

Analysis of The Effectiveness of Visum Et Repertum Examination on Unidentified Corpses in the Criminal Investigation Process (Research Study at Bhayangkara Batam Hospital, Riau Islands Police)

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Analysis of The Effectiveness of Visum Et Repertum Examination on Unidentified Corpses in the Criminal Investigation Process (Research Study at Bhayangkara Batam Hospital, Riau Islands Police)

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Abstract. The background of this research is the importance of the Visum et Repertum (VeR) examination in identifying victims and determining the cause of death, especially in cases of unidentified corpses that are often found in the Riau Islands area. Proper and accurate VeR checks are vital to support the criminal investigation process, provide justice for victims and their families, and maintain the integrity of the criminal justice system. The purpose of this study is to analyze the effectiveness of the VeR examination conducted at Bhayangkara Batam Hospital in assisting victim identification and supporting criminal investigations. The study also aims to identify the obstacles faced in the examination process and provide suggestions to improve its effectiveness. The purpose of this study is to analyze the effectiveness of the VeR examination conducted at Bhayangkara Batam Hospital in assisting victim identification and supporting criminal investigations. The study also aims to identify the obstacles faced in the examination process and provide suggestions to improve its effectiveness. The research method used is normative juridical with an empirical juridical approach at Bhayangkara Batam Hospital. The data was collected through in-depth interviews with forensic doctors, police investigators, and analysis of VeR documents and reports. The data obtained were analyzed using positive law theory from John Austin, legal system theory from Lawrence M. Friedman, and evidentiary law theory. The results showed that although the VeR examination at Bhayangkara Batam Hospital was generally effective, although there were several obstacles that affected the quality and speed of the examination, such as limited resources, medical personnel skills, and the condition of the corpses that were often decomposed. Suggested efforts to overcome these obstacles include improving forensic medical facilities and equipment, ongoing training for medical personnel, implementing standard protocols, and increasing cooperation between related agencies. Suggestions include the need for governments to invest more in forensic infrastructure, the importance of public education on missing persons reporting, and the need for increased collaboration and integrated training for investigators and forensic experts. With the implementation of these suggestions, it is hoped that the effectiveness of VeR examinations can be improved, thereby supporting criminal investigations in a more efficient and fair manner.

Keywords: Effectiveness, Visum Et Repertum, Corpses Without Identity, Investigation

1. INTRODUCTION

There are cases of unidentified bodies found in various crime cases or accidents. This phenomenon is a major concern because unidentified bodies pose serious challenges in the criminal investigation process. Without accurate identification, law enforcement officers face difficulties in identifying victims, linking incidents to perpetrators, and initiating further investigations. This limitation has the potential to hinder justice for victims and their families, as well as impact the efficiency of the criminal justice system. The Republic of Indonesia is a country based on law based on Pancasila and Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that "The Republic of Indonesia is a country based on law". This means that the Republic of Indonesia upholds human rights and guarantees that all its citizens have equal status before the law and government without exception. Law is the main pillar in moving the joints of social, national and state life.

Based on criminal law provisions, the post-mortem examination is regulated in the Criminal Procedure Code (KUHP). Article 183 of the Criminal Procedure Code states that every victim of a crime has the right to have their body examined if an unidentified body is found. This reason stems from the State's obligation to provide protection and justice for all citizens without exception, including victims of crimes whose identities are unknown. The implementation of the visum et repertum examination is a form of implementation of constitutional rights and human rights to identification and protection, while respecting the legitimate investigative and law enforcement authority of law enforcement officers. With the existence of a visum et repertum examination, a track record will be created that can help the process of investigation, identification, and resolution of criminal cases. Therefore, legal reasons are the basis for supporting the effectiveness of the visum et repertum examination on unidentified corpses in the context of criminal law enforcement.

