



Challenges and Implementation of Human Rights in the Personality Development of Elderly Prisoners

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ABSTRACT

This research aims to analyze the challenges and implementation of human rights in the personality development of elderly prisoners in Merauke Class IIB Prison. The research is limited to two main questions: How is, the personality development of elderly prisoners carried out in the Merauke Class IIB Prison? Second, what challenges are faced in implementing human rights in providing personality development to elderly prisoners in Merauke Class IIB Prison? This empirical juridical research examines legal regulations based on cases related to the implementation of personality development for elderly prisoners in Merauke Class IIB Prison. The research results show that first, the personality development activities for elderly prisoners carried out by the Merauke Class IIB Prison are limited to spiritual and moral development through direct and familial interaction between facilitators and inmates, systematic and planned development, and individual and group approaches. Second, Merauke Class IIB Prison faced several challenges in implementing human rights for elderly prisoners, such as inadequate provision of facilities and infrastructure, lack of socialization about human rights, which results in officers being less aware of prisoners' rights, and deficiencies in human resource capabilities and skills Necessary to direct organizational goals. Researchers suggest that the implementation of personality development for elderly prisoners must strictly adhere to the Minister of Law and Human Rights Regulation Number 32 of 2018. Every article in it can be taken carefully.

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1. Introduction

Personality development of prisoners is an integral part of the correctional system, which aims to improve prisoners' behavior and prepare them for reintegration into society.¹ This policy shows that Indonesia is a country that highly values and respects human rights.² This development is significant, carried out both extramurally (outside prison) and intramurally to ensure that prisoners, after completing their sentence, can return to society with better attitudes and behavior.³ However, older inmates face unique challenges that require a particular approach to coaching. They often experience physical and mental limitations and have more complex medical needs, which require more attention in a coaching program.^{4,5,6}

One of the common problems faced in fostering prisoners is the lack of fulfillment of fundamental human rights, such as the right to adequate health care, a humane environment, and fair treatment.⁷ Human rights are fundamental principles that must be applied in all aspects of life, including in the development of prisoners. However, in

¹ Adinta B Barus, "Pengaruh Pelaksanaan Pembinaan Kepribadian Kepada Narapidana Lanjut Usia Terhadap Perilaku Di Lembaga Pemasyarakatan Kelas II B Gunung Sugih," *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 8, no. 3 (2021): 14–22, <http://jurnal.um-tapsel.ac.id/index.php/nusantara/index>.

² Mulyadi Alrianto Tajuddin and Leonardus Abung, "Pembinaan Anak Didik Pemasyarakatan Berorientasi Rehabilitasi Sosial Di Lembaga Pemasyarakatan Kelas IIB Merauke," *Al-Adalah: Jurnal Hukum Dan Politik Islam* 4, no. 2 (2019): 173–93, <https://doi.org/10.35673/ajmpi.v4i2.414>.

³ Darmawati et al., "Assessing the New Model Fulfilling the Right to Education for Correctional Students," *Al-Adalah: Jurnal Hukum Dan Politik Islam* 8, no. 1 (2023): 1–14.

⁴ Akbar Alrifson, "Implementasi Pemberian Hak Pelayanan Kesehatan Bagi Warga Binaan Pemasyarakatan Lanjut Usia Di Lembaga Pemasyarakatan Kelas IIB Gunung Sugih," *JUSTITIA: Jurnal Ilmu Hukum Dan Humaniora* 8, no. 5 (2021): 1162–67, <http://jurnal.um-tapsel.ac.id/index.php/Justitia/article/view/2812>.

⁵ Liane Meyer, Tanja Marschall, and Sandra Verhülsdonk, "Depressive Symptoms in Older Prisoners: Results of Two Studies," *Zeitschrift Fur Gerontologie Und Geriatrie* 57, no. 3 (2024): 192–98, <https://doi.org/10.1007/s00391-024-02293-5>.

⁶ Susan Baidawi, Christopher Trotter, and Catherine Flynn, "Prison Experiences and Psychological Distress among Older Inmates," *Journal of Gerontological Social Work* 59, no. 3 (2016): 252–70, <https://doi.org/10.1080/01634372.2016.1197353>.

