

Implementation Analysis of Law 22/2022 for Inmates' Mental Health Rights at Gianyar Class IIB Detention Center

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ABSTRACT

The right to mental health is a fundamental part of human rights that must be fulfilled by the state, including for correctional inmates. Mental health includes the ability of individuals to think, feel, and act adaptively in the face of life's stresses. However, in the environment of the Class IIB State Prison in Gianyar, the fulfillment of this right has not run optimally. Various problems, such as the limited number of mental health workers, the absence of permanent psychologists, the lack of mental rehabilitation programs, and overcapacity conditions that trigger stress and conflicts between inmates, are the main inhibiting factors. This study examines the factors that affect the mental health of inmates and analyzes the implementation of Law Number 22 of 2022 concerning Corrections by health workers in Gianyar Prison. The method used is a normative juridical approach supported by empirical data through observation and interviews with healthcare staff and correctional officers. The results show that the implementation of these regulations has not been optimal, primarily due to vague normative formulations and the absence of clear technical standards related to mental health services. The practical implications include the urgent need for more operational regulations, adequate provision of psychological resources, and the integration of ongoing mental rehabilitation programs to fulfill inmates' legal rights and support more effective social development and reintegration processes.

INTRODUCTION

The penitentiary system in Indonesia has undergone significant changes with the passage of Law Number 22 of 2022 as a replacement for Law Number 12 of 1995. The main purpose of this system is to foster correctional inmates to return to becoming good members of society and provide protection for their rights while serving their sentences (Hidayat, 2025). The concept of correctional services, which was introduced in 1963, prioritizes a more humane approach through coaching, including in the aspect of health (Zarkasi, 2020). One of the important rights guaranteed in the law is the right to health services, as stipulated in Article 7 letter d and Article 9 letter d, which also includes mental health.

Mental health is an issue that is getting more and more attention in various sectors, including in the correctional system (Rauniar, 2025). In this context, correctional inmates with mental health problems often face greater challenges than other correctional inmates (Aon, Oberconz, & Brasholt, 2025). Not only do they struggle with the consequences of criminal acts that have been committed, but they also have to face social stigma, discriminatory treatment, and limited access to adequate health services (Subroto & Hadini, 2024).

Previous empirical studies have highlighted significant challenges in prison mental health systems globally. Research by Hassan et al. (2011) demonstrated that overcrowding and inadequate mental health services in prisons contribute to higher rates of psychological disorders among inmates.^[4] Similarly, Fazel and Seewald (2012) found that suicide rates in prisons are substantially higher than in the general population, emphasizing the critical need for comprehensive mental health interventions.^[5] More recently, studies in the Indonesian context by Hudaya and Subroto (2023)

have shown the specific impact of life sentences on inmates' mental health, revealing gaps in systematic mental health support within correctional facilities.^[6]

Unlike previous studies that primarily focus on general mental health conditions or specific sentence types, this research uniquely examines the implementation gaps of Indonesia's newest correctional law (Law 22/2022) specifically concerning mental health rights provision. This study fills a critical research void by analyzing how legal frameworks translate into practical mental health services in Indonesian detention centers, providing both legal analysis and empirical evidence from a specific institutional case study (Liu, Li, Wong, Peng, Wang, Chan, & Hou, 2025).

However, in practice, the fulfillment of the right to mental health in detention centers still faces various obstacles, such as limited medical personnel, lack of facilities and infrastructure, and high rates of mental health disorders in correctional inmates (Favril, Yu, & Fazel, 2024). The conditions of the closed prison environment, loss of freedom, and psychological pressure due to social isolation make correctional inmates vulnerable to psychological problems such as stress, anxiety, and severe depression (Machado et al., 2024). This problem can even lead to suicide attempts, escapes, or disturbances of security and order in residential blocks. Data from the Gianyar Class IIB State Prison recorded an increase in cases of mental disorders in the last three years, with a total of eleven cases of mental disorders, two deaths, and four suicide attempts from 2022 to 2024 (Subandi, Prasetyo, Kurnianingsih, & Marchira, 2022).