In Law Number 8 of 1981 the Criminal Code does not mention Visum et repertum but uses the term documentary evidence and expert testimony evidence. Article 1 point 28 of the Criminal Procedure Code provides an understanding of expert testimony. Visum et repertum is closely related to forensic medicine. Visum et repertum is used as evidence in handling cases to assist the trial process during trials in court. The role of doctors as forensic experts, victims who are examined have the status of evidence as regulated in laws and regulations. The purpose of the Visum Et Repertum is to provide the judge (panel) with a statement of the facts from the evidence regarding all the circumstances/matters as stated in the news report so that the judge can make a decision correctly based on the facts, so that it can support the judge's belief.

The implementation of a post-mortem examination on an unidentified corpse is an action that is based on humanitarian values, the principle of justice, and the protection of the rights of victims of crime. With the presence of a post-mortem examination, an effective system will be created in identifying victims, investigating crimes, and providing protection and justice for all citizens without exception. Therefore, this study aims to analyze the effectiveness of a post-mortem examination on an unidentified corpse in the criminal investigation process, with the hope of providing a significant contribution to law enforcement efforts and the protection of victims' rights in the context of crime in society.

Based on the background description above, the author raises several problems that will be discussed further. The problems are as follows:

1. How is the legal regulation of post-mortem examination on unidentified corpses in helping to identify victims in the criminal investigation process?
2. How effective is the post-mortem examination on unidentified corpses in helping to

identify victims in the criminal investigation process?

3. What are the obstacles and efforts in post-mortem examination on unidentified corpses in helping to identify victims in the criminal investigation process?

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Based on the formulation of the problem stated above, it can be seen that the objectives of this research are:

1. To find out and analyze the legal regulations for post-mortem examinations on unidentified corpses in assisting victim identification in the criminal investigation process.
2. To find out and analyze the effectiveness of post-mortem examinations on unidentified corpses in assisting victim identification in the criminal investigation process.
3. To find out and analyze the obstacles and efforts in post-mortem examinations on unidentified corpses in assisting victim identification in the criminal investigation process.

2. LITERATURE REVIEW

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Visum et repertum is a Latin term used in criminal and forensic law systems to refer to a medical or forensic report made by a doctor or forensic expert after performing a physical examination of a corpse or crime victim. The term "visum et repertum" itself can be interpreted as "seen and found" in Indonesian. In the criminal investigation process, the visum et repertum plays an important role in describing the physical condition of the victim or corpse and identifying signs of violence or cause of death. The visum et repertum report presents the medical and forensic findings found by the doctor or expert, including injuries, wounds, poisoning, or other signs relevant to the criminal case investigation. Visum et repertum is usually an important evidence in the investigation and trial process to help understand the chronology of events, identify the perpetrators of the crime, and ensure justice for the victim or their family. This report is prepared carefully and objectively based on physical examination and forensic findings based on medical science and forensic knowledge.

Investigation is a systematic process of collecting information, facts, and evidence related to an event or incident with the aim of finding the truth, solving a crime, or gaining a deeper understanding of a problem or case. Investigations are usually conducted by authorities, such as the police, an investigative agency, or a special team, in order to collect relevant data and information to determine the facts that occurred. The investigation process involves various activities, such as interviewing witnesses, analyzing forensic evidence, collecting data, and field exploration. Investigations can be conducted for various types of incidents, including

criminal cases, accidents, security incidents, or other issues that require a deeper understanding. The purpose of an investigation is to obtain sufficient, objective, and valid evidence to identify and understand the events that occurred, and to assist authorities in making appropriate decisions or actions based on the facts and findings found during the investigation process. The results of an investigation are often used in the judicial process to prove or disprove allegations and ensure fairness in law enforcement.

Crime or criminality refers to behavior or actions that violate the law or norms that apply in a society or country. Specifically, criminality relates to actions that are considered to be violations of criminal law, which are subject to sanctions by the criminal justice system. Criminal acts can be various types of crimes, such as theft, robbery, murder, rape, fraud, narcotics, and so on. These actions are considered detrimental to society and violate recognized social values. The legal system plays an important role in determining what is considered a criminal act and determining the sanctions that will be given to perpetrators of crimes. The purpose of criminal law is to punish criminals as a form of justice for victims and society, as well as to prevent future criminal acts.

