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## The Role Of Correctional Institutions In Ensuring The Right To Health Of Prisoners In Indonesia: A *Systematic Literature Review*

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**Abstract:** Prison inmates have the right to receive the same health services as Indonesian citizens, and must be served well and without discrimination. Fulfillment of these rights must be in accordance with human rights in Indonesia. The role of correctional institutions in carrying out the coaching function is stated in Law Number 22 of 2022 concerning correctional institutions. This research aims to examine literature reviews related to the role of correctional institutions in ensuring the right to health of prisoners. The research method uses the SLR (Systematic Literature Review) method. Data collection was obtained by documenting articles related to similar research. The articles obtained and used in this research were 8 national journal articles that could be obtained from the Google Scholar database using the publish or perish application. Based on the research results, the role of correctional institutions has been to implement prisoners' health rights, but this has not been carried out optimally and optimally due to several obstacles in the process of training prisoners.

**Keywords:** Role of Community Institutions, Health Rights and Prisoners

### INTRODUCTION

Indonesia is a State of law, which is explained in the Constitution of the Republic of Indonesia Article 1 Paragraph 3 which is the principle of the rule of law applied in the country. (Indonesia, 1945). Therefore, the law is where the rules of social life that can force someone to obey the rules that apply in social life and provide strict sanctions against anyone who does not obey them. With this explanation, Indonesia upholds the law as a reference in solving various problems in the life of society and the state.

However, in reality there are still violations of the law that occur in social life in Indonesia. A person who violates the law or norms, will be given sanctions or punishment based on a court decision that has obtained permanent legal force. Prisoners are people who are undergoing punishment or punishment in prison (Correctional Institution) (President of the Republic of Indonesia, 2022).

Correctional Institution or known as Lapas is an institution or place that carries out the function of fostering prisoners based on Law Number 22 of 2022 concerning prisoners. In the prison there is a social function where there are services, guidance, community guidance, care, security and observation, this is stated in article 4 of Law No. 22 of 2022 (President of the Republic of Indonesia, 2022)

Based on article 9 of Law No. 22 of 2002 in correctional institutions, prisoners are entitled to good physical and spiritual care. Health care is one of the basic and essential human rights. This right must be enjoyed by all individuals indiscriminately, including prisoners who are in prison. Decent and fair health care is a basic human right, including for prisoners (Nelwitis et al., 2023).

Human rights are basic rights or citizenship inherent in individuals since they were born by nature given directly by God Almighty which cannot be deprived and deprived of their existence and must be respected, upheld, and protected by the state, law, government and everyone for the sake of honor and protection of human dignity (Ashri, 2018).

The right to health for prisoners in the form of health care aims to ensure that prisoners while serving the rest of their sentence maintain their health both physically and mentally. The rights of prisoners must be respected by correctional officers and other relevant government organizations, this is stated in article 86 of Law No. 22 of 2022 where correctional officers must respect the human rights of prisoners, children and prisoners (President of the Republic of Indonesia, 2022).

A total of 526 prisons and detention centers in Indonesia with an occupancy capacity of 140,424 people, but for the number of prisoners in prisons and detention centers in 2023 reached 269263 people, where there was overpopulation or overcrowded in correctional institutions (lapas) and detention centers (rutan) which reached 92%. Prisons and detention centers ideally have one prison officer to guard 25 prisoners, but the reality in the field is that 55-70 prisoners are guarded by 1 prison officer. (Directorate General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia, 2023).

It is often found in correctional institutions, that the rights of prisoners have not been given in full accordance with their rights as citizens, especially in the right to health services. Where apart from the availability of inadequate health facilities and infrastructure, where these conditions can result in the emergence of new problems in correctional institutions, such as the problem of decreasing the level of health for prisoners.

In addition, the role of medical and nursing personnel in correctional institutions also has an important and crucial role. In addition to providing medical care, health and care personnel in prisons also act as inmate health supervisors, health educators, counselors and communication bridges between inmates and the health care system.

In correctional institutions, not all inmates are in good health, sick inmates must receive optimal health services. According to Law No.23 of 1992 concerning Health, health is the achievement of awareness, ability and willingness to live a healthy life for each population in order to realize an optimal healthy life, meaning that everyone regardless of race, religion, political beliefs, and economy, is given the right to health services as well as for prisoners who are serving their sentences in the Institution, so it is very important the role of correctional institutions in ensuring the right to health of prisoners (President of the Republic of Indonesia, 1992).

