Analysis of Obstacles to the Implementation of Community Research Reports (Litmas) Conducted by Community Supervisors

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Abstract

The shift in the paradigm of criminal sentencing goals in the criminal justice system from retribution (Retributive Justice) to rehabilitation (Social Reintegration) requires law enforcement officers, especially probation officers, to improve their competencies in social research, guidance, supervision, assistance, and assessment of rehabilitation clients. These tasks must be based on recommendations from social research reports made by probation officers to be more measurable, proportional, and adaptive within the community. The implementation of social research becomes a key consideration for other law enforcement officers and correctional staff, both in prisons/detention centers and Child Special Development Institutions (LPKA), to take actions and interventions for rehabilitation clients. The execution of social research faces challenges such as an insufficient number of probation officers needed, as well as a lack of budget support, facilities, and infrastructure from the government.

Keywords: *Authority, Community Research, Probation Officer*

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Introduction

The criminal justice system in Indonesia has undergone significant developments toward a more humane and recovery-oriented approach through the application of *restorative justice*. In this context, the role of the Correctional Counselor (*Pembimbing Kemasyarakatan*) is highly significant as a functional officer responsible for conducting social inquiry reports, assistance, guidance, supervision, and various other duties related to the rehabilitation of correctional clients. One of the primary authorities of a Correctional Counselor is to conduct a social inquiry (*Penelitian Kemasyarakatan* or *Litmas*), which serves as an essential basis for consideration by law enforcement officials in making decisions at every stage of the criminal justice process.

A social inquiry is an activity involving the collection, processing, analysis, and presentation of data concerning an individual's personal circumstances, family background, social environment, and other relevant factors related to persons in conflict with the law. The results of the social inquiry are documented in a report that serves as a consideration for investigators, public prosecutors, judges, and correctional officers in determining appropriate forms of treatment, rehabilitation, and social reintegration programs. Therefore, the quality and accuracy of the implementation of social inquiries play a crucial role in ensuring the effectiveness of the justice process and the achievement of correctional objectives. Social inquiries conducted by Correctional Counselors apply to children, whether as children in conflict with the law, child witnesses, or child victims. These inquiries provide recommendations to law enforcement officials in making decisions that may significantly affect the child's future.[1] Children are a trust and blessing from Almighty God, possessing dignity and honor as complete human beings. They are also regarded as the buds, potential, and future generation of the nation who hold a strategic role in ensuring the continuity of national and state life in the future. Social inquiries have a very important function because their results become one of the considerations for investigators, public prosecutors, judges, and correctional officers in determining the appropriate handling, guidance programs, supervision, and the granting of correctional rights.[2]

The authority of Correctional Counselors to conduct social inquiries has been regulated in various laws and regulations, particularly Law Number 22 of 2022 concerning Corrections. Under this legislation, Correctional Counselors are authorized to prepare social inquiry reports that serve as the basis for decision-making at various stages, ranging from the juvenile criminal justice process, the implementation of inmate rehabilitation programs, the granting of integration rights, to the process of social reintegration for correctional clients. The essence of a correctional client is not determined by their status as a prisoner but by their status as an individual under the guidance of the Correctional Center (*Balai Pemasyarakatan*). Based on this principle, Correctional Counselors possess the authority to conduct social inquiries, assistance, guidance, supervision, and assessments of clients in accordance with the provisions of Law Number 22 of 2022 concerning Corrections.[3] Consequently, social inquiries function not merely as administrative documents but also as instruments that support the realization of justice oriented toward the interests of both individuals and society.

Although this authority has been clearly regulated normatively, its implementation in practice still faces various challenges. The limited number of Correctional Counselors compared to the volume of cases that must be handled, time constraints in preparing reports, difficulties in accessing necessary data and information, as well as coordination issues with law enforcement agencies and other relevant stakeholders, are factors that may affect the quality of

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[1]Rahmayanti, Rahmayanti (2003), Studi Kriminologi Anak-Anak (Pelaku) Pencurian Sepeda Motor dengan Kekerasan. Jurnal Hukum, Politik dan Ilmu Sosial, 2 (3), 290-299. https://doi.org/10.55606/jhpis.v2i4.2629.