3. RESEARCH METHOD

The specification and/or type of this research is normative legal research while combining it with sociological (empirical) legal research using secondary data obtained directly from the first source through field research through interviews and primary data as a source/information material in the form of primary legal materials, secondary legal materials and tertiary legal materials. The approach method in this study is a combination of the normative approach method "Legal Research" with the empirical approach method "Juridical Sociologies". The research mechanism with this combined approach method is carried out by describing the explanation of the inductive research method leading to the deductive method and vice versa. This is done by the author to help explain the relationship between research variables and research objects so that it can produce an understanding that is very helpful for readers, especially researchers and academics.

The location of this research was carried out in the Riau Islands Province, precisely at the Bhayangkara Hospital, Batam, Riau Islands Police, located at Jl. Dang Merdu No. KM. 2, Batu Besar, Nongsa District, Batam City, Riau Islands 29466. The population was all officers of the Bhayangkara Hospital, Batam, Riau Islands Police who were involved with the research object. The sample used by the researcher was a random technique to find out for sure related to the research to be studied. As for the sample used by the author, a random technique was

used, namely with details of 1 (one) Head and 3 (three) Forensic Team members of the Bhayangkara Hospital, Batam, Riau Islands Police.

4. RESULTS AND DISCUSSION

Legal Regulations for Post-mortem Examination of Unidentified Corpses to Assist in Victim Identification for Criminal Investigation Processes

The Visum et Repertum (VeR) examination of an unidentified corpse is a critical element in the criminal investigation process, especially in the Indonesian legal system. VeR is a medical report prepared by a forensic doctor and contains the findings of the examination of the corpse, which aims to determine the cause of death and assist in the identification of the victim. This process is specifically regulated in several articles in the Criminal Procedure Code (KUHP) and other regulations relating to forensic procedures. Article 133 of the Criminal Procedure Code states that for the purposes of investigation, investigators may request expert testimony. In the context of VeR, the doctor conducting the examination may be considered an expert in the field of forensic medicine. Article 133 of the Criminal Procedure Code plays a crucial role in the criminal investigation process, especially in cases involving unidentified bodies. This article authorizes investigators to request testimony from experts as part of efforts to collect evidence used to help solve criminal cases.

According to Iptu Yanti Harefa, in the context of the Visum et Repertum (VeR) examination of an unidentified corpse, the expert in question is usually a forensic doctor or pathologist. VeR is a forensic medical process carried out to assess the cause of death and find the identity of an unknown corpse. This process often involves a thorough physical examination of the corpse, including, but not limited to, an autopsy, toxicology analysis, and sometimes, DNA testing. The results of this VeR are very important because they provide information that can be used in legal proceedings to identify the victim and understand the dynamics behind the death, which may indicate evidence of a criminal act.

40 According to AKP Leonardo, the involvement of forensic doctors as experts according to Article 133 of the Criminal Procedure Code illustrates the deep interaction between legal science and forensic medicine in legal practice. In the criminal justice system, this kind of expertise not only improves the quality and integrity of investigations but also helps ensure that justice is upheld in a fair and evidence-based manner. The use of forensic experts in the criminal investigation process shows a recognition of the complexity of modern cases and the need for a multidisciplinary approach in solving legal problems.

According to H. Indra Faisal, in legal practice, VeR is a medical document prepared by a forensic doctor who acts as an expert in cases involving corpses. This document provides a detailed forensic medical analysis of the cause of death, the physical condition of the corpse, and, if possible, the victim's identification.⁶² In a legal context, information from a forensic doctor through VeR is recognized as "expert information" in accordance with ⁹ Article 184 paragraph (1) of the Criminal Procedure Code.

