

JURIDICAL ANALYSIS OF THE FULFILLMENT OF RIGHTS AND ACCOMMODATIONS FOR PERSONS WITH DISABILITIES IN CORRECTIONAL INSTITUTIONS

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ABSTRACT

This literature study aims to critically analyze the fulfillment of rights, provision of reasonable accommodation, and the inclusiveness of rehabilitation programs for persons with disabilities in Indonesian correctional institutions. Employing a qualitative normative legal research method, this study examines international conventions, national legislation, and empirical reports. The findings reveal a significant normative-progressive yet implementative-deficient landscape. Indonesia has established a strong legal framework through the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) and the enactment of Law Number 8 of 2016 concerning Persons with Disabilities, which mandate non-discrimination and reasonable accommodation. However, the factual conditions in prisons are starkly different. Physical facilities largely remain inaccessible, health and social services are not inclusively designed, and rehabilitation programs fail to accommodate specific needs, thereby perpetuating discrimination and hindering effective social reintegration. The study concludes that without translating legal mandates into detailed operational standards, adequate budgeting, and comprehensive training for correctional staff, the rights of incarcerated persons with disabilities will remain unrealized. It recommends the urgent development of a standardized service protocol, enhanced independent monitoring, and strategic partnerships to foster inclusive correctional practices.

Keywords: Legal Protection; Traditional Knowledge; Sui Generis

INTRODUCTION

Correctional institutions, as a form of the state to carry out the function of punishment, have a noble goal in the form of coaching, rehabilitating, and social reintegration of inmates. However, in its implementation, these institutions often face their own complexities when their members come from population groups with special needs, especially people with disabilities. Persons with disabilities in the context of correctional services are a group that is in a layered vulnerable position. Not only do they face legal consequences for their actions, but they also have to deal with a physical, social, and systemic environment that is essentially designed for the general population without considering the limitations they have. This condition raises profound philosophical and practical questions about the essence of justice and human rights in the criminal justice system. Whether the punishment carried out against persons with disabilities, without the accompaniment of accommodation and special

treatment, can be said to have met the principle of proportionality and the purpose of corrections itself, or does it have the potential to be a form of double punishment that aggravates their condition? (Prasetya et al., 2025).

Disabilities experienced by inmates have a wide spectrum, ranging from physical, sensory disabilities (blind, deaf), intellectual, mental, to psychosocial. Each of these types of disabilities requires a different approach and facilities from correctional institutions (Rahim & Subroto, 2023). A person with a physical disability who uses a wheelchair needs different accessibility than a deaf person who needs a communication aid. Meanwhile, inmates with intellectual disabilities may require simpler and more repetitive methods of coaching and mentoring. The reality is that facilities and programs in many correctional institutions are still very uniform and are not designed with universal design principles or decent accommodations in mind. As a result, people with disabilities are often unable to access their basic rights in prisons, such as the right to move, communicate, worship, or participate in coaching programs, independently and with dignity. This neglect of special needs reflects a pattern of systematic discrimination that impacts psychological well-being (Pakpahan et al., 2022).

The rights of persons with disabilities, both general and specific in the context of deprivation of liberty, have been recognized in various international and national legal instruments. The Convention on the Rights of Persons with Disabilities (CRPD), which has been ratified by Indonesia through Law Number 19 of 2011, affirms the principles of non-discrimination, full participation, and full inclusion in society. The CRPD specifically stipulates in Article 14 that persons with disabilities have the right to liberty and security, and shall not be unlawfully or arbitrarily deprived of their liberty, and that any measure of deprivation of liberty must be in accordance with the law. Furthermore, Article 9 on Accessibility and Article 13 on Access to Justice provide a framework of obligations for states to ensure equal access, including in detention environments. At the national level, Law Number 8 of 2016 concerning Persons with Disabilities is the main legal basis that regulates the fulfillment of rights and protection for persons with disabilities in all sectors, including in the criminal justice system (Andriyan & Wibowo, 2024).

The purpose of correctional facilities as mandated in Law Number 12 of 1995 concerning Correctional Services is to make inmates become fully human beings, realize mistakes,

improve themselves, and not repeat criminal acts so that they can be accepted back by the community. This goal will be difficult, even impossible, to achieve for people with disabilities if the coaching program implemented is exclusive and non-inclusive. Coaching programs that do not consider special needs can actually strengthen stigma, increase dependency, and hinder the development of self-capacity. In contrast, inclusive coaching programs, designed with a variety of abilities in mind and providing decent accommodations, have great potential to empower people with disabilities, develop appropriate life skills, and prepare them for better social reintegration. The program includes not only skills training, but also aspects of physical and mental health, psychosocial support, and accessible legal education.

