Fulfilling the Rehabilitation Rights of Child Prisoners in Drug Cases: A Review of the Implementation of the Child Protection Law in Tanjungbalai City

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Abstract
This research aims to describe the fulfillment of the Rehabilitation Rights of Child Prisoners in the Tanjungbalai City Narcotics Case according to the Child Protection Law. Law Number 35 of 2014 concerning Child Protection (UU PA) is the legal basis that regulates the rights and protection of children in Indonesia. The research method used in the research is empirical juridical. In imposing sanctions on children who commit criminal acts of narcotics abuse, they are often sentenced to imprisonment, this does not solve children’s problems. In fact it is prone to violations against children, whereas in Law Number 11 of 2012 concerning the Children’s Criminal Justice System, it is mandatory to prioritize restorative justice. Arrest, detention or criminal imprisonment of children is only carried out in accordance with applicable law and can only be done as a last resort. The results of the research show that the overall indicators of success in developing correctional students at Tanjungbalai Detention Center are: 1) Students carry out worship according to their respective religions, both individually and in congregation; 2) Students can study formally at Tanjungbalai Detention Center; 3) Students behave, behave and are aware of the law, nation and state; 4) Students have skills as a provision when they have finished serving their sentences.
I. Introduction

Narcotics abuse is a crucial problem for a nation. The problems that arise have a very massive impact on all aspects of human life.¹ Health issues are not the only concern for us regarding the dangers posed by narcotics abuse, but also the social impact of narcotics abuse is an aspect that cannot be underestimated.² In Indonesia, child prisoners involved in drug cases are given special treatment in accordance with applicable regulations and laws. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System states that criminal punishment for children must be in the nature of educating, nurturing and rehabilitating the child.³ A prison sentence is usually a last resort. Law Number 35 of 2009 concerning Narcotics regulates penalties for narcotics-related offenses, including those involving child prisoners.⁴ Child convicts involved in drug cases receive special treatment and rehabilitation programs that focus on substance dependence.⁵ The rehabilitation program includes education about the dangers of drugs, counseling, and drug rehabilitation services.⁶

The narcotics problem has become a transnational crime in the last two decades. The Indonesian government has taken firm steps to tackle the "Indonesian Drug Emergency".⁷ This firm stance is stated in Law Number 35 of 2009 concerning Narcotics. In fact, this law uses a balanced approach, namely a repressive approach towards drug dealers and dealers and a humanist and rehabilitative approach towards drug abusers and addicts.⁸ However, the trend of abuse and illicit trafficking of narcotics is increasing every year. This high number of narcotics crimes has an impact on the high number of narcotics cases in prisons and detention centers. With the high number of people with narcotics cases, narcotics abuse and health problems that arise in prisons and detention centers must be addressed. Tackling the narcotics problem in prisons and detention

centers currently focuses on demand reduction, namely the provision of narcotics rehabilitation services for prisoners/convicts/children at the Correctional (UPT, Technical implementation Unit).

Apart from that, the children's correctional center is specifically designed to accommodate child prisoners, including those involved in drug cases. The center aims to provide an environment that supports rehabilitation. Apart from rehabilitation, prevention is an important focus. Wider education programs must be implemented to prevent children from falling into drug use. Collaboration between government agencies, law enforcement agencies, rehabilitation institutions and educational institutions is the key to the success of efforts to rehabilitate juvenile drug inmates.

Narcotics rehabilitation is part of the coaching and health care process. This is in line with the function of punishment which is no longer as a deterrent but as an effort to rehabilitate and socially reintegrate prisoners so that they can return to society in a healthy manner. Narcotics rehabilitation services include medical rehabilitation services, social rehabilitation services and post-rehabilitation services in the context of physical and mental recovery to previous conditions for narcotics abusers and/or addicts to recover, be productive and function socially in society.

The future of children in conflict with the law must be the concern of all parties. There needs to be a concerted effort to remove the stigma of naughty children and problematic children which until now has been so strongly attached to these children. Special attention to children affected by crime is very important. Apart from ensuring that they do not fall back into committing crimes, the government, society and family, as well as all policy makers must help them continue their lives, achieve their dreams and achieve a better future. For this reason, recovery and rehabilitation efforts for children in conflict with the law must receive special attention when undergoing the legal process until they are placed in special children's development institutions (LPKA), correctional institutions (Lapas), and women's correctional institutions (LPP) or other institutions implementation of social welfare (LPKS).

This is in line with the mandate of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), namely that while undergoing the legal process, children who have been punished must be treated humanely, their honor and dignity must be preserved.

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respected, and must be given special protection. The SPPA Law, the Child Protection Law, and the Human Rights Law mandate humane treatment for everyone. Children in conflict with the law cannot be separated from that. Therefore, law enforcement officials are expected to implement the SPPA Law.

