



## State responsibility in providing free legal aid for the poor in Indonesia

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### Abstract

The state is responsible for providing legal aid for the poor as a manifestation of access to recognition, guarantees, protection, and legal certainty. The purpose of this study is to determine and find the Provider of Free Legal Aid for the Poor in Indonesia and to find the Weaknesses in the Implementation of Free Legal Aid for the Poor at this time; The research method uses the Constructivism Paradigm. Type of Exploratory Research. Empirical/Sociological approach method. Using primary data and secondary data. Data collection techniques in the form of field studies, observations, and interviews as well as literature studies and relevant document studies, data analysis using Descriptive Qualitative. The results of the study showed that the provision of free legal aid for the poor has not been implemented properly, due to several factors, namely weaknesses in the legal substance, weaknesses in the legal structure and weaknesses in the legal culture. Weaknesses in the legal substance such as: There is no budget for legal aid organizations or legal aid institutions that have not been accredited; Minimal budget for the provision of legal aid (small budget value); and Unclear categories of the poor. Weaknesses in the legal structure such as: Lack of government support for legal aid organizations/legal aid institutions that have not been accredited; There are several difficult requirements in accreditation for legal aid organizations/legal aid institutions that have not been accredited such as: Number of litigation cases; Number of non-litigation activities; Number of Paralegals; Office facilities and infrastructure; and Internet network. Weaknesses in the legal culture such as: Lack of understanding of the poor regarding the provision of legal aid; and Lack of legal awareness. Therefore, it is necessary to conduct a Reconstruction of the regulation in Article 8 paragraph 2 letter b of Law Number 16 of 2011 concerning Legal Aid, so that accredited and unaccredited Legal Aid Providers can carry out legal aid services. and Extension of Certification for Prospective Legal Aid Providers in Accreditation Category C.

**Keywords:** Legal aid, free, poor people, Indonesia

### Introduction

The 1945 Constitution of the Republic of Indonesia has been explained that "protecting all Indonesian people and all Indonesian blood and to advance public welfare, educate the nation's life, and participate in implementing world order based on independence, eternal peace and social justice". It is clear that justice is one of the goals of the Indonesian State, justice is something that concerns attitudes and/or actions in a relationship between humans that contains a demand that they can treat according to their rights and obligations. Balanced treatment and/or recognition between rights and obligations is the essence of justice. Article 27, paragraph 1 of the 1945 Constitution of the Republic of Indonesia states that all citizens have the same position before the law and government and are obliged to uphold the law and government without exception. This means that all are equal before the law and government without any discrimination based on race, ethnicity, and socio-economic status, but it is very unfortunate that in the implementation there is still discrimination or even discrimination against someone even though it is clear that the State guarantees every citizen to get justice and is not treated discriminatory [1].

Legal aid is one of the means of law enforcement, which is to obtain justice and truth and also to obtain real legal certainty. The role of legal aid in a case process, both litigation and non-litigation, is highly expected or needed by the general public, especially for people who are unable or poor in order to realize equal treatment before the law. The state guarantees the constitutional rights of every person to

receive recognition, guarantees, protection, and fair legal certainty and equal treatment before the law as a means of protecting human rights. The state is responsible for providing legal aid for the poor as a manifestation of access to justice. Legal aid organized by the state must be oriented towards realizing social change.

In a state of law, the Republic of Indonesia recognizes and protects human rights for every individual including the right to legal aid, the provision of legal aid to citizens is an effort to fulfill and at the same time as an implementation of a state of law that recognizes and protects and guarantees the human rights of citizens to the need for access to justice and equality before the law. The guarantee of these constitutional rights has not received adequate attention, so that the formation of the Legal Aid Law is the basis for the State to guarantee citizens, especially for poor people or groups, to obtain access to justice and equality before the law. The principle of equality before the law is that everyone has the same rights and treatment before the law and the obligation to uphold the law. The principle of openness is to provide access to the public to obtain complete, correct, honest, and impartial information in obtaining guarantees of justice based on constitutional rights. The Republic of Indonesia is responsible for providing legal aid to the poor as a manifestation of justice, regulations regarding legal aid organized by the State must be oriented towards the realization of social change based on the value of justice. Legal aid is assistance in the legal field provided by legal aid providers, namely Legal Advisors or Advocates or Legal Aid Organizations (OBH)

free of charge to recipients of legal aid, namely the community, both individuals and groups of poor or disadvantaged people<sup>[2]</sup>.

