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CORRECTIONAL SOCIAL WORK PRACTICES IN INDONESIA AFTER THE ENACTMENT OF CRIMINAL LAW NO. 1 OF 2023

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ABSTRACT

Indonesian Criminal Code (KUHP) No. 1 of 2023 has brought change in the corrections-oriented social work practices, which places social work sanctions on the rehabilitation spectrum by providing a corrective crime alternative instead of imprisonment for minor crimes. This study will use the qualitative research design and a multiple case study approach to describe the depth of implementation and practices of correction social work in Indonesia after introducing the Criminal Law No.1 of 2023. Qualitative approaches find that complex social, legal, and cultural processes of the shaping of correctional social work deserve attention, and the voices of the people concerned can be incorporated into their real-life settings, including social workers, people convicted of crimes, and staff members of the institution. Multiple case study designs allow one to compare correctional institutions, probation offices, and community organisations offering social work punishment programs. It therefore offers a complete picture of the differences and similarities in the practice. The results demonstrate that social work sanctions are applied to social crimes with fewer than five years of penalties. They focus on reintegration with the community using offender community service, specifically targeting the structural problems such as prison overcrowding and the financing imbalance of the fines. This policy corresponds to the principles of restorative justice, and the offenders have to participate in socially useful work, whereas the rights to rest and safety are provided. Nevertheless, there are still gaps in the operations, such as undefined roles within institutions, an imbalance in the spread of resources, and standardised procedures for enforcing compliance. Implementation is key, which rests on interagency collaboration with courts, correctional facilities and social services and community involvement in oversight. The new aspect of the reform is the Common Law-directed restorative principle, which is specialised in the civil law of Indonesia, that focuses on holding offenders accountable through societal contribution instead of the punitive segregation. Although this transformation is characteristic of wider trends in humanisation of penalties worldwide, its effectiveness would require addressing the structural challenges, such as judicial retraining, awareness programs, and equal access to the rehabilitation program across the population strata. This paper researches the current debate of decarceration practices critically analysing the innovative legal means of synthesising the retributive and restorative paradigm in Indonesia that can serve as a good example to all Global South countries facing the

same issues of penitentiary reform.		

KEYWORDS: Social Work Practice, Restorative Justice, Social Reintegration.

1. INTRODUCTION

The enactment of Criminal Law No.1 of the Year 2023 in Indonesia marks a milestone in the development of the country's criminal justice system, which for decades had been based on the system inherited from the former colonial government. With this change, Indonesia has shifted towards more progressive criminal law, focusing on restorative justice, human rights, and the introduction of alternative types of punishment, like social work punishment. This reform brings Indonesia in the line with international norms in the Non-custodial measures, especially the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules, 1990), promotes the decongestion of prisons and rehabilitation of prisoners through sanctions that are based on the community. In Indonesia, correctional social work systematically restricted, regardless of the imperative and professional relevance.

Correctional facilities in Indonesia have been long struggled with systematic overcrowding, limited rehabilitation opportunities, and the social stigmatization of former prisoners. These challenges have consequenly undermined the objectives of correctional institutions. To counter these problems, social work punishment is a practice that seeks to replace prison sentences by sending potentially eligible offenders to the community and even rehabilitative programs (Patton, 2015; Miles et al., 2014). However, the reality concerning the functioning of these reforms shows that certain challenges are still associated with a limited number of trained correctional social workers, insufficient resources, inconsistent policy enforcement, and the lack of societal acceptance of reintegrated offenders.

Correctional social work as a profession, implementing social work principles in correctional facilities, is the most significant in rehabilitating and reintegrating offenders within society. It includes holistic, evidence-based programs characterized by interventions that address the individual needs to acquire behaviour change and acceptance by the community. In Indonesia, correctional social workers also play an important role in juvenile justice, so they conduct diversion and therapeutic intervention as enshrined in Law No.11 of 2012 on Juvenile Justice. They are insufficiently trained social workers, lack specialised training in restorative justice, have infrastructural gaps, and have poor cross-agency collaboration. Further, the Indonesian socio-cultural diversity requires culturally sensitive practices not developed in the current practice.