Narcotics rehabilitation for prisoners and inmates at the UPT Corrections is part of the coaching and health care process. Therefore, narcotics rehabilitation services must be integrated with coaching services and health services available at the Correctional UPT so that in overcoming this problem, synergy between related institutions is needed to handle it together, especially with BNN. The SPPA Law requires Community Counselors (PK) to accompany children at every level of examination. PK has the task of making social research reports for diversion purposes, providing assistance, guidance and supervision of children during the diversion process. Apart from ensuring that those in conflict with the law receive legal assistance and social assistance while undergoing the judicial process, the government is obliged to provide access to inclusive and quality education, so that they can continue their education.

The government also needs to ensure that easily accessible and quality physical, mental and recovery health services are available for children in conflict with the law. In fact, Bappenas (Ministry of National Development Planning of the Republic of Indonesia), through the SPPA Strengthening Roadmap, has mapped out the roles of each ministry, institution and local government to improve the quality and access of children in conflict with the law to protection services. So that a rehabilitative approach is taken so that it can encourage children in conflict with the law to be aware and responsible for their actions. A rehabilitative approach can also be directed at restoring responsibility for victims and perpetrators. The community has a big role in ensuring that this rehabilitation process runs smoothly. We hope that society can remove the stigma that children who commit crimes will be criminals for the rest of their lives. Social rehabilitation efforts exist, and can help restore children’s social functions in society, especially in Tanjungbalai City, North Sumatra Province. Therefore, this research aims to describe the fulfillment of the rehabilitation rights of child prisoners in Tanjungbalai city narcotics cases according to the child protection law.

2. Research Method

The research method used in the research is empirical juridical. Empirical juridical research is a research method that combines a legal approach and an empirical

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approach. This approach aims to study and understand legal issues by exploring empirical data or facts from the real world. An empirical approach allows researchers to understand and study legal issues in real-life contexts. Empirical data provides a deeper picture of the implementation of the law and its impact on society.

Empirical juridical research produces empirical evidence that can be used to support findings and conclusions. Empirical data provides a stronger basis for discussing legal issues than relying solely on conceptual arguments. In the context of the Child Protection Law, empirical juridical research can be conducted to evaluate the implementation of the law. Apart from the empirical approach, a statutory approach is also used. A legislative approach was taken to examine the provisions governing the fulfillment of the right to rehabilitation for child prisoners involved in drug cases in the city of Tanjungbalai. The data source is primary data, which consists of primary legal materials; secondary legal materials; or tertiary data. Second, because the empirical legal approach uses primary data (field data), the approach is carried out either through observations, interviews, and distributing questionnaires.

This empirical juridical research can provide a deeper understanding of how the law operates in real contexts and provide a basis for improving or perfecting policies and practices related to the protection of children who are convicts in drug cases.

All data collected is analyzed using interpretation techniques which are linked to the implementation in the cases studied with the provisions of the relevant laws and regulations. By carrying out legal reasoning, we can draw conclusions from the discussion of this thesis through inductive generalization, by explaining specific problems (evidence) based on observations that occur in the field and then connecting them to general matters to reach a conclusion. By combining a legal approach and an empirical approach, empirical juridical research can be a powerful tool for understanding, studying, and improving various legal issues in society.

3. Results and Discussion

Child Protection Law in Indonesia

Implementation of the Child Protection Law in Indonesia involves various parties, including the government, non-governmental organizations, educational institutions, families and society at large. Law Number 35 of 2014 concerning Child Protection (UU PA) is the legal basis that regulates the rights and protection of children in Indonesia. This involves developing regulations and child protection programs. Educational programs and awareness campaigns must be implemented to increase public understanding of children’s rights, the negative impacts of violence against children, and protection efforts.

Implementation of a juvenile justice system that is educational and rehabilitative in accordance with the PA Law. This includes special handling of juvenile cases and their separation from the adult criminal justice system. The PA Law stipulates children's rights to be protected from all forms of violence, exploitation and discrimination. This protection covers abandoned children, victims of human trafficking, and children in other vulnerable situations. Institutions such as the Indonesian Child Protection Commission (KPAI) and the Social Service have an important role in monitoring and advocating for children’s rights. Collaboration with non-governmental organizations (NGOs) and the private sector to support child protection programs, including violence prevention and education. Empowering families to provide a safe environment and support children’s development. The community is expected to actively participate in protecting children’s rights.