## **METHOD**

This research is a Systematic Literature Review (SLR) is a term for a way of identifying, evaluating, and interpreting all available research that is relevant to the problem formulation or topic area to be studied. (Calderon, A., & Ruiz, 2015). These previous research results are then reviewed by the researcher, by systematically identifying and reviewing the selected research articles. A researcher wants to use the LSR method, then the researcher must identify and review several journals that are carried out systematically and use steps that are in accordance with the use of the LSR method (Triandini et al., 2019).

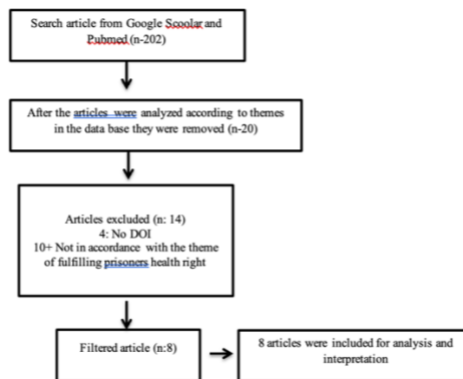
A systematic review is a method of reviewing a particular problem by identifying, evaluating, and selecting specific problems and asking questions that are clearly resolved based on predetermined criteria. It follows previous research that is of good quality and relevant to the research question (Triandini et al., 2019).

This research uses the Systematic Literature Review (SLR) method, a systematic, explicit and reproducible method for identifying, evaluating and synthesizing the works of research results and the results of thoughts that have been carried out by researchers and practitioners with the aim of recognizing, reviewing, and evaluating all research determined this research consists of several stages including:

First, the question is how the role of correctional institutions in ensuring the right to health of prisoners?

Secondly, the population of data in this study is journals that focus on the role of institutions in providing health rights to prisoners. The literature study search began by using the data available on google scholar which was obtained using the publish or perish application. The keywords used are penitentiary institutions with prisoners' health rights by limiting articles from 2019 to 2024.

Finally, after obtaining various articles that are included in the keywords used, the researcher gets 202 articles related to the theme of Character Education in the Google Scholar Database search and pubmed, then selects 22 articles related to the topic under study from several articles. Then studying the article in detail and in accordance with the material on the role of prisons in the health rights of prisoners, the 22 articles were classified and examined in detail into 8 articles that were in accordance with the theme of the discussion, then 180 were not included in the discussion or search. The 8 articles obtained are mainly in line with the theme under study which will be presented in the discussion and conclusions section. The following is a flowchart of the exclusion and inclusion process at the Systematic Review stage (n: number of articles).



Source: Calderon, A., & Ruiz, and Triandini et al.,

**Figure 1. Flow diagram related to the systematic literature review**

## RESULTS AND DISCUSSION

The correctional system is regulated in Law No.12 of 1995 on Corrections. The definition of the correctional system according to the Law of the Republic of Indonesia No.12 of 1995 on Corrections is as follows: "Correctional system is an order regarding the direction and limits as well as the way of fostering correctional prisoners based on Pancasila which is carried out in an integrated manner between the coach, the fostered and the community to improve the quality of correctional prisoners in order to realize mistakes, improve themselves, and not repeat criminal acts, so that they can be accepted back by the community, can actively participate in development, and can live reasonably as good and responsible citizens (President of the Republic of Indonesia, 1995).

The community system in addition to aiming to return the prisoners as good citizens also aims to protect the community against the possibility of repetition of criminal acts by the prisoners, as well as an application and an inseparable part of the values contained in Pancasila. Based on the 8 articles that have been determined to meet the inclusion criteria, the research results are as follows in Table 1.

