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Police Clearance Certificate Policies and the Protection of Former Prisoners against Employment Discrimination

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A R T I C L E I N F O

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A B S T R A C T

Police clearance certificates are frequently used in employment recruitment, raising concerns about equal employment opportunities for former prisoners. This study examines the implications of Police Clearance Certificate (SKCK) requirements for employment access and human rights protection, as well as policy alternatives supporting social reintegration. Using normative legal research, the study employs statutory and conceptual approaches based on legal regulations and relevant literature. The analysis indicates that indiscriminate use of criminal records in recruitment may reinforce social stigma and restrict employment opportunities for individuals who have completed their sentences. Such restrictions require careful examination against principles of equality, non-discrimination, and the rehabilitative objectives of correctional policies. Policy reform may include job-related background assessments, vocational certification, employment assistance, and cooperation between correctional institutions and employers. The study concludes that proportional recruitment requirements and sustained reintegration support are necessary to balance legitimate workplace security concerns with fair employment opportunities for former prisoners.

INTRODUCTION

Access to employment is an important part of community life because it relates to an individual's ability to meet economic needs and fulfil social roles. For someone who has completed a criminal sentence, employment opportunities carry particular significance in the process of returning to life within society. Former prisoners may face difficulties in rebuilding social relationships and earning an income after undergoing rehabilitation in correctional institutions. These problems can become more complex when the recruitment process requires a Police Clearance Certificate (SKCK). This document is used to provide administrative information on a person's police record, but its use can become problematic when a criminal history is treated as grounds for rejection without considering the applicant's capabilities (Prabowo, 2022). This situation places Police Clearance Certificate policies at the intersection of employment administration needs and the protection of individual rights.

The policy on the use of the Police Clearance Certificate is related to employers' interest in knowing the background of prospective workers. Such information may form part of the considerations in determining whether a person is suitable for the position applied for. However, using a criminal history as a basis for selection can lead to inequality if all former prisoners are assumed to share the same character. A person who has served a sentence still has skills and experience that can be used in the workplace. Najibuddin (2014) examined public perceptions of former prisoners and showed that social acceptance becomes a problem after a person returns from a correctional institution. Negative public views can affect social relationships and economic opportunities. Discrimination and social stigma arising from the use of criminal history information in recruitment can cause psychological pressure, feelings of isolation, and reduced self-confidence among former prisoners, so recruitment policies need to prevent discriminatory treatment that hinders their employment opportunities and social reintegration (Pakpahan et al., 2022).

Protection of employment opportunities is related to the principles of human rights and

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equality. In the Indonesian legal system, the 1945 Constitution of the Republic of Indonesia serves as the constitutional basis for discussing the right to work and to a decent livelihood. Law Number 39 of 1999 on Human Rights is also relevant for examining fair treatment and the protection of individual dignity. These principles need to be considered when administrative requirements are used to determine a person's opportunity to enter the workforce. Nevertheless, equal treatment does not mean that all positions must be open without requirements concerning security or suitability. The legal issue lies in the alignment between the purpose of examining a criminal history and the needs of the job. The use of the Police Clearance Certificate needs to be assessed proportionally so that administrative requirements do not result in excessive restrictions on employment opportunities (Hambodo & Darmawan 2024).

Social reintegration is part of the process by which former prisoners return to community life after serving their sentences. This process requires individuals to be able to build social relationships, earn an income, and engage in responsible activities. Sari (2021) examined the social reintegration of correctional clients from a sociological perspective, providing material for understanding the relationship between guidance and the process of readjustment within society. In certain circumstances, a person who has undergone rehabilitation still faces difficulty in obtaining employment because of public views of their criminal history. This situation can reduce opportunities to apply the skills acquired during rehabilitation. Access to employment needs to be viewed as part of reintegration needs, even though employment is not the only factor determining whether a person succeeds in life after release.

The use of criminal history in the recruitment process also raises questions about the limits of an employer's authority in determining job requirements. Companies have an interest in protecting their business activities, customers, and workers from risks relevant to the type of work. However, this need must be distinguished from the practice of rejecting applicants solely on the basis of their status as former prisoners. A criminal history does not always bear the same relationship to every type of job. A more targeted assessment can consider the nature of the job and the applicant's capabilities without disregarding security needs (Rovira, 2020). In this regard, the debate over Police Clearance Certificate policies should not stop at the choice between retaining or abolishing the document. The more fundamental issue is how administrative information is used fairly in employment decision-making.

