

Redefining Judicial Supervision in Correctional Systems: A Critique of Ineffective Penal Oversight Models

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KEYWORDS	ABSTRACT
Keywords: Judicial Supervision; Correctional Institutions; Supervisory And Observing Judges; Penal Oversight. Conflict of Interest Statement: This article does not have a conflict of interest from any party. The entire series of research processes was carried out entirely by the author as well as moral support from the institute where the author works. Copyright © 2026 Vifada Assumption Journal of Law. All rights reserved.	Purpose: This article examines the ineffectiveness of judicial supervision in correctional systems by focusing on the legal mandate and socio-legal operation of Supervisory and Observing Judges, or Kimwasmat. It argues that penal oversight remains weak when formal judicial supervision is not supported by enforceable authority, measurable standards, and structured institutional response. Research Design and Methodology: This study applies a socio-legal design combining doctrinal legal analysis with empirical inquiry. Data were collected through document study, interviews, and limited observation involving Kimwasmat judges in the Makassar and Parepare court environments, then analyzed through qualitative coding of legal mandate, coordination, reporting, remedial capacity, and accountability gaps. Findings and Discussion: The study finds that Kimwasmat remains normatively and institutionally weak because supervision findings often stop at visits, reports, and informal coordination without a binding accountability chain between courts and correctional institutions. Implications: Legal reform should establish clearer supervision standards, rights-based indicators, institutional response duties, and escalation mechanisms for unresolved findings, so judicial supervision can function as an accountability-oriented mechanism in sentence execution.

Introduction

Correctional supervision has increasingly become a decisive test of whether criminal justice systems can transform punishment into lawful rehabilitation rather than merely administer confinement.¹ The problem arises because judicial authority often ends at the moment of sentencing, while the actual deprivation of liberty continues through administrative decisions on placement, discipline, health care, remission, parole preparation, segregation, and access to rehabilitative programs.² This separation creates a normative uncertainty: courts pronounce punishment in the name of legality, yet correctional institutions implement punishment through discretionary practices that may escape meaningful judicial scrutiny. The urgency of this issue is reinforced by international standards that treat human dignity, safety, health, inspection, and accountability as minimum

¹ Hendra Maha Saputra, Iqbal Miftakhul Mujtahid, and Rino A. Nugroho, "Analysis of the Satisfaction of Narcotics Residents with Services at Nunukan Class IIB Correctional Facility," *JUSTISI* 9, no. 3 (February 10, 2024): 450-59, <https://doi.org/10.33506/js.v9i3.2369>.

² Elena Larrauri, "Reducing Discretion in the Administration of Prison Leave: In Search of Legitimacy," *European Journal on Criminal Policy and Research* 26, no. 2 (June 22, 2020): 141-56, <https://doi.org/10.1007/s10610-019-09424-4>.

conditions of lawful imprisonment, including the Nelson Mandela Rules, which provide benchmarks for humane prison management and oversight.³

In the Indonesian legal context, judicial supervision after sentencing is formally represented through the function of Supervisory and Observing Judges, commonly known as Kimwasmat. This function is intended to maintain a judicial connection between court judgments and the execution of imprisonment in correctional institutions. However, the Kimwasmat mandate remains limited because its supervisory role is not yet clearly supported by binding remedial authority, measurable correctional standards, and mandatory institutional follow-up. Therefore, the Indonesian experience shows that the problem of penal oversight is not only the absence of monitoring, but also the weak legal connection between supervision findings and enforceable correctional accountability.

The theoretical problem is not simply that prisons are poorly monitored, but that many penal oversight models remain structurally detached from the legal consequences of their findings.⁴ Administrative inspections may identify violations, independent monitors may publish recommendations, and internal complaint mechanisms may record grievances, yet these processes often lack binding force, remedial authority, or direct linkage to sentence execution review.⁵ Judicial supervision, where it exists, is frequently procedural, episodic, and document-based, making it insufficient to detect everyday correctional practices that affect the substance of punishment. As a result, the correctional system may appear legally supervised while incarcerated persons continue to experience rights deficits that are normalized as managerial problems rather than treated as failures of penal legality.⁶

Recent scholarship has moved the study of prison oversight away from a narrow institutional question toward a broader inquiry into accountability, prisoners' rights, and the interaction between legal institutions and prison administration. Recent studies on prison oversight show that the effectiveness of monitoring depends not only on the existence of oversight bodies, but also on whether their findings lead to institutional change.⁷ Literature on OPCAT-based monitoring, prisoners' rights accountability,⁸ and fragmented oversight demonstrates that inspection, reporting, and complaint mechanisms remain insufficient when they are not connected to binding remedies and enforceable follow-up.

A second strand of recent research focuses on the fragmentation of prisoners' rights accountability and the difficulty of coordinating courts, correctional agencies, civil society monitors, auditors, ombuds institutions, and complaint mechanisms. Schlanger and related socio-legal literature have shown that prisons may fail to meet legally required minimum standards even where multiple accountability pathways formally exist, because those pathways do not always work together as a coherent system.⁹ This trend is important because it challenges the assumption that more oversight institutions automatically produce better correctional legality.¹⁰ For this article, judicial supervision is examined as part of a wider architecture of penal accountability, not as an isolated court function.

A third body of scholarship examines prison regulation from a critical perspective by questioning whether international standards, inspections, and managerial reforms can genuinely reduce carceral harm. This critical literature warns that formal standards, inspection reports, and compliance

³ Nicholas V. Nguyen et al., "A Primer on Carceral Health for Clinicians: Care Delivery, Regulatory Oversight, Legal and Ethical Considerations, and Clinician Responsibilities," *Mayo Clinic Proceedings* 100, no. 2 (February 2025): 292-303, <https://doi.org/10.1016/j.mayocp.2024.09.009>.

⁴ Sharon Dolovich, "The Failed Regulation and Oversight of American Prisons," *Annual Review of Criminology* 5, no. 1 (January 13, 2022): 153-77, <https://doi.org/10.1146/annurev-criminol-011518-024445>.

⁵ Bronwyn Naylor, "Protecting the Rights of Children and Young People in Detention: Evaluating Credibility and Effectiveness of Human Rights Monitoring Bodies," *Law & Social Inquiry* 50, no. 4 (November 30, 2025): 1013-32, <https://doi.org/10.1017/lsi.2023.72>.

⁶ Heather Schoenfeld, Kimberly Rhoten, and Michael C. Campbell, "Patchwork Protection: The Politics of Prisoners' Rights Accountability in the United States," *Law & Social Inquiry* 50, no. 4 (November 7, 2025): 983-1012, <https://doi.org/10.1017/lsi.2024.4>.