Therefore, a comprehensive study is needed to analyze the real conditions of persons with disabilities in Indonesian correctional institutions. This study should be able to evaluate the gap between legal promises in the form of ratification of conventions and laws and operational practices in the field. The focus of the analysis needs to be directed to three key aspects that are interrelated: first, the fulfillment of the basic rights of persons with disabilities during their criminal sentence; second, the availability and adequacy of reasonable accommodation both in physical and service facilities; and third, the design and implementation of coaching programs that are inclusive and oriented to specific needs. By analyzing these three aspects, it is possible to identify the critical points of the problem and at the same time opportunities for improvement to realize a more fair, humane, and in accordance with the spirit of inclusion mandated by law.

The first fundamental problem is the lack of comprehensive and disaggregated data on the population of persons with disabilities in correctional institutions in Indonesia. Without accurate data on the number, type of disability, and its distribution, policy planning and resource allocation for decent accommodation becomes untargeted. This situation is contrary to the basic principles of sustainable public policy formulation, which require a strong foundation of empirical data as part of the juridical-social welfare foundation (Rizky & Udjari, 2021). The initial assessment process for inmates entering correctional institutions often does not include adequate disability screening. As a result, many people with disabilities, especially intellectual, mental, or sensory disabilities are not identified. They are then treated the same as other inmates, without any modifications in programs, facilities, or coaching approaches. This condition has the potential to worsen their situation, making them more vulnerable to

bullying from fellow inmates, having difficulty understanding the rules, and not being able to follow daily activities properly, which can ultimately be considered a disciplinary violation.

The second problem lies in the design of infrastructure and facilities of correctional institutions that are generally inaccessible. Prison cells, bathrooms, dining rooms, sports areas, and coaching rooms are often built with steep stairs, narrow doors, slippery floors, and without adequate handles or ramps. For people with physical disabilities, this environment limits their mobility to the extreme and increases the risk of accidents. For people with sensory disabilities such as the blind, the absence of tactile markers, voice guidance systems, or information in braille format makes them highly dependent on the assistance of others for navigation, so their independence is lost. This inaccessibility of the physical environment directly hinders the fulfillment of their basic rights to move, access health services, worship, and participate in coaching programs, which are at the heart of the goals of corrections.

The third problem is related to non-inclusive coaching and service programs. The coaching curriculum, whether religious, life skills, or skills training, is usually delivered with a one-way lecture method and standard visual teaching materials. This method is not effective for people with hearing disabilities who need sign language interpreters, or for people with intellectual disabilities who need simpler and more concrete explanations. Correctional facilities are also often not prepared to handle specific health conditions that accompany certain disabilities, such as occupational therapy, physiotherapy, or intensive mental health support. This unpreparedness reflects the low level of inclusive service quality, even though good service quality is a fundamental prerequisite for satisfaction and success of services in the public sector (Khayru & Issalillah, 2022). In addition, the lack of training for correctional officers on how to interact with and nurture assisted citizens with disabilities leads to ineffective communication and approaches that may be stigmatizing or even repressive, due to ignorance.

First, global and national commitments to human rights and the principle of non-discrimination are getting stronger. Indonesia has ratified the Convention on the Rights of Persons with Disabilities and promulgated the Law on Persons with Disabilities, which creates binding legal obligations for the state, including in correctional institutions. This ratification and legislation process is a tangible form of adaptation of Indonesian constitutional law in response to global human rights norms and social justice demands (Rizky et al., 2022).

However, ratification and legislation alone are not enough without adequate implementation. This review is important to evaluate the extent to which such normative commitments have been embodied in the most concrete law enforcement practice, that is, in prisons. The results of this evaluation can be a benchmark of Indonesia's seriousness in fulfilling its international obligations and protecting the rights of the most vulnerable groups within its own justice system.

Second, there is a momentum for reform in the criminal justice and correctional sectors. Various criticisms of overcapacity, violence, and inhumanity in correctional institutions have prompted the discourse to make changes. In this reform discourse, the issue of disability is often marginalized. In fact, incorporating the perspective of disability into the reform agenda is a strategic step to build a truly fair and restorative-centered correctional system. In-depth studies can provide evidence-based evidence and arguments to encourage the integration of disability issues into correctional reform policies and programs, so that changes are inclusive and comprehensive.

Third, respect for the rights of persons with disabilities in correctional institutions has a wider impact on society. Assisted residents with disabilities will eventually return to society. If they serve their sentences in deteriorating conditions due to the lack of proper accommodation and programs, their potential to become productive and law-abiding members of society will decrease. On the other hand, if they receive inclusive and tailored coaching, the chances of successful reintegration and independent living will be greater. Thus, improving the conditions of people with disabilities in correctional institutions is not only about justice for individuals, but also investment in long-term security and social harmony.

