

The Effectiveness of Online Trials and Online Visits for Prisoners with Disabilities in Class IIB Sanggau Detention Center

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ABSTRACT

The study examines the implementation of online trials and online visits in order to fulfill prisoner's rights and the obstacles that may occur during the implementation of policies online trials and online visits as an effort from the Ministry of Law and Human Rights to adapt to the situation caused by Covid-19 while still complying with health protocol. The result of this study indicates that there are several problems and obstacles faced by prisoners during online trials and online visits, such as limited visiting time, the flexibility to express emotions, unstable network connection, and also difficulty in providing testimonies and understanding the trial process. The innovation policy through online visits and teleconference sessions has had a big impact on prisoners adapting to technology in order to fulfill their rights.

Keywords: prisoners, online visits, online trials.

1. INTRODUCTION

The Coronavirus Disease-19 (COVID-19) pandemic that hits Indonesia also has had an impact on the fulfillment of the rights of prisoners, especially prisoners who are undergoing a detention period while in a Detention Center during the process of investigation, prosecution, and trial in court.

Various efforts were made by the government to reduce the rate of increase in positive cases of Covid-19 every day, which had a significant impact in changing the order of public services provided to the community.

One of the vigorous and mandatory efforts to be implemented in all public services, especially those that allow physical contact, is the implementation of the Health Protocol, one of which regulates social restrictions by avoiding crowds through social/physical distancing. The application of social/physical distancing also has an impact on the services provided by the Ministry of Law and Human Rights of the Republic of Indonesia, particularly the Directorate General of Corrections.

The Directorate General of Corrections is one of the implementing elements of the Ministry of Law and Human Rights of the Republic of Indonesia, which has the task of formulating and implementing policies and technical standardization in the field of Corrections [1]

The Directorate General of Corrections made a quick response to prevent and control the spread of the Covid-19 virus in the correctional Technical Operational Unit (TOI) by the Director-General of Corrections Instruction Number: PAS-08.OT.02.02 of 2020 concerning the Prevention, Handling, Control, and Recovery of Corona Virus Disease (Covid-19) in the Correctional Technical Operational Unit.

This virtual online visit service is a form of breakthrough made by the Director-General of Corrections in fulfilling the rights of prisoners while still complying with the applicable Health Protocol, such as social and physical distancing.

Efforts to fulfill the rights of prisoners by the Ministry of Law and Human Rights were also carried out by signing a cooperation agreement between the Supreme Court of the Republic of Indonesia, the Attorney General's

Office of the Republic of Indonesia and the Ministry of Law and Human Rights of the Republic of Indonesia Number: 402 / DJU / HM.01.1 / 4/2020; Number: PAS-08.HH.05.05 of 2020 concerning the Implementation of Online Trials by Teleconference dated April 13, 2021. Based on the MOU, there is an adjustment in the trial at the court. Previously the trial was carried out face-to-face; with the enactment of the agreement, the trials are conducted online remotely via teleconference.

Law Number 12 of 1995 concerning Corrections (Correctional Law) Article 14 paragraph (1) states that there are 13 (thirteen) rights held by prisoners, one of which is in number (8), which is the right to "receive family visits, legal advisors, or certain other people" as well as other rights in accordance with the prevailing laws and regulations.

In 2020, Wahyu Iswanto reviewed the policy of implementing long-distance online criminal case trials via teleconference as an effort to deal with the Covid-19 Pandemic while still providing maximum service as an effort to fulfill the legal rights of the defendant [2].

In the same year, 2020, Dewi Anggraeni focused her research on the urgency of conducting an online trial that was implemented during the Covid-19 Pandemic, which needed to be implemented so as not to harm the parties in litigation and the parties who proceeded [3].

In 2021, Iqbal Wijaya conducted research on visiting services provided to the prisoners in State Prison Class IIB Banjarnegara during the Covid-19 Pandemic, which changed the form of visiting services from conventional offline to online via video calls.

2. RESEARCH METHOD

This type of study uses quantitative research. The sample used was 35 respondents, Prisoners at Class IIB Sanggau Detention Center, from a total of 456 inmates. This research used purposive sampling for respondents at Class IIB Sanggau Detention Center who were at least 30 years old at the time this questionnaire was distributed. The questionnaire was handed in person to the prisoners. The number of respondents had to be limited in order to comply with Covid-19 Health Protocol.