[2] M. Faisal Salam, *Hukum Acara Peradilan Anak di Indonesia*, Bandung, Mandar Maju, 2005, Page.23.

[3] Gultom, Maidin, *Perlindungan Hukum Terhadap Anak Dala Sistem Peradilan Pidana Anak di Indonesia*, Bandung, Refika Aditama, 2008, Page.180.

social inquiry implementation. Furthermore, there are differences in the extent to which social inquiry reports are utilized by stakeholders during the decision-making process.

These conditions indicate the importance of conducting an analysis of the implementation of the authority to carry out social inquiries by Correctional Counselors. Such an analysis is necessary to determine the extent to which this authority has been exercised in accordance with applicable legal provisions, to identify the obstacles encountered in practice, and to explore efforts that may enhance the effectiveness of social inquiry implementation. Accordingly, this research is expected to contribute to the development of correctional policies and practices that are more effective, professional, and aligned with the objectives of the correctional system and the protection of human rights.

Literature Review

The research proposal submitted by the author is the result of the author's own analysis and reflection, which is grounded in practical field experience gained throughout the author's professional career. This experience is closely related to the duties and functions of the Class I Medan Correctional Center (*Balai Pemasyarakatan Kelas I Medan*) in carrying out social inquiry services. In practice, the implementation of social inquiry activities does not always proceed smoothly and, in some cases, may fail to achieve the intended objectives, resulting in the continuation of legal proceedings involving children in conflict with the law.

Subsequently, the author conducted an extensive review of legal documents from various academic literatures and legal sources available at the Library of the Faculty of Law, Universitas Pembangunan Panca Budi Medan, as well as several libraries at other higher education institutions. This literature review was undertaken to obtain theoretical, juridical, and empirical foundations relevant to the implementation of social inquiry authority by Correctional Counselors and to support the development of this research.

Research Methodology

The type of research employed in this study is empirical-normative legal research, a legal research method that combines a normative approach with an empirical approach. The normative approach is used to examine existing legal norms, while the empirical approach is utilized to observe the implementation of law in society. This research was conducted through field studies to obtain data regarding the series of activities involved in the preparation of social inquiry reports (*social inquiry reports/Litmas*) carried out by Correctional Counselors for juvenile clients.

The research was conducted at the Class I Medan Correctional Center (Balai Pemasyarakatan Kelas I Medan), considering that the function of conducting social inquiries for juvenile clients is performed by Correctional Counselors in collaboration with relevant stakeholders.

The data used in this research consist of primary legal materials, secondary legal materials, and tertiary legal materials.

a. Primary Data

This study utilizes primary data obtained directly from field research. As stated in the textbook *Legal Research Methods* by Dr. Muhammad Yasid, S.H., et al[4]:

> "In empirical legal research, although the source of research data is obtained from primary data, namely data collected directly from field research..."

The primary data in this study consist of data collected from the juvenile client registration records at the Class I Medan Correctional Center covering the registration period from 2024 to June 2026. These records contain comprehensive registration data that support

[4] Yasid, Muhammad, dkk, *Buku Ajar Metode Penelitian Hukum*, Sentosa Deli Mandiri, Medan, 2021, Page.20.

the research concerning social inquiries conducted by Correctional Counselors.

b. Secondary Data

The secondary data in this research consist of primary legal materials referring to statutory regulations related to the object of the study. The relevant laws and regulations, in hierarchical order, include but are not limited to Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak, Undang-Undang Nomor 22 Tahun 2022 Tentang Pemasyarakatan, Undang-Undang Nomor 17 Tahun 2016 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2016 Tentang Perubahan Kedua Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak Menjadi Undang-Undang, Undang-Undang Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana, Undang-Undang Nomor 20 Tahun 2025 tentang Kitab Undang-Undang Hukum Acara Pidana dan Undang-Undang Nomor 1 Tahun 2026 tentang Penyesuaian Pidana.

c. Tertiary Data

Tertiary legal materials function as supplementary sources to primary and secondary legal materials. These materials include legal theories, opinions of legal scholars and experts, legal literature, dictionaries, and internet-based articles relevant to the subject matter of this research.