⁷ Marie Brasholt et al., "Trisk of Sanctions Following Visits by Monitoring Bodies: a Study Conducted in Albania and Honduras," *Torture Journal* 30, no. 2 (November 9, 2020): 89-103, <https://doi.org/10.7146/torture.v30i2.120079>.

⁸ Anita Mackay, *Towards Human Rights Compliance in Australian Prisons* (ANU Press, 2020), <https://doi.org/10.22459/THRCAP.2020>.

⁹ Martin Matijašević and Radovan Radovanović, "Perspective Chapter: Phenomenology and Legal Framework for Recognition and Responding to Prison Discrimination," in *Correctional Facilities and Correctional Treatment - International Perspectives* (IntechOpen, 2023), <https://doi.org/10.5772/intechopen.105459>.

¹⁰ Ouarda Hamizi, "Oversight of Prison Administration at The International and National Levels," *Lex Localis - Journal of Local Self-Government* 23, no. 11 (October 3, 2025): 2678-86, <https://doi.org/10.52152/b7twym77>.

mechanisms may create the appearance of oversight without transforming the deeper harms of imprisonment.¹¹ It is therefore necessary to examine whether judicial supervision can move beyond symbolic monitoring and operate as a remedial mechanism that connects prison conditions, judicial findings, and legal consequences.

The gap between previous studies and contemporary correctional reality can be formulated through four measurable dimensions: institutional existence, access to information, remedial power, and follow-up enforceability. Existing literature strongly covers the first two dimensions by discussing monitoring bodies, inspection visits, complaint channels, and prison standards, but it gives less systematic attention to the third and fourth dimensions, namely whether findings trigger legal remedies and whether institutions are compelled to implement corrective measures. In quantitative terms, the oversight problem may be read as a four-stage chain in which only the first two stages, detection and documentation, are commonly emphasized, while the last two stages, adjudicative response and enforceable correction, remain underdeveloped.¹² This article therefore challenges studies that equate oversight with monitoring and extends the discussion toward a model in which judicial supervision must connect factual findings inside prisons with binding legal consequences.

The empirical gap is also visible in the distance between the scale of correctional problems and the limited responsiveness of formal oversight. Although many correctional systems produce administrative data on prisoners, facilities, and institutional conditions, such information is not always converted into judicially reviewable accountability.^{13,14} The gap addressed in this article is therefore not merely a regulatory vacuum, but the functional disconnection between the judicial responsibility to ensure lawful punishment and the administrative reality of correctional governance.

Based on this gap, the central research question of this article is: how should judicial supervision be redefined to overcome ineffective penal oversight models in contemporary correctional systems? This question is supported by two subsidiary inquiries: why do existing oversight models fail to transform monitoring findings into enforceable correctional accountability, and what legal principles should guide the reconstruction of judicial supervision after sentencing? The objective of this article is to develop an accountability-oriented model of judicial supervision that links sentence execution, prisoners' rights, correctional standards, institutional follow-up, and remedial authority within a coherent legal framework. The originality of this article lies in shifting the debate from the formal existence of prison oversight to the juridical reconstruction of post-sentencing supervision as a mechanism for ensuring lawful, humane, and accountable punishment.

Literature Review

Judicial Supervision, Penal Legality, and the Continuity of Sentencing Authority

Judicial supervision in correctional systems must be understood as part of the continuity of sentencing authority rather than as an external intervention after judgment. Classical criminal procedure often treats the court's role as substantially complete once a sentence has been imposed, while correctional administration is then viewed as an executive function.¹⁵ Contemporary prison law challenges this separation because the real content of punishment is shaped through placement, discipline, access to health care, remission, rehabilitation, and release preparation.¹⁶ This debate is

¹¹ Sarah Armstrong, "At Risk of Rights: Rehabilitation, Sentence Management and the Structural Violence of Prison," *Critical Criminology* 28, no. 1 (March 29, 2020): 85-105, <https://doi.org/10.1007/s10612-020-09503-7>.

¹² Hui Chen, "The Use and Measurement of Compliance Programs in the Legal and Regulatory Domains," in *Measuring Compliance* (Cambridge University Press, 2022), 25-54, <https://doi.org/10.1017/9781108770941.002>.

¹³ Jordan M. Hyatt, Synøve N. Andersen, and Britte van Tiem, "Perceptions of Incarcerated People: Prison Conditions, Public Health, and Justice in The United States," *Journal of Public Health Policy* 45, no. 3 (September 2, 2024): 446-59, <https://doi.org/10.1057/s41271-024-00496-z>.

¹⁴ Bryant J. Jackson-Green, Jihoon Yuhm, and Johnny Vu, "Court-Managed Policy Change: A Content Analysis of Prison Healthcare Consent Decrees and Settlement Agreements," *Social Sciences* 15, no. 1 (December 26, 2025): 13, <https://doi.org/10.3390/socsci15010013>.

¹⁵ Fazlallah Foroughi et al., "Analysis of the Judicial or Administrative Nature of Criminal Sentencing Execution and Its Consequences," *Legal Studies in Digital Age* 3, no. 3 (2024): 46-58, <https://doi.org/10.61838/kman.lsd.3.3.5>.

¹⁶ Justin Driver and Emma Kaufman, "The Incoherence of Prison Law," *Harvard Law Review* 135, no. 2 (August 22, 2021): 515-84, <https://www.jstor.org/stable/27123152>.

relevant because the article argues that ineffective penal oversight begins when the legality of punishment is disconnected from the judicial responsibility to supervise its execution.

The literature on prison administrative law shows that correctional institutions operate through extensive delegated power, yet this power is often less visible than ordinary administrative decision-making. Braatz argues that prison law has focused heavily on constitutional minimums, while administrative law has often failed to treat prisons as agencies that exercise vast discretionary authority over vulnerable persons.¹⁷ This synthesis indicates a shared concern that prison governance cannot be evaluated only through formal constitutional guarantees, because daily administrative practices determine whether rights are actually protected. This perspective provides a basis for examining judicial supervision as a mechanism for controlling administrative discretion within penal institutions.

A central theoretical debate concerns whether courts should defer to correctional authorities or intervene more actively when prison administration affects the substance of punishment.¹⁸ Deference is often justified by security, institutional expertise, and separation of powers, while intervention is justified by legality, dignity, due process, and the vulnerability of incarcerated persons. The Nelson Mandela Rules strengthen the latter position by placing humane treatment, health, safety, discipline, inspection, and reintegration within a normative framework of minimum prison standards.¹⁹ This debate supports the article's argument that judicial supervision should not replace correctional management but must ensure that management remains within the boundaries of lawful punishment.