From the research data, the respondent data obtained in Table 1 is as follows:

Based on Table 1, it can be known that all the respondents in this research were male, with a total of 100%. The age range is dominated by respondents aged between 31-40 with 43%; the rest is in the age range of 21-30 with 29%, 41-50 with 23%, and older than 50 with 6%. Then based on the most recent education, the majority of respondents were high school graduates, as high as 31%, the remaining 29% were junior high school graduates or equivalent, 20% were elementary school

Table 1. Respondent Data

No.	Demographics	Items	Percentage%
1	Gender	Male	100%
2.	Age	21-30	29%
		31-40	43%
		41-50	23%
		More than 50 years	6%
3.	Education	Elementary School	20%
		Junior High School	29%
		Senior High School	31%
		Diploma	9%
		Bachelor	11%
4.	Profession	Government Sector	6%
		Private Sector	14%
		Entrepreneur	51%
		Students	6%
		Unemployed	4%
		Others	4%
5.	Marital Status	Single	23%
		Married	57%
		Divorced	17%
		Widower	3%
6.	Children	Have children	77%
		Do not have children	23%

graduates, 11% were undergraduates, and 9% are Diploma graduates.

Based on the type of profession, the majority of respondents are entrepreneurs, as high as 51%; the rest were in the private sector, 14%, 6% in the government sector, students, 6%, unemployed, 4%, and other jobs, 4%. Then based on marital status, the majority of respondents were married, 57%; the rest of respondents were single, 23%, divorced, 17%, and 3% widowers. Then, 77% of respondents had children, and 23% of the respondents did not have children.

From the research data collected at the Class IIB Sanggau Detention Center, it was found there were no prisoners with disabilities.

However, to obtains data on the effectiveness of online trials and online visits for prisoners with disabilities. The study continued to Class IIB Sambas Detention Center, and it was found that there was only 1 (one) prisoner with a disability; the prisoner was a middle-aged man with multiple disabilities, deaf and speech impaired

3. FINDING AND DISCUSSION

The 1945 Constitution of the Republic of Indonesia in Article 28D (1) states that everyone has the right to recognition, guarantee, protection, and legal certainty that is just and equal treatment before the law. By everyone also means Persons with Disabilities who have the right to obtain accessibility in judicial services. Fulfillment of individual rights for each person must be carried out even though the Covid-19 Pandemic has hit Indonesia, and it must be carried out by adhering to the Social/Physical Distancing Health Protocol. This protocol aims to reduce crowds and is a form of preventive effort to prevent the transmission of Covid-19.

To prevent Covid-19 transmission, the Director-General of Corrections, Ministry of Law and Human Rights of the Republic of Indonesia has made policies that can still accommodate the rights of prisoners while adhering to social/physical distancing, namely online visits using video calls. If previously, prisoners had the right to receive family visits or legal advisors face-to-face, then the policy during the Covid-19 Pandemic changed service procedures by utilizing information technology that required adequate facilities and infrastructure, such as computer devices and a stable internet network.

The agreement between the Supreme Court of the Republic of Indonesia, the Attorney General's Office of the Republic of Indonesia, and the Ministry of Law and Human Rights also regulates the implementation of online trials via teleconference [4]. There are several problems that may arise in the implementation of online court policies and online visits, from the side of the Correctional Technical Operational Unit (TOI), in this case, the Detention Center (RUTAN) or the Correctional Institution (LAPAS), one of the problems that are often faced is the less-than-optimal facilities and infrastructure for supporting activities, and an unstable internet network. For prisoners with disabilities, the problem faced is whether the fulfillment of their rights as persons with disabilities should be facilitated by adequate accommodation that is modified and provided to fulfill their rights.

This research aims to further examine the implementation of online visiting services and online hearings in determining the rights of prisoners, especially prisoners with disabilities. There are two questions that are the reasons for conducting this research: Whether the implementation of online trials and online visits can fulfill prisoners' rights, especially prisoners with disabilities? What obstacles did prisoners face at the Class IIB Sanggau Detention Center in fulfilling their rights in implementing online visit services and online trials when the Covid-19 Pandemic outbreak broke out?

3.1. Online Visits

According to Article 1 and Article 25 of the 1945 Constitution of the Republic of Indonesia, all human beings are born independent and have the same dignity and rights, as well as the right to get a standard of living adequate for their own health and welfare, which is also owned by people with special needs, without any discrimination [5].