**Table 1 Research Results on the Role of Correctional Institutions in Ensuring the Right to Health of Prisoners**

Researcher and Year of Research	Journal and Title	Research Result
Salis Prastika Zamzami1, Anggrita Esthi (2023)	Implementation of Fulfillment of Health Service Rights For Prisoners at the Correctional Institution Class I Surabaya  JUDICIARY (Journal of Law and Justice)	<p>The fulfillment of the right to health services in the form of preventive measures implemented by LAPAS 1 Surabaya has been successful, where medical services consist of counseling (facilitation), prophylaxis (prevention), treatment (cure) and rehabilitation. 55,555 prisoners can receive individual or group counseling through health seminars, direct visits to the complex of flats (LAPAS Kelas 1 Surabaya consists of eight large and small blocks), health consultations, poster counseling, and others. Through the utilization of health education, disease prevention efforts such as the formation of health cadres, the application of CT in HIV/AIDS, and the collection of information on other infectious diseases can be implemented.</p> <p>In LAPAS 1 Surabaya, through the nurses in each team, every time a new prisoner enters the detention center, the LAPAS Health Team immediately conducts an initial health examination and initial treatment with a physical examination, clinical examination, x-ray examination if necessary, periodic and ongoing physical examinations, as well as drug and HIV tests.</p> <p>The provision of treatment to prisoners depends on the prisoner's medical history and the symptoms of the disease, then the prisoner can visit the prison's public clinic and get medicine appropriate to the prisoner's illness based on the results of the examination by the prison general practitioner or dentist.</p> <p>However, the shortage of general practitioners, dentists and only 4 nurses guarding Lapas I Surabaya with an overcapacity of 1576 prisoners, it is not comparable and less than the maximum inmates get health services. (Zamzami &amp; Esthi, 2023).</p>
Ari Fadilah,	Optimizing the	The fulfillment of health rights at Bengkulu

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Ali Muhammad (2022)	Fulfillment of Health Rights for Prisoners in Bengkulu Correctional Institution  Undiksha Journal of Citizenship Education	Correctional Institution is carried out when prisoners experience symptoms of illness, they are immediately taken to the health clinic provided in the prison to get medicine. After that, if there are prisoners experiencing severe pain or in an emergency situation, they will be immediately referred to a public hospital which is supervised by officers who are on guard at the hospital.  Due to the limited number of health workers with the excess capacity of prisoners, as well as the lack of facilities and infrastructure in the clinic such as medicines, the provision of health services to prisoners in Bengkulu Correctional Institution is less than optimal (Ari Fadilah, 2022).
Febriyanty Kusumaningrum, Anak Agung Putu Wiwik Sugiantari (2022)	Implementation of Providing Health Services to Prisoners of the State Detention Center Klas IIB Gianyar  Indonesian Law Journal	In health services at the State Detention Center Class II B Gianyar, in the promotive aspect the prisoners are given activities (IEC) and counseling.  In the preventive aspect given to inmates of the State Detention Center Class II B Gianyar in the form of: <ol style="list-style-type: none"><li>1. Initial examination (screening) on newly entered prisoners,</li><li>2. Isolation of prisoners who suffer from infectious diseases,</li><li>3. Monitoring of environmental health hygiene and sanitation of prisons/detention centers.</li><li>4. Monitoring and guidance on the organization of food for prisoners to comply with hygiene and sanitation requirements.</li><li>5. Prevention of drug abuse.</li></ol> In the curative service aspects carried out by the State Detention Center Class II B Gianyar which includes; <ol style="list-style-type: none"><li>1. Basic medical services for prisoners who suffer from illness and can still take outpatient treatment.</li><li>2. Temporary inpatient health services for prisoners who suffer from illnesses which according to the doctor's analysis need special observation and can still be treated at the inpatient polyclinic of the prison.</li><li>3. Referral health services for prisoners who are sick and in the opinion of the doctor can no longer be treated at the prison polyclinic. In special cases of prisoners who require special treatment such as Tuberculosis, Hepatitis, sexually transmitted diseases such as HIV/AIDS, the State Detention Center Class II B Gianyar has cooperated with Puskesmas, Hospitals and the Health Office, both in terms of laboratory examinations and in terms of providing medicines.</li></ol> In the aspect of Rehabilitative Health Services, namely for prisoners who experience physical problems due to trauma and rudapaksa while it can be pursued, rehabilitation will be carried out at the Correctional Facility Polyclinic and for prisoners who experience mental health and behavioral problems, as well as drug