Rehabilitation and skills training are related to former prisoners' ability to obtain employment after release. Education and training can help a person develop competencies that match labor market needs. Astana and Subroto (2023) examined the optimization of intramural rehabilitation to support the social reintegration of prisoners. Their study shows the importance of rehabilitation as part of preparation for returning to society. However, the skills acquired during rehabilitation do not necessarily yield benefits if the recruitment process gives former prisoners no opportunity to demonstrate their competencies. This issue points to the need for a clearer relationship among correctional policy, the provision of training, and workforce needs. Administrative requirements should not negate the function of rehabilitation without justifiable reasons.

Technological developments also open the possibility of using digital services to support rehabilitation and social reintegration. Darmawati (2022) examined the renewal of a technology-based rehabilitation assessment model for recidivist prisoners. The discussion is relevant for understanding the use of technology in managing information related to the rehabilitation process. In the employment sector, information on skills and job readiness can help employers assess applicants' capabilities more comprehensively. Nevertheless, the use of technology must take into account the risk of disseminating personal information, which can reinforce stigma against former prisoners. Social stereotypes can influence perceptions of individuals and encourage discriminatory treatment that limits employment opportunities, so assessments of prospective workers need to be based on individual capabilities and avoid unfounded generalizations (Sajjapong et al., 2022). Information on criminal history affects a person's reputation and should not be used without considering the purpose of its use. The development of more open policies needs to go hand in hand with attention to information protection and fair treatment.

Studies on Police Clearance Certificate policies and the reintegration of former prisoners show a relationship among the need for administrative checks, employment opportunities, and the protection of human rights. The research materials discuss the impact of using the Police Clearance Certificate on access to employment, its compatibility with the principles of human rights and equality, and possible alternative policies to support social reintegration. These three discussions can be placed within two interrelated research issues. The first

concerns the impact of using the Police Clearance Certificate in recruitment and its assessment based on the principle of fair treatment. The second concerns policy reformulation options so that criminal history checks do not become a disproportionate barrier to social reintegration. Both issues need to be analyzed together because the protection of employment opportunities must take into account the rights of former prisoners and legitimate security interests.

This study is directed at answering two research problems: how the Police Clearance Certificate policy affects former prisoners' access to employment from the perspective of human rights and equality, and what alternative reformulations of the Police Clearance Certificate policy could support the social reintegration of former prisoners. The study aims to analyze the relationship between the use of criminal history information in recruitment and an individual's opportunity to obtain employment after completing a sentence. It also aims to outline policy alternatives that consider competency assessment, skills training, and institutional support in the process of social reintegration. The discussion is conducted through a normative examination of regulations and the literature contained in the research materials. Through this examination, it is expected that an argument can be developed for the use of more proportional administrative requirements, without disregarding the protection of individual rights and employers' interests.

RESEARCH METHOD

This study uses a normative legal research method through a literature study of legal materials and academic literature relevant to the use of the Police Clearance Certificate in employee recruitment. The approaches used are the statute approach and the conceptual approach. The statute approach is directed at examining the relationship among the regulation of human rights, employment opportunities, and corrections, as discussed in the appendix. The conceptual approach is used to explain the principles of equality, non-discrimination, social reintegration, and the proportionality of administrative requirements. The primary legal materials are limited to the regulations mentioned in the source manuscript, namely the 1945 Constitution of the Republic of Indonesia, Law Number 39 of 1999 on Human Rights, and Law Number 12 of 1995 on Corrections as part of the historical material used in the appendix. This corrections law is not treated as law that remains in force.

Secondary legal materials were obtained from scientific articles and publications on public perceptions of former prisoners, social reintegration, correctional rehabilitation, and the use of technology in rehabilitation assessment. The materials were collected through documentation techniques and grouped according to the two research problems. The analysis was conducted qualitatively through systematic interpretation and normative reasoning to explain the relationship between administrative policy and the principle of equality and the goal of social reintegration. This study does not use interviews, surveys, or measurements of unemployment rates or recidivism. The argument concerning the impact of the policy is presented as a normative analysis and is not stated as statistical evidence about all recruitment practices in Indonesia.

