“MAKING INFORMATION MORE MEANINGFUL”

PUBLIC GUIDELINE ON MAKING USE OF THE PUBLIC INFORMATION DISCLOSURE (KIP) ACT TO IMPROVE PUBLIC SERVICES

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Foreword

The Act of the Republic of Indonesia Number 14 of 2008 on Public Information Disclosure (Keterbukaan Informasi Publik—to be referred as KIP hereafter) can be regarded one of the regulatory products with high influence since the beginning of the reformation era. Under this act, Public Bodies, including government-owned bodies, are obligated to share the information they govern to the public. It is something rarely, if not to say never, been done in the past. The information governed by such Public Bodies is what the KIP Act refers to as Public Information.

There are much more about the law. The KIP Act also guarantees people’s right to submit Public Information requests. If the request were not granted by the related official, the applicant might propose an objection to the officer's superior. If, after proposing an objection, the requested information were not immediately given, the applicant could file an information dispute appeal to the Commission of Information. The mentioned Commission of Information would later be the one to determine whether the requested information is truly a Public Information, or whether it is excluded and is not to be disclosed.

The existence of the KIP Act is intended to facilitate issues related to public affair management so that they may be carried out in a more transparent manner, with nothing being covered up. With such transparency, it is expected that there will be no policies violating public interest, as information transparency will allow people to monitor various policies and their implementation. Another thing is that information transparency will also seal the chances for bureaucracy to commit collusion, corruption and manipulation.

Seeing that the KIP Act is highly important, it would be pitiful when people could not make best use of it. People should know what the KIP Act is all about, which will allow them to practically access Public Information. More important is how Public Information may be more meaningful for the public itself.

Target of the Book and Focus of Discussion

The book is written for the reasons mentioned above. This guideline is expected to serve as a reference for the public, every one of them with no exception, and even those within the scope of the lowest administrative level such as villages, kampongs, sub-villages, etc.

The discussion in this book is focused on how the public can request for information on public services, and how they can make use of them to drive improvement of the services. As for this purpose, we would also need to get familiarized with the scope or types of public services as ruled out in the Act of the Republic of Indonesia No. 25 of 2009 on Public Services. The types of services as referred to by the Public Services Act are classified into the following three categories:

1. Goods Service
   It refers to services given by public service providers in the form of goods. The examples to this are the provision of clean water supplied by the regional water company, electricity supplied by the State Company of Electricity (Perusahaan Listrik Negara/PLN), affordable medications provided by the regional office of public health, infrastructures or transportation facilities such as roads, bridges and harbors, and many others. This type of service also includes goods given to specific communities, e.g. rice for poor families, fertilizers for small-scale farmers, and cheap LPGs for lower class society.

2. Aid Service
   It refers to services given by public service providers in the form of aid/assistance. The examples to this are health service provided by the Community Health Services (Pusat Kesehatan Masyarakat/Puskesmas), education service from elementary level to state university level, judiciary service, communication, traffic, security service provided by the polices, and management service for traditional markets.
3. **Administration Service**

Administration service refers to services given by the government in the form of documents such as birth certificate, residential identity card, death certificate, marriage certificate, passport, letter of low income statement, building establishment permit, business establishment permit, land certificate, and insurance or social security documents.

**Stories from the People**

Before moving on to the technical discussion on how to acquire and make use of public information, you can first read the following true stories from the people. These stories are intentionally provided in the initial pages so that it may give a picture of how important it is to understand the KIP Act, as well as the importance of Public Information for people in actuating better public services. The types of public services represented through the stories comprise education, health and transportation service.

**Story 1**

**Information on the Requirements for New Student Enrollment Helps Wipe Away People’s Worry**

Mrs. Aminah of Jagaraga Village, Lombok Barat Regency, NTB, encountered a problem some time before the new academic year. She was about to sign her child up, who had just graduated from elementary school, to a junior high school, when she heard that the requirements for enrolling into the school included the student’s birth certificate. She knew exactly that her child had not owned one. Her zeal started to turn into worry. She told other community members about the problem, and she figured out that they were also facing similar problem.

The mass restlessness led Jagaragan villagers to hold a gathering to find a solution for the same problem they were dealing with. During the gathering, there emerged an idea of making use of the KIP Act. Her group had happened to receive socialization on the content of the Act, which was given by a local non-governmental organization. Through an in-depth discussion, Mrs. Aminah was eventually appointed to represent Jagaragan villagers to request for information from the related institution, namely the Regional Office of Education, Youth and Sports (Regional Office of Dikpora) of Lombok Barat Regency, in a hope to acquire clearer information on the requirements for new student enrollment.

Carrying a letter of information request they have composed together, Mrs. Aminah headed to the office of Dikpora, accompanied by several other villagers. Upon arriving, they were welcomed by the Official Secretary, Mr. Drs. Komarudin, and the Head of General Subdivision, Jul Adnan. The office gave a very positive response by allowing the applicants to have a dialogue with his staffs. After about an hour of discussion, a decision was made, stating that the Regional Office would not include birth certificate in the requirements for new student enrollment. The issue would also further be coordinated along with the Regional Office’s Division of Elementary Education.