Increasing the role of children in making decisions that affect their own lives and strengthening their involvement in issues related to their rights. An effective monitoring and evaluation system to measure the implementation of the PA Law and identify areas that require improvement. Children are the nation's next generation, namely the generation that is prepared as the implementing subject of sustainable development and the person in control of the future of a country, including Indonesia. The position of children as the nation’s generation will continue the nation’s ideals and will lead the Indonesian nation in the future, so they need to get the widest possible opportunities.
Childhood is a time when children are still looking for their identity. Children in the process of growing and searching for their identity experience changes very quickly, especially in terms of emotions. Handling children in drug cases requires a special and coordinated approach to ensure that the child’s best interests are maintained. Children involved in drug cases must be handled sensitively and paying attention to their condition as children. They must be treated in accordance with human rights principles and their best interests. The process of examination and investigation of children in drug cases must be carried out taking into account their rights, including the right to legal assistance and the right not to be tortured or treated inhumanely. Children involved in drug cases must be handled through a special juvenile criminal justice system. This system emphasizes a restorative justice approach and takes into account the child’s rehabilitation and recovery needs. Children involved in drug cases require a holistic medical and health approach. This includes physical and mental health assessments, early detection of health problems, and access to appropriate rehabilitation and recovery services.

Rehabilitation and Recovery, it is important to provide rehabilitation and recovery programs that suit the needs of children involved in drug cases. This can include counseling, therapy, educational programs, and skills training. Once children have completed their sentence, it is important to provide the necessary support and monitoring to prevent the repetition of harmful behavior. This may include reintegration programs into the community, family support, and post-incarceration services. Handling children in drug cases requires collaboration between various institutions, including law enforcement agencies, social services, health institutions, education and civil society. This collaboration is important to provide a holistic and coordinated approach. Efforts should also be made to increase education and awareness about the dangers of drugs among children and society in general, as well as provide information on how to avoid drug use and pay attention to health. In dealing with children in drug cases, it is important to put the best interests of the child first, ensure that they are treated with respect and humanity, and provide the necessary support for their recovery and reintegration into society.

The handling of child custody in drug cases may experience irregularities that are detrimental to the child. Law enforcement officers or prison officials may abuse their power over child detainees, including in the form of harsh treatment, torture, or physical or sexual abuse. Children detained on drug charges may not have adequate access to health services, including mental health services, substitute therapy, or appropriate rehabilitation services. Juvenile detainees may be inappropriately

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30 Davies and Robson, “Juvenile (In)Justice: Children in Conflict with the Law in Indonesia.”

separated from their family and social support, which can affect their well-being and their recovery process. Child detainees may be placed in poor detention conditions, including dirty cells, overcrowding, or lack of access to proper health and sanitation facilities. Judicial proceedings against juvenile detainees in drug cases may not meet appropriate standards of fairness and transparency, including lack of access to appropriate legal assistance or non-objective judicial proceedings. Juvenile prisoners may not be given adequate access to education or skills training that could help them improve their future after their sentence is over. Rehabilitation and recovery programs for juvenile detainees may not include a holistic approach or meet their individual needs, thereby reducing their effectiveness. Child prisoners in drug cases may experience stigmatization and discrimination from society or law enforcement officials, which can worsen their conditions and hinder their social reintegration.

The government and related institutions must ensure that the handling of child detainees in drug cases is carried out by taking into account human rights, the best interests of children, and the principles of justice. Efforts must be made to prevent irregularities in the handling of child custody and deal firmly with any irregularities that occur.

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System is a law that regulates the special criminal justice system for children in Indonesia. This law has several important points that are relevant to drug cases involving children. The following are several key points from Law Number 11 of 2012. This law emphasizes that the juvenile criminal justice system aims to provide protection, care and rehabilitation for children in conflict with the law. This includes prevention of drug abuse and recovery efforts for the children involved. This law adheres to a restorative justice approach, which emphasizes efforts to repair losses caused by criminal acts, restore relationships between perpetrators, victims and society, and improve the perpetrator's behavior. This law places a strong emphasis on keeping children and adult convicts apart and making sure that their legal proceedings and rehabilitation take place in settings that are suitable for their interests and rights as minors. A variety of children’s rights, guaranteed by this law, must be upheld throughout the legal process. These rights include the right to legal aid, the right to be heard, the right to health, education, and humane treatment. This statute gives use of alternatives to punishment with the goal of teaching, molding, and correcting children’s behavior a legitimate foundation, even when drugs are involved. This law highlights the value of giving kids participating in the juvenile criminal justice system rehabilitation and empowerment support, especially when it comes to drug usage.