The admission of expert testimony as valid evidence is essential, especially in cases involving medical or technical factors that are not easily understood by the layperson, including the judge and jury. Forensic experts bring specific expertise to the courtroom that helps in interpreting the physical evidence found on the body. This expert testimony can be very influential in determining the direction of a case, particularly in determining whether the death was caused by violence or accident, and in helping to identify the victim.

The use of VeR as evidence through expert testimony enriches the evidence in the trial process by providing objective evidence based on medical science. This becomes especially important in cases where the identity of the victim is unknown and there are no eyewitnesses who can provide information. In this context, VeR not only helps identify the body but also provides information on the time and manner of death, which can lead investigators to possible suspects or conclude that the death was an accident.

Visum et Repertum (VeR) plays a crucial role ⁴⁹ in the criminal justice system, particularly in assisting in the identification of victims in cases where bodies are found without clear identification or in conditions that are not easily recognizable. This identification process is crucial, as it allows legal authorities to provide a name and history to the victim, which is the first step in seeking justice for them. VeR provides forensic data that can compare the physical characteristics of the body with missing persons records or DNA databases, helping to confirm or rule out the identity of the victim. This information is essential for further investigation, allowing investigators to contact the victim's family, gain further information about the victim's background, and potential motives for the crime.

VeR also supports the integrity of the legal process by ensuring that all evidence used in court is based on rigorous examination and standardized methodology. In a legal context, the reliability and objectivity of evidence is critical, and VeR provides assurance that forensic medical evidence presented to the court has been rigorously examined by competent professionals. This helps reduce the risk of miscarriages of justice that can occur due to incorrect or incomplete interpretation of evidence.

Effectiveness of Visum Et Repertum Examination on Unidentified Corpses in Assisting Victim Identification for Criminal Investigation Process

Bhayangkara Hospital Batam Polda Kepri is often the place where Visum et Repertum (VeR) examinations are carried out on unidentified bodies found in various conditions, both those found on land and floating in the surrounding waters. In this context, the cases discussed include the discovery of unidentified bodies that require identification and in-depth investigation of the cause of death to understand the context of the death, which may be related to a crime. Bhayangkara Hospital Batam Polda Kepri often faces cases of the discovery of unidentified bodies that arise from various scenarios, including bodies found floating in the water or buried in remote areas. These cases often present unique challenges in criminal investigations due to the lack of direct information about the victim's identity and the circumstances surrounding their death. For example, in cases of bodies found in the water, it may be difficult to determine the exact time of death or the factors that caused the death without a thorough identification and autopsy. This reinforces the need for a thorough Visum et Repertum process to help uncover key aspects of each case, which can provide important clues as to whether the death was caused by a crime, accident, or other causes. Further investigation in these cases often hinges on the outcome of the Visum et Repertum report, which can reveal crucial details such as signs of struggle or self-defense, the type of injuries the victim sustained, and possible external causes of death such as drowning or physical trauma. This information is critical not only to the legal process, but also to providing justice to the victim and their family. By providing clarity on the cause of death and, where possible, identifying the victim, authorities can more effectively investigate and prosecute perpetrators. This highlights the importance of having a well-equipped forensic medical facility and trained staff at the Bhayangkara Hospital, Batam, Polda Kepri, which plays a vital role in solving the mysteries behind these deaths and supporting the integrity of the criminal justice system.

The Visum et Repertum examination process at the Bhayangkara Hospital involves a number of stages starting with an external examination of the body to note physical characteristics and any signs of injury or trauma. Then, an autopsy is performed to explore the internal causes of death, which may include poisoning, physical trauma, or disease. In some cases, a toxicology examination is also performed to detect the presence of chemicals or drugs in the victim's body. This process is highly dependent on the forensic medical expertise of the doctor who performs it. This examination includes measurements, photographs from every angle, and detailed notes of tattoos, scars, or other characteristics that might help in the identification process. After the external examination is complete, an autopsy is performed to

reveal more information about the cause of death. An autopsy involves an internal examination that can reveal diseases, internal injuries, or other conditions that are not visible from the outside.