The Regional Office thought that birth certificate should not have held children from pursuing education. Birth certificate might be substituted with another birth statement letter obtained from the government at village level. However, Disdikpora also reminded that birth certificate is indeed an important document. Birth certificate should be obtained to prevent the children from encountering problems when dealing with particular administration, e.g. when applying for employment, etc.

Based on the meeting, the villagers asked that the Regional Office issue circular letters and distribute them to the schools to avoid confusion of information within the society. The circular letters would also be significant to allow schools to have certainty about the regulation stating that birth certificate is not part of the requirements for new students enrolling into the schools.

**Story 2**

**Requesting Information to Clarify Puskesmas’ Schedule**

To villagers living around the remote parts of a kampong, such as Mrs. Agustina, the most soothing treatment when ill would be the gentle touch of a physician’s hands. Too bad, lately it had been hard to find the assigned physician at the Puskesmas in her location, Pasir Putih District of Manokwari Regency, West Papua. Let alone a physician, there were not even any of the staffs
around the health center. The service hour has ended.

The uncertainty of service schedule had obviously disappointed her. And it was not just her who was disappointed; other villagers were feeling the same, particularly those living far away from the Community Health Center. They had gone through long, exhausting trip all the way down only to find that the service hour had ended. Feeling restless, Mrs. Agustina braced herself up and asked the Regional Office of Health of Manokwari for information on the service schedule of the Community Health Center in her district. Her request is a way of implementing the KIP Act, which she and her surrounding communities had learned about.

Along with other community groups, she submitted the request letter in person to the Regional Office of Health in her regency, asking for information on the schedule of the Community Health Center service. Upon arriving at the office, a staff accepted her letter and asked her to wait for any responses. Once she had assured that the letter had been recorded in the register book and she was given a receipt note of her request letter, she headed back home.

Eight days after the request letter was submitted, a staff of the Regional Office of Health gave her the requested document in person. The mentioned document was a Circular Letter of Service Schedule issued by the Head of the Regional Office of Health addressed to all Heads of Community Health Centers. The letter stated that the service in Community Health Centers is to be made available starting from 8 am to 1pm, Monday to Saturday.

While handing the document, the office also welcomed the villagers to have a dialogue with the office’s representative, Harsono of the Subdivision of Evaluation and Report Program. The office appreciated the villagers for submitting the information request letter, as this had in a way helped the Office to monitor the implementation of services provided by the Community Health Centers.

Having received the expected document, Mrs. Agustina and the other villagers headed further to the Community Health Center in her district to cross-check the service schedule. They would like to verify whether the Community Health Center had received the circular letter denoting the schedule of service. Just before meeting the Head of the Community Health Center, Mrs. Agustina and her companions intentionally took some time to check the announcement board. How happy they were to find that a service schedule note had been displayed on the board, just as ruled out in the Regional Office’s Circular Letter. That way, the villagers would not be left uninformed about the operating service schedule.

“Yes, we had been instructed to improve our services by obeying the schedule of service ruled out by the Regional Office of Health,” said Ayub Inyomusi, the Head of Pasir Putih Community Health Center, to the villagers.

With a more certain schedule of service, the people can now rest assured of obtaining service from the Community Health Center.

**Story 3**

**Access to Information to Overcome Uncertainty about Transportation Fare Rate**

As the communities in Flores Timur Regency were uncertain about the rate of public transportation fare, which was considered a heavy burden, the Community Center Forum Peduli Flotim decided to request information from the Regional Office of Transportation, Communication and Information (Dishubkomininfo). The office responded by providing information through a concession letter on the new public transportation fare as adjusted to the increase of fuel price. Based on the provided data, the community figured out that there had been a discrepancy between the stipulated fare and the actual fare imposed by public transportation operators.

An example to this was the public transportation fare imposed in Larantuka. The concession letter stipulated that the rate is IDR 3,500 for adults and IDR 1,500 for children and students. However, in its practice, the transportation operators imposed higher fares—IDR 5,000 for adults and IDR 2,000 for children and students. Passengers carrying baggage were also charged additional fare of IDR 1,000.

The situation led the Forum to initatively set up a hearing session with the Regent to clear out the discrepancy. The Forum was accepted by the Regent of Flores Timur himself, Lagadoni
Herin, accompanied by staffs of Dishubkominfo.

During the hearing, the Forum urged the government apparatus to socialize the fare stipulation so that the public would be informed. The Forum also urged the Regent to be decisive and consistent with what had been stipulated, otherwise transportation operators would not fully obey it.

In respond to the complaints, the Regent issued a direct instruction addressed to the Head of Dishubkominfo to conduct endless monitoring to prevent such deviant practice from reoccurring. Regarding the publication of a range of information related to the Regional Government (Pemda) policies, including transportation fares, the Regent encouraged the Regency Government (Pemkab) to continuously socialize such information to the public while seeking for the best publication method to apply. As an initial step, they would distribute stickers containing the valid transportation fares stipulated by the Regional Government as a means to help people stay informed about the stipulated transportation fares.