This literature study research aims to comprehensively analyze the condition of persons with disabilities in Indonesian correctional institutions by focusing on three main aspects. First, this study seeks to examine and describe the legal construction that underlies the fulfillment of the rights of persons with disabilities in the context of corrections, by examining the provisions in the Convention on the Rights of Persons with Disabilities, the Law on Persons with Disabilities, and implementing regulations in the field of corrections. Second, this study aims to evaluate the factual conditions regarding the availability and adequacy of decent accommodation, both in the form of modifications of physical facilities (architectural accessibility) and adjustments to procedures and services, to ensure the full participation of

persons with disabilities in prison life. Third, this study intends to analyze the effectiveness and suitability of coaching programs applied to assisted residents with disabilities, as well as identify good practices and gaps that need to be improved to create a truly inclusive and reintegration-oriented program. Theoretically, this research is expected to contribute to the development of disability-sensitive human rights law and criminology literature. Practically, the results of the research can be used as policy recommendations for the Directorate General of Corrections, the Ombudsman Commissioner, Komnas HAM, and civil society organizations to fight for the improvement of a more just and humane correctional system for persons with disabilities.

RESEARCH METHOD

This research is a qualitative literature study that is exploratory and analytical, designed to build a deep and comprehensive understanding of the situation of people with disabilities in correctional institutions. This study relies entirely on secondary data, which means that no primary data collection is carried out through interviews, observations, or surveys in the field. The choice of this literature review approach is appropriate because it allows researchers to synthesize various theoretical perspectives, empirical findings from previous research, as well as analysis of complex regulatory frameworks, all of which are necessary to answer the formulation of normative and evaluative problems. As John W. Creswell explains, qualitative research with a literature study design allows researchers to consolidate existing knowledge, identify gaps, and develop new synthesis that makes a significant contribution to a field of study. Thus, this research relies on the power of critical analysis of written texts to produce a solid and evidence-based argumentative construction (Creswell, 2014).

The secondary data sources used are classified into three main categories to ensure a thorough and balanced analysis. The first category is legal and policy sources, which include international legal instruments such as the Convention on the Rights of Persons with Disabilities (CRPD) and its commentary documents; main national legal instruments such as Law Number 8 of 2016 concerning Persons with Disabilities, Law Number 12 of 1995 concerning Corrections, and its implementing regulations such as Government Regulations and Regulations of the Minister of Law and Human Rights related to the implementation of corrections (Undang-Undang Republik Indonesia Nomor 12 Tahun 1995 tentang

Pemasyarakatan, 1995). The second category is academic sources, which consist of leading textbooks and monographs in the fields of human rights law, criminology, and disability studies; research articles from reputable national and international scientific journals; and research reports published by universities or think tanks. The third category is practical sources and monitoring reports, which include annual reports and investigative findings from state institutions such as the National Human Rights Commission (Komnas HAM) and the Ombudsman of the Republic of Indonesia, reports from civil society organizations focused on disability advocacy and prison reform, as well as publications from international institutions such as Amnesty International or Human Rights Watch relevant to conditions in Indonesia.

The analysis technique applied is qualitative content analysis as developed by Klaus Krippendorff. This technique was chosen for its ability to systematically identify patterns, themes, and meanings that emerge from a diverse collection of textual materials. This technique is also enriched with a normative approach to evaluate the gap between law (law in books) and practice (law in action), as well as a brief comparative approach to contextualize findings with international standards. The entire process aims to produce a coherent, critical, and evidence-based analytical narrative that not only describes the circumstances but also provides an assessment of the effectiveness of existing legal frameworks and programs.

RESULT AND DISCUSSION

A. Legal Framework for the Fulfillment of the Rights of Persons with Disabilities in Correctional Services

The construction of international law on the rights of persons with disabilities in the deprivation of liberty reached its peak with the adoption of the Convention on the Rights of Persons with Disabilities (CRPD) by the United Nations in 2006. This instrument is groundbreaking because it explicitly and comprehensively regulates the rights of persons with disabilities in all aspects of life, with no exceptions for those in a prisoner or convict situation (Nugraha & Subroto, 2023). Indonesia's ratification of this convention through Law No. 19 of 2011 has binding legal consequences, creating an obligation for the state to respect, protect, and fulfill the rights of persons with disabilities within its jurisdiction, including within traditionally closed correctional institutions. CRPD is based on a social model for understanding disability, which views barriers not from individual conditions alone, but from

interactions between people with disabilities and the environment and societal attitudes that hinder their full and effective participation. This principle is the philosophical foundation that requires the state, through correctional institutions, to actively remove these barriers (Undang-Undang Republik Indonesia Nomor 19 Tahun 2011 tentang Pengesahan Convention on the Rights of Persons with Disabilities (Konvensi mengenai Hak-Hak Penyandang Disabilitas, 2011).

