

Criminal Law Protection Policy for Victims of Malpractice Crimes in the Medical Field

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Abstract. This research was conducted with the aim of (1) Finding out and analyzing the current criminal law protection policies for victims of criminal acts in the medical field. (2) To find out and analyze the ideal criminal law protection policy for future victims of criminal acts in the medical field. This study uses primary data by conducting a literature review, namely on the Criminal Code (KUHP), Law No. 36 of 2009 concerning Health, and Law No. 32 of 2004 concerning Medical Practice, Jurisprudence. The results of this study indicate that: (1) The legal protection policy for victims of criminal acts in the medical field in positive criminal law in Indonesia is currently carried out by imposing sanctions on perpetrators of criminal acts based on the Criminal Code, Law No. 36 of 2009 concerning Health, also UU. No. 29 of 2004, concerning Medical Practice and supporting regulations that apply, it turns out that in practice there are still weaknesses in both the formulation of criminal acts, the formulation of criminal liability and the formulation of crimes and punishments. (2) Regarding future legal policies, namely legal policies Through reformulation and reorientation of criminal legislation in the field of health and medical practice which of course can provide legal certainty and legal protection for victims of malpractice due to negligence of doctors as an effort or form of overcoming the crime of medical malpractice in Indonesia.

Keywords: Health, Malpractice, Medical field, Legal protection, Victims of criminal acts