Aside from the three stories above, it is expected that there would be the fourth and fifth stories, and so on, which certainly would come from you as a result of reading this book. Hopefully.
CHAPTER TWO
A GLANCE ON THE PUBLIC INFORMATION DISCLOSURE (KIP) ACT

In order for us to be able to make use of the KIP Act to obtain information on public services, we need to understand its content. However, we do not necessarily need to learn all of it. To accelerate us in understanding the KIP Act, we would need to learn only the important terminologies.

Important Terminologies to Understand

The following are several important terminologies contained in the KIP Act.

**Information**
Information refers to any explanations, statements, ideas, and signs containing certain values, meanings, and messages, and of which the data, fact, or clarification can be seen, heard, and read through various packages and formats in accordance to the development of information and communication technology, either electronic or non-electronic.

**Public Information**
Public Information refers to any information produced, stored, managed, sent, and/or received by a Public Institution, which is related to the administrators and administration of a nation and/or administrators and administration of other Public Institutions in accordance to this particular Act, and other information related to public interests.

**Public Body**
Public Body refers to an executive, legislative, judicative body, and other bodies whose primary function and role is concerned in the administration of a state/nation, whose part of, or the entire of its funding is taken from the National Revenue and Expenditure Budget (APBN) and/or Regional Revenue and Expenditure Budget (APBD); or concerned in the administration of non-governmental organizations, as long as part of, or the entire of the funding is taken from the revenue and expenditure budget in national and/or regional scale, or is derived from community and/or foreign donations.

Referring to the definition above, Public Bodies are classified into two groups, namely State-owned Public Bodies and Non State-owned Public Bodies. As this guideline gives more emphasis on the link between information disclosure and public services, the Public Bodies mentioned throughout the book are limited to State-owned public bodies or governmental institutions. This is in line with the Public Service Act, which stated that public service mandate is given to state institutions or other bodies making use of APBN/APBD as its source of funding.

**Information and Documentation Management Apparatus**
Information and Documentation Management Official (Pejabat Pengelola Informasi dan Dokumentasi/PPID) is the official(s) being responsible of handling the storage, documentation, provision, and/or service of information in a Public Body.

**Public Information Dispute**
Public Information Dispute refers to a dispute between a Public Body and Public Information User(s), where the information requested by the people is not provided by the related Public Body.

Public Information dispute is to be settled by the Commission of Information. The information applicant is to sign the dispute up for admission to the Commission of Information. Prior to signing up, the applicant is to file an objection to the corresponding PPID Superior within the related Public Body. If the Superior resisted disclosing the information requested, the applicant can then file a dispute to the Commission of Information.
**Commission of Information**

Commission of Information is an independent institution whose function is to implement the KIP Act along with its implementation regulations, to stipulate service standard techniques for Public Information, and to settle any Public Information Dispute through non-litigate Mediation and/or Adjudication.

The Central Commission of Information has its base in the capital city of the nation, and functions to settle any Public Body information disputes at national/state level. The Provincial Commission of Information has its base at the province level, and functions to settle any information disputes involving public bodies at the regional level. Commission of Information at the Regency/City level may be established when urgently required.

**Objectives of the KIP Act**

As explained earlier that the KIP Act is principally aimed at guarantying that all citizens can obtain public information to allow them to actively take part in public policies. However, closer look to the KIP Act shows that it has larger objectives. Referring to Chapter 3 of the Act, the complete objectives of the KIP Act are:

1. to guarantee the citizen’s right to be informed about public policy planning, public policy programs, and public policy decision making, along with the reasons for making certain public policies;
2. to enforce people to actively take part in the process of making public policies;
3. to improve people’s participation in public policy making and good management of Public Bodies;
4. to create a good state administration, that which is transparent, effective and efficient, accountable and reliable;
5. to be informed about the reasons for making certain public policies concerning the life of common people;
6. to develop science and to improve education throughout the nation; and
7. to improve the management and service of information within the scope of Public Bodies to produce quality information services.

As reflected through the objectives above, it is clear that citizen’s right to obtain information is essential for the life of our nation and state. Hence, people need to actively make use of the warranty, particularly to actualize better public services whose benefits can directly be experienced.

**Principles of the KIP Act**

The principle of an Act is the fundamental principles functioning as the foundation and reference of governance for the respective regulation. The KIP Act also has its own principles. Referring to Chapter 2 of the Act, the KIP Act has the following principles:

1. Every Public Information is by nature open and can be accessed by all Public Information Users.
2. Excluded Public Information is by nature limited and restricted.
3. Every Public Information should be available for all Public Information Applicants to access fast and timely, at affordable prices, and by simple ways.
4. Excluded Public Information is classified in accordance to the prevailing laws, properness, and public interests, as based on the test of the possible consequences to emerge when a particular information is disclosed to the public, and by carefully considering that classifying a particular Public Information rather than disclosing it, or vice versa, may serve protection of higher purposes.

Based on the principles mentioned, it can be elaborated that principally, all information belonging to a particular Public Body may be made available or accessible through the specific manner ruled out by the KIP Act. On the other hand, there is some other information subject to being excluded/classified (not available for access/disclosure). Such information is excluded merely to protect public interests, which is why it takes objective methods to determine whether the respective information may be disclosed or should be classified.
Whenever disclosing particular information may result in any danger, the respective information should better be classified to prevent any possible danger from emerging. On the contrary, whenever disclosing particular information may protect higher purposes, it is mandatory to disclose the information to the public, and vice versa. Lastly, everyone should be able to obtain public information in a fast, affordable, and simple way.