Several articles in the CRPD have direct and crucial relevance to the context of corrections. Article 14 guarantees the freedom and security of persons with disabilities, affirming that the existence of a disability cannot be a justification for arbitrary deprivation of liberty. Further, this article states that if persons with disabilities are deprived of their liberty through legal proceedings, they are entitled to guarantees in accordance with the objectives of the convention and humane treatment that respects human dignity. This means that the deprivation of liberty must not deprive the other rights guaranteed by the convention. The fulfillment of these rights is a concrete test for the effectiveness of the legal system in ensuring equal rights for minority groups (Rizky et al., 2021). Article 9 on Accessibility establishes the obligation of the state to take appropriate measures to ensure access of persons with disabilities, on the basis of equality with others, to the physical environment, transportation, information and communication, and public services. In correctional institutions, this obligation translates into the need to adjust cells, bathrooms, common areas, and information and communication systems so that they can be used by all inmates regardless of their disability. However, the implementation of these normative obligations is often hampered by social stereotypes, thus hindering the realization of substantive equality (Sajjapong et al., 2022).

Article 13 on Access to Justice directs states to ensure effective access of persons with disabilities to the justice system, including as witnesses, juries, or parties to legal proceedings. The implication for inmates is that they must be able to understand the legal process involving them, including the appeal process or the application for clemency, with the help of appropriate communication tools and formats. Article 15 prohibits torture and cruel, inhuman or degrading treatment or punishment, and requires the state to take effective measures to prevent it. For people with disabilities in prison, this protects them from practices such as medical neglect, neglect, or placement in solitary confinement due to their inability

to follow common routines. Article 25 on Health requires the provision of equal health services, including community-based, and requires healthcare providers to provide care on the basis of free and informed consent (Subiakso et al., 2023). In corrections, this means that health services must be able to handle special conditions related to disability, while respecting individual autonomy (Dumako, 2024).

At the national level, the legal construction is built with Law Number 8 of 2016 concerning Persons with Disabilities as the main pillar. This law is the operationalization of the principles of CRPD into domestic law. Article 5 affirms the principles of non-discrimination, respect for dignity, equal opportunity, and full participation (Undang-Undang Republik Indonesia Nomor 8 Tahun 2016 tentang Penyandang Disabilitas, 2016). Articles 10 to 14 regulate in detail the rights of persons with disabilities, including the right to life, freedom from stigma, privacy, and justice. Of particular importance is the "reasonable accommodation" provisions in Article 2. Appropriate accommodation is defined as necessary and appropriate modifications and adjustments that do not impose a disproportionate or excessive burden, where necessary in any particular case, to ensure that persons with disabilities can enjoy or exercise all their fundamental human rights and freedoms equally (Nugraha & Subroto, 2023). However, the effectiveness of these anti-discrimination norms is often limited by entrenched social stereotypes, which affect intergroup relationships and the achievement of social equality (Zahid & Darmawan, 2022). This concept is at the heart of the obligations of correctional institutions; facilities and programs should not be rigid and uniform, but should be flexible and modifiable to accommodate the individual needs of assisted citizens with disabilities.

Law Number 12 of 1995 concerning Corrections provides a specific normative framework for the implementation of the correctional system. Although it does not explicitly mention persons with disabilities, the spirit and provisions must generally be read with the perspective of inclusion mandated by the Law on Persons with Disabilities. Article 2 states that the purpose of correctional facilities is to make Correctional Assisted Citizens become fully human beings, realize mistakes, improve themselves, and not repeat criminal acts. This goal will fail to be achieved for people with disabilities if coaching methods are not accessible. Article 14 regulates the rights of Assisted Citizens, including the right to receive spiritual and physical care. Physical care should be interpreted to include medical rehabilitation, physiotherapy, occupational therapy, or mental health services required as a result of a disability. Article 5

paragraph (2) requires that coaching be carried out based on the principles of protection, equal treatment, education, and respect for human dignity. An inclusive interpretation of these principles is a prerequisite for realizing a correctional public policy that is responsive to social inequality, which in turn supports the creation of just sustainability (Musyafak & Darmawan, 2025). The principle of equality of treatment here does not mean exactly equal treatment, but rather fair treatment that may require special adjustments to achieve substantial equality (Taba & Subroto, 2023).

Law Number 39 of 1999 concerning Human Rights functions as a legal umbrella for human rights in Indonesia. Articles 3 to 5 affirm the right to be treated equally, the right to flourish, and the right to protection. Article 33 stipulates that everyone has the right to be free from torture, punishment, or cruel, inhuman, degrading human dignity, and the right to political asylum. For persons with disabilities in correctional institutions, the absence of adequate accommodation that causes severe physical or mental suffering can be categorized as degrading and inhumane treatment, thus violating this Law. The Human Rights Law is also the basis for demanding state accountability in the event of systemic neglect of the special needs of assisted citizens with disabilities (Ali, 2022).