RESULT AND DISCUSSION

The Impact of the Police Clearance Certificate Policy on Former Prisoners' Access to Employment from the Perspective of Human Rights and Equality

The Police Clearance Certificate (SKCK) is an administrative document used to provide information on a person's police record. In the employee recruitment process, the Police Clearance Certificate is often made one of the requirements for assessing the background of prospective workers, in both government agencies and private companies. The use of this document is related to employers' interest in obtaining the information they need before accepting someone as a worker. However, its application can become problematic when criminal history information is used as a reason to reject prospective workers without considering their individual capabilities and circumstances (Sari, 2019). This problem is faced especially by former prisoners who have completed their sentences and are trying to rebuild their lives through lawful employment. The Police Clearance Certificate policy needs to be examined in terms of its administrative function and the effect of its use on the employment opportunities of this group.

Former prisoners are part of society who have an interest in earning an income and living independently after completing their sentences. The process of returning to society requires the ability to adjust to the social environment and the opportunity to engage in productive activities. Employment holds an important position in this process because it can provide an income, build independence, and help a person regain social trust. However, employment opportunities are not always easy to obtain because former prisoners may face negative judgments related to their past involvement in crime

(Miswanto & Iswandi, 2018). In such circumstances, the use of the Police Clearance Certificate as a recruitment requirement has the potential to reinforce barriers that already arise from social stigma. This issue needs to be viewed as a relationship between administrative policy and the goal of social reintegration.

Rehabilitation of prisoners is fundamentally directed at preparing them to return to life in society. This process is related to an individual's ability to develop responsible behavior and acquire skills that are useful after release. However, the results of rehabilitation can encounter obstacles if the social environment and the workplace do not give former prisoners the opportunity to use the capabilities they have acquired. Rejection from employment based solely on criminal history can reduce such opportunities (Santos et al., 2024). This situation shows a problem in the relationship between the goal of rehabilitation and the use of administrative requirements in employee recruitment. Policies that support social reintegration need to ensure that background checks do not eliminate a person's opportunity to demonstrate changes in behavior and competence.

Social stigma is one of the problems related to the lives of former prisoners after they return to society. Negative views can arise because society still associates a person with the crime they once committed (Zahid et al., 2022). Najibuddin (2014) examined public perceptions of former prisoners and showed the relevance of social acceptance in an individual's life after serving a sentence. Public perceptions are related to how former prisoners are treated in their living environments and in economic activities. When such negative judgments influence hiring decisions, a person's capabilities may receive less attention than their criminal history. This situation has the potential to hinder former prisoners' opportunities to lead productive lives.

In the recruitment process, employers have an interest in determining the suitability of prospective workers for the needs of the job. Such an assessment may cover education, experience, skills, the ability to work with others, and backgrounds relevant to the responsibilities of the position. However, using criminal history as the primary measure of job suitability requires careful consideration. Not every criminal history bears a direct relationship to every type of job. Former prisoners who have certain skills may still be capable of meeting the requirements of the position they apply for. Using the Police Clearance Certificate without examining the relationship between criminal history and the nature of the job has the potential to result in disproportionate treatment. This issue becomes more important when administrative information is treated as the sole determinant of recruitment decisions. Decisions that rely on criminal history also need to follow fair and transparent procedures, so that applicants have an opportunity to explain their circumstances before being rejected (Prasetyo et al., 2024).

From the perspective of human rights, the opportunity to obtain employment is related to respect for human dignity and fair treatment. The 1945 Constitution of the Republic of Indonesia and Law Number 39 of 1999 on Human Rights serve as a general basis for discussing the relationship between the right to work and the principle of non-discrimination. Former prisoners who have completed their sentences remain members of society with an interest in earning a decent livelihood (Salsabila et al., 2024). A criminal history cannot be used as a basis for disregarding all the rights inherent in a person. However, fulfilling the principle of equality must also take into account job requirements that have objective justification. The legal assessment of the use of the Police Clearance Certificate requires a distinction between relevant requirements and restrictions that have no adequate relationship to the job.

The principle of non-discrimination is important in ensuring that a person is not treated unfairly solely on the basis of certain circumstances that are irrelevant to the decision being made. In employee recruitment, a fair assessment needs to allow room for examining the capabilities and suitability of prospective workers. The use of criminal history can become problematic when all former prisoners are assumed to present the same level of risk without considering the nature of the job and their individual circumstances (Irfan & Hariani 2023). However, differences in treatment are not always discrimination when there is an objective justification and a proportional relationship to the needs of the position. By understanding this distinction, the discussion of Police Clearance Certificate policies can be directed at the quality of recruitment decisions, rather than merely at the presence or absence of an administrative document.