**Categories of Public Information**
The KIP Act divides or categorizes Public Information into three groups. The categorization is taken merely to make it easier for Public Bodies to manage the information. As for the public, the categorization will also make it easier for them in submitting information requests in the future. By referring to the categories, people can easily determine which information they would like to request.

**Information Authorized to be Made Available and Disclosed**
Below are the mandatory information authorized to be disclosed at least once every six months by Public Bodies to the public, regardless of whether or not the public has submitted any requests. Also, the information should be made available at all time, and should be immediately given whenever requested.

Included in the category are the following:
1. information concerning Public Bodies;
2. information on activities and performance of the corresponding Public Bodies;
3. information on financial report(s); and/or
4. other information as ruled out by relevant laws.

**Information Authorized to be Urgently Announced**
The information is mandatory to be urgently announced by Public Bodies due to any urgent situations such as natural disasters, epidemic disease threats, and other emergency situations, so as to help the public to immediately take necessary actions or survivals. The information is to be delivered in languages easy to understand and through media easily accessible by the public.

**Information Authorized to be Made Available at All Time**
This category comprises information Public Bodies should make available at all times, allowing it to be delivered whenever requested, immediately and without any delays.

The followings are the information to provide:
1. list of all Public Information belonging to a Public Body, with an exception of excluded information;
2. decisions made by the Public Body, along with the considerations;
3. all existing policies along with the complementary documents;
4. project work plans of the Public Body, including the estimated expenditures;
5. agreements made between the Public Body and a third party;
6. information and policies delivered by Public Official during meetings open for public;
7. staff operational procedures at the Public Body concerning in public services; and/or
8. Public Information access report as per KIP Act.

**Excluded Information**
Aside from guarantying transparency for Public Information, the KIP Act also governs Excluded Information, that is, any information not to be delivered at once to the applicant requesting for the respective information.
Below are the categories of excluded information as ruled out by the KIP Act:

1. Information potential of obstructing the enforcement of laws.

   However, information may not necessarily be categorized as excluded when the information concerning the enforcement of law comprises the following elements:
   - a decision made by a judicial body;
   - a statute, decision, regulation, circular letter, or other forms of policies, either binding or non-binding, either inward or outward, along with the consideration taken by relevant law enforcement agency;
   - an instruction letter of investigation or litigation termination;
   - annual expenditure budget of the relevant law enforcement agency;
   - report(s) of corruption-derived money payback; and/or
   - other information approved to disclose following the process of objection, mediation and adjudication as ruled out by the KIP Act.

2. Information potential of distracting the protection of intellectual properties right and protection against unfair business competition;
3. Information potential of threatening the national defense and security;
4. Information potential of exposing Indonesia’s natural treasures;
5. Information potential of causing disadvantages to the national economic stability;
6. Information potential of causing disadvantages to the national foreign affairs;
7. Information potential of exposing personal authentic certificates and personal last will or testaments;
8. Information potential of exposing personal secrets;

   Information is not considered excluded as per point 7 and 8, among others, if:
   - the respective person whose secret being exposed has given written statement of approval; and/or
   - the disclosure of the information has something to do with one’s position within public employment.

9. Memorandum or letter between Public Bodies or within a particular Public Body categorized as excluded according to the nature, unless specified otherwise under the decision of the Commission of Information or the court;
10. Information determined not to be disclosed as ruled out by the applicable law.

**Rights and Obligations**

The primary subjects governed by the KIP Act include individual citizens and Public Bodies. As to prioritize the values of justice, both subjects are bound to the same rights and obligations. The rights and obligations of a citizen and Public Body, as per the KIP Act, are as the following:

**Citizen Rights**

1. The right to acquire Public Information;
2. The right to see and acknowledge Public Information;
3. The right to attend public meetings available for public;
4. The right to request for information and to receive copies of the respective Public Information;
5. The right to distribute Public Information;
6. The right to file legal suit to the court for obstructions and failures in acquiring Public Information.

**Citizen Obligations**

1. to use Public Information in accordance to the applicable legal regulations;
2. to quote the source(s) from where they acquire the respective Public Information used either for personal use or publication, as ruled out by the applicable legal regulations.
**Public Body Rights**

1. Public Body has the right to deny access to excluded information, as ruled out by the applicable legal regulations.
2. Public Body has the right to deny access to Public Information whenever it is not compliant to the applicable legal regulations.
3. Public Information that cannot be disclosed by a Public Body are:
   a) information potential of threatening national security;
   b) information related to business protection against unfair business competition;
   c) information related to personal rights;
   d) information related to professional secrets; and/or
   e) Public Information being requested has yet available or been documented.