One of the rights that cannot be separated as a private individual is the right to equality before the law as stated in Law Number 39 of 1999 concerning Human Rights in Article 4 (Human Rights Law). Likewise, individuals who are under detention have the right to be treated humanely with respect for their inherent human dignity. The right to be treated humanely with respect for the inherent dignity of the human person also applies to individuals with disabilities during detention or imprisonment (Article 1 and Article 5 point 2 [6]).

The correctional system in Indonesia focuses on the process of changing the attitude of prisoners based on Pancasila, to strive for someone to become a better person again after serving a period of detention or a period of imprisonment in Article 1 Number 2 of the Correctional Law.

Based on Ditjenpas data as of April 2021, the number of prisoners and detainees throughout Indonesia reaches 261,304 people with a capacity of 135,647 people, which means that the occupants exceed the capacity by 93%. Class IIB Sanggau Detention Center, as of April 2021, has 450 people, with a capacity of 150 people. Whereas when the field research was carried out to collect data, it was found that there were no prisoners with disabilities at the Class IIB Sanggau Detention Center. However, this is not an obstacle to the continuity of research that focuses on fulfilling the rights of persons with disabilities, which can be obtained through the results of filling out a questionnaire by prisoners based on the facilities and infrastructure that support their rights when undergoing online trials or getting online visits.

Before the Covid-19 Pandemic outbreaks, the Visiting Service System at the Class IIB Sanggau Detention Center was implemented based on Standard Operating Procedures (SOP), which was guided by the Decree of the Director-General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia Number: PAS-36.OT.02.02 of 2020 concerning Service Standards Correctional. Mechanisms and procedures that must be carried out during the visitation are:

- 1) Visitors register with visiting officers at the Correctional TOI through the registration counter or online;
- 2) Visitors take the queue number;
- 3) Officers record data on SDP Visits data on visitors and prisoners visited;

- 4) Visitors, along with their luggage, are being thoroughly searched by correctional officers;
- 5) Visitors are met with detainees or prisoners by correctional officers in the visiting room;
- 6) Officers ensure that detainees, prisoners, and children wear special clothing/vests for visits

In lieu of the SOP, the visit will be done in approximately 30 minutes and is free of charge.

In order to prevent and control the spread of the Covid-19 Virus as a quick response to the issuance of the Director-General of Corrections Instruction Number: PAS-08.OT.02.02 of 2020 concerning the Prevention, Handling, Control and Recovery of Corona Virus Disease (Covid-19) at the Correctional Technical Operational Unit, the Class IIB Sanggau Detention Center provides an online visit service using a video call. The implementation of this online visit service was well responded to by the prisoners, after previously on March 17, 2020, face-to-face offline visit services were abolished as a step to prevent the spread of Covid-19 in the Class IIB Sanggau Detention Center. There are 3 (three) computers along with cameras and headphones placed in the visiting room to be used by prisoners in conducting online visits. Information regarding the change of visiting services for prisoners, from face-to-face to online via a computer screen, is maximally conveyed by the Class IIB Sanggau Detention Center with a banner containing information on the time and day of service as well as a number that can be contacted for the video call process. Information dissemination is also carried out by utilizing social media through the Class IIB Sanggau Detention Center Instagram, which also contains information on online visiting services.

Online visits are carried out for 6 (six) days from Monday-Saturday, except for Sundays; services are closed on Sundays. Service starts from 08.00 AM to 12.00 AM.

This online visit service greatly facilitates communication access between prisoners and their families while adhering to health protocols in an effort to prevent the spread of the Covid-19 Virus. Online visits are an effort made to prevent the spread of the Covid-19 virus by reducing the crowd; this is also implemented by placing computers far away from each other, social distancing between prisoners.

In its implementation, prisoners found several obstacles when undergoing online visits via video calls.