Advocates are required to provide free or no-cost legal aid to the community, both individuals and groups of poor or disadvantaged people, with the requirements and procedures for providing legal aid that the Government has regulated. Legal aid is provided to deal with legal problems including criminal law problems, civil law problems, state administrative law problems that are carried out both through litigation and non-litigation. Legal aid (Legal Aid) as part of the Advocate profession (Legal Advisor) is known as Pro Bono Publico, or in the Dutch Legal System as Pro Deo. It is an important element in easing tensions in society. Often people who are classified as poor are treated unfairly and cannot obtain adequate legal services and defense from Advocates. With the presence of Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) which individuals or groups highly expect of people from the lower or underprivileged or poor classes to help them in dealing with problems or cases that they will or are facing or experiencing which are truly expected to help them professionally and transparently. Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) that are already legal entities and have been accredited certainly do not feel any difficulties in the financial sector because the Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) can get a budget from the Government, both for handling cases through litigation and non-litigation.

Meanwhile, for Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) that have legal status but have not been accredited, according to the author, there will be difficulties in the financial sector, especially for new Advocates whose economy is still below average or not yet established, unlike Advocates whose economy is above average or already established, for them there is no problem in the financial sector. For Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) that have legal status but have not been accredited in handling a case, whether litigation or non-litigation, they also need funds, such as operational funds, transportation funds, service funds, and other funds to run legal aid services, indeed if you look at the history of the birth of legal aid, it was indeed to dedicate legal aid services to the poor for free, but it must also be understood that many Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) started from Advocates who were new to the world of justice, while Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) are not allowed to ask for money or fees from the recipient of legal aid either openly or secretly, except receive donations from third parties that are not binding<sup>[3]</sup>.

With the absence of a budget from the Government for Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) that have legal status but have not been accredited, according to the author, this is one of the difficulties for Legal Aid Organizations (OBH) or Legal Aid Institutions (LBH) that will implement and/or carry out the task of providing legal aid to recipients of legal aid. With this problem, according to the author, it will have a negative impact, both for the legal aid provider and for the recipient of legal aid. Based on this background, this study aims to find the Provider of Free Legal Aid for the Poor in Indonesia and to find the Weaknesses in the Provision of Free Legal Aid for the Poor at this time.

## Research Method

The approach method in this research uses the normative legal method, with secondary data sources in the form of data obtained by conducting a literature study, both on primary legal materials in the form of regulations and other rules, secondary legal sources in the form of literature books, research results and other sources obtained by searching from selected internet media and tertiary legal sources in the form of legal dictionaries and encyclopedias. The data obtained were then analyzed using a qualitative descriptive method.

## Results and Discussion

### 1. Provision of Free Legal Aid for the Poor in Indonesia

As a country that upholds human rights, Indonesia has emphasized in Article 1 paragraph (3) of the 1945 Constitution, "The State of Indonesia is a state of law". As a state of law, the protection of human rights must be included in the state constitution so that several articles in the 1945 Constitution contain provisions on protecting human rights. One of them is Article 27 paragraph (1) which stipulates that "all citizens have equal standing before the law and government and are required to uphold the law and government without exception", and Article 34 paragraph (1) of the 1945 Constitution "the poor and abandoned children are cared for by the state". One of the policies that can be taken by the state to implement Article 27 paragraph (1) and Article 34 paragraph (1) of the 1945 Constitution is to provide legal aid for the poor and disadvantaged because legal aid is the right of every citizen. The rule of law is a dimension of a constitutional democratic state. Especially regarding the existence of supreme law, which must regulate the rules of the game and be respected by the people and the rulers in this country. The law must be formed democratically and contain the substance of Human Rights. Otherwise, the law will lose its essence, even becoming a tool of oppression solely to legitimize and justify all unilateral actions by the ruler. The law must always refer to Human Rights (HAM) because the law must protect the rights of the people. The law must be a friend to the people, so that the people feel safe, their rights are protected and they can fight for their legitimate and peaceful interests [4]. The right to legal assistance is part of human rights, especially the most important part of realizing equality before the law. The right to equality before the law embodies the recognition that Indonesia is a country of law. In this field of thinking, we must view the legal aid movement in the struggle to uphold human rights for the poor. The human rights of the poor have been held captive by the rich for a long time and these human rights will not be given for nothing. Through the legal aid movement, we must seize them even though we must realize that legal assistance alone is not enough. We need to overhaul the unfair structure and replace it with a more just relationship pattern.