⁷ Rachmad Irfan Tajuddin and Mitro Subroto, "Pemenuhan Hak Narapidana Kelompok Rentan Khusus Lansia Sebagai Upaya Memenuhi Kesehatan Di Lembaga Pemasyarakatan," *JOURNAL OF MANAGEMENT* 17, no. 1 (2024): 293–98, <https://doi.org/10.19109/intelektualita.v12i002.19723>.

reality, prisoners often do not receive these rights in total, which hurts their rehabilitation process and often even triggers riots in prisons.⁸

Specific problems faced by elderly prisoners include treatment that is not by human rights standards, limited facilities, and adequate infrastructure, as well as a lack of understanding and skills of officers in dealing with elderly prisoners.^{9,10} This condition causes the personality development provided to be ineffective and not by their needs. Elderly inmates are often placed in environments that are not conducive to their well-being, which impacts their physical and mental health.¹¹

This research aims to analyze the implementation of human rights in developing the personality of elderly prisoners in correctional institutions, especially in the Merauke Class II B Correctional Institution. Apart from that, this research also aims to identify the challenges faced in ensuring that human rights are fulfilled for elderly prisoners during the development process. Thus, it is hoped that this research can provide recommendations for improving the implementation of human rights in developing the personality of elderly prisoners to create a more humane and supportive environment for them.

It is realized that so far, there has been much research that examines the development of elderly prisoners, such as several previous studies by Ari Fadilah and Umar Anwar (2020), with the theme Analysis of Development Strategies for Elderly Prisoners in Bengkulu Class IIA Prisons.¹² Leo R. Karindra's research (2022) entitled "Implementation of the Personality and Independence Development Program for Elderly

⁸ Intan Setiawanty, "13 Kebakaran Lapas Dalam 3 Tahun Terakhir, 10 Diantaranya Over Kapasitas," *Tempo.Co*, 2021, <https://nasional.tempo.co/read/1504543/13-kebakaran-lapas-dalam-3-tahun-terakhir-10-di-antaranya-over-kapasitas>. diakses pada 1 Juli 2024

⁹ Stephen Ginn, "Elderly Prisoners," *BMJ (Online)* 345, no. 7879 (2012): 1–6, <https://doi.org/10.1136/bmj.e6263>.

¹⁰ Claudio Di Lorito, Birgit Völlm, and Tom Dening, "Psychiatric Disorders among Older Prisoners: A Systematic Review and Comparison Study against Older People in the Community," *Aging and Mental Health* 22, no. 1 (2018): 1–10, <https://doi.org/10.1080/13607863.2017.1286453>.

¹¹ Gabriele Cipriani et al., "Old and Dangerous: Prison and Dementia," *Journal of Forensic and Legal Medicine* 51 (2017): 40–44, <https://doi.org/10.1016/j.jflm.2017.07.004>.

¹² Ari Fadilah and Anwar Umar, "Analisis Strategi Pembinaan Bagi Narapidana Lanjut Usia Di Lapas Kelas IIA Bengkulu," *Jurnal Pendidikan Kewarganegaraan* 10, no. 2 (2022): 1–8.

Prisoners in Correctional Institutions."¹³ These two studies have a different problem focus from this paper because this paper focuses on the implementation of personality development for elderly prisoners and the challenges of implementing it at the Merauke Class IIB Penitentiary. This location was chosen because eight inmates are 60 years of age or older and are classified as elderly.¹⁴ In addition, there has not been much research that comprehensively explores the challenges and implementation of human rights in developing the personality of elderly prisoners, which is a gap that this research aims to fill.

This research offers novelty value with a specific focus on human rights in the personality development of elderly prisoners, a topic that has not been widely explored in previous literature. By exploring the challenges and implementation of human rights in this context, this research will provide new insights that are valuable for policy makers and practitioners in the correctional sector. The importance of this research lies in efforts to improve the quality of guidance for elderly prisoners, ensure their human rights are fulfilled, and help them live a better life after prison.

This research is expected to make scientific contributions in several ways: providing empirical data on the conditions for personality development in elderly prisoners and the fulfillment of human rights in correctional institutions; developing a better understanding of the challenges faced in the implementation of human rights for elderly prisoners; provide policy recommendations that correctional institutions can adopt to improve the quality of personality development for elderly prisoners; as well as contributing new literature in the field of correctional law and human rights, especially related to elderly prisoners.