The theoretical framework of this article combines the rule of law, penal legality, and human dignity. Rule of law requires state coercion to remain authorized, limited, reviewable, and accountable, while penal legality requires punishment not to exceed the sentence imposed by law. Human dignity adds a substantive standard because imprisonment must not reduce prisoners to objects of institutional control.²⁰ In the Indonesian context, these doctrines provide the basis for assessing whether Kimwasmat merely records sentence execution or functions as a judicial mechanism that ensures imprisonment remains lawful, humane, and accountable after sentencing.

Fragmented Prison Oversight and the Limits of Inspection-Based Accountability

Recent literature shows that prison oversight has increasingly developed through multiple institutions rather than a single supervisory authority. These institutions include courts, ombuds bodies, inspectorates, national preventive mechanisms, internal complaint units, auditors, human rights commissions, and civil society monitors. The shared assumption across this literature is that closed institutions require external scrutiny because secrecy, hierarchy, and dependency create high risks of abuse. This literature is relevant because the article examines whether the multiplication of oversight bodies actually produces effective accountability or merely creates fragmented supervision.

A major contribution in recent scholarship is the concept of the prisoners' rights accountability environment. Schoenfeld, Rhoten, and Campbell argue that accountability for prisoners' rights often operates as a patchwork of legal, bureaucratic, professional, and political systems that do not always reinforce each other. Their analysis shifts the focus from the existence of oversight mechanisms to the interaction among those mechanisms, especially when rights violations persist despite formal channels of complaint or review.²¹ This synthesis is relevant because it supports the article's critique that ineffective penal oversight is often caused by institutional fragmentation rather than by the total absence of supervision.

¹⁷ Cynthia Golembeski et al., "Discretionary Ethics and Governing Public Affairs in Jails and Prisons," *Empowering Public Administrators: Ethics and Public Service Values*, 2024, 253.

¹⁸ Benjamin Meade and Heather L. Scheuerman, "Hands-Off or Hands-On? Examining the Effect of Court Orders on Inmate Misconduct," *Corrections* 9, no. 4 (August 7, 2024): 536-52, <https://doi.org/10.1080/23774657.2023.2278196>.

¹⁹ Franco Ernesto León-Jiménez, "Health in Persons Deprived of Their Liberty in South America: A Painful Reflection of Our Public Health," *Annals of Global Health* 90, no. 1 (April 8, 2024), <https://doi.org/10.5334/aogh.4171>.

²⁰ Hasan Heydari, Ahmad Ramezani, and Alireza Millani, "Foundations and Manifestations of Rights Derived from the Human Dignity of Prisoners in Iranian Criminal Law," *Legal Studies in Digital Age*, 2025, 1-12, <https://doi.org/10.61838/kman.lsda.251>.

²¹ Gaëtan Cliquennois and Sonja Snacken, "The Ability of Human Rights to Limit the State's Power to Punish in Europe: Connecting Prison and Mental Health Policies Through The Concept of 'Transpolicies,'" *Law & Social Inquiry* 50, no. 4 (November 29, 2025): 1092-1116, <https://doi.org/10.1017/lsi.2023.81>.

The literature on OPCAT and prison monitoring emphasizes the value of regular visits, preventive engagement, and institutional recommendations. However, this literature also shows that monitoring becomes effective only when findings are translated into institutional action.²² This point is directly relevant to the Indonesian Kimwasmat framework because the existence of Supervisory and Observing Judges already reflects judicial involvement in sentence execution, but its effectiveness depends on whether supervision findings require explanation, correction, and follow-up from correctional authorities.²³ Thus, Kimwasmat should be understood as a judicial function that connects monitoring with enforceable correctional accountability.

A critical strand of literature warns that inspection-based models may create formal visibility without changing the deeper structure of penal power. Armstrong and Jefferson argue that international prison regulation may produce confidence in rules and standards while leaving carceral harms insufficiently transformed. Research on prison monitoring in Europe also shows a tension between human rights standards formulated by expert bodies and the lived experiences of prisoners and staff, especially when recommendations do not fully reflect institutional realities.²⁴ This critique is relevant because the article seeks to redefine judicial supervision as a bridge between inspection findings, lived prison realities, and enforceable legal consequences.

Toward an Accountability-Oriented Model of Penal Oversight

The emerging literature on correctional accountability suggests that oversight should be evaluated through its capacity to produce consequences, not merely through its capacity to observe violations. Transparency, reporting, and visitation are necessary, but they remain incomplete when they do not require institutional explanation, corrective measures, victim protection, or judicial review. Recent policy developments, such as the United States Federal Prison Oversight Act of 2024, reflect this shift by linking prison oversight with transparency and accountability in federal correctional governance.²⁵ This trend is relevant because it supports the article's argument that modern penal oversight must move from passive monitoring to structured accountability.

An accountability-oriented model also requires attention to the administrative nature of prison decisions. Correctional decisions may appear technical, but they can determine the intensity, duration, quality, and collateral consequences of punishment. This is why literature on prison administrative law is important, because it exposes the gap between formal legality and the internal governance of closed institutions. This point is relevant because the article argues that judicial supervision should not be limited to reviewing court files, but should also examine whether administrative decisions inside prisons alter the lawful character of the sentence.

The theoretical urgency of this model lies in combining accountability theory with proportionality and effective remedy. Accountability requires an identifiable duty holder, a standard of assessment, a forum for explanation, and a consequence for non-compliance. Proportionality prevents correctional measures from exceeding the legitimate objectives of punishment, while effective remedy ensures that violations of prisoners' rights are not reduced to administrative records.²⁶ This framework is relevant because it enables the article to develop criteria for distinguishing effective judicial supervision from symbolic or ineffective penal oversight.

The literature reviewed above leaves a specific space for this article to contribute to legal scholarship. Existing studies have discussed prison inspections, human rights standards, administrative

²² Isobel Renzulli, "A Critical Reflection on The Conceptual and Legal Foundations of The Duty to Prevent Torture," *The International Journal of Human Rights* 20, no. 8 (November 16, 2016): 1244-63, <https://doi.org/10.1080/13642987.2016.1217518>.

²³ Eva Aizpurua et al., "Common Knowledge? Awareness of National and International Oversight Bodies Among Incarcerated Individuals in Spain," *European Journal of Criminology* 22, no. 5 (September 12, 2025): 759-84, <https://doi.org/10.1177/14773708241309999>.

²⁴ Ciara O'Connell, Eva Aizpurua, and Mary Rogan, "The European Committee for the Prevention of Torture and the Gendered Experience of Imprisonment," *Crime, Law and Social Change* 75, no. 5 (July 23, 2021): 445-68, <https://doi.org/10.1007/s10611-021-09938-1>.