**Public Body Obligations**

1. Public Body has the obligation of providing, delivering and/or publishing Public Information within its scope of authority to the Public Information Applicants, except excluded information, in accordance to the applicable conditions.
2. Public Body has the obligation of providing accurate, true, and unbiased Public Information. To achieve this, Public Body should establish and develop a proper information and documentation system to manage Public Information in a well-organized, efficient way so as to make it available through easy access.
3. Public Body has the obligation of making written consideration for every policy taken, so as to comply with people’s right concerning Public Information. The intended consideration is to contain political, economic, social, cultural, and/or national defense and security consideration.
CHAPTER THREE
PROCEDURE OF ACQUIRING INFORMATION
AND FILING INFORMATION DISPUTE APPEAL

As explained earlier, the KIP Act guarantees that the public will be able to propose information request to any Public Bodies. In delivering information request, the applicant will need to go through the specified procedure or protocol ruled out in the KIP Act.

Submitting an Information Request
The flowchart below describes a brief procedure of proposing an information request.

Within 10 days, at most, after the information request is recorded, the Public Body will give an official response. The response will be delivered in written format, and will contain among others the following explanations:

- Whether or not the requested information exists. If the Public Body does not have the information, the respective Public Body will ask for the information from other relevant Public Bodies who may have it.
- Whether the information is available for disclosure or whether it is excluded.
- Whether the information will be given entirely or only partially. If any document of the requested material is considered excluded, the respective part of information will be blacklisted (not included); the reasons for exclusion will be provided.
- What media will be used to deliver the information;
- The expense charged for the delivery of the requested information.

If the Public Body has not given any responses yet within the 10 days period as mentioned above, the respective Public body will issue a written notification within the next 7 days.
Applicants requesting for information may not always receive satisfying service. Whenever an applicant receives disappointing service when requesting for public information, he/she can file an information dispute.

According to the KIP Act, several conditions for an applicant to file an information dispute are listed as follows:

1. the initial information request was denied due to exclusion issue;
2. the information was not provided periodically as ruled out in the KIP Act;
3. the information request received no response;
4. the information request was not responded in ways it should have been;
5. unreasonable fee; and/or
6. the information took longer to deliver than what is specified in the KIP Act.

To file an information dispute, an applicant will need to go through three stages, namely: 1) Filing an Objection to the PPID Superior; 2) Filing a Dispute Appeal to the Commission of Information; and 3) Filing a Legal Suit to the Court

**Filing an Objection to the PPID Superior**

To file an objection to the PPID Superior, the applicant needs to follow the specified procedure as described in the flowchart below.
**Filing an Information Dispute Appeal to the Commission of Information**

If the applicant has not received any written responses even after filing an objection to the PPID Superior, or if the written response given was not satisfactory, he/she can continue by filing an information dispute appeal to the Commission of Information.

The procedure of appealing for an information dispute is described in the flowchart below.
Step 1. The dispute appeal is to be submitted to the Commission of Information within 14 working days at most since the appellant receives written decision/response from the PPID Superior.

Step 2. Within 14 working days since the appeal is received, the Commission of Information must start working on settling the dispute through mediation and/or adjudication. Normally, it will take 100 working days at most for the Commission of Information to settle the information dispute through mediation and/or adjudication.

If, during the mediation, a decision has been agreed, the results of the agreement will be fixed by the Commission of Information.

If no decision is possible during mediation, or if one or more parties withdraw from the process, the Commission of Information will bring up the dispute to adjudication stage.

If the information applicant does not receive/is not satisfied with the decision made by the Commission of Information, he/she can file a legal suit to the court within 14 working days since the decision is received, and by providing a written statement mentioning that she/he is dissatisfied with the decision made by the Commission of Information through adjudication.

If the information applicant approves the decision made through adjudication provided by the Commission of Information, the dispute is declared settled.

SETTLED. The decision taken by the Commission of Information is made upon the agreement of all parties involved is by nature final and binding.
Filing a Legal Suit to the Court

If the preceding information dispute settled by the Commission of Information remains unsatisfactory, the KIP Act also makes it possible for an appellant to file a legal suit to the Court.

Below is the flowchart of the procedure of filing a legal suit to the court.

Legal suit and written statement of the results of adjudication facilitated by the Commission of Information is to be filed to the court within 14 working days at most since the litigant receives a decision from the Commission of Information.

When the defendant is a State-owned Public Body, the legal suit is to be filed to the State Governance Court (Pengadilan Tata Usaha Negara/PTUN).

The defendant receives a decision from the court.

When the defendant is not a State-owned Public Body, the legal suit is to be filed to the State Court (Pengadilan Negeri/PN).

The defendant receives a decision from the court.

If there is no decision made by the court, the litigant may file a cassation to the Supreme Court.

The cassation is to be filed within 14 days, at the latest, since the State Court or State Governance Court made a decision.
CHAPTER FOUR
MAKING USE OF PUBLIC INFORMATION TO IMPROVE PUBLIC SERVICES

Any Public Information acquired is to be used to improve the quality of public services provided by the government. As reflected in the stories from the people, Mrs. Agustina of Manokwari made use of the Public Information she had requested to facilitate in improving public health service in the local Community Health Centers.

As such, there are several phases you need to go through so that the Public Information request may contribute to the improvement of public services, as explained below.

Identifying Problems Related to Public Services
Prior to applying for information request, you need to thoroughly identify the problems related to public services in your surrounding environment. The explanation on the categories and groups of public services has been provided earlier in Chapter One.

