

**UNIVERSITAS INTERNASIONAL BATAM**

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*Undergraduate Final Project  
Science of Law Department  
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**LEGAL REVIEW THROUGH CAPACITY (OVERCAPACITY) CONVICT  
IN PENITENTIARY INSTITUTION IN CLASS IIA BATAM BASED ON  
CORRECTIONAL SYSTEM AND GOVERNMENT REGULATION  
NUMBER 99 OF 2012 CONCERNING THE TERMS AND PROCEDURES  
FOR IMPLEMENTATION COMMUNITY RIGHTS IN  
COMMUNITY DEVELOPMENT**

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*Abstract*

Overcapacity occurs because the growth rate of residents of Batam Class Iia Penitentiary Institution is not comparable with residential facilities in penitentiary. Several factors have contributed to the overcapacity that is oriented towards imprisonment. The rights of prisoners belonging to prisoner formation are not carried out in a Penal Institution but can also be carried out outside the Correctional Institution such as giving remissions and parole. The policy for recording the conditions for granting remissions and parole is regulated in Government Regulation Number 99 of 2012 in contravention of Law Number 12 of 1995 concerning Correctional Services which provides the basis for prisoners' right to obtain remission and parole. Therefore, to achieve a good goal, improvements must be made to existing rules and revise Law No. 12 of 1995 concerning Correctional Services, so that the conditions for remission and parole conditions are in accordance with the correctional system.

The study was conducted by sociological empirical methods. Empirical research using primary data as the main data. The researcher examined the primary data found in the field by conducting observations and interviews. Processing of legal materials is carried out in a qualitative descriptive manner.

The results of this study conclude that there needs to be a revision of Government Regulation No. 99 of 2012 so that prisons do not become overcapacity, investigators and prosecutors are required to be more selective in detaining suspects suspected of committing crimes and also revising a special Criminal Code concerning basic criminal sanctions about work socially without having to be punished and go to prison based on restorative justice.

*Keywords: Overcapacity, Government Regulation Number 99 of 2012, Law Number 12 of 1995, Convict*