²⁵ Lawrence A. Haber, Chesa Boudin, and Brie A. Williams, "Establishing National Standards for Carceral Health Care The Federal Prison Oversight Act," *JAMA Internal Medicine* 185, no. 2 (February 1, 2025): 135, <https://doi.org/10.1001/jamainternmed.2024.6155>.

²⁶ Kresimir Kamber, "Remedies for Breaches of Prisoners' Rights in the European Prison Rules," *New Journal of European Criminal Law* 11, no. 4 (December 14, 2020): 467-88, <https://doi.org/10.1177/2032284420963891>.

discretion, and fragmented accountability, but fewer studies place judicial supervision at the center of post-sentencing legality.²⁷ This article therefore extends the debate by proposing that courts should function as guardians of lawful sentence execution, especially when correctional practices affect dignity, safety, rehabilitation, and access to rights. This contribution positions judicial supervision as a necessary legal mechanism for ensuring that punishment remains lawful, humane, and accountable throughout its implementation.

The reviewed literature supports the proposed accountability-oriented model of judicial supervision through three connected principles. First, rule of law and penal legality require sentence execution to remain reviewable after judgment. Second, prisoners' rights literature requires supervision to use substantive indicators such as dignity, health, safety, rehabilitation, and access to remedies. Third, accountability theory requires supervision findings to produce identifiable duties, institutional responses, and corrective consequences. These principles provide the conceptual basis for redefining Kimwasmat as a structured judicial mechanism that connects court authority, correctional standards, prisoners' rights, and institutional follow-up.

Research Design and Methodology

This research applies a socio-legal method by combining doctrinal legal analysis and empirical inquiry.²⁸ The doctrinal component examines criminal procedure law, correctional law, and institutional rules governing Kimwasmat, while the empirical component explores how Supervisory and Observing Judges understand and perform their mandate in practice. This design is used to assess the gap between formal judicial supervision and the practical effectiveness of penal oversight after sentencing.

The main subjects of this research are Supervisory and Observing Judges assigned to monitor the implementation of criminal judgments in correctional institutions. Informants were selected through purposive sampling based on their experience with Kimwasmat supervision, reporting mechanisms, and coordination with correctional institutions. The empirical data were obtained from four judges, consisting of two judges from the Makassar court environment and two judges from the Parepare court environment. Data collection, including interviews and limited observation, was conducted on December 28, 2025, and was supported by relevant legal instruments, institutional records, supervision reports, and correctional documents.

Data were collected through document study, semi-structured interviews, and limited observation of Kimwasmat supervision procedures. The document study examined legislation, judicial administrative rules, correctional standards, supervision reports, and institutional records. The interviews used a guide covering legal mandate, supervision methods, visit frequency, barriers to follow-up, and the relationship between judicial findings and correctional accountability. Limited observation focused on how supervision activities are documented, communicated, and positioned within the institutional workflow.

Ethical considerations were maintained by explaining the academic purpose of the study, obtaining voluntary participation, and avoiding questions related to pending cases, confidential judicial deliberations, or sensitive institutional data. Informants' statements were processed thematically and presented analytically to protect professional integrity.

The data were analyzed through qualitative legal analysis by linking empirical findings with penal legality, rule of law, human dignity, and effective remedy. Interview transcripts and field notes were coded into themes of formal authority, practical implementation, institutional coordination, reporting effectiveness, remedial capacity, and accountability obstacles. The validity of findings was strengthened through source triangulation between interviews, legal documents, and institutional records.

²⁷ Cliquennois and Snacken, "The Ability of Human Rights to Limit the State's Power to Punish in Europe: Connecting Prison and Mental Health Policies Through The Concept of 'Transpolicies.'"

²⁸ Anis Widyawati et al., "The Urgency of Supervision Institutions in Implementing Prisoners' Rights as an Effort to Restructure Criminal Execution Laws," *Jambura Law Review* 7, no. 1 (January 5, 2025): 127-51, <https://doi.org/10.33756/jlr.v7i1.27595>.

Findings and Discussion

Normative Weaknesses in the Legal Mandate of Supervisory and Observing Judges

Results

The doctrinal analysis shows that the legal mandate of Supervisory and Observing Judges is formally recognized, but normatively underdeveloped as an instrument of correctional accountability. The mandate is primarily constructed around the supervision and observation of court decisions involving imprisonment, particularly as regulated in the Criminal Procedure Code. More specifically, the normative gap arises from the separation between the Criminal Procedure Code provisions that establish the existence and function of Supervisory and Observing Judges and correctional law provisions that regulate the treatment, rights, and institutional management of prisoners. The Criminal Procedure Code places Kimwasmat within the framework of supervising and observing the implementation of court decisions, but it does not expressly formulate a binding mechanism through which supervision findings must be followed by correctional measures. The precise normative basis of this mandate can be traced to Chapter XX of the Criminal Procedure Code, particularly Articles 277 to 283, which regulate the supervision and observation of the implementation of court decisions. Article 277 establishes the existence of Supervisory and Observing Judges at each court, while Article 280 places their function in ensuring that court decisions are properly implemented and in observing the conduct and correctional development of prisoners. Articles 281, 282, and 283 further regulate the submission of information by the head of the correctional institution, discussion on prisoner development, and periodic reporting of supervision and observation results to the head of the court. However, these provisions mainly formulate Kimwasmat as a supervisory, observational, communicative, and reporting function, rather than as a judicial authority with express power to order correctional institutions to take binding corrective action. In contrast, correctional law develops a rights based correctional paradigm through protection, guidance, care, rehabilitation, and reintegration, but it does not clearly position Kimwasmat findings as an obligatory trigger for institutional response. This gap becomes clearer when the Criminal Procedure Code is read together with Law No. 22 of 2022 on Corrections. The correctional law strengthens the rights based orientation of imprisonment by placing correctional institutions within the integrated criminal justice system and by emphasizing services, guidance, community supervision, care, security, observation, and respect for human rights. Nevertheless, it does not expressly connect Kimwasmat reports with mandatory written responses, time bound institutional follow up, or enforceable remedies within correctional administration. Therefore, the normative weakness lies in the absence of a legal bridge between the procedural mandate of Kimwasmat and the rights based obligations of correctional institutions.

This separation creates a legal gap because the court has a supervisory function, while correctional institutions hold the operational authority over the daily execution of imprisonment. In practical legal terms, the court is authorized to supervise and observe the execution of imprisonment, but the correctional institution remains the actor that controls placement, treatment, discipline, health access, rehabilitation, and reintegration processes. The existing provisions do not clearly determine whether a Kimwasmat finding must be answered by the correctional institution, what form of response is required, what time limit applies, and what consequence follows if the finding is ignored. This explains why the legal design of Kimwasmat remains normatively weak even though the institution of judicial supervision is formally recognized. However, the legal framework still does not clearly transform Kimwasmat findings into binding correctional obligations, enforceable remedies, or institutional corrective measures. This result confirms that the weakness lies not in the absence of judicial supervision, but in the limited legal design of Kimwasmat authority.