The implementing regulations also complement this legal construction. Government Regulation Number 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Correctional Assisted Citizens regulates the technical implementation of these rights. Article 4 regulates the right to health services, the implementation of which needs to be further regulated by taking into account appropriate accommodation standards. The Regulation of the Minister of Law and Human Rights also plays an important role, for example to regulate the technical standards of correctional institution buildings, the administration of health services, and coaching programs (Taba & Subroto, 2023). Unfortunately, ministerial regulations that specifically regulate service standards for people with disabilities in correctional institutions are still very limited or do not exist, creating a regulatory vacuum at the operational level.

In addition to the positive legal framework, another non-binding but influential international standard is the United Nations Standard Minimum Rules for the Treatment of Prisoners, which was revised and known as the Nelson Mandela Rules (Assembly, 2015). Rule 2(2) expressly states that these rules must be applied impartially without discrimination on

the basis of disability. Some specific rules are particularly relevant, such as Rule 5 on Registration and Classification which requires a health examination and assessment of individual needs upon entry; Rule 24 on Health Care which requires equal access to health services without discrimination; and Rule 47 on Disability, which specifically states that prisons must ensure adequate accommodation for inmates with disabilities (Nugraha & Subroto, 2023). This standard is an important reference to assess the performance of Indonesian correctional institutions even though they do not have direct legal force like CRPD.

Such a legal construction is actually comprehensive enough to provide strong protection. The CRPD and the Persons with Disabilities Act have set high standards regarding non-discrimination and appropriate accommodation. The Correctional Law and the Human Rights Law provide basic principles of humane treatment. However, the effectiveness of this construction depends heavily on two things: first, harmonization and further elaboration at the level of operational technical regulations; and second, the capacity and commitment of correctional officers to implement it. Without clear implementation instructions on how to build accessible cells, how to provide sign language interpreters, or how to modify coaching programs, the provisions in the law will remain an ideal norm far from practice. Therefore, this analysis of the construction of the law does not stop at the elaboration of norms, but must continue on the evaluation of how those norms are translated and implemented in the everyday reality behind the prison walls.

B. Evaluation of Decent Accommodation: Facilities and Accessibility in Correctional Institutions

The evaluation of the factual conditions of adequate accommodation for persons with disabilities in Indonesian penitentiaries must begin with the recognition that the right to accessibility is a prerequisite for the fulfillment of other rights. Without an accessible physical environment and service system, the right to education, the right to health, the right to communicate, and even the right to live with dignity become hampered or not realized at all. A strong legal construction, especially in Law Number 8 of 2016 concerning Persons with Disabilities, expressly requires the provision of accessibility. Article 9 of the Law clearly states that the Government and Regional Governments are obliged to guarantee that people with disabilities can access the physical environment. The physical environment in this definition specifically includes public buildings and facilities, which in itself include correctional

complexes (Fadel & Subroto, 2023). However, the implementation of these normative provisions is faced with harsh realities. The majority of penitentiary buildings in Indonesia were built decades ago, long before the principles of universal design or accessibility became architectural and regulatory considerations.

In the aspect of physical facilities, the gap between regulation and reality is striking. The accessibility standards stipulated in the Regulation of the Minister of Public Works and Public Housing Number 14 of 2017 concerning Building Facility Requirements, which is a technical elaboration of the Law on Persons with Disabilities, are almost never a reference in the construction or renovation of cell blocks, detention houses, or service units in prisons (Peraturan Menteri Pekerjaan Umum dan Perumahan Rakyat Republik Indonesia Nomor 14 Tahun 2017 tentang Persyaratan Kemudahan Bangunan Gedung, 2017). As a result, critical conditions were found. Cell doors and common area doors are not wide enough for wheelchairs to pass. Shared bathrooms and toilets are designed with slippery wet floors, no adequate wall handles, and high door sills, creating a high risk of falls for people with physical disabilities or the elderly (Irawan & Widodo, 2024). Steep stairs and no alternative ramps or elevators cut off access to the upper floors, so residents with physical disabilities are often de facto confined to only the ground floor or confined areas, limiting their participation in activities on other floors.