Security needs in the workplace remain an interest that must be taken into account. Companies have a responsibility to safeguard their business activities and to protect workers, customers, and other parties connected with the job. In certain jobs, information on the background of prospective workers may bear a relationship to the nature of the responsibilities they will carry out. However, this

need does not justify treating all jobs with the same requirements. Security requirements must still respect workers' right to employment, so their limits need to be clear and justifiable (Suyuti et al., 2023). A more proportional check can consider the relevance of criminal history to the position applied for. Such an individual assessment helps distinguish the use of the Police Clearance Certificate for explainable security interests from the use of criminal history as a basis for blanket rejection.

Another issue that arises is the relationship between the use of the Police Clearance Certificate and the protection of personal information. Records of criminal history are information that can affect a person's reputation and social opportunities (Lam & Harcourt, 2003). When such information is used in the recruitment process, attention must be paid to the purpose of its collection and use. The use of information should be related to a legitimate assessment need and should not go beyond the interests of the job under consideration. Disseminating criminal history information without adequate restrictions has the potential to reinforce stigma against former prisoners. In such circumstances, the Police Clearance Certificate policy issue is not limited to employment opportunities but also concerns respect for individual dignity and the responsible use of information.

From the perspective of administrative law, policies related to police documents need to be implemented with attention to the principles of legal certainty, transparency, and accountability. The issuance of an administrative document and its use by employers are two activities with different functions. The issuance of the Police Clearance Certificate concerns the provision of information through the applicable mechanism, whereas its use in recruitment concerns the decisions of the parties who require the document. This distinction is important because an employer's decision cannot be assessed solely on the validity of the document used. Recruitment policies still need to be examined in terms of the reasons and the manner in which such information is taken into consideration (Essa & Mardikaningsih 2024). By separating these two functions, policy reformulation can be directed more precisely.

In social relations, rejection from employment can affect former prisoners' readjustment after completing their sentences. Limited opportunities to earn an income can increase the difficulty of meeting living needs and building independence. This situation can also affect a person's relationships with family and the surrounding society. However, it is inaccurate to conclude that every former prisoner who experiences unemployment will reoffend. Recidivism is influenced by many circumstances, including social support, economic opportunities, education, and individual conditions (Sitepu et al., 2024). The use of the Police Clearance Certificate needs to be examined as one factor that potentially affects employment opportunities, rather than as the sole cause of unemployment or recidivism.

The relationship between employment and social reintegration shows that rehabilitation cannot be entirely separated from a person's life after release. Employment opportunities can help former prisoners apply the skills they have acquired and build more stable social relationships. Conversely, limited employment opportunities can reduce the room to use those capabilities. Unequal access to employment can also widen social gaps and weaken social cohesion (Mardikaningsih, 2021). This issue is related to the quality of the employment policies applied to groups with a criminal history. Policies that pay attention to capability and job readiness can support the reintegration process without eliminating the need to examine job requirements. Such an assessment is necessary so that the goal of rehabilitation is not obstructed by administrative requirements that disregard individual circumstances.

Pekuwaly (2012) examined the development of legal reform in Indonesia following national political change. This literature can be positioned as support for the discussion on the need to evaluate legal policy so that its implementation remains consistent with the goal of justice. In the Police Clearance Certificate issue, policy reformulation requires an assessment of the relationship between administrative authority and individual rights. A policy that has long been used in recruitment practice still needs to be evaluated if its application gives rise to disproportionate treatment. However, policy change must also take into account the legal and administrative needs that underlie the use of the Police Clearance Certificate. Such an assessment can help ensure that reformulation is not carried out merely on the basis of views about abolishing the requirement, but through an examination of the purpose and consequences of its use.

The discussion of Police Clearance Certificate policies is also related to the principle of equality before the law. Former prisoners who have completed their sentences still have an interest in being treated as members of society who can exercise rights and obligations. Treatment based disproportionately on criminal history can reinforce social exclusion. However, equality does not require disregarding all job requirements related to security

and special responsibilities. The issue is how such requirements are determined and applied objectively. In this regard, administrative policy needs to avoid generalizations about former prisoners and provide an opportunity for assessing the circumstances of each applicant. An approach that looks at individual circumstances and the possibility of recovery can reduce excessive reliance on past punishment in recruitment decisions (Darmawan & Negara, 2023).