The following table presents the processed normative findings derived from the analysis of legal provisions, correctional standards, and institutional supervision functions. The table does not reproduce raw legal materials, but categorizes the main weaknesses according to their normative content and legal implication.

Table 1.
Normative Weaknesses in the Legal Mandate of Supervisory and Observing Judges

Normative Aspect	Processed Finding	Legal Implication
Scope of Authority	The mandate is framed broadly as supervision and observation, without detailed operational standards	Judges may supervise sentence execution, but the depth and method of supervision remain unclear
Legal Force of Reports	Supervision reports are not clearly regulated as binding instruments	Findings may become administrative records without mandatory correctional follow-up
Link with Prisoners' Rights	The mandate is not expressly connected to rights-based indicators in correctional institutions	Judicial supervision may focus on formal sentence execution rather than substantive legality of imprisonment
Institutional Coordination	The legal framework does not establish a firm response mechanism between courts and correctional institutions	Coordination depends on institutional practice rather than enforceable legal duty
Remedial Consequence	No explicit procedural route requires corrective action after a supervisory finding	Violations may be identified without producing an effective legal remedy
Relationship between Criminal Procedure Code and Correctional Law	The Criminal Procedure Code recognizes judicial supervision over sentence execution, while correctional law regulates rights based correctional governance, but both are not yet connected through a binding follow up mechanism	Kimwasmat remains legally recognized but institutionally weak because its findings do not automatically create correctional obligations, enforceable remedies, or mandatory institutional responses

Source: Author's analysis of criminal procedure and correctional law.

The normative mapping shows that the mandate of Supervisory and Observing Judges remains closer to monitoring than to enforceable accountability. Its legal structure allows judges to observe the implementation of imprisonment, but it does not provide a clear mechanism to compel correctional institutions to respond to findings. The absence of binding follow-up weakens the position of the judge as a guardian of lawful sentence execution. This result becomes central to the article because it explains why judicial supervision may exist formally while penal oversight remains ineffective in practice.

The analysis also shows that the mandate is not sufficiently integrated with the modern correctional paradigm that emphasizes rehabilitation, human dignity, reintegration, and protection of prisoners' rights. Law No. 22 of 2022 on Corrections strengthens the rights-based direction of correctional policy, but the mandate of Supervisory and Observing Judges is not expressly reconstructed to match that development.²⁹ This creates a normative gap between the contemporary purpose of corrections and the older procedural design of post-sentencing judicial supervision. The result indicates that judicial supervision has not yet been fully adapted to the shift from imprisonment as custody to imprisonment as rights-sensitive correctional governance.

Discussion

The weakness of the legal mandate occurs because judicial supervision is still conceptualized as an accessory function after sentencing rather than as a continuation of judicial responsibility over the legality of punishment. In a rule of law framework, punishment must remain lawful not only when the judgment is pronounced, but also when the sentence is executed inside correctional institutions.³⁰ If the court's role ends at the formal delivery of the judgment, the substance of punishment may be

²⁹ Taufik Tri Prabowo and Abudllah Sulaiman, "Reconstruction of the Correctional System Within The Framework of Criminal Justice," *Interdisciplinary Journal and Humanity (INJURITY)* 4, no. 7 (July 9, 2025): 463-73, <https://doi.org/10.58631/injury.v4i7.1450>.

³⁰ Anis Widyawati, Ade Adhari, and Ridwan Arifin, "Who Executes Justice? Comparative Institutional Paths from Verdict to Prison," *Jambura Law Review* 1, no. 1 (January 31, 2026), <https://doi.org/10.33756/jlr.v1i1.31642>.

reshaped by administrative discretion without adequate judicial control.³¹ This explains why the article places Supervisory and Observing Judges at the center of the debate on ineffective penal oversight.

The main doctrinal problem is the unclear relationship between supervision, observation, and remedial authority. Supervision implies an evaluative function, observation implies a fact-finding function, but neither concept automatically creates an enforceable duty unless the law provides procedural consequences. When a judge identifies problems in sentence execution, the legal framework should determine who must respond, within what period, through what corrective measure, and with what consequence if the recommendation is ignored.³² The absence of this structure makes judicial supervision vulnerable to becoming symbolic, even when the judge performs the function in good faith.

This finding supports the theory that legal authority without enforceable consequences produces weak accountability in closed institutions. Correctional institutions are different from ordinary public institutions because prisoners depend almost entirely on the state for security, health care, movement, communication, and rehabilitation. In such a setting, discretionary decisions may affect the actual severity of punishment, even when the formal sentence remains unchanged.³³ This is why a weak mandate for judicial supervision creates a legal risk: imprisonment may be executed in ways that exceed or distort the judgment imposed by the court.

The normative weakness also reflects a separation between criminal procedure and correctional law. This separation needs to be understood as the main source of the normative gap. Criminal procedure law keeps the court connected to the execution of its judgment by recognizing supervision and observation after sentencing, whereas correctional law governs the institutional treatment of prisoners inside correctional facilities. However, the current legal position of Kimwasmat remains intermediary and weak because it stands between judicial authority and correctional administration without a clear procedural power to order specific corrective action. When supervision findings relate to violence, denial of health care, unlawful discipline, discrimination, or obstruction of rehabilitation, the existing framework does not clearly determine whether the correctional institution is legally required to respond, within what period, and with what legal consequence if no response is given. Therefore, the normative gap is not merely the absence of supervision, but the absence of a binding legal bridge between judicial findings and correctional obligations. Criminal procedure regulates the judicial process that leads to conviction and sentencing, while correctional law governs the institutional treatment of prisoners after sentencing.³⁴ The problem is that the legal bridge between these two domains remains incomplete, especially regarding how courts should supervise the legality of imprisonment after the person enters the correctional system.³⁵ This incomplete bridge explains why the mandate of Supervisory and Observing Judges needs reconstruction rather than mere administrative improvement.

The rights-based correctional paradigm requires judicial supervision to be measured through substantive indicators, not only through formal compliance with sentence execution.³⁶ These indicators should include access to health care, humane treatment, protection from violence, disciplinary legality, rehabilitation opportunity, remission transparency, and preparation for social reintegration. Without such indicators, supervision may only confirm that a prisoner is serving a sentence in a lawful facility, while ignoring whether the execution of the sentence respects dignity

³¹ Sarah J Summers, "Judicial Imposition of Punishment," in *Sentencing and Human Rights* (Oxford University Press Oxford, 2022), 195-226, <https://doi.org/10.1093/oso/9780192870384.003.0005>.

