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Mental Health and Social Development of Prisoners as a Policy Implication of Correctional Institutions

Nur Rochaeti¹, Irma Cahyaningtyas¹

¹Lecture at Faculty of Law Diponegoro University, Semarang 50275, Indonesia,

Abstract

The problem in this research is to analyze the health and social development prisoners in Indonesian prisons in the future. The research method used is juridical empirical, namely analyzing the formulation of policies on current correctional facilities and the health and social development of prisoners in Indonesian prisons in the future. The results show that the current formulation policies in coaching prisoners are based on Law No. 12 of 1995 concerning correction institutions. This policy has not fully provided the rights of prisoners as assisted citizens. The number of prisoners currently in 33 Regional Offices of Law and Human Rights, only 6 Regional Offices is not overcrowded. This will affect the development of prisoners in prisons. Coaching carried out in prisons at this time has obstacles due to statutory factors, human resources in quality and quantity as well as the legal culture of the community which has not provided optimal support for the development of prisoners both inside and outside of prisons. In the future, based on policy studies, it is necessary to carry out reformulation and reconstruction related to the development of prisoners in prisons.

Keywords: health and social development, policy, prison development, correctional institutions

Introduction

Based on Article 1 point 2 of Law No. 12 of 1995 concerning Corrections, it is regulated that the correctional system is an arrangement regarding the direction and boundaries and methods of fostering Correctional Assistance Citizens. Based on Pancasila, it is carried out in an integrated manner between the supervisor, the fostered, and the community. It is to improve quality Correctional Assistance Citizens in order to be aware of mistakes, improve themselves, and not repeat crimes so that they can be accepted back by the community, can actively play a role in development, and can live naturally as good and responsible citizens^{1,2,3}. Correctional system needs an approach. This approach can be done through a coaching stage process. In each stage of development the prisoner is introduced to the activities and in due time the prisoner will be given his rights which have been guaranteed in the Correctional Law.

Various conditions of law enforcement that affect the policy based mechanism for the development of health and social aspects of prisoners in social institutions as well as human resources related to quality and quantity, competence, facilities and infrastructure owned by civil society institutions and the legal culture of officers, and the communities involved in the process integrated and inseparable system^{4,5}. Harmonization and synergy of policies and human resources involved constitute unity. Development of prisoners must be in accordance with the needs and require support from all parties. The support is not only from the prisoners themselves, the supervisor, but also from the community^{1,2,3}. Society at this time must be able to accept prisoners especially those who have repented so that they can return to community life. This task is not only to make the Penitentiary a place of revenge but also a place for inmates to repent when they realize their mistakes.

Imprisonment is one of the types of sanctions that are most often used as a means of overcoming crime problems⁶. It is worth considering the various negative effects of imprisonment, namely the stigma that the perpetrators receive. Stigma was identified as a potential barrier to securing employment⁷. Social, economic, political, cultural factors are currently the basis for conducting policy studies and reconstruction as well

Police Brutality and Custodial Torture in Technological Era: **Need for Anti-Torture Law in India - A Critical Analysis**

A. Nirmal Singh Heera¹, Rajasathya K.R², N. Prabhavathi³

¹Assistant Professor (Law), Tamil Nadu National Law University, Tiruchirappalli, Tamil Nadu, <mark>India,</mark> ²Assistant Professor, VIT School of Law, VIT, Chennai Campus, Tamil Nadu, India, ³Assistant Professor, School of Law, SASTRA Deemed to be University, Thanjavur, Tamil Nadu, India

Abstract

Police audacity and brutality is not an uncommon phenomenon. It has caught the attention of the public and the judiciary and eventually a catena of directions was promulgated by the National Human Rights Commissions (NHRC), High Courts as well as the Supreme Court of India right from the ancient era to technological era. Yet, the menace and inhumane attitude of the police officials have not declined; instead, it is increasing day by day and one step ahead, Tamil Nadu has seen the worst of its effect that has resulted in the death of an innocent father and his son. This incident has grabbed the attention of not only the State of Tamil Nadu but also the entire Nation. In this situation, the authors intend to analyse the power of the police to manhandle the public, the liabilities and responsibilities of the police in case of death caused by such brutality, and third-degree methods used by the police. This article ponders on the question Does the police have the power to torture the public for any reasons whatsoever? If so, what are the limitations placed on the powers of the police while harassing the public? and so on... the authors aspire to analyse the duties of the police while making the arrest, the duties of the magistrates while ordering for judicial custody, and the authors also intend to suggest the remedial measures to curb the menace of lockup deaths.

Aim and Scope: To know the powers of the police to torture the public under the guise of investigation, to know the judicial approach to curtail the menace of torture by the police, and its implications and to know the feasibilities of technologies to be implemented during the investigating process.

Method: For the purpose of the research, secondary data such as books, articles, news papers, case laws, and legal provisions of Indian Laws are collected and analysed.

Conclusion: In spite of the Constitutional and statutory provisions including International Conventions, decision and directions promulgated by the Apex Court of India and the NHRC, there is a constant increase in the custodial torture, custodial death and custodial ill-treatment which is a disturbing factor that causes deep anxiety in the society. The Prevention of Anti-Torture Act is the need of the hour.

Keywords: Judiciary, Legal Sanctity, Lockup Deaths, Police Brutality, Powers of Police, Rights of Public, Role of Technology.

Introduction

Technology has changed the entire world. Everything is possible and nothing is impossible in the

Corresponding author: A. Nirmal Singh Heera

Email id: nirmalsinghheera@gmai.com

Whats app No: 9841861104

technological era. Number of technologies are adopted for doing, changing and accomplishing the tasks in various sectors in the world. Yet, the menaces of police atrocities, brutalities and deaths in lockups are not coming down. According to 'India: Annual Report on Torture, 2019' published by the National Campaign against Torture (2020), the National Human Rights Commission (NHRC), India has recorded a sum of