Thus, this research not only contributes to the development of theory and practice in the field of correctional law but also seeks to bring about fundamental changes in the treatment and development of elderly prisoners by internationally recognized human rights

¹³ Leo Rahmat Karindra and Mitro Subroto, "Implementasi Program Pembinaan Kepribadian Dan Kemandirian Narapidana Lanjut Usia Di Lembaga Pemasarakatan," *Jurnal Supremasi* 12, no. 2007 (2022): 111–20, <https://doi.org/10.35457/supremasi.v12i2.1952>.

¹⁴ Data on Elderly Prisoners was obtained from the Class IIB Merauke Prison 2022

standards. Through this research, it is hoped that a more just and humane correctional system can be created to positively impact elderly prisoners and the wider community.

2. Legal Materials and Research Methods

This research type uses an empirical juridical method whose writing is descriptive in nature and approaches laws and regulations and a case approach. The author uses primary data obtained directly from sources when making observations related to one of the Merauke Class IIB Penitentiary officers. Apart from that, secondary data was obtained from library materials, writings, statutory regulations, and opinions of legal experts, as well as research related to the research conducted by the author. The data obtained will then be analyzed descriptively and qualitatively.

3. Result and Discussion

3.1. Implementation of Personality Development for Elderly Prisoners in Correctional Institutions

One type of counseling for prisoners in prisons is personality development. This is intended so that through this personality development process, elderly prisoners can maintain and develop the various abilities bestowed upon them, as well as have an area of personality that they can use after their sentence is over and they return to society. Therefore, the implementation of personality development needs to be handled carefully.¹⁵

Prison/detention staff, the community, and inmates all need to participate in the development program to be successful.¹⁶ Prisoners' personalities need to be developed, which requires guidance, inspiration, and support to train well. In this case, the prisoner realizes this coaching will be helpful beyond his sentence. To achieve this, prisoners are used as coaching subjects and not just as objects of coaching, but they must actively participate in the development of their personalities so they can express their creativity.

The Merauke Class IIB Penitentiary development program refers to ten (10) ideas for developing Indonesian prisoners, including:

¹⁵ Barus, "Pengaruh Pelaksanaan Pembinaan Kepribadian Kepada Narapidana Lanjut Usia Terhadap Perilaku Di Lembaga Pemasyarakatan Klas II B Gunung Sugih."

¹⁶ Darmawati, "Pembaharuan Model Penilaian Pembinaan Narapidana Residivis Berbasis Teknologi," *Al-Adalah: Jurnal Hukum Dan Politik Islam* 7, no. 1 (2022): 74–93, <https://doi.org/10.35673/ajhpi.v7i1.1682>.

- 1) “Care for and meet their needs;
- 2) Punishment is not an act of retaliation from the state;
- 3) Offer guidance rather than torture;
- 4) The state has no right to make them worse off than before;
- 5) Isolating prisoners and students in prisons/detention centers from society is not appropriate;
- 6) Offer tasks with a high level of productivity;
- 7) Pancasila-based coaching and mentoring;
- 8) Treating prisoners as fellow human beings;
- 9) Viewing the loss of freedom as the only suffering; And
- 10) Offers rehabilitation, correctional and educational services.”

In Iqraq, Jeremy Bentham stated in his book *An Introduction to the Principles of Morals and Law* that humans are capable of experiencing pain and pleasure. Both determine what humans will do and what they should do. Both are also (something that can explain) the chain of cause and effect and the benchmark for good and evil. The utility principle is a theory that supports or opposes happiness depending on the activity.

Personality development based on the Decree of the Minister of Justice of the Republic of Indonesia. No. M. 02.PK.04 dated 10 April 1990 concerning Patterns of Guidance for Prisoners/Detainees, the implementation of guidance is divided into 5: Religious Awareness Development, National and State Awareness Development, Intellectual Development, Legal Awareness Development, and Integration Development with Society.