³² Rd. Dewi Asri Yustia and Faris Fachrizal Jodi, "The Legal Validity of Information Technology Utilization by Judges in Supervising the Execution of Criminal Sentences," *Yustisia Jurnal Hukum* 14, no. 3 (January 2, 2026): 341, <https://doi.org/10.20961/yustisia.v14i3.101459>.

³³ Armstrong, "At Risk of Rights: Rehabilitation, Sentence Management and the Structural Violence of Prison."

³⁴ Riki Afrizal, Tenofrimer, and Diana Arma, "Integrating the Correctional System into Criminal Procedural Law : An Analytical Study on the Urgency of Legal Reform," *Ekasakti Journal of Law and Justice* 3, no. 2 (December 30, 2025): 110-19, <https://doi.org/10.60034/w26a8882>.

³⁵ Vicki Chartrand and Josephine Savarese, eds., *Unsettling Colonialism in the Canadian Criminal Justice System* (Athabasca University Press, 2023), <https://doi.org/10.15215/aupress/9781778290039.01>.

³⁶ Widyawati et al., "The Urgency of Supervision Institutions in Implementing Prisoners' Rights as an Effort to Restructure Criminal Execution Laws."

and legal safeguards. This analysis expands the article's argument that effective penal oversight must connect judicial authority with measurable correctional standards.

The weakness of report-based supervision is particularly significant because reporting is often mistaken for accountability. A report may document a visit, describe institutional conditions, or record communication with correctional officers, but it does not necessarily produce legal change. Accountability requires a duty to explain, a duty to correct, and a mechanism to review non-compliance.³⁷ This distinction is important because the study critiques penal oversight models that stop at documentation without creating enforceable institutional responsibility.

The findings also challenge the assumption that the existence of a Supervisory and Observing Judge is sufficient to satisfy the requirement of judicial control over sentence execution. Formal existence only proves that the legal system recognizes a supervisory role, not that the role has adequate power, standards, procedures, or remedies. A mandate that is legally acknowledged but operationally vague may even conceal institutional weakness because it gives the appearance of oversight without ensuring correctional accountability. This supports the central thesis that judicial supervision must be redefined from a passive monitoring role into a structured legal mechanism for controlling the execution of imprisonment.

The doctrinal reconstruction proposed by this article should therefore begin with the clarification of legal authority. The law must define the object of supervision, the minimum standards used by judges, the evidentiary value of supervision findings, and the obligation of correctional institutions to respond. It should also provide a procedural route for escalating serious findings, especially where sentence execution involves violence, denial of health care, unlawful discipline, discrimination, or obstruction of rehabilitative rights. This formulation is legally necessary because the effectiveness of judicial supervision depends on whether the mandate can produce corrective consequences.

The discussion indicates that the normative weakness of Supervisory and Observing Judges is not a technical defect, but a structural weakness in the architecture of penal accountability. The current mandate does not sufficiently connect the court, the correctional institution, and the prisoner's rights within one enforceable legal framework. As a result, judicial supervision risks becoming detached from the lived reality of imprisonment and from the modern purpose of correctional law. This sub-discussion therefore establishes the normative foundation for the next socio-legal analysis concerning how these weaknesses are experienced by Supervisory and Observing Judges in practice.

Socio-Legal Findings on the Ineffectiveness of Judicial Supervision in Correctional Institutions

Results

The socio-legal findings show that the ineffectiveness of judicial supervision in correctional institutions is produced by the interaction between vague legal authority and limited institutional practice. The documentary analysis confirms that the mandate of Supervisory and Observing Judges, commonly known as *Kimwasmat*, is legally recognized but does not provide a firm procedural route for compelling correctional follow-up. The interviews with judges in the Makassar and Parepare court environments indicate that supervision is generally understood as monitoring the implementation of court judgments rather than as direct control over prison governance. The empirical basis of this finding can be seen from the accounts of four Supervisory and Observing Judges involved in this study. In the Makassar court environment, I Wayan Gede Rumea and Mashuri Effendie described *Kimwasmat* supervision as a function that is mainly carried out through visits, communication, supervision notes, and reports to record the implementation of court judgments. Their accounts indicate that judges may identify problems in sentence execution, but the effect of those findings depends on whether correctional institutions are willing and able to respond. In the Parepare court environment, Andi Musyafir and Ruth Marina Damayanti Siregar similarly explained that supervision is influenced by practical access, available time, coordination patterns, and institutional openness from correctional officers. These interview accounts strengthen the finding that *Kimwasmat* operates more as

³⁷ Rui Abrunhosa Gonçalves, ed., *Correctional Facilities and Correctional Treatment - International Perspectives* (IntechOpen, 2023), <https://doi.org/10.5772/intechopen.102125>.

institutional coordination than as an enforceable mechanism of correctional accountability. This finding shows that the gap between written law and field practice lies in the weak transformation of judicial observation into enforceable correctional accountability.

Table 2.
Triangulation of Socio-Legal Findings on Kimwasmat Supervision

Source of Triangulated Data	Processed Empirical Pattern	Socio-Legal Meaning	Legal Implication
Legal documents	The mandate of Kimwasmat is broad but operationally limited	The law recognizes supervision but does not define strong corrective authority	Judicial findings are not automatically binding on correctional institutions
Interviews with Makassar Kimwasmat judges	Supervision depends on visits, reports, coordination, and institutional access	Judicial control operates through communication rather than enforceable intervention	Oversight becomes vulnerable to administrative formalism
Interviews with Parepare Kimwasmat judges	Field supervision faces practical limits related to coordination, distance, time, and institutional response	The effectiveness of law depends on local institutional capacity	Similar norms may produce different levels of implementation across court areas
Observation of supervision practice	Reporting is more dominant than remedial follow-up	Legal work is completed administratively before institutional change occurs	Sentence execution remains weakly connected to judicial accountability
Cross-source abstraction	Norms, actors, and institutions do not operate within one integrated accountability chain	The written mandate is not fully supported by social and institutional mechanisms	Penal oversight remains ineffective despite formal judicial involvement

Source: Author's analysis of legal documents, interviews, observation, and triangulated findings.

To clarify the empirical evidence behind the processed findings, the interview data were further categorized into two court based patterns. First, the Makassar interviews show that Kimwasmat judges face structural limits caused by caseload, administrative duties, dependence on correctional information, and the absence of a formal escalation mechanism for unresolved findings. This means that even when judges perform supervision, their authority does not automatically create a binding obligation for correctional institutions to correct the identified problems. Second, the Parepare interviews show that closer local communication does not necessarily solve the problem of weak legal authority. Although the judges understand the importance of monitoring prisoners' conditions and sentence implementation, they remain limited when supervision findings require concrete institutional change. These patterns demonstrate that the weakness of judicial supervision is not caused by the passivity of judges, but by the lack of a legal and institutional design that connects judicial findings with mandatory correctional follow up.