The first obstacle is the limited time for online visits with a total of 20% of prisoners if the offline visit service is limited to a maximum of 30 minutes in accordance with the Decree of the Director-General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia Number: PAS-36.OT.02.02 of 2020 concerning Correctional Service Standards. For the

implementation of online visits, there is no SOP that regulates the duration of the video call service provided for each prisoner. When it is compared to face-to-face communication, online communication has not been maximally able to meet the psychological needs of individuals as social beings who need friends to talk to and exchange opinions. Moreover, in their daily lives, prisoners are limited in their right to be able to communicate with their families, which makes it impossible for them to be able to get visits for 1 (one) consecutive week. When the communication is carried out in a short time and sometimes is constrained by an unstable internet signal, the duration of the service that the prisoners should receive will also be reduced. If there is no SOP that regulates the duration of online visit services by taking into account the possibility of external disturbances from communication support infrastructure, communication devices, and the most determining factor, which is an internet connection.

The second obstacle felt by the prisoners in implementing online visits is the flexibility to communicate with their families, with a total of 17% of the prisoners. In practice, online visits limit the space for us to be able to express and release emotions, whether it was positive emotions in the form of longing or negative emotions in the form of sadness.

Each human being has different communication patterns to release their emotions; some choose verbal communication by speaking, while others choose non-verbal communication, such as hugging, holding hands to release their emotions.

Non-verbal communication is much easier for each person to accept because, through non-verbal communication, such as hugging, people can express the feelings they want to convey. The touch sends a signal that support is available and they are safe. And by hugging, physiologically can reduce our stress, rather than verbal communication.

In terms of psychological perspective, virtual communication through online by video call tend to use more verbal communication such as talking, which can lead to ambiguity. Being on a video call requires more focus than a face-to-face chat. We need to work harder to process non-verbal cues like facial expression, tone, and pitch of voice, as well as body language. These consume a lot of energy to process and paying more attention. Delays and silence of 1.2 seconds in a video call shape people to think negatively about the other person, either less focused or unfriendly [7].

Another obstacle that was felt during the online visit process was the unstable internet network constraints and the communication support facilities and infrastructure provided, with each amounting to 14%. These two obstacles are interconnected in the online communication process because if the internet connection is not stable,

causing reduced service visit time which results in service changes for the next queue. So, the prisoners whose communication was cut off had to wait to be able to communicate again with their family on the online visit service schedule the next day according to the queue list. Although the Class IIB Sanggau Detention Center has provided a number of computer devices, they are not yet able to fulfill their prisoners' rights maximally when the internet network is not functioning and stable.

Although there are several obstacles in implementing online visiting services, the quick response from Class IIB Sanggau Detention Center to change the visiting service that was previously suspended to become an online visiting service is a quick response and a policy solution in fulfilling prisoners' rights.

This service can be used free of charge by all prisoners, including prisoners with disabilities, who are accommodated by computers, cameras, and detention officers who accompany them during the online visit process.

From a psychological aspect, online visits that use more verbal communication have not met human psychological needs.

Prisoners who have limited rights in their daily lives certainly have greater psychological needs when compared to other individuals whose rights are not limited for any reason, especially for prisoners with disabilities who in their daily lives have difficulty communicating with other prisoners or with detention centers officers.

The presence of the family through visits which are usually carried out in persons, can reduce stress and release their emotions. A study conducted by James A Coan in December 2006 states that just holding hands with a loved one reduced the distress of an electric shock.

Meanwhile, hugs are not just simply a way of demonstrating your love or support for someone, but hugging actually causes physiological changes within the body. Stress hormones, such as cortisol, are reduced, and the nervous system slows down. Oxytocin – a hormone integral to bonding – is released, increasing closeness and affection. Over time, close physical contact results in improved brain development, heart health, emotional health, relationship patterns, and immune function (Angela Currie) [8].

Therefore, when visits change to online visits, it cannot effectively fulfill prisoners' rights, especially prisoners with disabilities, in fulfilling their psychological needs as human beings.

Junior Clinical Psychologist at The Regional Office of the Ministry of Law and Human Rights of the Republic Indonesia West Kalimantan, Pontianak, Amalia Adiningtia. During our interviews, Amal said that virtual communication could not completely replace human

social needs, which are more conveyable through non-verbal communication. Still, online communication is one way to meet psychological needs. However, the quality may differ from direct communication.

The quality of offline and online communication is also influenced by the obstacles when communication occurs. So that when online communication takes place without any obstacles, it can provide satisfaction. Still, if there are obstacles in its implementation, it can affect the recipient's satisfaction. This also applies when communication is offline.

Amal also added that basic psychological needs such as the need for security and social needs (the need for belonging and affection) do not have to be met through support or attention from family or loved ones. Still, they can also be met through other things such as making friendships and good relations with fellow inmates, get support and emotional assistance from correctional officers, build kinship and provide mutual support between inmates.