The data required for this research were obtained through two methods:

a. Library Research

Through library research, the researcher obtained legal principles, concepts, perspectives, legal doctrines, and legal norms from two principal categories of references:

1. General references, including legislation, regulations, textbooks, and legal dictionaries; and
2. Specific references, including academic journals, research reports, and other scholarly publications.

b. Field Research

Field research was conducted through direct investigation and data collection at the Class I Medan Correctional Center concerning obstacles encountered in the preparation of social inquiry reports for juvenile clients at various stages of the legal process. This field research was carried out through interviews guided by a structured list of questions prepared in advance.

This method was selected because the objective of the research is to uncover legal realities systematically, methodologically, and consistently. Through this research process, analysis and construction of the collected and processed data were undertaken.[5]

c. Data Analysis

The collected data were first inventoried to facilitate processing and analysis. With regard to data processing techniques, this research employs a qualitative approach. A qualitative approach is a research method that produces descriptive-analytical data, namely information expressed by research subjects either in written or oral form, as well as observable behavior. The use of a qualitative approach is appropriate considering that this research adopts an empirical-normative design through a case-based approach. The study is based on the sequence of social inquiry implementation at each stage of the criminal justice process, including the police, prosecution, and judicial levels.

The purpose of data processing through the qualitative approach in this study is to address the identified research problems and potentially generate new concepts concerning the implementation of social inquiries conducted by Correctional Counselors.

Results

[5] Soerjono Soekanto dan Sri Mahmudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. Rajawali Pers, Jakarta, 1995, Page.1.

In the context of the Indonesian criminal justice system, examining the implementation of the duties and authorities of law enforcement officials is essential to determine the extent to which legal provisions can be effectively applied in practice. One authority that plays a strategic role within the correctional system is the implementation of social inquiries (*social inquiry reports* or *Litmas*) by Correctional Counselors. The criminal justice system functions not only as an instrument of law enforcement but also as a mechanism for protecting society and rehabilitating offenders. From a correctional perspective, every policy applied to offenders must balance the principles of justice, utility, and legal certainty. Therefore, the role of Correctional Counselors through the implementation of social inquiries constitutes an important instrument in providing comprehensive information for legal decision-making processes.[6] Criminal law scholarship emphasizes the importance of criminal law policies that are adaptive to social developments. According to this perspective, modern criminal law should be capable of accommodating the various social factors underlying criminal behavior so that resulting policies are directed not only toward punishment but also toward prevention and offender rehabilitation.

This view is consistent with the function of social inquiries, which aim to identify and analyze the various factors contributing to an individual's involvement in criminal conduct. Through social inquiries, Correctional Counselors are able to identify family conditions, social environments, educational backgrounds, and economic factors that influence the behavior of correctional clients. The results of such identification subsequently serve as the basis for formulating more targeted and effective rehabilitation recommendations.[7]

Correctional Counselors are functional law enforcement officials entrusted with the responsibility of conducting social inquiries, providing assistance, guidance, and supervision for correctional clients. Their role is particularly significant because they function as a bridge between the criminal justice system and the social conditions of the communities in which correctional clients live. Through these responsibilities, Correctional Counselors contribute to the realization of correctional objectives that emphasize rehabilitation and social reintegration.

Social inquiry reports constitute one of the principal instruments utilized by Correctional Counselors in carrying out their duties. This activity involves the collection, processing, analysis, and presentation of data relating to the life background of individuals who come into conflict with the law. Such data include family circumstances, educational history, employment background, social environment, and other relevant factors that provide a comprehensive understanding of the individual's condition.

In practice, the results of social inquiries occupy a crucial position because they are used as a basis for consideration by law enforcement authorities at various stages of the criminal justice process. Social inquiry reports may serve as the foundation for determining rehabilitation programs, granting integration rights, resolving juvenile cases, and formulating other policies concerning the interests of correctional clients. Consequently, the quality and objectivity of social inquiry reports are critical factors that determine their effectiveness and practical value within the criminal justice system.

The development of criminal law paradigms that emphasize rehabilitative and restorative approaches has further strengthened the importance of the role of Correctional Counselors. The modern criminal justice system is no longer solely oriented toward punishment but also emphasizes the importance of restoring social relationships and preventing recidivism. In this context, social inquiry constitutes an instrument capable of providing comprehensive information concerning the circumstances of individuals who come into conflict with the law.