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Nelwitis, Riki Afrizal, & Muhammad Rizki Noor (2023)	Fulfillment of the Right to Adequate Health Services for Elderly Prisoners in the Institution Correctional Institution Class IIA Padang  Pagaruyuang Law Journal	abuse that requires rehabilitative health services will be carried out in collaboration with hospitals and rehabilitation centers (Kusumaningrum & Sugiantari, 2022).
		<p>Promotive health service efforts are carried out at the Padang Class IIA Prison, where sick prisoners come for treatment at the Padang Class IIA Prison Clinic on an outpatient basis and are carried out by doctors and nurses at the Padang Class IIA Prison Clinic. This is because Class IIA Padang Prison does not yet have promotive service facilities and human resources such as psychologists, counselors or health extension workers.</p>
		<p>Preventive health services in the form of elderly prisoners at Class IIA Padang Prison are carried out in the following manner:</p>
		<ol style="list-style-type: none"><li>1. Initial examination of newly admitted prisoners.</li><li>2. Isolation of prisoners suffering from infectious diseases.</li><li>3. Periodic checks are carried out for elderly prisoners who suffer from illnesses, such as; hypertension control is carried out once a month using a tension gauge. For elderly prisoners suffering from diabetes mellitus, routine checks are carried out once every three months using a simple sugar test. For elderly prisoners suffering from cholesterol disease, the check is carried out once a month using a simple test kit and finally for elderly prisoners at LAPAS Kelas IIA Padang checked once a month.</li><li>4. Provision of treatment and vaccinations to prevent certain diseases</li><li>5. Keeping the environment clean.</li><li>6. Maintaining cleanliness of food and drink for elderly inmates.</li></ol>
		<p>Curative health service efforts for elderly prisoners at Class IIA Padang prison include:</p>
		<ol style="list-style-type: none"><li>1. Basic medical services for elderly prisoners who suffer from illness and can still be treated on the street.</li><li>2. Temporary inpatient health services for elderly prisoners who suffer from illness and according to the analysis of the LAPAS Clinic doctor needs special observation, then hospitalization is carried out at the LAPAS Clinic.</li><li>3. Referral health services for prisoners who experience illness, and in the opinion of the doctor can no longer be handled at the LAPAS Clinic, in this case prisoners who suffer from special diseases and require special treatment as well.</li></ol>
		<p>Rehabilitation health services for elderly prisoners at LAPAS Class IIA Padang in the form of physical rehabilitation services for prisoners suffering from physical disorders due to trauma are sought for rehabilitation at the LAPAS clinic only. For elderly</p>

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		prisoners who experience mental health and behavioral problems, rehabilitation health services will be carried out in collaboration with hospitals and rehabilitation centers (Nelwitis et al., 2023).
Aditya Rangga Suryadi Umar Anwar  (2022)	Optimizing the Provision of Health Services for Prisoners in Overcrowded Situations at Class I Correctional Institution Semarang  Scientific Journal of Education and Social Sciences	<p>Promotive health services are carried out through counseling and providing readings from literature or books related to health. Promotive health services are intended to provide health education for residents of correctional institutions.</p> <p>Preventive health services in Class I Semarang Correctional Institution are carried out through activities:</p> <ol style="list-style-type: none"><li>1. Initial examination (screening) for convicts who have just undergone coaching whose status has changed to prisoner;</li><li>2. Placement of prisoners suffering from infectious diseases in isolation rooms;</li><li>3. Monitoring and evaluation of environmental health hygiene and sanitation of correctional institutions;</li><li>4. Monitoring and evaluation of the fulfillment of food and beverages for prisoners in accordance with the required nutrition;</li><li>5. Countermeasures and prevention of drug abuse in correctional institutions;</li><li>6. Raids and searches of prisoners' rooms; and</li><li>7. Conducting urine tests.</li></ol> <p>Curative health services at Class I Semarang Correctional Institution consist of:</p> <ol style="list-style-type: none"><li>1. Health services in the form of providing basic treatment for prisoners suffering from a disease that can still be cured with outpatient treatment.</li><li>2. Advanced health services in the form of health services that require temporary hospitalization for prisoners suffering from a disease that based on the doctor's diagnosis requires certain observation and can still be treated at the Correctional Institution polyclinic.</li><li>3. Referral treatment services in the form of treatment for prisoners who need referral because they suffer from diseases that based on the doctor's assessment cannot be treated at the penitentiary polyclinic (Suryadi &amp; Anwar, 2022).</li></ol>
Nurul Waqiah (2021)	Implementation of Health Services for Prisoners in Efforts Fulfillment of the Right to Health at Class Ia Correctional Institution Makassar  Journal of Lex Theory (JLT)	<p>The results showed that the implementation of health services for prisoners in an effort to fulfill the right to health is less fulfilled, where Promotive health services at Makassar Class IA Correctional Facility are routinely carried out every Friday, to carry out this promotive health service in addition to being carried out by Makassar Class I Correctional Facility health workers are also carried out by related agencies that have collaborated with Makassar Class I Correctional Facility such as the UNHAS Faculty of Medicine, Puskesmas and the Makassar City Health Office in the form of providing education (IEC) counseling, monitoring and maintaining individual sanitation and hygiene. prevention of drug</p>