Changes in communication patterns from offline communication to online communication do not mean that this communication pattern will make us unable to fulfill these needs. Instead, this communication pattern can be an alternative to meeting our psychological needs as human beings when the situation is impossible to fulfill.

Notwithstanding, online visits are a form of prevention, handling, and control of the spread of the Covid-19 Virus in the Class IIB Sanggau Detention Center. Because online visits prevent the movement of people and goods from outside the detention center, which are feared could become an intermediary for the spread of Covid-19 due to the higher risk of transmission outside the detention center than from inside the detention center itself.

3.2. Online Trials

Decree of the Minister of Justice of the Republic of Indonesia, dated September 20, 1981 Number: M.04-PR.07.03 of 1985 concerning the Organization and Administration of State Detention Centers, states that detention centers are technical implementing units in the field of detention which are used for the purposes of investigation, prosecution and examination in court proceedings, whose position is directly addressed to the Head of the Regional Office of the Ministry of Law and Human Rights of the Republic of Indonesia.

Article 1, paragraph (21) of Law Number 8 of 1981 concerning the Criminal Procedure Code (UU KUHAP) define detention as is the placement of a suspect or defendant in a certain place that is carried out by the investigator/public prosecutor/judge based on his determination, according to the manner stipulated in the law.

The establishment of the detention center itself is a manifestation of the implementation of the Criminal Procedure Code related to the separation between Prisoners and Convicts. Detention centers are places for prisoners to undergo a period of detention in which the task and function are to carry out treatment for a suspect or defendant in accordance with the prevailing laws and regulations. Prisoners are suspects who are currently undergoing judicial proceedings. However, in the field implementation, not all Regencies/municipalities in Indonesia have Correctional Facility and Detention Centers, so it is not uncommon for many detention centers to accommodate convicts.

Table 2. Data on the Number of Inmates at the Class IIB Sanggau Detention Center as in April 2021

Table 2. Number of Inmates

No.	Indicator	Total
1	Capacity	150
2.	Prisoners	250
3.	Convicts	200

Source: smslap.ditjenpas.go.id

As regulated in the criminal procedure law in Indonesia, the trial process of criminal cases is carried out in the courtroom with face-to-face meetings by all parties, especially judges, prosecutors, defendants, and legal advisers. The Criminal Procedure Code (KUHAP) Article 185, paragraph (1) and Article 189, paragraph (1) state that in the case of the delivery of information by defendants and witnesses, it is carried out physically by the defendant and witnesses in the courtroom.

The Criminal Procedure Code provides an exception to the delivery of witness testimony without having to be carried out at trial, in Article 162, paragraph (1), which allows the delivery of information without being directly present in the courtroom if the place of residence is far away or for other reasons related to the interests of the state. In the event that the defendant's statement is not carried out in the courtroom, the defendant's statement cannot be judged as evidence but is only used to help find evidence at trial, which is regulated in Article 189, paragraph (2) of the Criminal Procedure Code.

With the outbreak of Pandemic Covid-19, whose transmitted quickly and massively, raises concerns and makes law enforcement institutions create a special policy to be able to carry out online trials via teleconference, as a joint effort to prevent the spread of the Covid-19, still able to give full rights to justice seekers, including prisoners.

The three law enforcement institutions, which are the Supreme Court of the Republic of Indonesia, the Attorney General's Office of the Republic of Indonesia, and the Ministry of Law and Human Rights of the Republic of Indonesia, held an agreement regarding the Implementation of Online Trials by Teleconference.

Based on this agreement, there is an adjustment in the trial at the court; previously, the trial was conducted offline through face-to-face, then with the enactment of the agreement, the trial will be conducted online remotely via teleconference.

The measures taken by the Ministry of Law and Human Rights of the Republic of Indonesia along with the Supreme Court and the Republic of Indonesia Attorney General's Office is a quick response made as a form of safety protection for all parties that facilitates access to justice for people who need and court users.