The use of the Police Clearance Certificate as a recruitment requirement also needs to be understood in relation to the needs of the business sector. Employers have an interest in obtaining workers who meet the qualifications and are able to carry out the responsibilities of the job. An assessment that focuses too heavily on criminal history may cause competence and work experience to receive inadequate attention. However, this research material provides no basis for stating that the general application of the Police Clearance Certificate has caused the loss of a certain number of qualified workers. Statements about broad economic impact require empirical research that can measure the relationship between recruitment requirements and hiring decisions. In a normative study, this issue is more appropriately positioned as a policy risk that requires evaluation. Public and employer awareness of human rights also needs to be strengthened so that policy evaluation proceeds fairly (Hardyansah et al., 2022).

Experiences with more inclusive recruitment policies in other countries provide a conceptual comparison on the use of criminal history. One approach discussed in the appendix is Ban the Box, which restricts questions about criminal records at the early stage of job selection in a number of jurisdictions in the United States. This approach aims to give applicants an opportunity to have their qualifications assessed before criminal history information is taken into consideration. In the recruitment process, individual characteristics such as age can be related to the chances of obtaining employment, so the assessment of prospective workers needs to consider the relevant factors in determining their suitability to enter the labor market (Khayru et al., 2022). However, its implementation is related to the legal system and the characteristics of the local labor market. Such a policy cannot be transferred directly to Indonesia without assessing institutional authority, employers' needs, and the consequences that may arise from changes to the recruitment mechanism. This comparison shows that the reformulation of the use of the Police Clearance Certificate requires consideration that fits the national legal situation.

Normatively, the Police Clearance Certificate policy issue lies in the possible imbalance between administrative purposes and the consequences of its use for individual opportunities. A document intended to provide information can create barriers when it is treated as a comprehensive measure of a person's suitability. In employment relations, the ability to work should be an important part of the assessment, while other information is used according to its relevance to the responsibilities of the job. The proportional use of criminal history allows employers' interests to be taken into account without disregarding former prisoners' opportunities to build productive lives. A policy that does not distinguish the nature of the job has the potential to produce restrictions broader than what is actually needed.

Based on the above discussion, the Police Clearance Certificate policy has a potential impact on former prisoners' access to employment when criminal history information is used without individual assessment. This issue is related to social stigma, opportunities to earn an income, and the process of reintegration after a person completes a sentence. From the perspective of human rights and equality, the use of the Police Clearance Certificate needs to consider the principle of fair treatment and the relationship between administrative requirements and the needs of the job. However, employers' security interests must still receive attention as long as they are based on relevant and justifiable reasons. This study shows that disproportionate restrictions on employment opportunities need to be evaluated so that the Police Clearance Certificate policy can be implemented without excessively hindering the goal of social reintegration.

Competency Development and Utilization of Senior Workers' Knowledge

Social reintegration is the process by which a person returns to life in society after serving a sentence. This process includes the ability to build social relationships, meet living needs, and engage in responsible activities. Former prisoners may face various barriers during the adjustment period, especially those related to public acceptance and the opportunity to obtain employment. This situation shows that social reintegration requires policy support that does not stop at the implementation of rehabilitation during the sentence. Employment opportunities are related to a person's ability to apply skills and build independence after release. The reformulation of the use of the Police Clearance Certificate is one issue that can be considered

because administrative requirements in recruitment have the potential to affect those opportunities.

Sari (2021) examined the social reintegration of correctional clients from a sociological perspective. The discussion shows the relevance of guidance and supervision in helping individuals adjust to life in society. Reintegration cannot be understood merely as the end of a sentence, because a person may still face social problems after release. Difficulty in obtaining employment, limited income, and negative public views can affect the adjustment process. In such circumstances, policies related to the workplace need to pay attention to former prisoners' need to rebuild productive lives. Such support can take the form of fair recruitment assessment, skills improvement, and assistance that fits individual circumstances.

Alternative reformulations of the Police Clearance Certificate policy can be directed at changing how criminal history information is used in employee recruitment. The use of the Police Clearance Certificate need not always be interpreted as a requirement that results in the automatic rejection of former prisoners. Such information can be considered in light of its relationship to the nature of the job applied for. In this approach, employers need to pay attention to the skills, experience, and capabilities of prospective workers. Support from employers after a worker is hired also helps former prisoners adjust to the workplace (Hariani et al., 2021). Criminal history can be one piece of information assessed when it is relevant to the responsibilities of the position. A policy of this kind allows background checks to continue for legitimate interests without disregarding an individual's opportunity to demonstrate their competence.