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System provides an important legal basis for the protection, recovery and development of children involved in drug cases. Implementation of this law requires good collaboration and coordination between relevant institutions as well as special attention to the needs and rights of children in the justice system. This statute is based on the restorative justice model, which prioritizes mending the bonds between offenders, victims, and the community. This strategy aims to undo the harm that criminal activity, particularly drug usage, has caused. This statute gives the juvenile criminal justice system's top priority—the welfare of children. It is imperative that children involved in drug cases receive
compassionate treatment that takes into account their welfare needs, such as the right to adequate health and rehabilitation programs. This law affirms that juvenile offenders and adult inmates must be kept apart for the duration of the legal proceedings and sentencing procedures. This is done to shield kids from potential harm in prison, such as violence, exploitation, or other bad influences. This statute gives use of alternatives to punishment with the goal of teaching, molding, and correcting children’s behavior a legitimate foundation, even when drugs are involved. Programs for education, skill development, and rehabilitation are all included in this strategy. This law guarantees a number of due process rights for children involved in drug cases, including the right to legal aid, the right to be heard, and the right to humane treatment.

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System provides a clear and comprehensive framework for handling drug cases involving children. Implementation of this law requires good collaboration and coordination between various related parties, including law enforcement agencies, rehabilitation institutions, health institutions, the community and the families of the children involved.

Government Regulation Number 82 of 2018 is indeed an important instrument in social rehabilitation efforts for individuals involved in narcotics abuse, including children. This regulation regulates various aspects related to social rehabilitation, empowerment and protection for narcotics abusers and victims of narcotics abuse. A comprehensive approach to rehabilitation—one that takes into account social, psychological, psychological, and spiritual factors—is emphasized by this regulation. This is critical in order to guarantee that children who take drugs receive all-encompassing support tailored to their individual requirements. This rule lays out guidelines and practices for offering drug abusers—including minors—rehabilitation treatment. This covers the evaluation, diagnosis, intervention, recuperation, and monitoring procedures.

This rule promotes social reintegration and empowerment for those who have completed rehabilitation programs. This covers social support, training, and skill development in addition to help with job placement and reintegration. This rule governs community participation and interagency cooperation while putting social rehabilitation programs into action. Ensuring strong coordination across several connected agencies is crucial for offering successful services. This regulation emphasizes the need to protect the rights of individuals involved in rehabilitation programs, including children. This includes the right to privacy, the right to quality health care, and the right to humane treatment.

With the existence of Government Regulation Number 82 of 2018, it is hoped that social rehabilitation efforts for children involved in narcotics abuse can be carried out more focused and effective. Implementing this regulation requires commitment and cooperation from various parties, including the government, rehabilitation institutions, health institutions, the community and the families of the children involved.

A criminal decision that places a child as a student has huge consequences for the child’s growth and development, both in the formation of a child’s character, personality and self-character and will also influence the development of the child’s soul in the future, so that these things need to be taken into account when imposing prison sentences on children. Criminal acts committed by children that have recently become
widespread and require special attention from both the family, government and society are children who commit criminal acts of narcotics abuse, especially for themselves where the child is a narcotics user.

A narcotics user or addict from a legal perspective is a perpetrator of a criminal act, the crime of which is regulated in Article 127 paragraph (1) of Law no. 35 of 2009 concerning Narcotics. In general, a person is responsible for his or her own actions, but if we look closely, many people are of the opinion that in fact narcotics addicts and victims of narcotics abuse are victims of a syndicate or chain of narcotics distribution and trafficking, especially recently which has brought attention to the fact that many children are becoming addicts or perpetrators own narcotics abuse.

In imposing sanctions on children who commit criminal acts of narcotics abuse, they are often sentenced to imprisonment, this does not solve children’s problems. In fact it is prone to violations against children, whereas in Law Number 11 of 2012 concerning the Children’s Criminal Justice System, it is mandatory to prioritize restorative justice.

Children may only be arrested, detained, or imprisoned criminally in line with the legislation that applies to them, and only in extreme cases. Since the child in this case is not only the perpetrator of drug abuse but also the victim of a syndicate or chain of drug distribution and trafficking, jail is the last option available to law enforcement in the juvenile criminal justice system. As a result, the child requires legal protection. At every stage of the investigation, prosecution, and court assessment of juvenile cases, diversion initiatives are likewise mandated under Law Number 11 of 2012 governing the Juvenile Criminal Justice System.32

In imposing sanctions on children, apart from having to pay attention to juridical and non-juridical considerations, the judge must also take into account the results of research from community counselors. The judge considers that the sentence imposed is considered the fairest and meets the sense of justice that develops in society. After considering that narcotics crimes are very extraordinary crimes and considering that the defendant’s actions do not support the government’s program to eradicate narcotics.

In many countries, including Indonesia, there are laws that regulate the protection of child prisoners. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, this law provides the legal basis for the protection of children involved in the criminal justice system. One of the aims is to provide protection to children who are prisoners or suspects in a case. Law Number 23 of 2002 concerning Child Protection, this law provides a more general legal basis regarding child protection in Indonesia. Although not specifically related to child detention, the child protection principles contained therein also apply to children in detention.