Legal aid has a fairly important position in every criminal, civil, and state administrative justice system, including in the Republic of Indonesia. In general, it can be said that legal aid has goals that are directed at various social categories in society, namely: (1) Guaranteeing and fulfilling the rights of Legal Aid Recipients to gain access to justice; (2) Realizing the constitutional rights of all citizens in accordance with the principle of equality before the law;

(3) Guaranteeing the certainty of the implementation of legal aid being implemented evenly throughout the territory of the Republic of Indonesia; and (4) Realizing effective, efficient, and accountable justice. The concept of legal aid is related to a person's rights to exercise those rights, therefore legal aid is carried out by legal experts and people who are experienced in order to carry out their profession. Legal aid is carried out by legal aid providers who are oriented towards noble values, namely the humanitarian aspect to fight for human rights to live prosperously and justly. Legal aid is one of the basic rights that must be received by him in law in order to obtain justice, as stated in the 1945 Constitution which regulates human rights, one of which is the right to receive guarantees and justice in law. So, Indonesian citizens who are underprivileged still have the right to receive legal aid in litigation in court or non-litigation (outside the court).

International instruments, guarantees and legal protection and legal aid are regulated in the Universal Declaration of Human Rights of 1948 which recognizes the right of every person to be recognized before the law wherever he is and guarantees that everyone is equal before the law and has the right to equal legal protection without discrimination. In the 1966 Convention on Civil and Political Rights, Article 14 paragraph (3) letter D states that "the obligation to provide free legal aid by the state which states in determining the criminal act accused of him, everyone has the right to the following minimum guarantees, in full equality to defend himself directly or through a lawyer of his own choosing, to be informed of this right if he does not have a lawyer and to receive legal assistance in the interests of justice, and without paying if he does not have sufficient funds to pay for it" [5].

An advocate is a person whose profession is providing legal services, both in and outside the court who meets the requirements based on the provisions of the Law. An advocate is someone who as a law enforcement profession with a legal education background (law degree) and has taken special education in the advocate profession and has been appointed as an advocate by the advocate organization and has been sworn in as an advocate at the High Court who has the task of providing legal services both through litigation (in court) and non-litigation (outside the court). The general definition of advocate, lawyer, and legal advisor in legal practice in Indonesia is a person who represents his/her client to take legal action based on a power of attorney given for defense or prosecution at a trial in Court or in court. Meanwhile, a legal consultant is a person who works outside the Court who acts to provide advice and legal opinions on an action or legal act that will be or has been carried out by his/her client. A lawyer is like a mouthpiece for the client to provide arguments and find legal loopholes so that the client gets real justice. The amount of fees does not limit cases handled by lawyers.

Advocates are professionals who are free, independent, and responsible for implementing an honest, fair trial. Advocates also have legal certainty for all justice seekers in upholding the law, truth, justice, and human rights. Those who can be appointed as advocates are graduates with a background in higher education in law and after taking special education in the Advocate profession carried out by the Advocate Organization. The Advocate Organization carries out advocates' appointments, and a copy of the decision letter on the appointment of advocates is submitted to the Supreme Court and the Minister.

Guarantees for human rights, especially in the area of the right to obtain legal aid, are the obligations of the Government, Legal Aid Institutions or Community Organizations that provide it. Law Number 16 of 2011 concerning Legal Aid is the basis for the provision of legal aid, this regulation is a form of responsibility towards the poor that is oriented towards the realization of social change that has justice values. With the birth of Government Regulation Number 42 of 2013 concerning the Requirements and Procedures for the Provision of Legal Aid and the Distribution of Legal Aid Funds, which is also a mandate of Article 15 paragraph (5) and Article 18 of Law Number 16 of 2011 on Legal Aid, the Government wants the provision of legal aid to run well and professionally for the poor who have not yet reached justice, carried out by legal aid providers. The legal aid providers referred to here include Legal Aid Organizations/Legal Aid Institutions, Regional Offices of the Ministry of Law and Human Rights, Legal Bureaus of Provincial Governments and District/City Governments [6].