An assessment that considers the nature of the job is related to the principle of proportionality. Not all positions carry the same level of risk and responsibility. Certain jobs may require more specific background checks, whereas other jobs may place more emphasis on applicants' technical skills and experience (Mufti & Riyanto, 2023). A Police Clearance Certificate requirement applied uniformly to all jobs has the potential to produce restrictions that do not match the needs of the position. Policy reformulation can consider providing an explanation of the circumstances in which criminal history information is needed as selection material. Such an explanation would help employers use the information more objectively and give prospective workers certainty about the reasons for the check.

In addition to the relevance of criminal history, the timing of the use of information in the recruitment process can also be part of policy consideration. One alternative is to give applicants the opportunity to take a competency assessment before a criminal history check is conducted, where the nature of the job allows. This approach aims to ensure that individual capabilities receive attention from the early stage of selection. A selection process that focuses on competence also helps employers obtain workers who can perform well (Darmawan, 2024). However, this alternative must be understood as a proposed reformulation, not as a mechanism that has automatically been made mandatory. Its implementation requires compatibility with employment policy and the applicable job requirements. Using information at the appropriate stage can help reduce the risk of rejection based solely on a person's status as a former prisoner.

Policy reformulation can also consider restricting the use of information that is unrelated to the job. Criminal history information has a certain administrative value, but its use needs to be directed at a clear purpose. If such data is used beyond the needs of the check, there is a risk of increasing social stigma against the individual concerned. A policy that pays attention to the purpose and limits of information use can help maintain public trust in the administrative process. However, changes to the content or form of the Police Clearance Certificate cannot be treated as actions that can be taken without a legal basis. Proposed changes require an examination of the authority of the issuing institution and the relationship with the needs of the parties who use the document.

Education and skills training are another alternative that has a direct relationship with social reintegration. Former prisoners may face employment barriers because the skills they have do not match workforce needs. Rehabilitation during the sentence can be directed at improving this situation through relevant education and training activities. However, the benefits of training depend on its compatibility with the needs of the business sector and on participants' ability to apply it after release. Training programs that have no connection to real employment opportunities have the potential to provide only limited benefits. Recruitment and training systems that are clear and fair also help applicants gain equal opportunities (Darmawan, 2021). Training also needs to prepare workers for changing job demands (Mardikaningsih & Darmawan, 2023). The reformulation of the Police Clearance Certificate policy needs to be positioned together with strengthening skills so that the issue of employment opportunities is not understood merely as a problem of administrative documents.

Astana and Subroto (2023) examined the optimization of intramural rehabilitation in supporting improved social reintegration through a study of correctional institutions. The discussion shows that rehabilitation activities are related to preparing individuals to return to society. In employment matters, strengthening rehabilitation can be directed at capabilities that match industry needs. Technical training, communication skills development, and habituation to work responsibilities can be part of this preparation. However, the implementation of rehabilitation needs to take into account the circumstances of participants and the availability of facilities. Rehabilitation that is designed in a targeted way can provide more useful provisions when former prisoners face the job selection process.

Skills certification can be one means of demonstrating the competence acquired during rehabilitation. Such a document can provide information on a participant's abilities in a particular field. For employers, certification can help complete the assessment of prospective workers' readiness. However, skills certification has a different function from the Police Clearance Certificate. Certification shows competence, whereas the Police Clearance Certificate concerns administrative information on police records. The two documents cannot be treated as substitutes for each other without an appropriate policy basis. In the reformulation of recruitment, certification is better positioned as part of strengthening the assessment of applicants' capabilities so that criminal history does not become the only consideration. Skills-based programs are associated with lower reoffending, although their effects vary across programs, so certification needs to match real job requirements (Fox et al., 2021).

Cooperation between correctional institutions and the business sector is important in expanding employment opportunities. Correctional institutions can help prepare skills, while employers have information on the capabilities needed in business activities. This relationship can be used to design training that better fits the needs of the job. However, cooperation needs to consider the interests of participants and the capacities of the institutions and companies involved. Programs designed without a clear connection to job needs may face barriers in their implementation. A targeted partnership can help connect the results of rehabilitation with employment opportunities without guaranteeing that all participants will immediately obtain jobs after release. Employers' hiring preferences and legal restrictions also shape the job opportunities available to former prisoners, so cooperation needs to take these conditions into account (Raphael, 2010).