A problem is said to occur when there is a discrepancy between what is expected and what actually happened. Take health service as an example, where people were expecting that the medical staffs would provide health services regularly at the Community Health Center. On the contrary, what actually happened was that the medical staffs were present only very rarely, or even not present at all.

Another example concerning health service is that people from lower economic class society expected to obtain health security insurance; so that they would not have to pay any cost for the treatments/medications they received. However, the actual condition proved a contrasting fact; many of them remained uncovered by the health insurance.

Stepping from such problems, you can then submit an information request concerning the problems to the relevant Public Body.

Identifying Relevant Public Bodies
Before moving forward and submitting the information request, first you will need to identify the Public Body (or Public Bodies) relevant to the problems in public service at issue.

As an example, you can submit the request to the Regional Office of Health for health-related information, to the Regional Office of Education for education-related information, to the Regional Office of Public Work for information related to infrastructure or transportation services, and so on.

By identifying the relevant Public Body, the information request you are about to submit will not go the wrong way, and will be received by the intended receiver.

Self Organization
Although you may personally have identified the existing problems and the relevant Public Body to where you should deliver your information request, sometimes it is common that people have little courage to step forward and actually submit the Public Information request. This is where self organization plays an essential role within the surrounding environment. You can initiate a casual gathering involving other community members, where all of you can share what problems you are currently experiencing regarding public services. During such casual gathering, people would likely figure out that there are more of them experiencing the same problem. Self organization can later be applied based on the similarity of problems, followed by striving together to find a solution to the identified problems.

Speaking of self organization in this context, do not confuse yourself with complex organizational structure which would require complete organizational bodies. The organization intended in this context would typically require only a Chairman, a Secretary, and a Treasurer. You can choose one of the members’ houses as a base where you can hold your gathering. Ideally, the established organization is better sustained or continued as it is very possible that you might face other problems in the future.
Making an Information Request

Once people are organized, it will be a lot easier to decide the next step to take. After identifying the occurring problems related to public services and what Public Body is responsible for the corresponding public services, the next step to take is to make an information request.

An information request may be filed according to the following steps:

1. **Defining what information to acquire**
   
   The requested Public Information must be the needed one regarding the problems you are dealing with. This way, the intended Public Information would be able to help you solve the problems. The information should also be detailed, not the general one.

   As an example, when Mrs. Aminah of Jagaraga dealt with the possible issue of her child being denied admission to the junior high school for not being able to provide the birth certificate, she requested information on the requirements for enrolling to the school. That way, the villagers could then check up on the applicable requirements, and to make sure whether birth certificate is mandatory. The information she requested was also mentioned in detail, not just general information such as the applicable mechanism of student enrollment.

2. **Preparing the Information Request**

   As per the KIP Act, an information request may be submitted using various media, including by directly delivering spoken request to the relevant Public Body. However, to allow the request to be delivered as an authentic document, it is better that the request is delivered in written form. Written request also functions to anticipate any possibilities that the relevant Public Body provides no relevant forms to complete.

   As for Public Bodies providing online information query form, the request may also be submitted by filling the online application form. Therefore, it is essential that people also learn to use Internet, as more Public Bodies are adopting online information service or PPID Public Information System (*Sistem Informasi Publik PPID*).

   Information request is better filed personally or on personal basis, although it may indeed represent all relevant community members. Information request filed on personal basis is more likely to gain higher trust from the corresponding Public Body as it provides clarity about the person in charge when compared to a request filed on behalf of a larger group.

3. **Directly Contacting the Relevant Public Body**

   Information request delivered in written form is better submitted in person while visiting the corresponding Public Body’s office; it is not recommended to send the paper by post. By handing the request paper in person, it will be easier for you to monitor the progress—who receives the paper and how it is recorded. Also, you will receive the receipt note directly, making it easier for you to ensure that the request paper has been acknowledged by the Public Body’s staff.

   If you are dealing with a Public Body that has adopted online information service system, you can go straight by submitting the request via online system. This way, a connection has been established between the corresponding Public Body and you as the applicant. If you are submitting the information request via online system, the receipt note will typically be provided online as well.

4. **Directly confirming the progress**

   Normally, within 10 days duration, at most, since the request is filed, the Public Body will contact you. However, if there is no notification even after 10 days have passed, it is recommended that you contact the Public Body again for any responses. This way, you will also remind the Public Body of your deep concern in the information request.
Discussing the Results of the Request

Once you have received an answer from the relevant Public Body, regardless of what the answer is, you should immediately discuss the results along with other community members involved in the organization you have established during the earlier stage. The discussion is to determine what steps to take next, regarding the answer the Public Body has given to you.

If the Public Information request is granted as expected, you should discuss how you would make use of the respective information to solve the problems. If the information disclosed does not meet your expectation, the discussion should be focused on how to propose further request or ask for clarification from the relevant Public Body. If, on the contrary, the request is denied or rejected, the discussion is to be focused on how to file a letter of objection to the PPID Superior at the corresponding Public Body. There are other possibilities of answer, which means that a discussion is always necessary to find what to do next.

Networking with Strategic Partners

The term strategic partner refers to likeminded colleagues who are potential of participating through a collaborative work to acquire Public Information to enforce improvement of public services. Having strategic partners will help strengthen the community’s influence.