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[6] Sumarno, "Profil Dosen Fakultas Sosial Sains Universitas Pembangunan Panca Budi," Fakultas Sosial Sains Universitas Pembangunan Panca Budi, diakses pada 19 September 2026.

[7] Suci Ramadani, "*Criminal Law Politics on Regulation of Criminal Actions in Indonesia*," Dalam Publikasi Ilmiah Yang Terindeks pada SINTA Kementerian Pendidikan Tinggi, diakses pada 19 September 2026.

Despite their significant role, the implementation of social inquiries in practice does not always proceed without obstacles. Correctional Counselors continue to face various challenges, ranging from limited human resources and extensive areas of responsibility to inadequate facilities and infrastructure, as well as difficulties in obtaining accurate data from relevant parties. These conditions have the potential to affect the quality and timeliness of social inquiry reports. In addition, inter-agency coordination is also a significant factor influencing the successful implementation of social inquiries. Correctional Counselors require support and cooperation from various parties, including investigators, public prosecutors, judges, local governments, clients' families, and the community. Effective synergy among these stakeholders supports the preparation of social inquiry reports that are more accurate, comprehensive, and accountable.

Based on these conditions, a more in-depth study of the implementation of the authority to conduct social inquiries by Correctional Counselors is necessary. This study is not only intended to examine how such authority is implemented in practice but also to identify various factors that support or hinder its implementation. Accordingly, this research is expected to provide an objective description of the actual conditions encountered in the field.

This research is also expected to contribute to the development of legal scholarship, particularly in the fields of criminal law and corrections. The findings may serve as evaluation material for relevant institutions in improving the quality of social inquiry implementation and as a reference for future research addressing similar issues. Furthermore, this research may provide input for the formulation of more effective policies to support the implementation of the duties and responsibilities of Correctional Counselors.

Ultimately, this research is expected to provide a more comprehensive understanding of the implementation of the authority to conduct social inquiries by Correctional Counselors. Such an understanding is essential to supporting the development of a professional, accountable, and rehabilitation- and social-reintegration-oriented correctional system. In this way, the objectives of the criminal justice system—namely, to promote justice, legal certainty, and benefits for society—may be pursued more effectively.

The implementation of social inquiry conducted by Correctional Counselors constitutes one of the important indicators for assessing the effectiveness of the correctional system in Indonesia. A social inquiry refers to the process of collecting, processing, analyzing, and presenting data concerning the personal circumstances, family background, social environment, and other factors related to correctional clients or children in conflict with the law. The results of a social inquiry serve as a basis for law enforcement officials in making objective, fair, and best-interest-oriented decisions concerning the individuals involved. Therefore, the effectiveness of the implementation of social inquiries significantly determines the quality of recommendations prepared by Correctional Counselors.[8] The success of a social inquiry can be measured by the extent to which the objectives of its preparation are optimally achieved. These objectives include providing complete, accurate, objective, and accountable information as a basis for consideration in judicial proceedings and correctional rehabilitation. A social inquiry may be considered effective when it is capable of providing a comprehensive description of the client's social, economic, psychological, and educational background, as well as the environment in which the client resides, thereby ensuring that the recommendations provided genuinely reflect the client's actual circumstances.

The utilization of social inquiry results is highly influenced by the professional competence of Correctional Counselors. A Correctional Counselor must possess the ability to conduct interviews, make observations, analyze data, communicate interpersonally, and understand the applicable legal provisions. In addition, integrity and independence in carrying out professional duties are essential to ensure that the results of the inquiry are not influenced by pressure from particular parties. Such competencies enable Correctional Counselors to

[8] Zulfa, Eva Achzani. 2009. *Keadilan Restoratif.* Jakarta: Badan Penerbit FH UI, Page.86.

produce high-quality reports that possess substantial evidentiary value in the decision-making process.