The role of companies is also needed in shaping a selection process that pays attention to the capabilities of former prisoners. Employers can develop internal policies that provide opportunities for individual assessment of applicants with a criminal history (Shoham & Haviv, 2024). Such an assessment can still consider security interests when they relate to the responsibilities of the job. However, recruitment decisions should not be based on the assumption that all former prisoners share the same character and risk. Giving applicants the opportunity to take a skills assessment can help companies obtain more complete information on the capabilities of prospective workers. Such an approach supports the relationship between business needs and the goal of social reintegration.

Incentives for companies that provide employment opportunities to former prisoners can also be considered as a policy alternative. This idea aims to encourage private sector involvement in providing job opportunities for groups facing social barriers. However, the form and success of incentives cannot be determined merely on the assumption that companies will accept more former prisoners after receiving certain support. An incentive policy requires examination of the form of assistance, the requirements for recipients, the cost of implementation, and its impact on employment opportunities. In normative research, incentives can be positioned as an option that requires further policy development, not as a mechanism that has been proven effective.

Social reintegration also requires community support because employment opportunities cannot be entirely separated from social acceptance. Former prisoners may face difficulties in rebuilding relationships with the communities where they live after completing their sentences. Persistent negative perceptions can affect their self-confidence and their opportunities to participate in community activities. Public education on the objectives of correctional guidance and reintegration may help increase understanding that individuals have the opportunity to improve their lives (Rizaldy et al., 2023). However, changing public perceptions is a process that cannot be accomplished through one-off outreach activities. Experiences of interaction and the involvement of former prisoners in positive activities are associated with the development of social acceptance.

Assistance programs can provide support for the post-release adjustment process (Petersilia, 2003; Visher & Travis, 2003). Such assistance may be directed at obtaining job information, developing

skills, and addressing social problems. Former prisoners may need help in preparing job application documents, attending job interviews, or understanding the demands of the work environment. These activities may help reduce barriers that are not directly related to individual capability. However, assistance requires suitable personnel and program continuity so that participants can experience tangible benefits. Well-directed implementation may help former prisoners face the transition period with better preparation.

Support for basic needs is also associated with social reintegration. Former prisoners who have not yet obtained employment may face difficulties in meeting their daily needs. This condition may affect their ability to attend training or actively seek work. Temporary assistance programs or support for business activities may be considered according to the needs and capacities of the implementing parties. However, economic assistance cannot be understood as a sole solution because reintegration is also related to family relationships, community acceptance, and individual readiness (Saputra, 2024). Policies that combine economic support and capability development may address participants' needs more comprehensively.

Information technology can also support the implementation of correctional guidance and social reintegration. Digital services can be used to provide information on training, employment opportunities, and assistance programs that participants can access after release. Darmawati (2022) discussed the renewal of a technology-based assessment model for the correctional guidance of recidivist prisoners. The study shows the relevance of technology in developing the management of correctional guidance. In reintegration, technology can be used to help match participants' needs with the available services. Digital services can also speed up coordination among service providers, so that information reaches participants sooner (Essa et al., 2024). The use of digital services needs to take into account the technology access gap, because not all individuals have the same devices and skills to access digital information and services (Arifin & Darmawan, 2021). Their use must also consider users' access capabilities and the protection of personal information. Digital monitoring and data collection need clear limits so that participants' personal information is not misused (Mardikaningsih et al., 2024). The development of digital services should not become a means of spreading criminal records that could reinforce stigma.

Attention to groups with special needs is also required in social reintegration policy. Female former prisoners, persons with disabilities, or individuals with limited access to education may face different barriers. A uniformly applied policy cannot necessarily address all of these needs. Assistance and training programs need to consider participants' circumstances without treating individual differences as grounds for exclusion. In the recruitment process, a fair assessment can objectively consider the abilities of job applicants and the requirements of the position. Clearly defined job requirements make it easier for employers to assess ability without relying on assumptions about a person's past (Darmawan, 2023). This approach helps ensure that the reformulation of SKCK use not only reduces administrative barriers but also supports opportunities for groups facing more complex social problems.