Indonesia has ratified the Convention on the Rights of the Child which outlines the rights of children, including the rights of children in detention. Governments are usually expected to adapt their national laws to the provisions of this convention. Government
Regulation Number 35 of 2012 concerning Protection of Children in Conflict with the Law: This regulation regulates in more detail the protection of children in conflict with the law, including those in detention. The points above are examples of laws that generally regulate protection for child prisoners in Indonesia. However, such protections may also vary depending on each country and jurisdiction. It is important to note that efforts to protect children in the context of law enforcement must pay attention to human rights and the best interests of children.

In various countries, including Indonesia, the approach to rehabilitation for child prisoners involved in drug cases often includes a variety of strategies and programs. The goal is to help them recover from their involvement with drugs, improve their behavior, and help them return to society as better, more productive individuals. Rehabilitation programs often include formal or non-formal education to help juvenile prisoners improve their skills. This could include job skills training, life skills education, or academic education for those who have not completed primary or secondary education.

Counseling and Therapy, it is important to provide counseling and therapy services to juvenile prisoners to help them understand the root problems that may have led to their involvement with drugs. This may include individual, group, or family therapy. Specialized programs focused on recovery from drug addiction are often available to juvenile detainees. This may involve detoxification programs, replacement therapy, and psychosocial support. Once juvenile detainees have completed their sentence, it is important to provide appropriate support and supervision to help them prevent a return to harmful behavior. This may include monitoring by correctional officers, assistance with reintegration into the community, and post-incarceration support.

An effective rehabilitation approach often combines the above strategies with a holistic approach that addresses the child detainee’s physical, mental, emotional, and social needs. It is important to note that any rehabilitation program must be tailored to the individual’s needs and take into account factors such as age, level of involvement with drugs, and available social support. The principles of human rights and the best interests of children must always be the focus of rehabilitation efforts for child prisoners.

Drug cases involving children are a serious problem and require a different approach in handling them. Children involved in drug cases must be protected and given special treatment according to their age and needs. They are often the victims in these situations, especially if they are coerced or exploited by adults.

Education and Prevention, it is important to raise awareness and provide education about the dangers of drugs to children from an early age. Effective prevention programs can help prevent children from engaging in drug use. Children involved in substance use need access to age-appropriate rehabilitation and recovery programs. Child-friendly
approaches, such as counseling, play therapy, and family support, are important to help them recover.

Drug cases involving children often also require extensive social intervention. This may include support from social workers, supervision by correctional officers, and collaboration with social agencies or organizations to provide necessary support. In some jurisdictions, there are alternative sentencing programs aimed specifically at children involved in drug crimes. This may include more youth-oriented community recovery, mentoring, or rehabilitation programs.

Empowerment and Reintegration, it is important to give children involved in drug cases the opportunity to rebuild their lives after experiencing rehabilitation. This can include skills training, education, and assistance in finding work or reintegrating into school. Drug cases involving children require a holistic approach, which takes into account the needs and best interests of children as well as the social, economic and cultural factors that influence them. It is important to avoid stigmatization and seek solutions that promote the recovery and well-being of these children.

Treatment of child detainees in drug cases must take into account human rights and the best interests of the child. Protection of Human Rights, child prisoners have human rights that must be respected, including the right to humane treatment, the right to education, the right to health, and the right to privacy. They must not be treated in an arbitrary or discriminatory manner. Juvenile criminal justice systems often employ a restorative justice approach, which emphasizes the restoration and rehabilitation of children rather than harsh punishment. This approach takes into account the needs and best interests of children in the justice process. Child prisoners in drug cases must be given access to education and skills training so that they can improve themselves and have the opportunity to reintegrate into society after their sentence is completed. Children involved in drug cases often require adequate mental and physical health services. This may include counseling services, therapy, and rehabilitation programs to suit their needs. Separation from Adult Detainees, children detained on drug charges must be separated from adult detainees to protect them from the risk of exploitation, violence, or other negative influences from adult detainees.

Family and Community Involvement, it is important to involve families and communities in the rehabilitation process of juvenile detainees. Positive social and environmental support can help facilitate children's recovery and reintegration into society. Once juvenile detainees have completed serving their sentences, it is important to provide appropriate supervision and support to help them prevent a return to harmful behavior. This may include monitoring programs by correctional officers, assistance with reintegration into the community, and post-incarceration support. The treatment of child detainees in drug cases must prioritize their recovery, rehabilitation and reintegration into society, while ensuring that the rights and best interests of
children are always respected.

