

# **EFEKTIVITAS BALAI PEMASYARAKATAN DALAM PENGAWASAN PELAKSANAAN PUTUSAN TINDAKAN PELAYANAN MASYARAKAT**

**(Analisis Pelaksanaan Putusan Nomor 4/Pid.Sus-Anak/2023/PN Pwt)**

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## **ABSTRAK**

Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak memiliki prinsip mengutamakan kesejahteraan bagi anak dengan menjauhkan anak dari pidana penjara. Penerapan ketentuan ini telah dicontohkan dalam putusan Nomor 4/Pid.Sus-Anak/2023/PN Pwt yang menyatakan, menjatuhkan pidana sanksi tindakan pelayanan masyarakat selama 1 bulan diawasi oleh Bapas. Penelitian ini bertujuan untuk mengetahui efektivitas pengawasan Balai Pemasyarakatan (Bapas) Kelas II Purwokerto terhadap penjatuhan pidana putusan terkait. Penelitian ini menggunakan metode Yuridis Empiris dengan melakukan wawancara terhadap Pembimbing Kemasyarakatan (PK) dalam kasus tersebut. Hasil penelitian menunjukkan bahwa Pengawasan Bapas dilakukan dengan pengawasan *home visit/langsung* sesuai dengan perintah dalam Permenpan 2016 dan Permenkumham 2017. Pengawasan *home visit/langsung* dengan mengunjungi lokasi pelaksanaan pidana yang dilakukan 2 (dua) kali selama menjalani masa pidana dalam kasus terkait. Dijelaskan bahwa dalam pelaksanaan sanksi pidana tindakan pelayanan masyarakat memiliki kendala dalam hal keamanan sehingga disolusikan dengan adanya upaya monitoring pengawasan tidak langsung *by phone*. Menurut hemat penulis upaya monitoring *by phone* tersebut kurang efektif karena Bapas tidak melihat sendiri secara langsung pelaksanaan pidana tersebut. Sehingga penulis memberikan saran agar Bapas dapat meningkatkan jumlah intensitas pengawasan *home visit* terhadap pelaksanaan pidana

**Kata Kunci :** Bapas; Efektivitas Hukum; Pidana Pelayanan Masyarakat

**THE EFFECTIVENESS OF THE CORRECTIONAL CENTER IN  
SUPERVISING THE IMPLEMENTATION OF COMMUNITY SERVICE  
ACTION DECISIONS**

*(Analysis of the Implementation of Decision Number 4/Pid.Sus-Anak/2023/PN  
Pwt)*

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**ABSTRACT**

Law No. 11/2012 on the Juvenile Criminal Justice System has the principle of prioritizing the welfare of children by keeping children away from imprisonment. The application of this provision has been exemplified in decision Number 4/Pid.Sus-Anak/2023/PN Pwt which states, imposing a criminal sanction of community service action for 1 month supervised by Bapas. This study aims to determine the effectiveness of the supervision of the Correctional Center (Bapas) Class II Purwokerto on the imposition of criminal decisions. This research uses Empirical Juridical method by conducting interviews with Community Supervisor (PK) in the case. The results showed that Bapas supervision is carried out by home visit / direct supervision in accordance with the orders in Permenpan 2016 and Permenkumham 2017. Home visit/direct supervision by visiting the location of the criminal implementation in the related case was carried out 2 (two) times during the criminal period. It is explained that in the implementation of criminal sanctions for community service actions, there are obstacles in terms of security so that it is solved by the existence of indirect supervision monitoring efforts by phone. In the author's opinion, the monitoring effort by phone is less effective because Bapas does not directly see the implementation of the criminal sanction. Therefore, the author suggests that Bapas should increase the intensity of supervision on the implementation of criminal sanctions.

**Keywords:** Bapas; Legal Effectiveness; Community Service Sentence