For people with sensory disabilities, especially the blind and deaf, the prison environment is a closed labyrinth of information. The provisions in Article 9 paragraph (2) b of the Law on Persons with Disabilities regarding accessibility to information and communication practically do not work (Undang-Undang Republik Indonesia Nomor 8 Tahun 2016 tentang Penyandang Disabilitas, 2016). There are no tactile markers or trail guides in the aisles for the independent navigation of the blind. Important information such as activity schedules, regulations, or healthcare announcements is almost never provided in braille format or through an audio system. For the deaf, the absence of sign language interpreters who are regularly available in prison health units or during the coaching process makes them communicatively isolated. They cannot understand the officer's instructions, attend religious lectures, or communicate their complaints and health needs effectively (Sariasa et al., 2024). This isolation is often mistaken for defiance or difficulty adjusting.

The accessibility of health services within correctional institutions is a real test of the commitment to decent accommodation. Article 14 of Law Number 12 of 1995 concerning Correctional Services guarantees the rights of inmates to health care. However, prison health services are generally designed to address common illnesses and basic medical emergencies, not to provide the rehabilitative services or ongoing therapy that many people with disabilities need (Sitompul & Subroto, 2023). This gap between available services and specific needs reflects a failure to meet responsive healthcare quality standards that are a major concern in public healthcare satisfaction analysis (Darmawan et al., 2022). A resident with cerebral palsy who needs regular physiotherapy, or a person with a severe intellectual disability who needs intensive occupational therapy and psychosocial assistance, will almost certainly not get such services. This absence is not simply negligence, but a form of systemic discrimination due to the failure to provide the necessary adjustments to ensure equality to enjoy the right to health.

More specifically, for people with mental disabilities, the situation is often more paradoxical. Law Number 18 of 2014 concerning Mental Health regulates the right to comprehensive mental health services. However, in many correctional institutions, inmates with mental disorders are more likely to be placed in solitary confinement (boxes) as a "solution" to behavior that is considered disruptive, instead of receiving therapeutic interventions. This practice is contrary to the principle of non-discrimination in CRPD and can actually worsen their condition. The limited availability of psychiatrists and mental health nurses, as well as the lack of training of prison officers to deal with mental health conditions, make decent accommodation in the form of a therapeutic and supportive approach an unaffordable luxury.

Grievance and participation mechanisms, which are supposed to be channels to remedy non-accommodation, are often inaccessible to those who need them most. Government Regulation Number 32 of 1999 concerning Terms and Procedures for the Implementation of the Rights of Correctional Assisted Citizens regulates the right to submit applications or complaints. However, the procedure is usually written-based and requires verbal interaction with the officer. A deaf assisted resident who is illiterate will face double barriers to reporting discrimination or special needs. The absence of accessible alternative grievance channels such as complaint boxes with pictogram instructions, or access to advocates or social workers

trained in alternative communication effectively silences their voices and perpetuates unfair conditions.

Another fundamental challenge is a flawed initial assessment or assessment system. Before accommodation can be provided, individual needs must be identified. However, there is no national standard protocol that requires thorough disability screening when inmates first enter correctional facilities. Intellectual disabilities, autism spectrum disorders, or certain psychosocial disorders often go undetected. As a result, officers perceive their difficulty in understanding rules or following routines as uncooperative, leading to disciplinary sanctions rather than support and modification. Failure at this stage of identification makes the entire set of obligations for decent accommodation never triggered.

In the midst of this bleak picture, there are several initiatives and opportunities for improvement that are beginning to appear, albeit still sporadic. Some particular correctional institutions, often due to special attention from their leaders or pressure from civil society organizations, have made simple physical adjustments such as the installation of handrails in bathrooms or the creation of temporary wooden ramps. A more systematic strategic opportunity lies in the integration of planning. Major renovations or the construction of new prison units should imperatively refer to the accessibility standards in the Ministerial Regulation of PUPR No. 14/2017 (Nations, 2006). The budget for this can be integrated in the budget planning of the Ministry of Law and Human Rights with a priority scheme. Additionally, the biggest opportunity may lie in a community-based and partnership approach to services. Partnerships with Social Services or disability organisations can be facilitated to provide accessible life skills training, psychosocial mentoring or sign language translation services within the prison (Degener & Quinn, 2002).

The final evaluation shows that the factual conditions of suitable accommodation for persons with disabilities in Indonesian penitentiaries are still far from adequate. The gap between progressive legal frameworks and practice on the ground is still very wide. The main obstacles are structural: the physical infrastructure that is inherited from the past, the service system is rigid and oriented towards the general population, and the lack of capacity and understanding of the officers. The fulfillment of the right to adequate accommodation requires a transformation that is not only physical, but also cultural and administrative within the Directorate General of Corrections. This transformation requires strong political

commitment, targeted budget allocation, and most importantly, recognition that people with disabilities in prisons are not an additional burden, but rights holders who are entitled to adjustment so that they can serve their sentences with dignity and have an equal opportunity to change and be reintegrated.