With the issuance of the regulation of the Minister of Law and Human Rights, namely the Regulation of the Minister of Law and Human Rights Number 4 of 2021 concerning Legal Aid Service Standards to fulfill justice, equality before the law, openness, efficiency, effectiveness, and accountability carried out or implemented in a quality manner by legal aid providers and also the Decree of the Minister of Law and Human Rights Number: M.HH-01.HN.03.03 of 2021 concerning the Amount of Litigation and Non-Litigation Legal Aid Fees, of course, to optimize the implementation of legal aid as well as the distribution of legal aid funds. With the existence of the Government Regulation concerning the requirements and procedures for providing legal aid and the distribution of legal aid funds, the President gave quite clear instructions to the Minister of Law and Human Rights and other implementers so that the provision of legal aid for the poor can be comprehensive or affordable from the Central Level to the Regional Level (to all corners of the country). The implementation of legal aid at the Central Level can be ensured in obtaining access to legal aid services itself is not difficult or easy, there are many Legal Aid Organizations/Legal Aid Institutions that are spread out then added to the good telecommunications network. Many and cheap means of transportation and smooth roads are also one of the conveniences for those seeking access to legal aid services [7].

In terms of state services to its citizens in the social sector, including the provision of free legal aid services for the poor in Indonesia, the Government of the Republic of Indonesia pays special attention to efforts to fulfill and at the same time as the implementation of a legal state that recognizes, protects, and guarantees the need for access to justice and equality before the law by issuing several regulatory regulations. Among them are Law Number 16 of 2011 concerning Legal Aid, and Government Regulation Number 42 of 2013 concerning the Requirements and Procedures for the Provision of Legal Aid and Distribution of Legal Aid Funds.

With the existence of regions that have regulations on free legal aid for the poor and there are also regions that have, it can be said that there has been no harmonization between the organizers, this can be said to be caused by several factors which according to the author are weaknesses in the substance of the law then weaknesses in the legal structure

and also weaknesses in the legal culture. Weaknesses in the substance of the law such as the absence of a budget for legal aid organizations or legal aid institutions that have not been accredited then the minimal budget for the implementation of legal aid (small budget value) then the unclear category of the poor. While weaknesses in the legal structure such as the lack of government support for legal aid organizations or legal aid institutions that have not been accredited then there are several difficult requirements in verification and accreditation for legal aid organizations or legal aid institutions that have not been accredited<sup>[8]</sup>.

## 2. Weaknesses in the Provision of Free Legal Aid for the Poor in Indonesia

From the aspect of legal substance, there is no budget for legal aid organizations/legal aid institutions that have not been accredited. The unavailability of a budget for Legal Aid Organizations or Legal Aid Institutions that have not been accredited according to the author will be one of the weaknesses of the disharmony in the implementation of legal aid services for the poor, where this occurs because the organizers of legal aid in this case are Legal Aid Organizations or Legal Aid Institutions will only focus on fulfilling the required documents for accreditation, not focusing on handling cases or defending clients (recipients of legal aid) so that their rights will be neglected because Legal Aid Organizations or Legal Aid Institutions only need their documents, handling cases is only a formality in order to be able to follow the verification and accreditation to be able to pass to become an accredited Legal Aid Organization or Legal Aid Institution so that they can then get a legal aid budget<sup>[9]</sup>.

**Lack of Budget for the Provision of Legal Aid.** The current amount of legal aid costs according to the author is still minimal, where the amount of costs that have been decided by the Minister of Law and Human Rights in 2021 has not yet experienced a significant increase. For the amount of legal aid costs for litigation in criminal cases or civil cases or state administrative cases, the total will be IDR 8,000,000 (eight million rupiah) per each in a legal case. Most of the Legal Aid Organizations or Legal Aid Institutions in providing legal aid services only at the trial stage at the Level 1 Court, then they will receive funds of IDR 3,000,000 (three million rupiah). Most of the clients (legal aid recipients) only want to get to that stage. **Unclear Categories of the Poor.** According to the author, the unclear categories of the poor are also one of the weaknesses that exist today, where many capable people claim to be poor when they are dealing with the law where they take this step because they only want to get free legal assistance from Legal Aid Institutions/Legal Aid Organizations. **Weaknesses in the Legal Structure.** Lack of Government Support for Legal Aid Organizations/Legal Aid Institutions That Have Not Been Accredited, the Government should provide support to Legal Aid Institutions/Legal Aid Organizations that have not been accredited which are also legal aid providers. Legal Aid Institutions/Legal Aid Organizations that have not been accredited in providing legal aid services also need to obtain accreditation status from the Government. Legal Aid Institutions/Legal Aid Organizations that have not been accredited should also receive support from the Government so that they are not like chicks that have lost their mother, meaning that they are not confused and focused in providing legal aid services for

the poor so that they do not do things that are detrimental to many parties such as asking for service fees from clients (legal aid recipients) to carry out legal aid service activities and so on<sup>[10]</sup>.