United Nations Office on Drugs and Crime/UNODC (2007) explains that there are several reasons behind the emergence of thinking towards community-based correctional institutions, namely: The counter-productivity of imprisonment for perpetrators of very light crimes, and the perpetrators are vulnerable groups, deprivation experienced by prisoners; and the high cost of imprisonment.¹⁷ Construction methods at Class IIB Merauke Prison include:

¹⁷ United Nations Office on Drugs and Crime, “2007 World Drug Report,” 2007, http://www.unodc.org/pdf/research/wdr07/WDR_2007.pdf.

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- a. Fostering direct interaction of a familial nature between the coach and those being coached, namely prisoners/inmates.

Every officer/employee in the class IIB prison in Merauke implements guidance for prisoners/inmates with direct interaction of a familial nature so that the prisoners/inmates do not feel isolated. So they can accept the form of guidance provided; at this moment, the Head of the Prisoner/Protégé Guidance Section said that the coaching method that has been implemented at the Merauke Class IIB Prison is in the form of interaction directly with the prisoners/inmates with the consideration that this method is critical to be able to approach the prisoners/inmates more closely.

During this coaching, officers/employees interacted directly with prisoners/inmates at the Merauke Class IIB Prison, gaining familiarity and mutual friendship as was stated by the Head of the security unit at the Merauke Class IIB Prison, saying that direct interaction from the Officers/Employees directly to Prisoners / Inmates are significant. This method is also appropriate because the atmosphere in the Merauke Class IIB Prison between Officers / Employees and Prisoners / Inmates can be closer (familiar) where initially there was a distance (not intimate) between Officers / Employees and Prisoners / Inmates and after implementing the direct interaction approach method, changes occurred in the Merauke Class IIB prison. The friendly atmosphere became peaceful and peaceful.¹⁸

- b. Coaching is planned and systematic

The training at the Merauke Class IIB Prison is well planned; each training is carried out continuously so that the prisoners/inmates can master the work activities/skills given. When the prisoners/inmates have mastered these skills, they will pass on the knowledge they have gained to prisoners/other inmates who are just learning with the assistance of officers/employees at the Merauke Class IIB Prison. The Head of the Development Section at the Merauke Class IIB Prison explained that the coaching carried out/implemented at the Merauke Class IIB Prison has been well planned and systematic with the aim and hope that prisoners/inmates can receive and understand the guidance provided.¹⁹

Guidance at the Merauke Class IIB Prison has prepared a program that will be carried out. The prisoners/inmates will participate in taking part in the programs that have

¹⁸ Data on Elderly Prisoners was obtained from the Class IIB Merauke Prison 2022

¹⁹ *Ibid.*

been provided by what was conveyed by the Head of the Registration Sub-Section at the Merauke Class IIB Prison at this moment said that the Class IIB Prison Merauke already has a structured/planned and systematic development program for prisoners/citizens. Trainees are expected to be able to master the skills given and have been provided in the Merauke class IIB prison.²⁰

c. Individual and group approaches

Class IIB Merauke prison officers in coaching also try to take approaches in the form of both individual and group approaches. This is done so that in the Merauke Class IIB Penitentiary, there are no disputes between prisoners/Inmates, as well as the Head of the Prisoner/Students Guidance Section, namely Officers/Employees, who must avoid friction or fighting within the Merauke Class IIB Penitentiary, so the Officers/Employees use approaches both personally / individually and also as a group.²¹

An individual approach and a group approach will create positive things in the Class IIB Penitentiary in Merauke, especially for officers/staff and prisoners/inmates on site, so the Head of the Correctional Security Unit at the Class IIB Penitentiary in Merauke said that to create an atmosphere in the Class IIB Penitentiary IIB Merauke is safe and conducive. Officers/Employees must determine and use individual and group approaches to all prisoners/inmates in class IIB Merauke prisons.²²

By implementing appropriate coaching methods at the Class IIB Merauke Penitentiary, prisoners/detainees can change their way of thinking so that they can receive coaching well and understand it optimally, which will help achieve the goal of coaching in personality development.

d. Spiritual Development for Prisoners or Residents

Personality and independence development are part of the development pattern in correctional institutions. Prisoners' behavior and character are intended to be changed through personality development. This is done by helping prisoners develop a deeper relationship with God and a love of nation and country. It is hoped that changes in inmates'