Social inquiries also depend on the completeness of the data successfully collected. Correctional Counselors obtain information not only from clients but also from parents, family members, victims, community leaders, local government officials, teachers, and other parties who possess relevant knowledge of the client's circumstances. The greater the number of information sources that can be verified, the higher the validity of the social inquiry results. Such data triangulation helps minimize subjectivity and improve the accuracy of recommendations submitted to law enforcement officials.

In addition to human resources, the implementation of social inquiries is influenced by the availability of supporting facilities and infrastructure. Operational vehicles, information technology equipment, access to databases, and official travel budgets constitute important resources for Correctional Counselors when conducting field inquiries. Limitations in facilities may result in the data collection process being conducted less effectively, particularly when the client's place of residence is located in a remote area with limited transportation access.

Inter-agency coordination is also a determining factor in the effectiveness of social inquiry implementation. In practice, Correctional Counselors are required to establish cooperation with the police, public prosecutors, courts, correctional institutions, state detention centers, local governments, schools, social service agencies, and other relevant institutions. Effective coordination facilitates the exchange of information and streamlines the inquiry process, thereby enabling social inquiry reports to be completed within the time limits prescribed by applicable laws and regulations.

Social inquiries are increasingly important in dealing with children in conflict with the law. Within the juvenile criminal justice system, social inquiry reports constitute one of the mandatory documents used by investigators, public prosecutors, and judges when considering the implementation of diversion or the imposition of judicial decisions. Recommendations prepared by Correctional Counselors play an important role in ensuring that legal decisions prioritize the best interests of the child, promote rehabilitation, and minimize the negative impact of criminal proceedings on the child's development.

Nevertheless, the implementation of social inquiries continues to face various obstacles that may reduce their effectiveness. These obstacles include an insufficient number of Correctional Counselors relative to the number of cases handled, heavy workloads, limited time for preparing reports, the extensive geographical areas covered by Correctional Centers, and inadequate budgetary and operational support. In addition, some members of the public and relevant stakeholders still have limited understanding of the function of social inquiries, which may result in a lack of cooperation in providing the information required.

To improve the implementation of social inquiries, various continuous improvement measures are required. The government needs to increase the number and professional competence of Correctional Counselors through education, training, and continuous professional development. In addition, administrative digitalization, the utilization of information technology in data collection, increased operational funding, and strengthened cross-sectoral coordination constitute strategic measures to support the implementation of social inquiries that are faster, more accurate, and of higher quality. Accordingly, the effectiveness of social inquiry implementation by Correctional Counselors constitutes a significant factor in determining the success of the correctional and criminal justice systems in Indonesia. Social inquiries conducted professionally, objectively, comprehensively, and within the prescribed time limits will produce high-quality recommendations that can support the delivery of fair judicial decisions, the protection of human rights, the success of rehabilitation, and the achievement of correctional objectives, namely the social reintegration of clients so that they may return to society as responsible and law-abiding members.

Conclusion

Corrections constitute an integral and inseparable component of the criminal justice system in Indonesia. The Government has issued numerous regulations comprehensively governing procedures, legal foundations, and the basis for policy-making by law enforcement officials, including Correctional Counselors. Nevertheless, the legal basis governing the authority of Correctional Counselors still requires substantial strengthening and significant reform in order to provide optimal services to the community, particularly with regard to the implementation of social inquiries, which should serve as an essential basis for decision-making concerning correctional clients.

The authority to conduct social inquiries must be exercised in accordance with the existing technical guidelines, although these guidelines still require revision to accommodate developments in technology as well as changes in the social and cultural conditions of society. Social inquiries provide a general and comprehensive description of correctional clients that may serve as a recommendation and consideration for law enforcement officials and correctional personnel in determining appropriate measures and interventions.

The implementation of social inquiries by Correctional Counselors continues to encounter various obstacles, causing the process to become slow and less effective. These obstacles include an insufficient number of Correctional Counselors relative to the ideal workload, inadequate budgetary support, limited facilities and infrastructure provided by the State, and the lack of effective coordination among government institutions, all of which may hinder the implementation of social inquiries. Other obstacles may also arise in practice depending on the circumstances of each case and the area in which the inquiry is conducted. Nevertheless, despite these various challenges, the implementation of social inquiries by Correctional Counselors has gradually been addressed through their own initiatives, accompanied by limited support from institutional leadership and the community.

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