The government has a responsibility to ensure that children's rights are fulfilled, even if they are involved in drug cases. The government must ensure that children involved in drug cases are protected from inhumane or discriminatory treatment. They must be given treatment in accordance with internationally recognized human rights standards. The government can implement a restorative justice approach in the juvenile criminal justice system. This means emphasizing the child’s rehabilitation and recovery, not just punishment. This approach takes into account the needs and best interests of the child and promotes reconciliation with the victim and society. The government must provide adequate access to education and skills training for children involved in drug cases. This helps them improve themselves and have the opportunity to change their lives after their sentence. Children involved in drug cases need adequate mental and physical health services. The government must ensure that they have access to counseling, therapy and rehabilitation services that meet their needs. The government should ensure that children involved in drug cases are separated from adult detainees to protect them from the risk of exploitation, violence, or other negative influences. The government can support family and community involvement in the rehabilitation process of children involved in drug cases. Positive social and environmental support can assist them in recovery and reintegration into society. Once the sentence is over, the government must provide the necessary supervision and support to help children prevent a return to harmful behavior. This may include monitoring programs by correctional officers and assistance with reintegration into society.

The government has an important role in ensuring that children involved in drug cases continue to receive the protection and support they need to recover and reintegrate into society. This must be done with due regard for the human rights and best interests of the child.

Rehabilitation Rights for Child Prisoners in Drug Cases in Tanjungbalai City

The problem of drug abuse is increasingly common not only in developing countries but also in developed countries. As is known, drugs are currently not only distributed in big cities but have reached the rural level. Apart from that, the perpetrators of drug trafficking abuse are not only adults but are also dominated by children or the younger generation. An example of a drug trafficking case involving children occurred in August 2016, the National Narcotics Agency (BNN) in collaboration with Halim Perdanakusuma Airport Customs and Excise seized 13 plastic wraps containing marijuana leaves weighing 256.8 grams which were brought by 3 suspects who were still 16 years old. Packaged in plastic Lego toys, the mode of distribution is by

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ordering online and using children as couriers. Another example involving minors in illegal narcotics trafficking occurred some time ago in 2022 in Bangkalan, East Java. One of the couriers, who was still 17 years old, was lured by Rp. 2,000,000.00 as compensation for services as a courier. Based on these phenomena, there is a Child Protection Law that can prove whether minors are indeed abusers or just victims.

Meanwhile, for children who abuse drugs, criminal treatment is regulated in Article 71 of the Juvenile Justice System Law. However, the length of the sentence is limited by Article 79 in the Juvenile Justice System Law which states that the maximum sentence that can be imposed on a child is a maximum of $\frac{1}{2}$ (half) of the maximum sentence for a child and an adult.\(^{34}\)

The implementation of training for prisoners needs to be carried out in a balanced manner between material and spiritual and prisoners need to be guided and developed through education and rehabilitation so that prisoners are easy to train and can become better human beings. Based on Law Number 12 of 1995 concerning Corrections, there is no regulation regarding the rehabilitation of prisoners. However, after the enactment of Law Number 22 of 2022 concerning Corrections, it was regulated regarding the rehabilitation and care of prisoners as regulated in Article 4 and Article 60 of the Corrections Law.

This rehabilitation is a method applied in the development of Correctional Inmates (WBP) as an effort to minimize the occurrence of reoffending and an effort to reduce overcapacity in correctional institutions. In this regard, the role of correctional institutions in implementing the prisoner development program must be prepared carefully 57 because with the enactment of Law Number 22 of 2022 concerning Corrections it is hoped that they will provide appropriate and accurate action to overcome problems that have developed far as well as new problems, which has not been accommodated in Law Number 12 of 1995 concerning Corrections.\(^{35}\)

The mechanism used for the implementation of training for narcotics prisoners in general is not much different from training for prisoners in general and with the problem that has developed far, namely overcapacity, the implementation of training for prisoners is still carried out. The Tanjungbalai Penitentiary has made a coaching program plan, the coaching program refers to and takes into account the rights of prisoners as regulated in Article 14 paragraph (1) of Law Number 12 of 1995 concerning Corrections and is confirmed in Article 7 of Law Number 22 2022 concerning Corrections. These development programs include: Personality and Independence Development Personality development is an effort to change the character and morals of prisoners so that they can change for the better so that former prisoners can be accepted again by the community in their environment. Meanwhile, fostering independence is a directed effort (See Article 14 paragraph (1) of Law Number 12 of 1995 concerning Corrections and Article 7 of Law Number 22 of 2022 concerning Corrections).


Corrections). To provide provisions in the form of talents and skills for prisoners so that they can return to their role as members of society who are responsible for themselves. Personality and independence development includes the following:

**a. Spiritual Formation**

The spiritual formation program is carried out for prisoners according to their respective beliefs and religion. Spiritual formation aims to increase prisoners’ devotion and faith in God Almighty, through the application of religious and moral values. Religious activities include: 1) Inmates who are Muslim carry out religious services including: holding midday prayers and Friday prayers in congregation, listening to tausiyah, tadarus Al-Qur’an, and learning about hadith which are carried out in the mosque; 2) Inmates who are Christians carry out spiritual services and understand the Bible; 3) and others. It is hoped that from implementing the spiritual development program, inmates will get closer to God, will be able to develop awareness within themselves so that they realize their mistakes, and will be able to become better human beings so that after leaving they will not repeat unlawful acts again.