Several Difficult Requirements for Accreditation for Legal Aid Organizations/Legal Aid Institutions Have Not Been Accredited. Several difficult requirements for accreditation with accreditation category C for newly formed Legal Aid Organizations/Legal Aid Institutions include:

- a. Number of litigation cases handled;
- b. Number of non-litigation activities;
- c. Number of Paralegals;
- d. Office facilities and infrastructure; and
- e. Internet network.

In addition to the above, there are also weaknesses in the legal culture, including the lack thereof. Understanding of the Poor Community Regarding the Provision of Legal Aid. This occurs due to the lack of information regarding legal aid. The lack of widespread socialization regarding legal aid has caused the poor community to not know that there is a government program regarding providing free legal aid services for the poor. They (the poor community) do not understand that there is a service, namely free legal aid services that are provided to them, so they have difficulty or confusion when they have legal problems, especially for those who are in remote areas. Socialization is only carried out at certain points or places; for example, socialization carried out by members of the DPR/DPRD carry out socialization in their electoral districts only. Another weakness is the lack of legal awareness in the community, not only in the lower classes, it also occurs in the upper classes such as rulers or officials. Many rulers or officials are unknowingly or even consciously have neglected or ignored awareness of the law caused by arbitrariness. Therefore, it is necessary to develop law through legal reform that takes into account the diversity of the applicable legal order, including efforts to increase legal awareness and legal certainty. Legal protection, law enforcement and legal services that are based on justice and truth in the context of organizing a more orderly and peaceful state, as well as implementing increasingly smooth development<sup>[11]</sup>.

The importance of legal awareness in society, especially the poor, will make the country develop rapidly towards a more advanced direction. The legal aid movement must also try to strengthen legal awareness and the ability of social forces (workers, farmers, students, intellectuals, the press, and so on) in fighting for their legitimate rights. Only through their struggle can laws that protect the people's interests be implemented effectively. Finally, the legal aid movement must also never stop fighting for the upholding and respect of human rights by all parties, both state authorities and members of society. This means that the legal aid movement must always be ready (alert) as a guard, anytime and anywhere, able to voice the people's conscience when their basic rights are violated<sup>[12]</sup>.

## Legal aid regulation in several foreign countries

### 1. Australia

The Australian government pays considerable attention to the provision of legal aid by providing funds to several institutions and organizations providing legal aid services, one of which is New South Wales (NSW), in New South Wales (NSW) several places are providing legal aid services

such as: Law and Justice Foundation, Legal Aid NSW, Community Legal Centres (CLC), Aboriginal Legal Service (ALS), West Sydney Community Legal Centre (WSCLC), Law Access, Kingford Legal Clinic (KLC), The National Children's and Youth Law Centre (NCYLC).

## 2. Turkey

In Turkey, the right to a free court-appointed lawyer applies to every criminal defendant regardless of their financial circumstances, the reason for the absence of a financial eligibility limit is not entirely clear. On the one hand, this rule avoids the complicated question of determining the income qualifications that are eligible for free legal services.

## 3. United States

Legal aid in the United States is the provision of legal assistance to people who cannot obtain legal representation and access to the court system in the United States. In the US, legal aid provisions differ for criminal law and civil law. Criminal legal aid with legal representation is guaranteed to defendants who cannot afford to hire an attorney in criminal charges (related to the indictment). Civil legal aid is not guaranteed under federal law, but is provided by various public interest law firms and consulting legal clinics for free (pro bono) or at reduced cost. In the late 1960s, the US saw a backlash as those facing marginalization and poverty became the beneficiaries of economic and social programs. The "Justice Model" would be replaced by the "access to justice" model in response to the rapid social changes in American society under the Nixon administration. This new approach would be created under the Legal Service Corporation (LSC), with a more individualistic focus with limited social impact, as the United States does not enshrine legal services as a right to be guaranteed. "Access to justice" is the model that legal aid offices and services would follow for future organization.