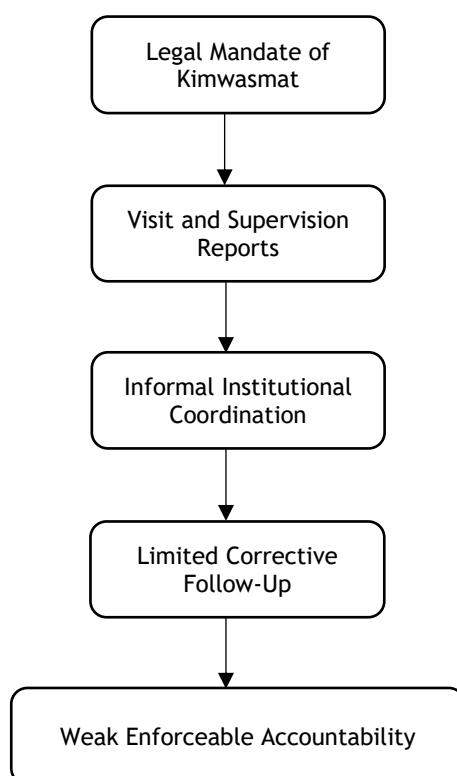
The interviews with I Wayan Gede Rumega and Mashuri Effendie in the Makassar court environment indicate that Kimwasmat judges encounter a structural limitation between judicial responsibility and correctional authority. Their accounts show that the judges may observe, communicate, and prepare supervision notes, but the practical effect of those actions depends largely on the willingness and responsiveness of correctional institutions. The Makassar data also suggest that supervision is influenced by caseload, administrative duties, access to correctional information, and the absence of a detailed legal mechanism for escalating unresolved findings. This pattern shows that judicial supervision in a large urban correctional setting tends to function as institutional coordination rather than as a binding mechanism of sentence-execution accountability.

The interviews with Andi Musyafir and Ruth Marina Damayanti Siregar in the Parepare court environment reinforce the finding that the effectiveness of Kimwasmat is shaped by local institutional realities. Their perspectives indicate that supervision is not merely a matter of legal mandate, but also depends on communication patterns, practical access to correctional institutions, available time, and the level of institutional openness from prison officials. The Parepare findings show that judges

may understand the importance of monitoring prisoners' conditions and the implementation of judgments, yet they face limits when supervision findings require concrete correctional change. This confirms that the socio-legal weakness of Kimwasmat lies in the distance between normative authority and the practical capacity to influence correctional governance.

The relationship between law, institutional behavior, and correctional practice can be summarized through the following socio-legal pattern. The diagram shows that the mandate of Kimwasmat does not fail because judges ignore their role, but because the legal and institutional design does not produce a complete accountability chain. Supervision begins from a legal mandate, moves into visits and reports, then enters informal coordination, but often stops before enforceable correction. This pattern explains why judicial supervision may be present in form while remaining weak in outcome.

Figure 1.
Socio-Legal Accountability Chain of Kimwasmat Supervision



Source: Author's analysis of socio-legal findings.

This figure shows that the socio-legal weakness of Kimwasmat does not occur at the level of formal mandate, because judicial supervision is already legally recognized. The weakness appears when supervision moves from visits and reports to institutional coordination, because the existing framework does not ensure binding corrective follow-up. As a result, the accountability chain remains incomplete, and judicial supervision tends to stop at documentation and informal communication rather than producing enforceable correctional accountability.

Discussion

The findings demonstrate that the law does not operate in correctional institutions as a self-executing command. From a socio-legal perspective, legal norms require institutional actors, administrative routines, resources, and a culture of compliance before they can produce practical consequences. The Kimwasmat mandate is normatively important because it preserves the idea that

courts remain connected to the execution of their judgments,³⁸ but the field findings show that this connection is not sufficiently institutionalized. This explains why judicial supervision becomes ineffective when legal recognition is not supported by procedural force and administrative responsiveness.

The Makassar findings show that the larger and more complex the correctional environment, the more difficult it becomes for judicial supervision to produce direct legal effects. The Makassar evidence shows that supervision is constrained not only by the size of the correctional environment, but also by the absence of a binding procedure that requires correctional institutions to answer judicial findings. The accounts of I Wayan Gede Rumega and Mashuri Effendie indicate that supervision can identify relevant problems, but the judge's role generally stops at observation, communication, and reporting. This supports the conclusion that the practical weakness of Kimwasmat lies in the gap between identifying a problem and compelling an institutional response. I Wayan Gede Rumega and Mashuri Effendie's accounts reflect the difficulty of translating supervisory authority into measurable institutional correction when judges remain tied to court workloads and limited procedural instruments. This condition illustrates the socio-legal concept that state institutions may formally accept a legal norm while limiting its practical effect through routine, workload, hierarchy, and bureaucratic dependence. The result supports the argument that ineffective penal oversight emerges when judicial supervision is treated as an additional administrative duty rather than as a core element of lawful sentence execution.

The Parepare findings show that smaller court environments do not automatically produce more effective supervision. The Parepare evidence confirms this structural problem from a different institutional setting. The accounts of Andi Musyafir and Ruth Marina Damayanti Siregar indicate that local proximity may make communication easier, but it does not provide judges with stronger remedial authority. This finding is important because it shows that ineffective supervision cannot be solved only by improving communication or access. It requires a clearer legal mechanism that obliges correctional institutions to respond to supervision findings and to report corrective measures. Andi Musyafir and Ruth Marina Damayanti Siregar's perspectives indicate that local proximity may support communication, but it does not resolve the absence of binding authority, clear standards, and mandatory follow-up. This shows that the problem is not only geographical or technical, but structural within the legal design of Kimwasmat. The finding therefore challenges the assumption that improving coordination alone is sufficient without reconstructing the legal consequences of supervision findings.

The interaction between written law and correctional practice reveals a form of administrative formalism. Judges may fulfill the visible requirements of supervision through visits, notes, reports, and communication, while correctional institutions may receive those inputs without being legally compelled to implement specific changes.³⁹ This creates a gap between procedural completion and substantive accountability. The finding is important because it shows that the effectiveness of judicial supervision must be measured not by the existence of reports, but by whether those reports alter unlawful or inadequate conditions in sentence execution.