²⁰ *Ibid.*

²¹ Data on Elderly Prisoners was obtained from the Class IIB Merauke Prison 2022

²² *Ibid.*

personalities will make it easier for them to interact with members of society, help them learn from their mistakes,²³ and help them grow into better people in the future.²⁴

In this regard, the Correctional Institution coaching program, which is specifically focused on personality development, will offer:

a. Religious Education

In Merauke class IIB prison, most of the prisoners/inmates are Christians, and some are Muslims. So, the existing religious formation is Christian and Islamic. Christian religious formation is carried out in the church inside the prison, which is attended by prisoners or inmates who take part in spiritual formation from the class IIB prison in Merauke in collaboration with coaches from outside, namely in collaboration with churches outside the prison, dividing schedules to fill activities every Sunday or Christian holidays are scheduled and arranged by Correctional Institution officers so that everything goes well.

Islamic religious development in class IIB prisons in Merauke, in collaboration with leaders of Islamic boarding schools or mosques outside correctional institutions, the form of guidance is lectured after finishing Friday prayers and also on major Islamic religious holidays.

Religious guidance at the Merauke Class II B Penitentiary is quite good, as evidenced by the regular schedule; the guidance aims to ensure that inmates or detainees gain more religious knowledge, which can be used to cool the souls of the inmates/detainees.

b. Moral Construction

In Merauke class IIB prison, the correctional system places prisoners/inmates as subjects, which means that prisoners or inmates have personal views and also ordinary citizens who are faced not as retaliation but as coaching and guidance. So, coaching aims to improve oneself, which can improve character, namely morality related to prisoner behavior, to be better and accepted by society after being released.

²³ Amy B. Smoyer, Johanna Elumn Madera, and Kim M. Blankenship, "Older Adults' Lived Experience of Incarceration," *Journal of Offender Rehabilitation* 58, no. 3 (2019): 220–39, <https://doi.org/10.1080/10509674.2019.1582574>.

²⁴ Ibnu Masura and Padmono Wibowo, "Pelayanan Khusus Warga Binaan Lanjut Usia Menurut Permenkumham RI No. 32 Tahun 2018 Tentang Perlakuan Bagi Tahanan Dan Narapidana Lanjut Usia," *Jurnal Gema Keadilan* 7, no. November (2020): 852–63.

The community must be involved in implementing the correctional system by providing guidance and being open to accepting back prisoners who have completed their sentences. Correctional institutions in Indonesia function as a source of guidance for prisoners and students undergoing correctional education.

There are two main goals for the prisoners being fostered. The first is to resolve disputes, create balance, and stop illegal activities from occurring again. The second is to make the transgressors righteous. There are two categories of prisoners who receive guidance: non-elderly prisoners and elderly prisoners. The Ministry of Justice of the Republic of Indonesia has established a pattern for implementing prisoner development based on the Decree of the Minister of Justice No. M.HH.04.10 of 1990. However, this advice will vary depending on the circumstances and environment in a particular prison/detention center. The Correctional System, as outlined in Law Number 22 of 2022 concerning prisoners in general, functions as the basis for inmate development. However, regarding the treatment of elderly prisoners, Minister of Law and Human Rights Regulation Number 32 of 2018 is relevant.

Until prisoners are expected to have better personalities and spirituality, the responsibility of prisons in providing spiritual guidance is to hold religious activities, invite religious leaders, and provide material about spirituality.²⁵

Merauke Class IIB Penitentiary follows the Republic of Indonesia Government Regulation Number 32 of 2018, which regulates the treatment of elderly prisoners and detainees. It is a set of guidelines based on laws governing the elderly.

According to Mr. Eko Suprayitno, in an interview regarding the implementation of personality development for the elderly in Merauke Class IIB Prison, Minister of Law and Human Rights Regulation Number 32 of 2018 concerning the treatment of elderly detainees and prisoners is a reference in the outline of the personality development program. When a prisoner is first sentenced to serve a sentence at Merauke Prison, either based on a court decision or sentence, they must go through the following processes.

²⁵ Muhammad Rizki Kurniawan, "Pembinaan Kerohanian Terhadap Narapidana Lansia Di Lapas Kelas IIB Kota Agung," *COMSERVA Indonesian Journal of Community Services and Development* 1, no. 8 (2021): 441–48, <https://doi.org/10.36418/comserva.v1i8.80>.

