date, type of activity, activity material, number of participants, work results and officers/instructors, Skills Certificate / Competency Certificate, Skills Activity Board, Skills Activity Progress Board, Skills Activity Results Board, Documentation / Photographs of activities and production results.

The first work procedure applied is the Training Preparation Stage containing the Determination of Officers / Instructors for the implementation of guidance and skills

training activities, preferably those who have attended Training of Trainers (TOT), while the appointment of instructors who are competent in their fields. Second, the determination of guidance participants is the result of administrative selection and the results of talent and interest searches that have received TPP recommendations. Determination of the Type of Training Determination of the type of training is adjusted to market demand and existing resources by paying attention to training materials, raw materials adapted to the type of training, simulation tools adapted to the type of training, equipment adapted to the type of training, training modules in accordance with the type of training.

The third is the training implementation stage carrying out a working apple with activities, checking the attendance and condition of participants, dividing the type and location of training, providing direction and motivation to participants, and reading out the rules for participating in training activities, and prayers. Starting training activities by providing training theory, distributing equipment, distributing raw materials, training practices, and simulations. Supervise the implementation of training activities, including the seriousness of participants, misuse of training equipment/facilities, and misuse of training materials.

Prevention of work accidents is also carried out by recording all training activities carried out in the daily activity report book and reporting it to the authorized structural official, identifying problems that arise and reporting to the authorized official, and finding alternative solutions to problems that arise, taking breaks and lunch on time, coordinate with officials in charge of security in the event of a security disturbance, make reports on the progress of training activities periodically (monthly, quarterly, semester and yearly) to the Head of LPKA / Head of Detention Center / Branch of Detention Center



and Head of Bapas and a copy is submitted to the Head of the Regional Office of the Ministry of Law and Human Rights of the Republic of Indonesia cq Head of the local Correctional Division and Director General of Corrections. The last is the Final Stage of Training checking and storing training equipment, checking and storing materials, storing manufactured goods, cleaning the room/workplace, conducting a search, holding a work completion ceremony, praying, submitting a daily report to the official in charge of work activities/work guidance, and evaluating training activities.

Based on the results of interviews with Opsdar Beri Pangga as a coaching staff, all coaching activities in LPKA have been running well, but there are obstacles experienced such as the lack of training time directly accompanied by mentors/trainers.

### **Constraints in the implementation of Article 85 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System at the Special Development Institute for Children Class II Bandar Lampung.**

Based on the author's observations at the Class II Correctional Institution in Bandar Lampung, it can be understood that in the context of the process of providing guidance at LPKA to Children in Conflict with the Law, there are still obstacles in its implementation. This obstacle is the lack of awareness and lack of enthusiasm from the Children in Conflict with the Law (ABH) as well as a sense of not wanting to incorporate themselves into the guidance activities of education, skills, and training in correctional institutions.

Mr. Pebri Sadam as the Development Section Head said that there were many ABH who was often absent when the schedule for educational guidance, skills, and training activities was scheduled for various reasons. They always make excuses for

doing other activities if officers come to them to follow the coaching activities immediately.

According to Opsdar BeriPangga, as a staff member of the coaching section, sometimes they have difficulty in organizing ABH who will take part in coaching activities. Many ABH often pretends to be sick, many ABH also make excuses to get directions to follow other activities by officers. So on some occasions, we often force them a little by giving advice that they can accept.

Still according to Opsdar Beri Pangga, as the staff of the coaching section, another obstacle in the implementation of coaching activities is the lack of mentors/trainers who provide material in terms of skills development. Then the implementation time accompanied directly by the mentor is also considered insufficient because the ABH's capacity to receive lessons is different, some are fast, and some are slow in receiving and understanding the material provided by the mentor/trainer.

This is when reflected in the theory of the causes of crime, one of which is the theory of psychogenesis as stated by Kartini Kartono that the causes of delinquent behavior of children from the psychological aspect or the content of their psyches. Among other factors, are intelligence, personality traits, motivation, wrong attitudes, fantasies, rationalization, wrong internalization of self, inner conflict, and controversial emotions. The author sees in the individual self of each ABH that there is still a low desire to add skills to change their own future, the factor of lack of motivation in participating in activities and laziness in themselves which makes ABH often absent in the implementation of coaching activities, while other factors come from outside the individual such as the lack of mentors/trainers and learning time for skills development.

Mr. Pebri Sadam, the Head of the Development Section, stated that against the constraints of the coaching process at the Special Development Institute for Children Class II Bandar Lampung in the context of providing skills coaching to Children in Conflict with the Law (ABH), corrective measures can be taken, namely by providing an official schedule or schedule arrangement that involves LPKA employees to be willing to participate in order to guide ABH in the implementation of educational coaching guidance, Then give rewards/awards as appropriate to ABH who really want to follow and participate in the process of providing guidance on education, skills, and training to ABH, and attract sympathy to follow it. Furthermore, increasing human resources who are capable and competent in their field of work, such as by sending several employees to attend education/training in terms of educational guidance, skills, and training activities in order to create good cooperation so that the implementation of tasks can run in accordance with the predetermined objectives. And finally, provide counseling that every ABH has human rights that cannot be abolished and has the opportunity to improve his attitude and behavior to be useful for the nation and its People so it can be developed even though it is in LPKA. LPKA must also pay attention to what is needed in the activities of providing guidance on education, skills, and training to ABH and collaborating with related agencies in order to get support in terms of funding if these activities run smoothly and create ABH who can finally be independent and not repeat the same mistakes again. Based on the description above, it can be analyzed that the obstacles in the Implementation of Article 85 of Law Number 11 of 2012 concerning the Child Criminal Justice System at the Class II Bandar Lampung Special Development Institute for Children are the individual self of each ABH, namely the low desire to add skills to change their own future, the factor of lack of motivation in participating in activities and

the laziness that exists in them which makes ABH often absent in the implementation of coaching activities so that they are unable to take advantage of what should be their right in coaching to shape a human character that can change for the better and devoted to God Almighty and useful for the nation and country.

## **CLOSURE**

### Conclusion

Based on the results of research on the problem, it can be concluded as follows: The implementation of Article 85 of Law Number 11 of 2012 concerning the Child Criminal Justice System at the Class II Bandar Lampung Special Development Institute for Children in organizing education, training, skills, coaching, and fulfillment of other rights in accordance with the provisions of laws and regulations has been going well. However, it has not been maximized because there are several obstacles in its implementation, including the time limit for training which is accompanied directly by the trainer and not all ABH can participate in skills training. The obstacles in the Implementation of Article 85 of Law Number 11 of 2012 concerning the Child Criminal Justice System at the Class II Bandar Lampung Special Development Institution for Children include the low desire of each ABH to add skills to change their own future, the lack of motivation in participating in activities and the existing laziness that makes ABH often absent in the implementation of coaching activities so that they are unable to take advantage of what should be their right in coaching to shape a human character that can change for the better and devoted to God Almighty and useful for the nation and country.

## Suggestion

The government must realize that creating good guidance in the Special Development Institution for Children requires special attention because if it only relies on the limited human resources of prison employees, it will be challenging to create ABH who have useful work skills when they breathe free air and return to socialize in the community. For this reason, assistance is needed from government or private agencies that are experts in their fields in guiding education, skills, and training. To overcome the obstacles in guiding education, skills, and training to ABH in LPKA, it is necessary to take action by providing an official order or schedule that involves LPKA employees being willing to participate in guiding ABH in the implementation of guidance on education, skills, and training to ABH. Then, giving awards to ABH who want to take part in the process of advice on education, skills, and training in LPKA is done to attract ABH's sympathy to change for the better.

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