This condition requires the active role of correctional officers, especially health workers, in implementing the provisions of the applicable laws. In addition to using Law Number 22 of 2022 concerning Corrections, officers also refer to Law Number 17 of 2023 concerning Health and Law Number 39 of 1999 concerning Human Rights in carrying out their duties to fulfill the basic rights of correctional inmates. Therefore, it is important to analyze the implementation of Law Number 22 of 2022 in fulfilling the right to mental health in the Gianyar Class IIB State Prison as a step to improve the quality of services and ensure the protection of the human rights of correctional inmates as a whole (Santos, Costa-Santos, Cardoso, & Teixeira, 2023).

From the background of the above problems, the author can formulate the problems in this study as follows: What are the factors that affect the mental health of correctional inmates at the Gianyar Class IIB State Prison and how is the implementation of Law Number 22 of 2022 concerning Corrections carried out by health workers in fulfilling the right to mental health for correctional inmates at the Gianyar Class IIB State Prison.

To find out and analyze in depth the factors that affect the mental health of correctional inmates and the implementation of Law Number 22 of 2022 concerning Corrections carried out by health workers in fulfilling mental health rights for correctional inmates at the Class IIB State Prison Gianyar.

RESEARCH METHOD

This research employs a mixed-method approach combining normative legal research with empirical legal research. The study utilizes a descriptive-analytical design to examine both the legal framework and its practical implementation in the correctional setting.

The study involved multiple categories of participants:

1. Healthcare Staff: 3 medical professionals including 1 general practitioner (Dr. I Wayan Hartadi Noor) and 2 nurses working at the detention center
2. Correctional Officers: 5 officers including the Guard Commander (I Putu Bayu Suartama) and 4 security personnel
3. Inmates: 12 current inmates selected based on their mental health history and willingness to participate
4. Administrative Staff: 2 staff members responsible for mental health records and referral processes

Data collection utilized several instruments:

1. Semi-structured interview protocols with specific questions focusing on:
 - a. Mental health service provision practices
 - b. Implementation challenges of Law 22/2022

- c. Available resources and facilities
- d. Case management procedures
2. Observation checklists for facility assessment and service delivery monitoring
3. Document analysis frameworks for examining legal texts, medical records, and administrative documents

The research employed thematic content analysis to process qualitative data from interviews and observations. Legal documents were analyzed using normative legal analysis techniques focusing on norm clarity, implementation gaps, and regulatory consistency. Data triangulation was performed across different sources to ensure validity and reliability of findings.

RESULTS AND DISCUSSION

Factors Affecting the Mental Health of Correctional Assisted Residents in the Gianyar Class Iib State Prison

The mental health condition of correctional inmates at the Class IIB Gianyar State Prison (Rutan) is generally in an alarming situation. Based on the results of observations and interviews with health workers and inmates, it was found that many of them experienced significant psychological distress, such as anxiety, anxiety, drastic mood swings, and even self-harm. Rutan Doctor, dr. I Wayan Hartadi Noor, explained that every year there are always inmates who must be referred to the hospital to get treatment from a psychiatric poly. He emphasized that the absence of permanent psychologists in the prison is the main obstacle in the provision of optimal mental health services (I. W. H. Noor, personal communication, June 12, 2025).

The factors that affect the mental health condition of correctional inmates can be divided into two broad categories, namely internal factors and external factors. Internal factors include past trauma, guilt, anxiety about the future, to emotional conflicts and unmet biological needs (Keliat, 2011). Some of the inmates are known to have a history of psychological disorders before serving their prison period. One of the striking cases is a fostered resident with the initials SP, who was severely traumatized by the murder case of his own child, and is still under psychiatric treatment. Feelings of guilt and worry about family acceptance also become a heavy psychological burden, as expressed by an inmate with the initials SR, who experiences prolonged stress because he misses his children and wife. In addition, romance factors and biological needs also contribute to the emotional instability of the inmates. The unfulfilled need for affection, emotional and sexual connection, especially at productive age, triggers symptoms of depression, loneliness, and dangerous actions such as suicide attempts (Hudaya & Subroto, 2023).

Meanwhile, external factors include the influence of the social and physical environment within the detention center. Emotional distance from family, limited communication, and lack of visits are the main causes of emotional disturbances in inmates. In fact, legally, they have the right to maintain relationships with their families as part of the fulfillment of human rights. The physical environment of the prison that is not ideal is also a stressor. Severe overcapacity conditions make one room contain up to 25 people, even though the ideal capacity is only for 3-4 people. This triggers conflicts between inmates, tension, and severe psychological pressure. The limited coaching program also worsens the situation, because not all inmates can access training or productive activities, due to limited equipment, space, and administrative requirements. This limitation causes most of the inmates to experience boredom, helplessness, and loss of meaning in life while serving their sentences (I. P. B. Suartama, personal communication, June 27, 2025).