Although the role of correctional social work

regarding restorative justice and alternative sanctions has been widely discussed worldwide through the incredible contributions of international scholars (Bazemore & Umbreit, 1995; Braithwaite, 2002; Cullen & Jonson, 2017), there is a significant lack of any empirical research addressing the issue that has recently become highly relevant to the Indonesian context due to the enactment of the Criminal Law No. 1 of 2023 (Rahman, 2023). The current research has mostly focused on theory or policy aspects without describing the defined implementations on the frontline sociological level, fissures, and culturally sensitive adaptations (Soselisa, 2024; Achmad, 2023). This gap has resulted in limited understanding of how legal reforms translate into practical correctional social work within Indonesia's diverse social contexts.

The ecological systems theory, empowerment theory, and restorative justice models form the conceptual backbone of correctional social work in Indonesia and share the common principles of focusing on the reciprocity between individuals and their surroundings, the strengths of clients, and community healing (Saleebey, 2013; Bazemore & Umbreit, 1995). However, these perspectives based on international locations have not been tailored to correspond to the culturally varied Indonesian environment and its fast-changing legal system. This creates a conspicuous lack of the evolution of culturally responsive correctional social work modelling (Wulandari & Putra, 2024). Filling this gap presupposes a synthesis of international theory and local normative and legal conventions to establish effective and sustainable rehabilitation practice. Against this background, the research problems assumed in this proposed study are as follows (1) What is the development of correctional social work practices in Indonesia after the passage of Criminal Law No.1 of 2023?

2. RESEARCH METHODOLOGY

This research adopts a qualitative study design with a multiple case study orientation to explore the initiation and conduct of correctional social work in Indonesia following the Criminal Law No.1 of 2023 (Creswell, 2013; Yin, 2018). Applying qualitative methods is considered reasonable to capture the complex social, legal, and cultural environments that would influence the areas under analysis, thus allowing practitioners, offenders, and institutional stakeholders to establish their views in the context they unquestionably occupy (Silverman, 2016; Flick, 2018). The multiple case study design allows crossinstitutional comparison of the correctional facilities,

probation offices (Balai Pemasyarakatan) and community organisations involved in social work punishment programs and thus gives a comprehensive insight into convergence and divergence in practice (Patton, 2015; Miles et al., 2014).

The objectives of this research are

- 1. To describe the implementation of correctional social work under the current criminal law.
- 2. To identify barriers and opportunities in implementing social work punishment as an alternative sanction.
- 3. To examine the role, experiences and perceptions of correctional social workers in offender rehabilitation and juvenile justice.
- To analyse institutional, policy and sociocultural factors influences the effectiveness of correctional social work.

The study sampled correctional institutions, non-governmental probation offices, and organisations (NGOs) across Indonesia. locations were selected to encompass several urban and rural communities, institutional abilities, and cultural backgrounds (Patton, 2015). The study achieved representativeness in the differential settings by designating the engagement of facilities making active use of social work under the new law in terms of purposive sampling. The participants were recruited based on purposive and snowball sampling. Recruited individuals were themselves directly involved or responsible for the aspects of practice of correctional social work, which included

- Correctional social workers (n=30), responsible for providing and developing rehabilitation and social work punishment programs (Haines & Case, 2015).
- Offender (n=25) who were undergoing social work punishment or rehabilitation programs (Soselisa, 2024).
- Correctional institutions officials (n=10), responsible for implementing policies and structuring programs (Rahman, 2023).
- Community and NGOs (n=5), collaborating in offender reintegration (Legal Brief, 2023).

The study employ a mixed-method longitudinal design to obtain comprehensive insights about social work practice in a correctional setting. The qualitative elements included in-depth semi-structured interviews and observation of the participants, and the quantitative ones were in document analysis.