This process is carried out very carefully and systematically, often involving the taking of samples for further pathological analysis. Toxicology investigations are also often part of the autopsy to determine the presence of harmful substances or drugs in the body that may have contributed to death. Each finding is recorded in detail in a VeR report which will later become part of the evidence in criminal investigations and court proceedings. The Visum et Repertum report produced is a crucial basis in a criminal investigation. It provides objective medical evidence about the cause of death and the physical condition of the victim at the time of death. It may show evidence of violence or indications that the death was not caused by natural causes, which is an important starting point for further investigation. Information from the VeR is used to implicate or exclude potential perpetrators, as well as assist in understanding the chronology of events that may have occurred prior to death.

From a legal perspective, the effectiveness of the Visum et Repertum examination at the Bhayangkara Hospital, Batam, Polda Kepri can be measured through the ability of the report to help the court understand the facts of the case accurately. This effectiveness is not only determined by the expertise of the forensic doctor but also by the extent to which the report can be used in building or strengthening legal arguments in court. Difficulties that may be encountered include limitations in forensic technology or analytical capabilities, which can affect the accuracy of the report results. Legal analysis of the effectiveness of the Visum et Repertum (VeR) examination at the Bhayangkara Hospital Batam Polda Kepri highlights several key aspects that support and challenges faced by the criminal justice system in utilizing VeR results. First, the effectiveness of VeR is highly dependent on the expertise and precision of the forensic doctor who performs the autopsy and forensic analysis.

The theory of evidence law provides a framework for understanding how evidence should be collected, presented, and evaluated in a court of law. The application of this theory to VeR emphasizes the importance of producing reliable, objective, and sufficient evidence that can support decision-making in court. In practice at Bhayangkara Hospital, the effectiveness of VeR is determined by the ability of forensic doctors to provide clear and comprehensive evidence about the victim's identity and cause of death, which must be strong enough to meet the standard of proof required to support a charge or defense in a criminal case.

Obstacles and Efforts in Post-mortem Examination of Unidentified Corpses to Assist in Victim Identification for the Criminal Investigation Process

The Visum et Repertum (VeR) examination of unidentified bodies at the Bhayangkara Hospital, Batam, Polda Kepri has several obstacles that can affect its effectiveness in assisting victim identification and criminal investigations. The following are some of the main obstacles:

One of the main obstacles is the limited resources, including forensic medical equipment that may not always be available or sophisticated enough at Bhayangkara Hospital. This limitation can affect the quality and speed of forensic examinations, which are critical in criminal cases that require fast and accurate handling.

Although Bhayangkara Hospital may have competent forensic doctors, challenges can arise if the number of experts available is inadequate for the number of cases to be dealt with. Ongoing training and further specialization are needed to ensure that all examinations are carried out to a high standard and in accordance with best forensic medical practice.

Unidentified bodies are often found in a state of disintegration or decomposition, which complicates forensic examination. This condition can reduce the possibility of obtaining accurate data on the cause of death or the victim's identity, and requires special techniques that may not always be available at Bhayangkara Hospital.

The process of identifying corpses and criminal investigations often requires good coordination between Bhayangkara Hospital and various parties, such as the police, forensic laboratories, and other government agencies. Obstacles in this coordination can slow down the investigation process and reduce the effectiveness of VeR examinations.

There are also legal and ethical hurdles, such as privacy issues and respect for the deceased. Legal protocols must be strictly followed to ensure that all medical procedures and investigations are carried out in accordance with applicable laws, which can slow down the process if there are complications in the interpretation or application of the law. Finally, public pressure to quickly identify victims and resolve cases can create additional challenges. This pressure can lead to errors or carelessness in conducting thorough investigations.