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abuse and routine exercise. However, promotive service activities lack the installation of banners and posters of specific disease prevention programs, as well as

lack of other specific forms of promotion such as posters, brochures, leaflets, flipcharts or advertisements related to disease information and prevention of certain diseases in the room where consultation is provided.

Preventive health service efforts that have been implemented at Makassar Class IA Prison include:

1. Initial screening of newly admitted prisoners;
2. Periodic examination once a month;
3. Isolation of prisoners suffering from infectious diseases;
4. Monitoring and guidance on the organization of food for prisoners to comply with hygiene and sanitation requirements;
5. Prevention of drug abuse;
6. Monitoring and maintenance of prison and detention center environmental health.

Curative service efforts at Makassar Class IA are in the form of:

1. Basic medical services for prisoners who suffer from illness and can still seek outpatient treatment;
2. Temporary inpatient health services for prisoners who suffer from illnesses that according to the doctor's analysis need special observation and can still be treated at the prison inpatient polyclinic;
3. Referral health services for prisoners who experience illness and in the opinion of the doctor can no longer be treated at the Prison Polyclinic.

Rehabilitative health services for prisoners are efforts to restore or recover prisoners from their former suffering. The actions taken by Class IA Correctional Facilities are physical rehabilitation services for prisoners who experience physical disorders due to trauma and violence, mental rehabilitation for prisoners who experience mental health and behavioral problems, physical and mental rehabilitation for prisoners involved in drug abuse, and mental rehabilitation for prisoners with sexual behavior (Waqiah, 2021).

Sidik Permana,  
Endeh Suhartini,  
Rizal Syamsul Ma'arif  
(2024)

Model of Providing  
Health Services for  
Prisoners and Detainees  
in Correctional  
Institutions  
Class IIA Bogor

Karimah Tauhid

Health services carried out at the Class IIA Bogor Correctional Institution primary health services, namely in the form of providing medicines for sick prisoners, providing clean beds, healthy food, providing sanitation, clean irrigation. In addition, at the Bogor Class IIA Correctional Institution rehabilitative health services are carried out which consist of:

1. Medical rehabilitation  
Rehabilitative services are health services provided to prisoners with physical and functional disorders that result in prisoners being sick, suffering from certain diseases or injuries. This medical rehabilitative service is of course carried out through treatment either by providing medicines or



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		by taking them to the hospital to be treated professionally.
		2. Social rehabilitation Social rehabilitation is an effort made to restore the social function of prisoners, so that prisoners can return to social life without mental pressure. Can be unpretentious with the community, doing activities as the community in general. Therefore, it is necessary to educate the community to understand the situation of prisoners, not to bully, and accept them well.
		3. Vocational rehabilitation This health service is carried out so that a prisoner can do work in his life, can carry out certain professions and assume certain positions for his survival. Physical health services and mental are part of efforts to provide citizens' rights guaranteed in legislation (Permana et al., 2024).
Alda Nurrahman (2022)	Analysis of the Fulfillment of the Right to Health Services and Adequate Food for Prisoners in Correctional Institutions  Journal of Legal Science Research	In the health services of the Samarinda Class IIA Penitentiary, there are obstacles to the provision of the right to health of prisoners due to the lack of medical personnel who only have a pharmacist, a doctor and a nurse.  The penitentiary still lacks staff, namely the nutrition department that manages food, psychologists such as therapists to help the emotional well-being of prisoners. There is no clinical faculty who are more talented and expert in providing medical services to prisoners who experience infections that require special therapy, for example HIV disease, Tuberculosis, Bronchitis and so on (Nurrahman, 2022).