## 4. India

The Constitution of India provides that the state shall ensure that the operation of the legal system promotes justice on the basis of equal opportunity and, in particular, shall provide free legal aid by appropriate law or scheme or by any other means. The way to ensure that access to justice is not denied to any citizen due to economic or other disabilities. The Constitution of India also requires the state to ensure equality before the law and a legal system that promotes justice based on equal opportunity for all. The Supreme Court of India has categorically stated the rights of the poor and destitute in the Hussainara Khatoon judgment. Wherein the petitioner brought to the notice of the Supreme Court that, in many cases the delays were due to the inability of the persons involved to have legal counsel to represent them in court and the main reason behind their inability was their poverty. Thus, in this case the court pointed out that Article 39-A stresses that free legal service is an inalienable element of a "fair and just" procedure and that the right to free legal service is implied in the guarantee of Article 21.

Solutions to Weaknesses of the Unreconstructed Regulations for Free Legal Aid Providers for the Poor In terms of Legal Substance, it is necessary to provide a legal aid budget to Legal Aid Organizations or Legal Aid Institutions that have not been accredited so that they can

carry out this noble task seriously, of course there are also requirements for them (Legal Aid Organizations or Legal Aid Institutions) who will receive a legal aid budget. These requirements can be the same as the requirements contained in the legal aid regulations such as being a legal entity, having an office/secretariat, having administrators such as advocates (lawyers), case documents must reach a legally binding decision or Inkracht and others except for having to be accredited. The government must be able to increase the value of the budget at the trial stage at the Level 1 Court more than the current unit cost, if the government can increase it by more than Rp. 3,000,000 (three million rupiah) then according to the author this will also be a solution to the weaknesses that currently exist. The government must be firm in creating categories of poor people so that in the future there will be no more people who claim to be poor when they are dealing with the law where they take this step because they only want to get free legal assistance from legal aid institutions/organizations<sup>[13]</sup>. The solution from the aspect of legal structure with the availability of a budget from the Government for Legal Aid Institutions/Legal Aid Organizations that have not been accredited is a form of support and attention from the Government towards legal aid providers, meaning that the amount of the value/amount of the budget does not need to be the same as the value/amount of the budget that is already available for Legal Aid Institutions/Legal Aid Organizations that have been accredited. In terms of legal culture, the government should have taken steps to expand the movement of socialization of legal aid services to remote areas, both the central government and the government at the lowest level. Also assisted by Universities through legal aid and consultation bureaus/agencies, as well as community leaders to make widespread socialization efforts regarding the regulation of the provision of free legal aid to the poor so that the community is no longer confused when facing legal problems<sup>[14]</sup>.

## Conclusion

1. Provision of Free Legal Aid for the Poor in Indonesia Currently, the Government of the Republic of Indonesia pays special attention to efforts to fulfill and at the same time implement a state of law that recognizes, protects, and guarantees the need for access to justice and equality before the law by issuing several regulations. Among them are Law Number 16 of 2011 concerning Legal Aid, and Government Regulation Number 42 of 2013 concerning the Requirements and Procedures for the Provision of Legal Aid and Distribution of Legal Aid Funds, but in its implementation it is still not fair.
2. Weaknesses There is no budget for legal aid organizations or legal aid institutions that have not been accredited, Minimal budget for the implementation of legal aid (small budget value); and. Unclear categories of the poor, Lack of government support for legal aid organizations/legal aid institutions that have not been accredited, There are several difficult requirements in accreditation for legal aid organizations/legal aid institutions that have not been accredited to be able to carry out legal aid services and Legal Aid Providers who have not been accredited are entitled to receive a budget from the state to carry out Legal Aid.

### Suggestions

1. Reconstruction is needed Reconstruction of the regulation of free legal aid providers for the poor based on the value of justice is carried out by reconstructing Article 8 and Article 9 of Law Number 16 of 2011 concerning Legal Aid, so that accredited and unaccredited Legal Aid Providers
2. Legal aid services must be reconstructed by legal aid providers so that they are implemented in accordance with what is expected by Law Number 16 of 2011.

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