As a response to the policies made by the Ministry of Law and Human Rights of the Republic of Indonesia, the Class IIB Sanggau Detention Center provided a computer device for the implementation of online trials. The computer that is provided is placed in a separate room that is separated from the other rooms. This was done to provide comfort and not to interfere with the process of conveying information during the trial by each of the Prisoners. The online trial activities were carried out in coordination with the Canggü District Attorney, Sekadau District Attorney, the Sanggau District Court, and the Sanggau District Prosecutor's Branch in Entikong. During the online trial process, prisoners were accompanied by detention officers who helped them if there were problems with computer use or internet network problems so that the prisoners could provide information in court according to their rights.

In online trials, judges/panel of judges, clerks, prosecutors hear in the courtroom. Meanwhile, the defendant attended the trial from the detention center, where the defendant was detained accompanied/without being accompanied by legal counsel. Or a judge/panel of judges, a clerk of the court hears in the courtroom, while the public prosecutor attends the trial from the public prosecutor's office, the defendant is accompanied/without being accompanied by his legal counsel from the detention center where the indictment is being held.

As stated in the agreement for the implementation of the trial via teleconference, each party is required to provide facilities and infrastructure for the benefit of the online trial. In fact, in the field, when the online trial took place, it turned out that each party was not ready to carry out online trials. The quality of the connections was different for each party, and some were even cut off during the trial, hinder the proceedings of the trial process. This is one of the obstacles felt by law enforcement institutions in obtaining facts and evidence in the judicial process.

The implementation of an online trial, which is expected to be able to accommodate the rights of prisoners in the judicial process, is, in fact, constrained by several obstacles felt by the prisoners.

The obstacle that the prisoner felt the most during the online trial was the difficulty in providing information and the difficulty in understanding the questions raised by the judge and the public prosecutor. A total of 34% of the prisoners thought that the difficulty in providing information during the trial was felt during the online trial. This is due to the narrower space for movement during the trial; the offline trial is held in a more spacious courtroom and is equipped with a mic which is directly in front of them and can be seen directly by the judge and the public prosecutor at the time of delivering the statement. The online trial, which was carried out in a special room that was not too big, made prisoners felt uncomfortable and raised their concerns, whether the voice or explanation conveyed through the microphone and speaker could be heard and understood by the Judge and the Public Prosecutor.

As many as 23% of the prisoners thought that they had difficulty understanding the questions raised by the Judges and Prosecutors. Because when online communication takes place virtually through computer and internet network was not functioning stable, sometimes there is a 1.2 second which makes them confused over the questions asked. These obstacles are very detrimental to the detainee in fulfilling their right to seek justice through the trial process.

Apart from that, 23% of prisoners chose the unstable internet network as one of the obstacles they felt when participating in online trials.

Although the policy of conducting online trials via teleconference is made with the aim of fulfilling the rights of the defendant and easy access to law, in practice, it cannot fulfill the rights of prisoners optimally.

Prisoners with disabilities have the same rights as other prisoners as stipulated in Correctional Law, Article 14, paragraph (1); the only thing that distinguished them is the inability to perform activities that should be accommodated by governments as its obligations under the law.

And as consequences which must be obeyed upon its ratification, ICCPR regulates, and as stipulated in Article 14 paragraph (3) letter f of Law No. 12 of 2005, the right to translators free of charge to accommodate prisoners with disabilities in a judicial process to communicate. Government should accommodate those rights by assisted an Interpreter or a Translator during the trials.

Reasonable accommodations in terms of communication of a person with disabilities should be facilitated by the government, as its obligation to acknowledge, accept and facilitate persons with disabilities by using a certain way. Persons with disabilities also have the rights to choose the way they communicate by an accessible means, modes, and formats of communication of their choice by persons

with disabilities in official interaction—one of them by accepting and facilitating the use of Sign Languages.

Sign Language is an important tool of communication for people with hearing disabilities and is part of the deaf culture. Sign languages are natural languages that exploit the visual-gestural modality, rather than the auditory-vocal, consisting of a language seen and created by hand and upper body, including face [9].

Prisoners who are with speech-impaired disabilities and deaf communicate using Sign Language. Therefore, in this case, the court should accommodate and facilitates the needs of persons with multiple disabilities who need an interpreter when communicating. The presence of an interpreter helps them to convey statements to judges and prosecutors. It provides equality rights before the law for persons with disabilities in their rights to justice and legal protection.

Criminal Procedure Code Law in Article 51, Article 52, Article 53 clearly states that suspects and defendants have the right to be clearly informed in a language they understand and have the right to give information freely to investigators or judges. By knowing and understanding the questions posed by the Judge and the Prosecutor regarding the actions that are allegedly committed by them, they will feel that their interests are guaranteed and able to prepare their defense.