**b. Physical Health Development**

The physical health development program aims to maintain body health and fitness and make the mind fresher to avoid stress, in addition to honing talents and interests in the field of sports. Sports activities include: physical fitness, mini soccer, table tennis, volleyball, badminton, basketball. It is hoped that from implementing the physical health development program, prisoners can channel their hobbies and interests, as well as create a healthy body and clear mind, especially Narcotics Inmates can also help eliminate physical and psychological dependence on narcotics.

**c. Educational Development**

The educational development program is carried out for prisoners who wish to continue their education and prisoners who have the intention to study. The educational guidance carried out by Tanjungbalai Prison includes: Non-formal equivalency education pursuing packages A, B and C, reading culture education and computer courses. Educational Development aims to increase WBP’s knowledge and thinking abilities, through the application of educational science teaching. It is hoped that from implementing the educational development program, WBP will have a broader knowledge perspective and be able to actively participate in activities in the community with the knowledge and knowledge received while carrying out educational guidance.

**d. Skills Building**

The skills development program is divided into 5 areas of work training activities, including: 1) Agriculture: Hydroponic and sweet potato cultivation; 2) Livestock sector: Cultivation of catfish and chickens; 3) Fashion: Batik making, sewing, screen printing and hair cutting; 4) Music: Playing traditional and modern musical instruments, and practicing vocal skills; 5) Workshop sector: Welding, making steel frames, making furniture such as folding chairs, folding tables, cupboards, storage shelves, and
handicrafts made from used goods, as well as repairing goods and tools that are no longer usable. The results of this work training activity will be marketed to companies that collaborate with prisons, for the work carried out by inmates will be given wages or premiums. It is hoped that from implementing the skills development program, WBP can improve their self-quality and can play an active role in society.

e. Culinary Management

The culinary coaching program aims to increase knowledge and skills in the field of culinary cooking. The results of the culinary training are marketed within the prison environment, namely in the canteen which provides snacks or food made by inmates, including: brownies, rolled cakes, onde-onde, donuts, fried bread, and the most typical is bui bread. Apart from that, to meet the food needs of inmates, cooking activities are carried out which are the responsibility of selected inmates (tamping) accompanied by food processing officers from correctional institutions so that hygiene is maintained and diseases are avoided that arise from the food consumed. It is hoped that from implementing the culinary coaching program, WBP will gain knowledge and skills in the field of culinary cooking which can be useful when the WBP completes the coaching period at Tanjungbalai Prison.

f. Medical and Social Rehabilitation Development

Based on Article 54 paragraphs (1), (2), and (3) of Law Number 22 of 2022 concerning Corrections, narcotics prisoners are included in high risk prisoners/convicts, namely: 1) High risk prisoners or convicts are given services or Special Guidance based on the results of Litmas; 2) The results of Litmas as referred to in paragraph (1) are prepared based on assessments carried out by Correctional Assessors at Bapas and/or related agencies; 3) Special services or guidance as intended in paragraph (1) include: a) Placement in a certain place; and b) Providing service or development programs in coordination with related agencies.

And for narcotics convicts, medical rehabilitation and social rehabilitation development programs are implemented. Rehabilitation can be interpreted as an improvement (recovery) for individuals who suffer from physical and psychological illnesses. Rehabilitation is an effort to free inmates from drug addiction, restore self-confidence, have responsibility for their own future, and be able to improve their physical function, psychology and social adaptation in social life. Rehabilitation according to Article 1 paragraph 23 of the Criminal Procedure Code is as follows: The right of an individual to be restored to their position, ability, honor, and dignity during an inquiry, prosecution, or court proceeding as a result of being detained, arrested, prosecuted, or tried without a valid legal basis. Law or because of a mistake regarding the person or the law that is applied according to the method regulated in this Law. Similar to providing rehabilitation to people who have been wrongly arrested or misapplied the law, in narcotics cases there is also rehabilitation, although of course the process and rules are different.

The aim to be achieved by Law Number 35 of 2014 in conjunction with Law Number 23 of 2002 concerning Child Protection (hereinafter also referred to as the Child Protection Law) and Law Number 35 of 2009 concerning Narcotics is to protect
children as the nation’s generation so that they are free.\textsuperscript{36,37} From the distribution and abuse of narcotics. However, law enforcement carried out by law enforcers towards children who abuse drugs places more emphasis on repressive efforts, namely providing criminal sanctions. Narcotics abuse is a crime that is criminologically categorized as a victimless crime. This crime is not defined as a crime that does not result in victims but has the meaning that the victim of this crime is himself. In other words, the perpetrator is also the victim of the crime. Talking about crime, we are indirectly talking about the victims of that crime. The basic formulation of a crime is that there is a perpetrator and a victim of the crime.