Based on the above, a prisoner will legally serve his sentence in prison in this first stage, just like other prisoners. We can see that special training is given to elderly prisoners because older adults have different stamina levels than non-elderly prisoners. Elderly prisoners experience different personality development during their prison period compared to non-elderly prisoners or prisoners in general.

Data on elderly prisoners at Merauke Class II B Prison can be seen in the table below:

Table 1. Data on elderly prisoners in Merauke Class II B Prison

No	No	Types of Crime	Age	Length of Sentence
1	Jusuf Sahertian, S. Bin Lukas Sahertian	orrption	62 years old	5 years
2	Dr.Ir.Petrus Endo, Se, Mm. Msi	Corruption	60 years old	4 years
3	Suparman	Child Protection	69 years old	7 years
4	Yonas Tamkoimu	Persecution	70 years old	9 years
5	Drs. Waryoto, M.Sc	Corruption	61 years old	5 years
6	Korbianus Topai, Se., M.Si	Corruption	60 years old	4 years
7	Simson Samakori	Child Protection	60 years old	10 years
8	Apner Sabonu	Food	68 years old	6 years

Source: Data obtained in 2022

The data above explains the number of elderly prisoners in the Merauke Class IIB prison, which are recorded starting from name, age, and sentence length. Based on the data above, we can see that the names listed above are classified as elderly prisoners required to receive exceptional guidance. They receive different coaching instructions from non-elderly prisoners.

Even though it is clearly stated in Minister of Law and Human Rights Regulation 32 of 2018 that elderly residential rooms must be differentiated or classified as unique rooms, the research results show that several guidance procedures are still equated with non-elderly prisoners and detainees or convicts and detainees. Non-elderly people in general at the Merauke Class IIB Penitentiary. For example, blocks or rooms occupied by

elderly prisoners are still combined with prisoners of productive age. In the Merauke Class IIB Penitentiary, in Article 8 paragraph (2), the regulated infrastructure is unavailable; the following relates to the distribution of non-special food. What happens is that inmates who are not elderly still get the same amount of food.

At the Merauke Class IIB Penitentiary, coaching is no longer differentiated based on dominant specifications; therefore, coaching for the elderly and non-elderly is the same. This is different from the guidance given to elderly prisoners at the Merauke Class IIB Penitentiary, which includes:

- a. Educational programs, including general, practical, and spiritual mental education.
- b. A security/order program that fosters positive relationships between prison/detention staff and inmates.
- c. Health and fitness programs, such as healthy exercise every morning, music lessons, and leisurely walks.

Correctional programs, such as building relationships with the outside world to make inmates feel comfortable there, can help. This is an example of a situation when counseling for elderly prisoners takes place at the Merauke Class IIB Prison.

To teach elderly prisoners effectively, activities related to their psychological and mental development must be prioritized. Activities related to psychological and mental growth so that elderly prisoners can easily carry out this training while still paying attention to their physical needs. It will be easy for elderly prisoners to do if their physical needs are met.²⁶

Religious Awareness Development aims to improve the mental health of elderly prisoners by providing care based on their religion and beliefs. Elderly inmates who have a solid religious foundation can learn from their mistakes.²⁷

Some detainees have health problems that make it impossible for them to serve sentences or undergo criminal investigations; these people also suffer from mild strokes

²⁶ Bachtiar Ichsan Prasetyo and Mitro Subroto, "Optimalisasi Pembinaan Narapidana Lansia Di Lembaga Pemasyarakatan Kelas IIA Yogyakarta," *JUSTITIA: Jurnal Ilmu Hukum Dan Humaniora* 8, no. 4 (2021): 836–46.