The empirical pattern also shows a weak link between judicial supervision and prisoners' rights. The modern correctional paradigm requires attention to dignity, health, rehabilitation, protection from violence, access to legal remedies, and preparation for reintegration, but the Kimwasmat function is not consistently supported by rights-based indicators.⁴⁰ Without such indicators, judges may supervise whether a sentence is being executed, but they may not have sufficient tools to assess whether imprisonment is being executed lawfully and humanely. This condition supports the article's thesis that judicial supervision must be redefined as rights-sensitive oversight rather than mere post-sentencing observation.

³⁸ Ameerah binti Amir et al., "The Role of The Prosecutor as Executor of Court Decisions in Returning Confiscated Objects and State Spoils in Criminal Cases: Comparing Indonesia, Malaysia, Nigeria, and Thailand," *IJCLS (Indonesian Journal of Criminal Law Studies)* 7, no. 1 SE-Articles (n.d.): 1-26, <https://doi.org/10.15294/ijcls.v7i1.38373>.

³⁹ Ratu Arum Ningtyas and Ali Muhammad, "The Role of Supervising Judges in Preventing Violence Against Prisoners in Correctional Institutions," *Santhet (Jurnal Sejarah Pendidikan Dan Humaniora)* 7, no. 2 (November 7, 2023): 788-93, <https://doi.org/10.36526/santhet.v7i2.3219>.

⁴⁰ Mulyadi Alrianto Tajuddin, Darmawati Darmawati, and Rendie Meita Sarie Putri, "The Forgotten Pillar: Strengthening The Correctional Subsystem in The Integrated Reform of The Criminal Justice System," *Privet Social Sciences Journal* 5, no. 11 (November 27, 2025): 495-506, <https://doi.org/10.55942/psj.v5i11.1071>.

The findings align with the doctrine of rule of law because they show that punishment must remain legally accountable throughout execution. A court judgment does not exhaust the legality of punishment, since imprisonment continues through daily administrative decisions that affect liberty, dignity, and rehabilitation. When those decisions are weakly supervised, the correctional institution may become the dominant actor in shaping the real content of punishment.⁴¹ This socio-legal evidence supports the need to reposition Kimwasmat as a judicial mechanism that safeguards the legality of sentence execution.

The findings also correspond with the theory of legal effectiveness, particularly the view that law works through the interaction of legal substance, legal structure, and legal culture. The legal substance is weak because the mandate is broad but lacks enforceable follow-up, the legal structure is limited because coordination between courts and correctional institutions is not supported by strong procedural channels, and the legal culture remains formal because supervision is often treated as reporting rather than correction. The accounts from Makassar and Parepare show that judges recognize the importance of supervision, but their capacity to produce institutional change is constrained by the surrounding legal and administrative environment. This synthesis confirms that ineffective judicial supervision is not caused by a single actor, but by the incomplete design of the socio-legal system.

The discussion therefore shows that redefining judicial supervision requires more than strengthening the personal commitment of Kimwasmat judges. The legal framework must establish minimum supervision standards, rights-based indicators, a mandatory response mechanism, and an escalation route when correctional institutions fail to address judicial findings. Such reconstruction would allow interviews, visits, reports, and observations to function as parts of an accountability process rather than as disconnected administrative activities. This sub-discussion concludes that the ineffectiveness of judicial supervision in correctional institutions is rooted in the gap between formal mandate and social operation, making socio-legal reconstruction necessary for building an accountability-based penal oversight model.

Conclusion

This study concludes that judicial supervision in correctional systems remains ineffective because the mandate of Supervisory and Observing Judges is formally recognized but not supported by enforceable authority, measurable standards, and mandatory follow-up mechanisms. The doctrinal findings show that the mandate still operates within a broad and procedural framework, which allows judges to observe and report on sentence execution without ensuring that their findings produce corrective legal consequences. The socio-legal findings further demonstrate that this normative weakness is reproduced in practice through limited institutional coordination, dependence on correctional responsiveness, administrative workloads, and the absence of a clear accountability chain between courts and correctional institutions. Therefore, the central answer to the research question is that judicial supervision must be redefined from a passive post-sentencing monitoring function into an accountability-oriented mechanism for safeguarding the legality, dignity, and fairness of imprisonment.

This study contributes by reconstructing judicial supervision as part of the continuing legality of punishment. Theoretically, the study expands the discourse on penal legality by arguing that the legality of punishment does not end when a judgment is delivered but continues throughout the execution of imprisonment inside correctional institutions. Practically, the study offers a basis for reforming the Kimwasmat function through clearer supervision standards, rights-based indicators, mandatory institutional responses, and an escalation mechanism for unresolved or serious findings. This contribution is original because it shows that ineffective penal oversight is rooted not only in implementation problems, but also in an incomplete legal design that fails to transform judicial observation into enforceable correctional accountability.

This study is limited by its focus on the legal mandate and empirical experiences of Supervisory and Observing Judges in selected court environments, particularly Makassar and Parepare. The findings

⁴¹ Rosemary Ricciardelli, Bethany Easterbrook, and Jennifer Turner, "The Continuum of Moral Harms: Correctional Officers' Perspectives of Prison and the Influence on Their Wellness," *Journal of Police and Criminal Psychology* 39, no. 4 (December 23, 2024): 845-56, <https://doi.org/10.1007/s11896-024-09659-w>.

therefore should not be generalized to all courts or correctional institutions without further comparative research involving broader regions, additional correctional officials, prisoners, prosecutors, lawyers, and institutional policymakers. Future studies should examine how judicial supervision operates across different types of correctional institutions, including women's prisons, juvenile facilities, high-risk prisons, and overcrowded institutions, so that the accountability model can be tested in more diverse contexts. Policy reform should integrate courts, correctional institutions, and supervisory bodies through clear duties, measurable indicators, transparent reporting, and enforceable remedial consequences.

More concretely, legal reform should strengthen Kimwasmat by establishing minimum supervision standards, rights-based correctional indicators, mandatory written responses from correctional institutions, time limits for follow-up, and escalation mechanisms for unresolved findings. It should also clarify the evidentiary value of Kimwasmat reports and the institutional forum responsible for reviewing non-compliance, so that judicial supervision becomes a mechanism for ensuring lawful, humane, and accountable sentence execution.

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Statement on the Use of Generative Artificial Intelligence (AI)

In preparing this manuscript, the authors used ChatGPT (OpenAI) and Grammarly exclusively to improve language, grammar, clarity, and readability. All AI-assisted content was critically reviewed, revised, and verified by the authors and did not replace scholarly judgment, data analysis, interpretation, or conclusions. The authors retain full responsibility for the manuscript's accuracy, originality, integrity, and final content in accordance with the journal's Generative Artificial Intelligence (GenAI) policy.

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