Overcoming these barriers requires investment in resources, ongoing training, improved inter-agency coordination, and the application of new technologies and methods in forensics to enhance the capacity of the Batam Bhayangkara Hospital, Polda Kepri, to handle cases of unidentified bodies. The following approaches can help improve the effectiveness of VeR screening and victim identification processes:

- a. Investment in modern forensic technology is essential. Bhayangkara Hospital needs to be equipped with sophisticated equipment such as digital imaging systems, DNA analysis tools, and more advanced autopsy equipment. This will improve the quality of examinations and allow for more effective handling of decomposed bodies.
- b. Organizing ongoing training and certification programs for forensic doctors and laboratory technicians at Bhayangkara Hospital is key. Training should cover the latest techniques in medical forensics as well as the best approaches in managing unidentified corpse cases. Strengthening the capacity of medical personnel will help reduce errors and increase the speed and accuracy of examinations.
- c. Increasing cooperation between agencies, such as police, forensic laboratories, and government agencies, is essential. Good coordination allows for efficient information exchange and speeds up the identification process. This cooperation can also include the involvement of international agencies in cross-border cases or when certain technologies are not available locally.
- d. Developing and implementing standard protocols for handling unidentified bodies is essential. These protocols should cover everything from collecting evidence at the scene, through handling the body, to documenting and storing samples. Clear and consistent protocols will help ensure that all procedures are carried out to the same standard and reduce the possibility of errors.
- e. Conducting community education programs on the importance of reporting missing persons and how to identify signs of violence or suspicious deaths is also important. Raising public awareness can speed up the victim identification process by increasing the amount of information coming into authorities.
- f. The implementation of an integrated case management information system can speed up the data matching process between found bodies and missing persons data. This system must be accessible to various related agencies to speed up the identification and investigation process.

By overcoming these obstacles through the strategies above, RS Bhayangkara Batam Polda Kepri can increase the effectiveness of VeR examinations in assisting victim identification and the overall criminal investigation process.

5. CONCLUSION AND SUGGESTION

25 Conclusion

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- a. Visum et Repertum (VeR) examination on unidentified corpses plays an important role in the criminal justice system, as regulated in Article 133 of the Criminal Procedure Code which allows investigators to request expert testimony, which in this context, is a forensic doctor who carries out VeR. Furthermore, Article 184 paragraph (1) of the Criminal Procedure Code recognizes expert testimony as one of the valid evidence in the trial process. VeR examination is very critical in providing objective evidence regarding the identity and cause of death of the victim, which is essential in assisting criminal investigations.
- b. The effectiveness of the implementation of Visum et Repertum (VeR) examination on unidentified corpses at the Bhayangkara Hospital, Batam, Polda Kepri in assisting victim identification and the criminal investigation process has not been optimal due to limited resources, the need for coordination between institutions, efforts to improve facilities, ongoing training for medical personnel, and the implementation of standard protocols have improved the quality of VeR examinations. The resulting VeR report is able to provide objective evidence regarding the cause of death and physical characteristics of the victim, which is very important for effectively directing criminal investigations.
- c. Obstacles in the Visum et Repertum (VeR) examination of unidentified corpses at the Bhayangkara Hospital, Batam, Polda Kepri include limited resources, skills and expertise of medical personnel, the condition of the corpses which are often decomposed, and the need for good coordination between institutions. To overcome these obstacles, various strategic efforts have been made, such as improving forensic medical facilities and equipment, ongoing training for medical personnel, implementing standard protocols, and improving cooperation with related agencies. In addition, the use of information technology to integrate case data and public education regarding the importance of reporting missing persons is also an important step.

Suggestion

From this conclusion, the author can provide several suggestions, namely:

- a. Police investigators and forensic experts should enhance collaboration through integrated training programs that focus on the latest techniques in forensic investigation and handling of unidentified corpses.
- b. The government should allocate adequate funds for investment in forensic infrastructure and technology in medical and police facilities. This includes the procurement of advanced forensic equipment, the construction of more modern forensic laboratories, and the provision of resources for ongoing training for medical and police personnel.
- c. The public needs to be educated on the importance of reporting missing persons and actively participating in assisting criminal investigations. Education programs through public campaigns, seminars, and the use of social media should be conducted to raise public awareness of their role in supporting faster and more accurate victim identification and criminal investigation efforts.

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