²⁷ Andi Kaisar Agung Saputra Aswar and H. M. Yasin, "Peranan Lembaga Pemasyarakatan Dalam Melakukan Pembinaan Terhadap Narapidana Lanjut Usia," *Al-Ishlah: Jurnal Ilmiah Hukum* 24, no. 1 (2021): 104–25, <https://doi.org/10.56087/aijih.v24i1.61>.

caused by high blood pressure and inappropriate diet choices. This circumstance must be carefully taken into account.²⁸

3.2. Officers' Obstacles in Providing Guidance to Elderly Prisoners at the Merauke Class IIB Penitentiary

Public areas must be available to meet the needs of older adults in connecting with people their age and other age groups, especially in prisons/detention centers that house elderly inmates, age range or other.²⁹

Religious awareness development, a type of personality development for the elderly, is one form of activity needed to increase their faith, especially in terms of providing understanding so that prisoners can understand the impact of right and wrong actions. Greater attention should also be paid to the spiritual and psychological well-being of elderly prisoners, who experience depression more frequently than the general elderly population. This process aims to help correctional inmates become morally and legally aware so that they can return to society and from the age limit. However, there are no elderly inmates who are interested in taking part in guidance intended to improve their morals. This is because the bodily function of prisoners over 60 years old has decreased, as has their mental health (mental condition) and abilities. Due to their reduced participation and the awareness that they cannot be involved in coaching activities, most elderly prisoners choose not to take part in coaching and instead spend more time indoors. Additionally, the effectiveness of this coaching is essential for creative coaching programs. It can be easily implemented for older inmates, keeping them engaged without getting bored and preparing them for life after prison.

Legal defense of the rights and development of prisoners can be seen as an effort to legally defend various prisoners' rights and freedoms (including fundamental freedoms) and various interests related to the welfare of prisoners. Law Number 39 of 1999 concerning Human Rights and Law Number 22 of 2022 concerning Corrections have

²⁸ Bagas Saputra and Mitro Subroto, "Perlakuan Khusus Terhadap Narapidana Kelompok Lanjut Usia Dalam Peningkatan Kesejahteraan Dan Kesehatan Di Lembaga Pemasarakatan," *Jurnal Intelektualita: Keislaman, Sosial Dan Sains* 12, no. 02 (2023): 445–56, <https://doi.org/10.19109/intelektualita.v12i002.19721>.

²⁹ Tina Maschi et al., "Analysis of US Compassionate and Geriatric Release Laws: Applying a Human Rights Framework to Global Prison Health," *Journal of Human Rights and Social Work* 1, no. 4 (2016): 165–74, <https://doi.org/10.1007/s41134-016-0021-0>.

provided legal protection for prisoners' rights in Indonesia. In particular, Minister of Law and Human Rights Regulation Number 32 of 2018 concerning actions taken against elderly correctional inmates. Based on the Corrections Law and the Regulation of the Minister of Law and Human Rights mentioned above, several requirements have been outlined that must be followed during the process of ending the criminal period in prison.

In this case, prisons/detention centers - especially correctional officers - must carry out their duties by the Corrections Law to achieve maximum guidance goals. Considering that elderly prisoners have limited physical conditions, prison/detention officers need to work well. In this scenario, officers must strictly protect the rights of elderly inmates. Since everything is related to laws and regulations, the legal protection provided to prisoners can ensure they feel a higher level of care from the Correctional Institution. Several rights prisoners have while serving their sentence in prison are contained in Law Number 22 of 2022 concerning Corrections. Similar to inmates at Merauke Class IIB Prison, elderly inmates at this facility require extra care due to their aging physical condition.

Prison/detention center officers must be able to provide their rights and ensure their legal defense by the Corrections Law. They have the right to receive a legal umbrella, which includes receiving treatment, both spiritual and physical, the right to file a complaint, and the right to participate in media broadcasts. Based on the results of an interview with one of the officers, Mr. Eko Suprayitno, in terms of guiding the elderly at the Merauke Class IIB Penitentiary, he stated that officers often encounter obstacles, so they cannot optimize the guidance they provide so that every elderly inmate should receive exceptional guidance, did not get it.

Ministerial Regulation Number 32 of 2018 concerning treating prisoners and elderly detainees in correctional institutions, better known as Lapas, has specific guidelines that must be followed. We must recognize that challenges are unavoidable in any prison, with handling the development of elderly prisoners and general prisoners being one of the first areas of difficulty. Discusses the challenges that inevitably arise in all prisons. Furthermore, he stated that although the guidance provided to elderly prisoners in Merauke Prison had almost reached perfection and was entirely based on Minister of Law and Human Rights Regulation Number 32 of 2018, prison officers still faced several problems

that made it difficult to carry out the guidance. One of them is the limited number of rooms, making it challenging to separate elderly prisoners from non-elderly prisoners.