The in-depth semi-structured interview were conducted with participants from both groups due to the need to provide a contextualised, finer picture of the experiences, perceptions, and challenges of being a social worker in the field of correctional social work. The interview schedules were developed after an extensive literature review and conducted in piloted to ensure cultural relevance and to foster constructive conservations (Kvale & Brinkmann, 2009; Miles et al., 2014).

To complement the information provided at the interviews, participant observation was also used to place the researchers in correctional institutions and the locations of community programs to map the activities of social workers and their interactions and operations in the institutions. At this immersive stage, the verbal and non-verbal behaviour, the environment, and the organisational culture were recorded using researcher field notes (Emerson, Fretz, & Shaw, 2011; Bowen, 2009).

Documents, including Criminal Law No.1 of 2023 and institutional policies, program manuals, case files, monitoring, and evaluation reports, were systematically analysed. Such triangulation of documentary evidence further contextualised and justified anything found based on interviews and observations (Castleberry & Nolen, 2018; Creswell, 2013).

The review followed the six-step model of thematic analysis framework developed by Braun and Clarke (2006), which involved data immersion, coding, initial theme identification, refinement, theme naming and report writing. In order to increase the level of rigour and transparency, systematic coding and theme development via NVivo software were employed (Castleberry & Nolen, 2018). The analysis of the interviewees (respondents), the observation, triangulation, and a combination of the analysis tools supported the findings' validity and reliability (Flick, 2018; Lincoln & Guba, 1985). Participant checking of members and peer debriefing sessions also helped to ensure credibility and reduce bias of researchers (Creswell & Miller, 2000).

This study upholds the principle of transparency by clearly outlining its research design, sampling procedures, data collection, and analysis process. Trianggulation, member checking, and peer debriefing were applied to ensure openness, credibility, and accountability of the results. Strict ethical standards were observed, including informed consent, confidentiality, and the right to withdraw without repercussions (Orb, Eisenhauer, & Wynaden, 2001). Particular care was paid to vulnerable groups of people, especially offenders, to eliminate possible harm or bullying (Haines & Case, 2015).

3. RESEARCH RESULTS AND DISCUSSION

study explores the post-legislative reconfiguration of social-work practices Indonesia's correctional services following the enactment of Criminal Law No.1 of 2023, which introduced social work punishment as an alternative to imprisonment for minor criminal convictions. The results reveal significant changes in practice paradigms, implementation issues, and envolving professional role of social workers in offender rehabilitation and juvenile justice. The discussion also fits these developments in identified theoretical frameworks, namely, restorative justice, ecological systems theory, and empowerment theory, to illuminate the resulting scene correctional social work in Indonesia.

3.1. Turning the Tide

The enactment of the new criminal law presupposes a paradigmatic shift from retributive and punitive logics to restorative justice logics grounded in healing, accountability, and social reintegration. Social workers are increasingly engaged in mediating victim-offender dialogues, community mediation, and restorative programs designed to repair harm and rebuild social relationships. This was confirmed by a correctional officer who stated

"In the past, our main focus was to ensure that inmates did not escape. Now, with the new regulation, we are required to support social-work programs and mediation. This task is quite challenging, but I can see that inmates are beginning to change and become closer to the community." (Interview, Correctional Officer, 2025).

One social worker also reflected on this change, **stating**

"With the enactment of the new Criminal Code, our role is not limited to providing assistance, but also to bridging offenders, victims, and the community. It is indeed difficult, but through dialogue with victims and society, we can see the offenders' efforts to take responsibility." (Interview, Correctional Social Worker, 2025).

This orientation aligns with Braithwaite's responsive regulation strategy, which argue that social work should fuction as a regulatory tool fostering compliance trough social accountability rather that coersion. Moreover, the restorative focus resonates with ecological systems theory by situating offenders within communal and societal contexts, supporting multi-level responses, and placing the offender at the centre of attention.