Decree of the Chief of the Indonesian Supreme Court No. 026-KMA/SK/II/2012 concerning Judicial Service Standards states, "The court is obliged to provide an interpreter or a translator to help justice seekers who do not understand Indonesian or have special needs to follow the proceedings. To get these services, the public can fill out an application letter addressed to Chairman of the Panel of Judges before the day the trial begins or can submit orally before the Panel of Judges."

In practice, a prisoner with multiple disabilities, deaf and speech impaired, was not assisted by an interpreter or translator during the trial. During the online trial, the interpreter only assisted him once; interpreters no longer assisted on the next trial and so on. Then he communicated and answered questions from Judges and Prosecutors using hands and writing.

The online trial policy is made to fulfill the rights of all parties, the right to legal access, equality before the law, then the law enforcement institution should provide an interpreter or a translator to assist prisoners with disabilities during the trial, including online trials through videoconference.

During the online trials, the absence of an interpreter or a translator causes the prisoners with disabilities not optimally obtaining their rights as legal subjects with the rights of justice and legal protection.

Although their rights have not been optimally fulfilled, online trials are effective in fulfilling the right for prisoners to attend the trial process.

4. CONCLUSION

Based on the aforementioned discussion, implementation of online trials and online visits is effective to fulfill the rights of prisoners to received visits from family and the right of access to justice, even though their rights are not optimally fulfilled. The policies also prevent, handle and reduce the risk of Covid-19 transmission from outside detention for the safety of both inmates and detention officers. Rights of a prisoner with disabilities that should be accommodated and facilitate with appropriate adjustment to their needs. Such as the presence of an interpreter for the deaf and persons with speech impairment. Because, in practice, there are several obstacles that have prevented the fulfillment of the rights of prisoners as mandated by law.

Policies are taken by law enforcers in order to prevent, handle and reduce the spread of the Covid-19 virus by prioritizing rights and legal access for the prisoners are running effectively, especially for prisoners at Class IIB Sanggau Detention Center. Instruction of the Director-General of Corrections Number: PAS-08.OT.02.02 of 2020 concerning the Prevention, Handling, Control, and Recovery of Corona Virus Disease (Covid-19) at the Correctional Technical Operational Unit (TOI). Cooperation Agreement between the Supreme Court of the Republic of Indonesia, the Attorney General's Office of the Republic of Indonesia, and the Ministry of Law and Human Rights of the Republic of Indonesia regarding Trial Implementation through Teleconference made as an effort to achieve justice and create benefits for all parties needs. Furthermore, to fulfill the rights of justice seekers, in this case, the rights of the prisoners, it is necessary to have a strong legal basis for regulating the process of conducting online trials. Cooperation Agreement, Circular or Supreme Court Regulation insufficient as a legal basis of online trials.

The Director-General of Corrections is expected to be able to make Standard Operating Procedures that can be applied to all Correctional TOI so that there should be a standard procedure for online visits for all TOI in Indonesia. As a form of fulfilling the rights of prisoners. SOP is needed in the implementation of online visits, which regulate and consist of terms, flow, time, and duration of the implementation of online visit services.

Improvements in facilities and infrastructure to support the implementation of online trials and online visits also need to be added to improve service quality in order to increase the capacity of services received by prisoners.

The state's obligation to fulfill the right to justice, legal protection, and equality before the law for the judicial process is the duty of all law enforcement agencies. Therefore, the Supreme Court, Attorney General's Office, and the Ministry of Law and Human Rights of the Republic of Indonesia should improve the quality of services in fulfilling the rights of people, especially for persons with disabilities.

AUTHORS' CONTRIBUTIONS

JL wrote the manuscripts and conducted the inmates' interviews. YIF provided data for Table 1 and Table 2 and also conducted all statistical analyses. All authors discussed the results, contributed and reviewed the final manuscript.

ACKNOWLEDGMENTS

This paper and the study behind it would not have been possible without the exceptional support from our supervisor for their comments and their insightful suggestions, and careful reading of the manuscript. This study was supported by the Legal Division, The Regional Office of The Ministry of Law and Human Rights of The Republic of Indonesia, West Kalimantan, Pontianak, Indonesia.

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