Elderly care is still limited to areas that do not meet the requirements of Article 12 paragraph 1 for detention facilities, and further restrictions still apply to institutions and dependents. Rights by Article 14, paragraph 1 regarding the infrastructure facilities needed to offer suitable space if the calibration system aims to reintegrate prisoners who can live independently and are accepted by society into the home environment. While the building is met and an adequate budget is provided.³⁰

The government's funding allocation needs to be revised to add and improve facilities, especially if the coaching program is to be maintained. An easy-to-implement initiative that requires ongoing and innovative training as they get older so that they are more enthusiastic and do not get bored quickly, which impacts their abilities after leaving prison.³¹

UU No. 22 of 2022 mentions several other rights, such as the right to parole, remission, and the opportunity to integrate. According to a study conducted within a correctional facility in Merauke, senior inmates were granted these privileges without being required to obtain the abovementioned benefits. This and the relevant legal basis are closely related. Government Regulation Number 32 of 1999 concerning Conditions and Procedures for Implementing the Rights of Prisoners is the basis for reducing the sentence or remission for prisoners. Meanwhile, conditional release is granted by Articles 14, 22, and 29 of Law Number 22 of 2022 when the prisoner has completed two-thirds of his sentence. Based on the above, all special rights granted to prisoners are by all relevant laws and regulations.

4. Conclusion

First, the implementation of personality development programs for the elderly in prisons/detention centers is mandated by strict laws and ministerial regulations. The aim is to maintain and protect the health of inmates, as advanced age makes them more susceptible to disease and reduces the stability of their immune systems. The development of elderly prisoners at the Merauke Class IIB Penitentiary, from now on referred to as the

³⁰ Karindra and Subroto, "Implementasi Program Pembinaan Kepribadian Dan Kemandirian Narapidana Lanjut Usia Di Lembaga Pemasyarakatan."

³¹ *Ibid.*

Merauke Prison, must fulfill the terms and conditions contained in the laws and ministerial regulations in order to establish a form of responsibility within the Merauke Prison for providing guidance and care for elderly prisoners. One of the references for the Merauke Prison is the Minister of Law and Human Rights Regulation Number 32 of 2018 concerning the Treatment of Personality Development for Elderly Prison Residents. However, several obstacles prevent the guards at Merauke Prison from effectively developing the personality of elderly prisoners.

Second, officers must supervise elderly prisoners at the Merauke Class IIB Penitentiary, better known as Merauke Prison. The obstacles in Merauke Prison indeed cannot be separated from the work. These obstacles include the unavailability of adequate rooms or residential blocks for prisoners to enable Article 7 of the Minister of Law and Human Rights Regulation No. 32 of 2018 concerning Treatment of Elderly Prisoners (WBP) mandates the separation between elderly and non-elderly WBP, Minister of Law and Human Rights Regulation No. 32 of 2018 concerning Care of Elderly Prisoners in Correctional Institutions emphasized that prison/detention center officers are hampered in carrying out maximum guidance when faced with several obstacles as follows: (i) providing special health clinics for elderly prisoners; (ii) providing infrastructure as stated in Article 8; (iii) providing food that has not been prepared explicitly for elderly prisoners' age. Because there are still many obstacles to the Merauke Prison, it is necessary to identify them further and improve the development system there. In order to achieve perfection, the implementation of guidance for elderly prisoners must strictly refer to the Minister of Law and Human Rights Regulation Number 32 of 2018 in detail and adopt every article contained therein. Therefore, it is hoped that the Central Ministry of Law and Human Rights will pay attention to the requirements that still need to be met in Merauke Prison to remove existing obstacles and enable Merauke Prison to foster older prisoners by Ministerial Regulation Number 32 of 2018. Recognizing the need for bedroom blocks for the elderly, geriatric clinics, and providing special, nutrient-dense food and infrastructure needed by elderly inmates. Correctional officers must be trained in human rights to improve their knowledge and performance while on duty, and they must be equipped with knowledge of the system outlined in Ministerial Regulation Number 32 of 2018 concerning the Treatment of Elderly Prisoners.

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