C. Inclusive Coaching Program for Assisted Residents with Disabilities

The evaluation of the effectiveness of coaching programs for assisted residents with disabilities must be placed in the light of the ultimate goal of correctional facilities itself: to create individuals who are ready to return to society as better and more productive individuals. For the population with disabilities, this goal requires a coaching approach that is substantially different from standard programs. The effectiveness of the program is no longer measured by the uniformity of delivery, but by the ability of the program to adapt to the variety of abilities and obstacles that each individual has. The normative foundation for this approach already exists. Law Number 12 of 1995 concerning Corrections in Article 5 establishes the principles of coaching which include protection, education, and respect for human dignity. This principle of respect for human dignity must be the main measure; Coaching programs that ignore the special needs of people with disabilities actually degrade their dignity by not acknowledging and accommodating their different existence. Therefore, effectiveness is first assessed from the extent to which the principles of decent accommodation from the Law on Persons with Disabilities have been operationalized into the curriculum and coaching methods (Ahmad & Subroto, 2023).

Personality and independence development programs, which are one of the main pillars, are often delivered in the format of group lectures or discussions. This format is inherently ineffective for deaf people without sign language interpreters, or for those with intellectual disabilities who require more visual, concrete, and repetitive explanations. Studies on the treatment of mental disabilities show that problems like this require specific and personalized methodological solutions (Alfina et al., 2025). Modules on emotional control, conflict resolution, or social values can become meaningless if the communication methods are not accessible. New effectiveness can arise when the module is translated into an understandable form, for example through role-play with simple scenarios, the use of supporting images, or individual assistance by officers who understand how to communicate with people with

intellectual disabilities. Without this methodological modification, their participation is only physical, without the absorption of substances necessary for behavioral change.

Job development programs or skills training are crucial aspects for social reintegration. The Correctional Law does mandate this. However, the effectiveness of the program for people with disabilities depends heavily on the type of skills offered and the learning process. Principles of inclusion and effective accommodations for the workforce with disabilities must be adopted in the design of this coaching program (Basar & Darmawan, 2024). Standard training such as heavy equipment carpentry or machine shop may not be appropriate for certain people with physical disabilities. Effective programs require diversification. Information technology-based skills training, crafts that require precision, cultivation of plants in polybags, or sewing can be more inclusive alternatives. Effectiveness lies not only in the offer, but also in the initial assessment of individual interests and abilities, as well as the provision of workplace aids and adaptations during the training. This process requires synergy with outside labor offices or vocational training institutions that understand adjustments for workers with disabilities.

The development of formal and non-formal education in correctional institutions, such as the catch-up program, also faces an inclusivity test (Khasia, 2019). The right to education guaranteed by various regulations often stops at the availability of teachers and classrooms, not at the accessibility of teaching materials. For blind assisted residents, the effectiveness of the package chase program is zero without teaching materials in braille or text-to-speech software. For inmates with intellectual disabilities, a curriculum that is too abstract and fast will leave them behind. An effective educational program must be able to differentiate learning, provide specialized tutors, or work with exceptional schools or inclusive education service providers in the surrounding community to develop appropriate teaching modules.

The aspects of spiritual and religious development also need to be evaluated for effectiveness. Worship activities, religious lectures, and scripture readings are guaranteed activities. However, for people with sensory disabilities, participation in these activities is often partial. Mosques or prayer halls inside prisons are rarely equipped with adequate loudspeaker systems for hearing aids, or sign language interpreters for sermons. Scripture in braille is a rare commodity. The effectiveness of spiritual formation for them will increase if more individualized forms of spiritual expression that do not rely entirely on hearing or sight

are also facilitated, and if the religious leaders who come are equipped with an understanding of how to communicate with worshippers with disabilities (Andriyan & Wibowo, 2024).

The role of correctional officers as coaches is a determining factor that is often overlooked. The effectiveness of the entire program is highly dependent on the capacity and sensitivity of officers in interacting with assisted residents with disabilities. Untrained officers may view disability as a burden, a total disability, or even a feign. This can lead to a condescending attitude, lack of communication, or neglect. Therefore, the effectiveness of the coaching program must include a component of mandatory training for officers on disability awareness, alternative communication techniques, and how to identify and report special needs. Without the empowerment of these officers, even the best coaching programs will fail to be implemented at the interpersonal level.

The mechanism for evaluating and monitoring the development of assisted residents with disabilities is also an indicator of effectiveness. The generally accepted coaching evaluation system usually uses uniform parameters, such as participation rates, written test results, or work production. This parameter is unfair to people with disabilities. A foster resident with an intellectual disability may show significant improvement in the ability to control emotions or follow a simple routine, but this will not be recorded in standard indicators. Effective coaching programs should be complemented by a more holistic, individualized plan of individual development assessment system that records progress in functional ability, life independence, and social skills, not just academic achievement or work productivity.