Below are the examples of strategic partners you can build networks with:

1. **Non-Governmental Organizations (NGOs)**
   Non-Governmental Organizations or NGOs (Lembaga Swadaya Masyarakat/LSM) may help you enrich your understanding or substances of various regulations or other legal products concerning Public Information. NGOs may also facilitate inter-community meetings, external meetings between the community members and relevant Public Bodies, or between the community members and other governmental apparatus, e.g. the Regional Board of Representatives (DPRD).

2. **Journalists**
   Journalists may help you bring up the issues you are working on and spread the news via mass media, allowing you to gain more attention from the outer world. News published on mass media will undoubtedly affect various stakeholders, particularly the relevant Public Bodies, and thus driving them to improve their public services.

3. **Legal Aid Agencies**
   Partnership with Legal Aid Agencies (Lembaga Bantuan Hukum/LBH), or lawyer agencies providing free *(pro bono)* legal aid, is essential to anticipate any possibilities of the community members encountering legal issues while conducting the activities related to public information. As an example, a staff of the addressed Public Body may disregard the community’s information request or may just dislike what the community is doing to enforce the improvement of public services, and may sue them to the court. In such situation, the lawyer from your partner Legal Aid Agency may act as your legal representative. You may also obtain similar help when filing an information dispute to the Commission of Information by appointing the advocates of the Legal Aid Agency to act as your legal representative.
Practical Examples

To make it clearer about the steps to take, as explained above, this section presents practical examples of how the local communities access information to solve public service issues. Within the practical examples listed below, the community members were guided using tables as a tool to help them in identifying the public information to ask, as well as how to use the information to solve the existing problems. The community members completed the tables prior to filing the information request.

**Table of Problem-based Analysis on the Need for Public Information**

<table>
<thead>
<tr>
<th>PROBLEMS TO ADDRESS</th>
<th>LIST OF NECESSARY PUBLIC INFORMATION</th>
<th>RELEVANT PUBLIC BODY HAVING THE NECESSARY PUBLIC INFORMATION</th>
<th>ATTEMPTS TO ACQUIRE PUBLIC INFORMATION</th>
<th>ATTEMPTS TO SOLVE THE PROBLEMS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In this example, the table presented had been filled out by the local community of Sigerongan Village, Lombok Barat, NTB, as follows:

<table>
<thead>
<tr>
<th>PROBLEMS TO ADDRESS</th>
<th>LIST OF NECESSARY PUBLIC INFORMATION</th>
<th>RELEVANT PUBLIC BODY HAVING THE NECESSARY PUBLIC INFORMATION</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Several students listed as recipients of Aids for Poor Students (Bantuan Siswa Miskin) actually received less than the specified amount; they received only IDR 100,000 per student rather than the specified IDR 600,000 per student.</td>
<td>1. Technical document(s) on Implementation Guidelines (Petunjuk Pelaksanaan/Jaklak) of BSM Scholarship Distribution. 2. Data of BSM Scholarship recipients in SMPN 4 Lingsar.</td>
<td>1. The Regional Office of Education and Culture at Lombok Barat Regency 2. SMPN 4 Lingsar</td>
<td>The locals are to set up a discussion to construct an information request and to schedule its submission date, as well as to appoint several representatives to deliver the request paper.</td>
<td>With the acquired information, the locals will crosscheck to the corresponding school, namely SMPN 4 Lingsar. The locals will also encourage the Regional Office of Education and Culture to urge SMPN 4 Lingsar’s officials to distribute the BSM Scholarship in compliant with the specified rules.</td>
</tr>
</tbody>
</table>

After writing out the identified problems into the tables, the locals moved forward to carry out the scheduled activities, and they eventually achieve the expected result. The table below presents more details of the results achieved by Sigerongan villagers in accessing and making use of public information.
<table>
<thead>
<tr>
<th>Access to Information Prevented BSM Fund Cut-off</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Primary issue/problem</strong></td>
</tr>
<tr>
<td>Several students listed as recipients of Aids for Poor Students (<em>Bantuan Siswa Miskin</em>) actually received less than the specified amount; they received only IDR 100,000 per student rather than the specified IDR 600,000 per student.</td>
</tr>
<tr>
<td><strong>Specification of the type of information to access</strong></td>
</tr>
<tr>
<td>2. Data of BSM Scholarship recipients in SMPN 4 Lingsar.</td>
</tr>
<tr>
<td><strong>Public Bodies to address</strong></td>
</tr>
<tr>
<td>1. The Regional Office of Education and Culture at Lombok Barat Regency</td>
</tr>
<tr>
<td>2. SMPN 4 Lingsar</td>
</tr>
<tr>
<td><strong>Benefits obtained from the results of access to information</strong></td>
</tr>
<tr>
<td>All students listed as recipients of BSM Scholarship eventually received the specified amount of IDR 600,000 per student.</td>
</tr>
<tr>
<td>The Regional Office of Education and Culture issued a recommendation letter addressed to SMPN 4 Lingsar containing the following instructions:</td>
</tr>
<tr>
<td>1. There should be no more blind equalization in distributing BSM fund, which formerly had occurred as the school had not properly collect the necessary data and had not further verified the collected data of poor students.</td>
</tr>
<tr>
<td>2. There should be no more BSM fund cut-off for whatever reasons.</td>
</tr>
<tr>
<td>3. Information on the use of BOS fund is to be disclosed to the parents.</td>
</tr>
<tr>
<td>4. The school is to regularly update any information regarding any progress in the school to the parents.</td>
</tr>
<tr>
<td>5. It is necessary to emphasize that CC is not a provocateur, but that it functions as a center for complaints, advocacy, and information for the community members.</td>
</tr>
</tbody>
</table>