3.2. Possibilities and Barriers to the Usage of Social Work Punishment

Introducing social-work punishment as an alternative posits that social work practice should be a regulating tool that encourages compliance. On the one hand, it has helped to reduce prison overpopulation and makes criminals work fruitfully in society through community service and skill development practices. A correctional officer highlighted both the benefits and challenges, **stating**

"On the one hand, social-work punishment greatly helps us in reducing overcrowding in correctional facilities and provides inmates with opportunities to make positive contributions to society. We have seen this opportunity realized through activities such as cleaning public facilities, engaging in social services, and participating in vocational training. However, there are also other problems, such as the shortage of social workers, limited resources for supervision, and at times delayed funding, which make the implementation inconsistent." (Interview, Correctional Officer, 2025).

A social worker also reflected on this situation, **stating**

"On the one hand, social-work punishment also helps us to open pathways for inmates' social reintegration. However, in practice, challenges still remain. Systemic support and capacity-building strategies are needed so that our role in assisting and bridging them with the community can be fully realized." (Interview, Social Worker, 2025).

It included programmes to clean the environment, social aid and vocational training under the supervision of trained social workers who were trained. Nevertheless, there still exists a problem of implementation. The lack of resources, a lack of trained social workers and a shortage of funds limit the quality and magnitude of programmes (Dooley & Fitzgerald, 2012; Soselisa, 2024). There is also the practical application aspect in response to the inertia and inequality in executing the policies. Its results support the findings of international literature showing the urgency of capacity-building strategies and systemic support in correctional social work (Haines & Case, 2015; Cullen & Jonson, 2017).

Based on this study, three main results can be identified regarding correctional social work in Indonesia (1) the functions of correctional social workers have expanded to include advocacy, case management, community liaison and policy advisory roles; (2) several persistent issues constrain service delivery, including shortages of human resources, social stigma, inadequate facilities and resources, inconsistent policies, and weak inter-

agency collaboation and, (3) the practice has improved the Indonesia cultural and social conditions including adoption of local values and norms, community structure to facilitate their acceptability and efficacy.

Collectively, the results highlight the urgent need for systematic reform and greater investment in correctional social work infrastructure. They further unerscore the relevance of restorative justice theory as a guiding principle and the importance of intersectoral collaboration to achieve holistic rehabilitation and reduce recidivism.

4. CONCLUSION, LIMITATIONS, RECOMMENDATIONS, AND NOVELTY

4.1. Conclusion

This research paper reviews developments in the course of correctional social work practice in Indonesia since the promulgation of Criminal Law No.1 of 2023, which would replace short-term imprisonment as a sanction in case of minor offences with the concept of social work punishment as an alternative form of punishment (Badan Pembinaan Hukum Nasional, 2023; Rahman, 2023). The result indicates a substantive paradigmatic transformation of the dominant punitive nature of the correctional system to one that incorporates the postulates of through restorative justice prioritisation rehabilitation, offender accountability and integration into society (Bazemore & Umbreit, 1995; Braithwaite, 2002).

To cope with the large number of former prisoners, correctional social workers have thus expanded the scope of their professional roles beyond the role of traditional counsellors to include those of advocate, community liaison, and multiple sector coordinator and the design of customised rehabilitation programmes that consider diversity of society and culture in Indonesia (Haines & Case, 2015; Wulandari & Putra, 2024). Social work punishment seems to solve the problem related to prison congestion and offer criminals a chance to carry out valuable community work and learn new skills (Ejournal UM Sorong, 2024; Freiberg & Gelb, 2008). However, offender rehabilitation has always been restricted by a consistent set of obstacles, namely lack of professional resources, training, institutional shortcomings and the vestiges of public stigmatisation towards offenders (Soselisa, 2024; Goldson, 2000). Thus, the paper emphasises the usefulness of systemic reforms, capacity building and culturally sensitive interventions as a cure for the lack of effectiveness in correctional social work (Daly, 2002; Nugroho, 2023).