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The research results from eight journals show that all correctional institutions in Indonesia carry out the fulfillment of prisoners' health rights, although not optimally. This is in accordance with Law No. 22 of 2022 article 9 concerning the rights of prisoners in the form of: a. Perform worship in accordance with their religion or belief; b. get care, both physically and mentally; c. get education, teaching, and recreational activities as well as opportunities to develop potential; d. get health services and proper food in accordance with nutritional needs; e. get information services; f. get legal counseling and legal assistance; g. submit complaints and / or complaints, get reading materials and follow mass media broadcasts that are not prohibited; i. get complaints, get reading materials and follow mass media broadcasts that are not prohibited; i. get complaints, get reading materials and follow mass media broadcasts. i. receive humane treatment and be protected from acts of torture, exploitation, neglect, violence, and all actions that endanger physical and mental health; j. receive work safety guarantees, wages, or work premiums; k. receive social services; and l. receive or refuse visits from family, advocates, companions, and the community (President of the Republic of Indonesia, 2022).

Health services and care in correctional institutions or detention centers throughout Indonesia have guaranteed the health of prisoners including integrated and comprehensive health efforts including health efforts in promotive, preventive, curative and rehabilitative aspects in accordance with the 2015 guidebook for Health Services and Care Standards for Vulnerable and High Risk Groups (Apart from TB & HIV). Almost all community institutions in Indonesia run health services according to the rules of the Directorate General of Corrections of the Ministry of

Law and Human Rights of the Republic of Indonesia. (Directorate General of Corrections of the Ministry of Law and Human Rights of the Republic of Indonesia, 2015).

In checking the overall health of prisoners in prisons or detention centers have implemented health checks at least once a month, this is in accordance with special regulations, Article 16 Paragraph 1 which explains that "Health checks must be carried out at least once a month and recorded on a health card." This is in accordance with the decision of the Government of the Republic of Indonesia No. 32 of 1999 concerning Conditions and Procedures for the Exercise of Prisoners' Rights (President of the Republic of Indonesia, 1999).

This is a concern in health checks in correctional institutions in Indonesia, where the number of crimes is increasing every year, resulting in a surge in the number of prisoners in a prison. This leads to overcapacity or excess capacity in a detention center or prison.

This causes a shortage of prison guards and health workers consisting of doctors, dentists and nurses, so that inmate health services can only be carried out once a month. Several prisons in Indonesia have not been able to implement the Law and Regulation of the Minister of Human Rights in 2011 M.HH.02.UM.06.04 concerning Guidelines for Health Services of the Ministry of Law and Human Rights, health workers include doctors, nurses, laboratory analysts, assistant pharmacists and nutritionists, paramedics, psychologists, whose numbers must be adjusted to the situation (Ministry of Law and Human Rights of the Republic of Indonesia, 2011).

Some of the reasons for the lack of health workers in a correctional institution or detention center are due to the lack of funding allocation to carry out the number of criteria for the ideal number of detention guards and health workers. This is in accordance with Faldi and Padmono's 2020 research in the title Efforts to Fulfill the Right to Health Services to Prisoners in Correctional Institutions where the limited budget for funds is an obstacle faced by the Correctional Institution in fulfilling the rights of prisoners in coaching, so that the program is not running well. The limited budget also makes the process of fulfilling the rights of prisoners to obtain proper health and food services not in accordance with the mechanisms related to the fulfillment of prisoners' rights provided by the government as the implementer of the coaching program (Biaggy & Wibowo, 2020).

## CONCLUSION

Correctional institutions in Indonesia have largely fulfilled the health rights of prisoners in accordance with the Law and Government Regulations. However, the fulfillment of health rights has not been running optimally, due to the many obstacles that occur. The obstacle is the excess capacity of the number of prisoners which increases every year. Constrained by the lack of special expertise officers in the field of health to deal with prisoners who are still far from ideal, as well as the limited amount of government budget in disbursing funds to provide the welfare of prisoners in the fulfillment of prisoners' rights optimally.

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