**Summary of the Story**

It all began when the locals heard the news that SMPN 4 Lingsar in Sigerongan had distributed BSM scholarship fund to 133 students, whereas the approved data stipulated that the fund was to be distributed to only 89 students. The additional recipients actually did not deserve the fund as they were practically not poor. The news had violated the locals’ sense of justice, and it led them—who were joined in Community Center (CC)—to set up a gathering to discuss the particular issue.

During the discussion, it was revealed that the distribution of BSM fund was based on the agreement between all parents attending a previous meeting, which had been set up by the school. During the meeting, it had been agreed that BSM fund would also be allocated to pay
the part-time teachers’ salary, farewell expenses, report book covers, etc. As the result, each student deserving the fund received only about IDR 101,000 rather than the allocated IDR 600,000.

Intending to obtain clearer information on the mechanism of BSM fund distribution, Mr. Multajam and Mrs. Kustiyah of Civil Society Network (Jaringan Masyarakat Sipil/JSM) filed an information request to the Regional Office of Education and Culture (Dikbud) to find more about the Implementation Guidelines (Petunjuk Pelaksanaan) of BSM fund. The request was filed in January 15, 2014. The staff at the office gave the requested information at once. According to the provided information, Mr. Multajam and Mrs. Kustiyah convinced other parents that school had violated the applicable regulation regarding the fund.

In January 24, 2014, CC set up a hearing session with Dikbud, with Musabah and CC spoke on behalf of CC, while Kustiyah and Multajam spoke on behalf of JSM. At the end of the hearing, the Dikbud official instructed SMPN 4 Lingsar to invite all parents to a meeting and to transparently redistribute the BSM fund.

On Monday, January 27, 2014, Musabah received an invitation from the school regarding the school’s plan to redistribute all BSM funds which had already been distributed. The meeting was scheduled to be held the next day, and would be attended by representatives of the parents and CC members who would supervise the recollection of the funds.

The next day, Mr. Multajam of JMS and Yanti of CC attended the meeting. Too bad, the school did not straightforwardly redistribute the funds as promised. Rather, the school officials and committee challenged the attendees to get all parents into a meeting scheduled to be held on Thursday, January 30, to reformulate the agreement, just as the school had done previously.

Disappointed because the school denied its own promise, CC representatives complained about the issue to Dikbud. The group was received by Hj. Eny of the specific division handling BSM-related issues, and H. Darmilan of the division handling BOS fund programs. Hj. Eny phoned H. Damiri (the Headmaster of SMPN 4 Lingsar) at once, and firmly reminded him to redistribute the BSM funds. Within her instructions, she also mentioned that Dikpora would directly supervise the redistribution of the fund.

On Wednesday, January 29, we gathered at CC Sigerongan to reformulate strategies. One of the students at SMPN 4 Lingsar came and told us that the school had redistributed the BSM fund on Wednesday morning. The student also mentioned that the school’s official also sent a message saying, “Please tell Mr. Musabah—as a member of CC, and the Leader of Embungpas Barat Sub-village, that the BSM fund has been redistributed.” Apparently, the school thought CC had provoked everyone to demand the fund to be redistributed.

On Thursday, January 30, H. Darmilan—on behalf of Dikpora, me, and Mr. Musabah returned to attend the scheduled meeting at SMPN 4 Lingsar. We discussed about many things, while Dikpora also gave several warnings to the school, among others:

1. There should be no more blind equalization in distributing BSM fund, which formerly had occurred as the school had not properly collect the necessary data and had not further verified the collected data of poor students.

2. There should be no more BSM fund cut-off for whatever reasons.

3. Information on the use of BOS fund is to be disclosed to the parents.

4. The school is to regularly update any information regarding any progress in the school to the parents.

5. It is necessary to emphasize that CC is not a provocateur, but that it functions as a
CHAPTER FIVE
CONCLUSION

To conclude, it is necessary for everyone to be aware that it is the people or community who has essential roles in actualizing information transparency and public service improvement. In bureaucracy culture prevailing in developing countries, including Indonesia, most of the governmental institutions remain passive and lack of initiatives. Such bureaucracy culture can only be transformed whenever there is a continuous movement rooting from the community level. It is our expectation that people can make use of this guideline as a media or means to enforce such efforts.

Everything contained in this guideline is not absolute, meaning that the steps presented here are not to be all taken strictly. People may improvise or adjust to the specific conditions prevailing in their environment.

Most important is, do not let this guideline ends up on your hands. If you happen to own this book, make sure that your friends, neighbors, or other people in your surrounding can also learn from it. This way, this book would not only result in personal understanding, but would also create collective understanding. It is this collective understanding which would enforce information transparency and public service improvement.