In the juvenile justice field, correctional social workers play a central role in their practice to achieve diversion and support children's rights as stipulated in Law No.11 of 2012 and current regulations in child justice (UNICEF, 2019; Achmad, 2023). All in all, enacting Capital of Crime Law No.1 of 2023 will stand out as a milestone in humanity, efficiency, and societal embracement of the correctional system.

4.2. Limitations

This study makes an important contribution to a social area that has often been overlooked, yet several limitations should be noted. First, the use of a qualitative multiple case study design offers rich contextual insights but restricts the generalizability of the findings across all Indonesian correctional settings (Creswell, 2013). Second, data collection was challenging due to limited access and the potential influence of social desirability bias among participants, particularly offenders and institutional officials (Silverman, 2016). Third, the research reflects only a snapshot of an early phase of policy change, rendering the findings tentative; a longitudinal approach would be necessary to assess the long-term effects (Yin, 2018).

Fourth, the sampling strategy especially in relation to province selection may not fully capture the cultural and institutional diversity across regions (Patton, 2015). Finally, although triangulation and member checking were employed to strengthen validity, the multicultural complexities of social work procedures in penal institutions highlight the need for future mixed-methods research that integrates quantitative outcome measures to better assess effectiveness (Flick, 2018). Moreover, the transferability of the findings to other regions or international contexts should be approached with caution, as the cultural, legal, and institutional frameworks may differ significantly.

4.3. Recommendations

Considering the limitations, as well as the limitations, of the empirical evidence, the following interventions are suggested by the current study

- a. Provide specialised and specific training and certification of correctional social workers and the knowledge of restorative justice, cultural competence, and case management skills (Haines & Case, 2015; Rahman, 2023).
- Establish operational policies and adhere to standard practices that can control consistent enforcement of social-work-based sanctions, thereby protecting their legality (Badan Pembinaan Hukum Nasional, 2023; Legal

- Brief, 2023).
- c. This is through the proposed investment in correctional-social-work services in capacity (especially infrastructural systems, staffing, and programme development) to address present shortcomings (Soselisa, 2024)
- d. Creating connections between correctional facilities, social services, health care, educational systems, and civil society to offer rehabilitative and reintegration support as a whole (Kurniawan, 2023).
- e. Conduct a longitudinal and mixed-methods research study investigation to evaluate the programs' effectiveness and help maintain sustainability (Creswell, 2013; Yin, 2018). Deploy anti-stigma programs to reduce stigma towards perpetrators and support infrastructure reentry programs in the community (Wulandari & Putra, 2024).
- f. By carrying out longitudinal and mixedmethods research studies, it is possible to gauge the program's effectiveness and assist in ensuring sustainability (Creswell, 2013; Yin, 2018).

4.4. Novelty and Contribution

The current study represents the first empirical exploration of correctional social work in the

Indonesian legal reforms that have taken place in recent years, which has never been explored in an organised manner at both the domestic and international levels (Dewi, 2023; Soselisa, 2024). Disciplines have customarily categorised this disjointed relationship. It is the area that the study has tried to provide a bridge by introducing the legal analysis, theory of social work, field-based evidence, and putting restorative justice principles in the context of a pluralistic Indonesian socio-legal environment (Bazemore & Umbreit, 1995; Saleebey, 2013). The results contribute to the academic literature explaining the reality of social-work-based punishment execution, its success and limitations as a system.

The study also contributes to the policy debate over penal reform and provides a practical mode of institutionalising professionalism and improving the efficacy of social work within the penal environment. Moreover, the research fills the gap in the juvenile-justice literature since it studies the functions of social workers in diversion and child-protection systems after the reform, hence complying with the international child-rights system (UNICEF, 2019). All these results provide a solid basis on which prospective studies, informed policy making and creative implementation of correctional social work can be carried out in Indonesia and similar environments.

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