Strengthening the capacity of correctional officers and other parties involved in correctional guidance is also associated with the success of reintegration programs. Officers need the ability to understand participants' needs and to help develop skills that are useful after release. Training for officers can relate to social assistance, program management, and relationships with other institutions. Staff development policies need to be planned and carried out regularly so that officers' skills keep pace with program needs (Mardikaningsih et al., 2024). However, the presence of trained officers must be supported by facilities and clear implementation mechanisms. Institutional strengthening is part of what is needed so that correctional guidance does not run separately from the stage of life after a person completes a sentence.

Social relationship recovery can also be discussed from the perspective of restorative justice. This approach pays attention to recovery from the consequences of a criminal act and to the relationships among the interested parties (Wijaya et al., 2022). In social reintegration, the idea of restoring relationships is relevant to former prisoners' need to rebuild their lives in the community. However, restorative justice and social reintegration do not have entirely the same meaning. Reintegration relates to the process of returning to participation in social life, whereas restorative justice has its own character as an approach to resolving criminal matters. This distinction is needed so that reintegration policy is not declared an application of restorative justice merely because it has objectives related to recovery.

Periodic evaluation holds an important position in the development of reintegration policy. Programs that have been implemented need to be examined based on objectives and results that can be accounted

for (Oliveira et al., 2024). Assessment is not sufficient if it relies only on the number of correctional guidance participants; it can also consider employment opportunities, the sustainability of economic activities, and the need for assistance after release. However, such assessment requires suitable methods and data. Normative research cannot establish that a program has succeeded in reducing the recidivism rate without empirical measurement. In this discussion, evaluation is positioned as a policy need so that programs can be improved based on implementation results that can be objectively known.

Transparency and accountability are also related to the implementation of SKCK policy and social reintegration. The public needs to understand the purpose of using administrative requirements, while implementing institutions need to carry out their duties according to their authority. A policy that does not clarify the reasons for using criminal records may create uncertainty for job applicants. Developing more focused guidelines can help clarify when checks are necessary and how information is used. However, the drafting of guidelines must be carried out through the applicable mechanisms and authority. Clear leadership in the implementing institutions also helps ensure that new guidelines are applied consistently (Darmawan & Gardi, 2024). Policy reformulation cannot stop at demands for change; it requires clarity about the authorized parties and the administrative consequences that arise.

In the long term, policy alternatives need to consider the relationship between protecting employment opportunities and public security needs. Background checks have a function that may be relevant for certain jobs, while social reintegration requires opportunities for individuals to build their lives after serving a sentence (Pradnyandita et al., 2024). Both interests need not be placed as mutually exclusive objectives. A proportional policy can allow room for checks based on job requirements while preventing automatic rejection without adequate reasons. Assessment of competence and individual circumstances is part of the effort to find this balance.

Based on the above discussion, the reformulation of SKCK policy can be directed at using criminal records according to their relevance to the job, providing opportunities for competency assessment, and strengthening correctional guidance and skills training. Support from correctional institutions, employers, families, and the community is associated with the success of former prisoners' social reintegration. The use of technology, assistance programs, and program evaluation can complement these efforts when carried out responsibly. Reformulation need not be interpreted as abolishing all background checks, but as regulating their use so that it matches legitimate purposes and does not cause excessive restrictions. This approach provides an argumentative basis for supporting fairer employment opportunities without ignoring security interests and employers' responsibilities.

CONCLUSION

The policy on using the Police Clearance Certificate (SKCK) in the recruitment process may create barriers for former prisoners when criminal records are used as grounds for rejection without considering the applicant's abilities and suitability for the job. From the perspective of human rights and equality, employment opportunities need to be regarded as part of the social reintegration process after a person has completed a sentence. However, employers' need to conduct relevant background checks remains a legitimate interest. The reformulation of SKCK policy can be directed at a more proportional assessment, the strengthening of job skills, and assistance for former prisoners in obtaining economic opportunities. Implementing these alternatives requires cooperation among correctional institutions, the business sector, and the community so that correctional guidance can continue into opportunities to participate in social life.

The use of criminal records in recruitment needs to be considered based on the principle of equality and its relevance to job requirements. This study shows that the SKCK issue involves the relationship between the function of administrative checks and the objectives of correctional guidance. Employers need to develop assessments that consider applicants' competence without ignoring legitimate security interests. Correctional institutions also need to pay attention to the relationship between skills training and employment opportunities after a person completes a sentence. Because this study is normative, its discussion cannot be used as a basis for stating the magnitude of the effect of the SKCK on unemployment or the recidivism rate without empirical research.

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