Last but not least, access to mental health services at Gianyar Prison is still very limited. Until now, there are no permanent psychiatrists or psychologists on duty at the detention center. The treatment of inmates with mental disorders is only carried out by general practitioners and nurses, which are very limited. The referral process to the hospital is also not easy because it requires strict escort and readiness of officers. As a result, many inmates do not receive adequate treatment and can only harbor the emotional pressure they experience.

By looking at the overall conditions, it can be concluded that the mental health of the inmates at the Class IIB Gianyar Prison is in a vulnerable condition. The complexity of internal and external

factors that affect their mental health shows the importance of improving the system, providing professional personnel, and strengthening coaching programs that touch more on the psychological and spiritual aspects of the inmates.

Implementation of Law Number 22 of 2022 concerning Corrections Carried Out by Health Workers in the Fulfillment of Mental Health Rights for Correctional Assisted Citizens in the Class Iib State Prison Gianyar

Law Number 22 of 2022 concerning Correctional Services stipulates that correctional inmates have the right to physical and spiritual care. However, the provisions regarding "spiritual care" in article 7 letter b and article 9 letter b are not specifically explained, thus giving rise to a *vague norm* that opens up room for multiple interpretations in its implementation, especially related to mental health aspects. A norm should not be vague, because if a norm is uncertain and unclear, there will be legal uncertainty that is detrimental to society (Asshiddiqie, 2006).

In the context of human rights law, such provisions are also not in line with the principle of *lex certa* in the formation of laws and regulations, namely the principle that legal norms must be formulated firmly, clearly, and not multi-interpreted so that they can be applied fairly and consistently. The goal is that these norms can be easily understood, implemented consistently, and can be enforced fairly (Editor, 2025).

In practice, the Gianyar Class IIB State Prison carries out the fulfillment of the right to mental health based on the function of services and care as stipulated in articles 1 and 60 of Law Number 22 of 2022. Health workers carry out promotive, preventive, curative, and rehabilitative roles, although they are not optimal due to limited facilities, budgets, and experts. The mental health services carried out include initial screening, identification of psychiatric disorders, initial treatment, and referral to a mental hospital if needed (Young, Heffernan, Borschmann, & Kinner, 2018). However, psychologists are not available and there is no structured mental rehabilitation program (Lisa, 2024).

Another major obstacle is overcapacity which reaches 500%, this condition greatly affects the quality of mental health of the inmates, causing stress, sleep disturbances, and increasing the potential for conflict. In addition, the old and inadequate prison buildings, as well as limited counseling rooms or psychological services, further hinder the fulfillment of the right to mental health in a humane and constitutional manner. In fact, Article 28H of the 1945 Constitution guarantees the right to a prosperous life both physically and mentally, including mental health services (Kim, Kiran, & Kouyoumdjian, 2023).

Therefore, even though the implementation of Law Number 22 of 2022 has been carried out procedurally by health workers at Gianyar Prison, its implementation is still not effective (Otte, Vasquez, Gilson, Korosec, & Martin, 2022). This is due to the weak formulation of norms, the absence of professional human resources such as psychologists and psychiatrists, limited support facilities, and the lack of adequate policies and budgets to carry out comprehensive mental rehabilitation programs.

CONCLUSION

Various factors contribute to mental health problems in correctional inmates, including past trauma, emotional distress, limited facilities, and the lack of social support, which not only affect individual well-being but also destabilize the prison environment and increase conflicts among inmates and staff. Overcrowding and insufficient mental health personnel exacerbate these issues. In the Class IIB Gianyar Prison, the implementation of Law Number 22 of 2022 concerning Corrections to secure inmates' mental health rights remains suboptimal due to vague normative regulations, particularly regarding "spiritual care," and the need for reference to multiple other laws complicates consistent application. The findings emphasize an urgent need for clearer operational regulations, adequate qualified psychological staff, structured mental rehabilitation programs, and systematic management of overcapacity to ensure effective mental health service delivery and legal compliance. Future research should explore the development and evaluation of specific operational guidelines and intervention models tailored to correctional settings, alongside assessments of mental health

outcomes related to enhanced resource allocation and program implementation within Indonesian prisons.

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