Cases of narcotics abuse by children are currently still approaching Indonesia. Narcotics producers from abroad no longer use Indonesia as a transit route, but as a target for illicit business. The increase in narcotics circulation is increasing sharply, along with the increase in the number of narcotics abusers and addicts, especially driven by high selling prices, making illicit narcotics trafficking considered a quite promising business.

Figure 1. Spiritual Formation for Prisoners in Tanjungbalai


Based on the results of research by the National Narcotics Agency (BNN), through the Directorate for Strengthening Rehabilitation Institutions for Government Agencies, the Deputy for Rehabilitation on November 10, 2014 opened support for a program for treating drug victims at the Rehabilitation Center. The widespread distribution and abuse of drugs by children requires effective countermeasures in accordance with the provisions of the applicable laws and regulations.

Law enforcement and legal considerations carried out by law enforcement officials starting from the stages of investigation, prosecution, decision up to the implementation of training for child prisoners in correctional institutions have never carried out rehabilitation for child prisoners in drug cases. This is due to the absence of demands from prosecutors or judge decisions that decide or order rehabilitation for child defendants involved in drug cases.

That even though there is no rehabilitation for juvenile convicts in drug cases at the Tanjungbalai Detention Center, efforts can be made to provide protection for the rights of correctional students at the Tanjungbalai Detention Center, including:

1. Separate rooms and blocks between child prisoners and adult prisoners.
2. Separate rooms between child prisoners for drug cases and other criminal cases.
3. Providing the facilities and infrastructure needed by correctional students to support the implementation of education and development programs in the Tanjungbalai Detention Center.
4. Work skills guidance activities, including: calligraphy skills activity room, sewing skills activity room, car welding/electrical welding skills activity room, and barbering skills activity room;
5. Holding approaches to correctional students so that they are motivated to take part in the education and coaching programs implemented at the Tanjungbalai Detention Center.
6. Improve the quality and professionalism of correctional officers by participating in training programs related to providing guidance and guidance to correctional students in correctional institutions.

7. Carrying out various kinds of educational activities, such as physical education (sports), religious education, skills education, arts education and scouting education;

8. Especially for child convicts in drug cases, they are also provided with guidance and counseling from officers about the dangers of using drugs, so that child convicts do not commit crimes again or repeat the crimes they have committed.

These four components must properly understand what is the aim of coaching correctional students, especially for parents who can take a position and participate in the development of correctional students in the form of providing motivation. Several indicators of the success of developing correctional students at the Tanjungbalai Detention Center, as a whole, are:

1. Students carry out worship according to their respective religions, both individually and in congregation
2. Students can study formally at Tanjungbalai Detention Center
3. Students act, behave and are aware of the law, nation and state
4. Students have skills as a provision when they have finished serving their sentences.

In accordance with the current correctional principles, it is to increase the awareness of correctional students through the stages of interospection, motivation and human resource development. The target of coaching and mentoring correctional students is to improve the quality of correctional students who were initially partially or completely in poor condition, such as the quality of devotion, intellectual quality, quality of attitudes and behavior, quality of skills, and quality of health.

**Conclusion**

Apart from supporting facilities and infrastructure, the implementation of the SPPA Law must also be supported by law enforcement officials who have a child protection perspective at all levels of the legal process. When children are exposed to crime, community counselors (PK) have a central role in implementing SPPA, especially in mentoring, rehabilitation and reintegration for children. In rehabilitation efforts, family involvement is emphasized. Families can provide moral support and a positive environment for children undergoing rehabilitation. It is important to remember that the approach to child prisoners must be in line with human rights, principles of justice, and the view that every child deserves the opportunity to change and be given a better
future. Several indicators of the success of developing correctional students at the Tanjungbalai Detention Center, as a whole, are: 1) Students carry out worship according to their respective religions, both individually and in congregation; 2) Students can study formally at Tanjungbalai Detention Center; 3) Students behave, behave and are aware of the law, nation and state; 4) Students have skills as a provision when they have finished serving their sentence. This is in line with the mandate of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), namely that while undergoing the legal process, children who have been punished must be treated humanely, their honor and dignity must be respected, and must be given special protection. The SPPA Law, the Child Protection Law, and the Human Rights Law mandate humane treatment for everyone. Children in conflict with the law cannot be separated from that. Therefore, law enforcement officials are expected to implement the SPPA Law.

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