Post-coaching or pre-release support is a critical stage that determines the success of reintegration. Coaching programs within prison walls will be less effective if they are not accompanied by a clear transition plan. For people with disabilities, this involves coordination with social services in their home areas to ensure the continuation of rehabilitation services, with the labour office for inclusive work placement, and with families to ensure a supportive home environment. The effectiveness of coaching programs is also measured by the extent to which correctional institutions actively facilitate this coordination, perhaps by involving prison social workers or establishing memorandums of understanding with relevant agencies outside, as mandated in the spirit of the Persons with Disabilities Law on the removal of barriers in all sectors.

The biggest challenge to effectiveness is a approach that is still charity-based rather than rights-based. This charitable mindset reflects a failure to see inequality as a structural problem that requires a systematic and sustained response, a challenge that is also encountered in efforts to build social cohesion in the midst of inequality caused by urbanization (Mardikaningsih, 2021). Coaching programs often appear as additional initiatives if there are extra resources or special attention, rather than as a standard obligation integrated into annual planning and budgeting. As a result, its existence is sporadic and its sustainability is not guaranteed. True effectiveness will only be achieved when the provision of inclusive coaching programs is considered an inevitable legal obligation, whose budget allocation is guaranteed, and whose performance indicators are included in the performance evaluation system of the penitentiary itself.

Overall, the effectiveness of the coaching program for assisted residents with disabilities is currently very limited and far from adequate. Existing programs have generally not been designed with the principles of universal design and decent accommodation in mind. They are still exclusive, assuming homogeneous participants. Increasing effectiveness demands a paradigm shift from mass coaching to personalized coaching, from a caricature approach to a rights-based approach, and from closed institutional work to open partnerships with stakeholders in the field of disability and social reintegration. Only with this transformation can coaching programs truly serve as a bridge for people with disabilities to leave behind their past and build a new, more dignified and independent life in society.

CONSLUSION

Based on the comprehensive analysis that has been carried out, it can be concluded that the condition of persons with disabilities in Indonesian penitentiaries is in a dilemmatic and inequitable situation. On the one hand, national and international legal frameworks have been built sufficiently strong and progressive to guarantee the fulfillment of their rights. The ratification of the Convention on the Rights of Persons with Disabilities (CRPD) and the issuance of Law No. 8 of 2016 concerning Persons with Disabilities created a clear legal obligation for the state to provide equal treatment, accessibility, and adequate accommodation, including in the correctional environment. The principles of non-discrimination, full participation, and respect for dignity contained in these regulations should

serve as operational guidance. But on the other hand, factual implementation in the field is very lagging behind. Evaluation of aspects of physical facilities, service accessibility, and coaching programs shows that most correctional institutions have not met the minimum standards of accessibility. Unfriendly infrastructure, inclusive health services, and uniform and impersonalized coaching programs leave people with disabilities facing double punishment: loss of liberty and loss of access to their basic rights during their sentence.

The findings of this study have serious implications for correctional policy, law enforcement, and practice. First, in policy, these findings reveal a systematic failure to translate noble legal commitments into concrete programs and budgets at the operational level. This implies the need for revision of the implementing regulations under the Correctional Law and the Persons with Disabilities Law, by including detailed and mandatory technical standards regarding physical accessibility, disability identification protocols, and guidelines for inclusive coaching programs. Second, for law enforcement, this situation raises questions about substantive justice. Judicial proceedings that impose prison sentences without considering the capacity of correctional institutions to execute them humanely for persons with disabilities may be considered to violate the principle of proportionality and do not meet the actual purpose of punishment. Third, for practice in the field, the biggest implication is to increase the capacity of human resources. Correctional officers must receive ongoing training on disability awareness and inclusive communication techniques. Without a change in the mindset and competence of officers, even a change in regulations will not have a significant impact.

Based on the above findings and implications, several strategic suggestions were proposed. First, to the Directorate General of Corrections, it is recommended to immediately prepare and implement the "Service Standard Protocol for Assisted Citizens with Disabilities". This protocol must regulate in detail the procedures for health and disability assessment upon entry, the minimum standards for accessible facilities (based on the Minister of PUPR Regulation No. 14/2017), modifications of the core coaching program, and coordination mechanisms with regional social and health services. Second, to the National Human Rights Commission (Komnas HAM) and the Ombudsman of the Republic of Indonesia, it is recommended to conduct periodic thematic monitoring of the conditions of persons with disabilities in correctional institutions and use these findings to carry out structural

interventions, including issuing binding policy recommendations. Third, civil society organizations and academics are encouraged to build partnerships with pilot prisons to develop and document inclusive coaching program models, as well as encourage strategic litigation advocacy for cases of violations of the rights of persons with disabilities in prisons in order to create jurisprudence that advances their rights.

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