

ABSTRAK

PERAN LEMBAGA PEMASYARAKATAN PEREMPUAN DALAM PEMENUHAN HAK ANAK BAWAAN NARAPIDANA (Studi pada Lapas Perempuan Kelas IIA Way Huwi Bandar Lampung)

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Anak bawaan narapidana merupakan kelompok rentan yang memerlukan perlindungan khusus karena harus tinggal di lingkungan pemasyarakatan bersama ibu mereka yang berstatus narapidana. Undang-Undang Nomor 22 Tahun 2022 tentang Pemasyarakatan mengizinkan anak tinggal bersama ibu hingga usia 3 tahun, namun implementasinya menghadapi berbagai tantangan seperti keterbatasan sarana dan prasarana, minimnya tenaga profesional, dan risiko prisonisasi. Permasalahan yang dikaji adalah bagaimana dan apa peran Lembaga Pemasyarakatan Perempuan Kelas IIA Way Huwi Bandar Lampung dalam pemenuhan hak anak bawaan narapidana dan faktor-faktor apa yang menghambatnya.

Metode penelitian menggunakan pendekatan yuridis normatif dan empiris dengan menggunakan sumber data primer dan data sekunder. Data primer diperoleh melalui wawancara dengan Kepala Seksi Bimbingan Narapidana dan Anak Didik (Binadik, Bidan, dan Warga Binaan perempuan yang membawa anak pada Lapas Perempuan Kelas IIA Way Huwi Bandar Lampung,, Advokat LSM Perkumpulan Damar Lampung, serta Akademisi Bagian Pidana Fakultas Hukum Universitas Lampung. Data sekunder diperoleh melalui studi kepustakaan terhadap peraturan perundang-undangan, buku, jurnal, dan dokumen terkait.

Hasil penelitian menunjukkan bahwa peran normatif Lapas Perempuan Way Huwi sudah sesuai dengan ketentuan yaitu, Pasal 62 Undang-Undang Nomor 22 Tahun 2022 tentang Pemasyarakatan, Pasal 14 Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, Pasal 20 Peraturan Pemerintah Nomor 32 Tahun 1999, Pasal 11 Undang-Undang Nomor 4 Tahun 2024 tentang Kesejahteraan Ibu dan Anak

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Pada Fase Seribu Hari Pertama. Secara faktual Lapas Perempuan telah melaksanakan berbagai upaya pemenuhan hak anak meliputi penyediaan tenaga medis, program posyandu, pemberian makanan tambahan, pemisahan ruangan, ruang bermain/ramah anak, ruang laktasi, dan kebijakan 24 jam bersama ibu. Secara ideal lapas harus memiliki fasilitas yang berstandar internasional seperti ruang bermain edukatif, ruang bersalin, unit disabilitas, dukungan tim interdisipliner seperti psikolog, ahli gizi, pendidik PAUD, program stimulasi tumbuh kembang terstruktur, serta sistem koordinasi lintas instansi yang efektif. Implementasinya masih menghadapi beberapa hambatan: (1) ketiadaan SOP teknis dan belum adanya assesmen untuk menilai tumbuh kembang anak; (2) kurangnya tenaga profesional seperti psikolog, pekerja sosial/petugas khusus anak, ahli gizi, dan tenaga pendidik; (3) sarana prasarana yang belum memadai, terutama ketiadaan fasilitas persalinan, ruang laktasi dan ruang ramah anak tanpa AC, dan ambulans rusak; (4) stigma masyarakat; serta (5) risiko prisonisasi yang mengancam perkembangan anak.

Saran yang diberikan meliputi penyusunan SOP secara teknis, peningkatan alokasi anggaran, pengadaan sarana prasarana lengkap, perekrutan tenaga profesional, penguatan koordinasi antar instansi, serta pengembangan alternatif pemidanaan bagi narapidana perempuan dengan anak, serta sosialisasi terhadap narapidana perempuan mengenai hak-hak anak, program anti-stigma, dan program mengatasi dampak prisonisasi.

Kata Kunci: Peran, Lembaga Pemasyarakatan Perempuan, Anak Bawaan Narapidana

ABSTRACT

THE ROLE OF WOMEN'S CORRECTIONAL INSTITUTIONS IN FULFILLING THE RIGHTS OF PRISONERS' CHILDREN (Study at Class IIA Women's Prison Way Huwi Bandar Lampung)

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Children of prisoners are a vulnerable group that require special protection because they have to live in correctional facilities with their mothers who are inmates. Law Number 22 of 2022 on Corrections allows children to live with their mothers until the age of 3, but its implementation faces various challenges such as limited facilities and infrastructure, a shortage of professional staff, and the risk of prisonization. The issue examined is how and what role the Way Huwi Bandar Lampung Class IIA Women's Correctional Institution plays in fulfilling the rights of children of prisoners and what factors hinder it.

The research method uses a normative juridical and empirical approach by utilizing primary and secondary data sources. Primary data were obtained through interviews with the Head of the Guidance Section for Prisoners and Students (Binadik, Bidan, and female inmates who bring children at Class IIA Way Huwi Women's Prison Bandar Lampung), Advocates from the Damar Lampung Association NGO, as well as Academics from the Criminal Law Department of the Faculty of Law, University of Lampung. Secondary data were obtained through literature studies of laws and regulations, books, journals, and related documents.

The research results show that the normative role of Way Huwi Women's Prison is in accordance with the regulations, namely Article 62 of Law Number 22 of 2022 concerning Corrections, Article 14 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, Article 20 of Government Regulation Number 32 of 1999, Article 11 of Law Number 4 of 2024 concerning Maternal and Child Welfare in the First Thousand Days Phase. Factually, the Women's Prison has carried out various efforts to fulfill children's rights, including the provision of medical personnel, posyandu (integrated health service posts) programs, provision of supplementary food, room separation, child-friendly/play rooms, lactation rooms, and a 24-hour stay policy with mothers.

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Ideally, the prison should have facilities that meet international standards, such as educational playrooms, delivery rooms, disability units, support from an interdisciplinary team such as psychologists, nutritionists, early childhood educators, structured growth and development stimulation programs, as well as an effective cross-agency coordination system. The implementation still faces several obstacles: (1) the absence of technical SOPs and the lack of assessments to evaluate children's growth and development; (2) a shortage of professionals such as psychologists, social workers/child specialists, nutritionists, and educators; (3) inadequate infrastructure, especially the absence of delivery facilities, lactation rooms, and child-friendly rooms without air conditioning, as well as broken ambulances; (4) social stigma; and (5) the risk of prisonization that threatens child development.

The suggestions provided include the technical preparation of SOPs, increased budget allocation, procurement of complete facilities and infrastructure, recruitment of professional staff, strengthening coordination between agencies, as well as the development of alternative sentencing for female inmates with children, and socialization to female inmates regarding children's rights, anti-stigma programs, and programs to address the effects of prisonization.

Keywords: Role, Women's Correctional Institution, Prisoners' Children