

Relationship Of The Existence Of Visum Et Repertum With Duration Of The Investigation Process (A Case Study Of Persecution At The Surakarta Residency District Court In The 2018 – 2020 Period)

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Abstrak

Berdasarkan Hukum Acara Pidana (KUHP), setiap orang yang melakukan tindak pidana akan melalui tahapan hukum acara pidana. Proses penyidikan menjadi penting dalam menindaklanjuti suatu perkara, sebagai upaya pencarian dan pengumpulan bukti untuk memperjelas suatu tindak pidana. Dalam mengungkap kasus penganiayaan, diperlukan bukti yang dapat menggambarkan kondisi fisik atau tubuh manusia berupa Visum et Repertum. Penelitian ini bertujuan untuk mengetahui ada tidaknya hubungan antara keberadaan Visum et Repertum dengan lamanya proses penyidikan tindak pidana penganiayaan. Jenis penelitian ini adalah observasional analitik dengan pendekatan cross sectional. Sampel diambil secara total sampling dari seluruh populasi yaitu lembar putusan perkara penganiayaan di Pengadilan Negeri Karesidenan Surakarta periode 2018 – 2020. Variabel bebas dalam penelitian ini adalah keberadaan Visum et Repertum sedangkan lamanya proses penyidikan sebagai variabel terikat. Data dianalisis menggunakan Uji Spearman. Hasil analisis data diperoleh kualitas hubungan yang sangat lemah antara keberadaan Visum et Repertum dengan lamanya proses penyidikan dalam kasus penganiayaan. Kesimpulannya, tidak ada hubungan yang signifikan antara keberadaan Visum et Repertum dengan lamanya proses penyidikan dalam kasus penganiayaan.

Kata Kunci: *Investigasi, Penganiayaan, Visum et Repertum.*

Abstract

Based on the Criminal Procedure Code (KUHP), every person who commits a crime will go through the stages of the criminal procedure law. The investigation process is important in following up on a case, as an effort to search and collect evidence to clarify a criminal act. In uncovering cases of abuse, evidence is needed that can describe the physical condition or the human body in the form of Visum et Repertum. This study aims to determine whether there is a relationship between the existence of Visum et Repertum with the duration of the investigation process on the crime of persecution. This research is analytic observational with cross sectional approach. The sample was taken by total sampling from the entire population, namely the decision sheet of the persecution case at the District Court of the Surakarta Residency in the 2018 - 2020 period. The independent variable in this study was the existence of Visum et Repertum while the duration of the investigation process was the dependent variable. Data were analyzed using Spearman's Test. The results of data analysis obtained that the quality of the relationship was very weak between the existence of Visum et Repertum and the duration of the investigation process in cases of persecution. In conclusion, there is no significant relationship between the existence of Visum et Repertum and the duration of the investigation process in cases of persecution.

Keywords : *Investigation, Persecution, Visum et Repertum.*

INTRODUCTION

Every action of the Indonesian people has been regulated in various regulations, but until now there are still many violations that occur, including persecution (Ramadani, et al., 2019). Until now, the number of cases of persecution in Indonesia based on data from the Directory of Decisions of the Supreme Court of the Republic of Indonesia was recorded at 41,235 cases with a total of 479 cases occurring in the Surakarta Residency (Direktori Putusan Mahkamah Agung Republik Indonesia, 2021).

Persecution under KUHP is defined as a crime against the body (Harynova, A., 2018). A person who has committed a crime should be held accountable and prosecuted in accordance with applicable law⁴. Based on KUHP, the stages of criminal procedural law in resolving criminal cases consist of several stages, namely investigation, investigation, pre-prosecution and prosecution, examination in court, court decisions, legal remedies taken, implementation of court decisions, and accountability for the implementation of decisions (UU No. 8 Tahun 1981).

Investigation is an important start in following up on a criminal case. Investigation is a process of searching and collecting evidence to clarify a criminal act and find suspects carried out by Indonesian Police officials or civil servants who have special authority to carry out investigations.⁶

In uncovering cases of criminal acts of persecution, evidence is needed that can describe the physical condition of the human body (Haerani, E. M., 2017). The evidence is *Visum et Repertum*. *Visum et Repertum* is a statement given by a doctor who has taken an oath on his work and the information is used for the sake of justice and is made at an official request from the investigator in connection with a medical examination of a part of the body or the whole body of a living human being or a corpse and written on the basis of results of inspections carried out (Afandi D., 2017).

Visum et Repertum will later be linked with other evidence. *Visum et Repertum* has a very important position in clarifying a crime related to the body because the components in *Visum et Repertum* can make it easier for investigators to find out the type of criminal act of persecution that has occurred (Haerani, E. M., 2017).

The entire file of the results of the investigation is then submitted to the public prosecutor to be examined for its completeness, both formal and material requirements, where the evidence collected by the investigator is included in the material completeness. If the public prosecutor feels that the submitted file is incomplete, the public prosecutor will issue an investigation extension letter to complete the investigation file. However, according to the existing reality, most investigators do not carry out the provisions of the time that have been given unless there is a suspect's detention⁹. Indeed, the duration of the investigation has an important role in the success of justice enforcement because there is a grace period for each criminal act that occurs (Rai, I. D. G. A., 2015).

From the description above, the researcher wishes to conduct a study that aims to find out whether there is a relationship between the existence of *Visum et Repertum* and the duration of the investigation process in criminal acts of persecution.

RESEARCH METHODS

This research was conducted by identifying and measuring variables and connecting between variables in order to determine the relationship without intervening on the variables or commonly referred to as observational analytic research. In this study using a cross sectional approach where data collection is carried out at one time¹¹. This research has been approved by the Health Research Ethics Commission (KEPK) RS Dr. Moewardi and KSM of Forensic Medicine and Medicolegal with ethical eligibility number 398/III/HREC/2021.

The research was conducted in District Courts throughout the Surakarta Residency which included the Surakarta District Court, Boyolali District Court, Karanganyar District Court, Klaten District Court, Sukoharjo District Court, Sragen District Court, and Wonogiri District Court. The subjects in this study were all decision sheets in cases of persecution in District Courts throughout the Surakarta Residency in the period 2018 - 2020. The data

collection technique used was a total sampling technique from all cases of criminal acts of persecution in the research area. The number of samples obtained as many as 127 decisions.

The independent variable in this study is the existence of *Visum et Repertum* in the form of the presence or absence of evidence in the form of an examination report from a doctor listed on the decision sheet. The dependent variable in this study is the duration of the investigation process in the form of the duration since the search for evidence and the determination of a person to be a suspect by the investigator which is then submitted to the public prosecutor until he is determined to be a defendant.

Data analysis was carried out using Spearman's test through SPSS software because the data obtained were freely distributed.

RESULTS AND DISCUSSION

Based on the results of data analysis using the Spearman test, a correlation coefficient value of -0.034 was obtained which means that the direction of the relationship between variables in this study is not unidirectional because it has a negative value, which means that with the *Visum et Repertum* the duration of the investigation process will be shorter but the level of strength of the relationship between the variables in this study had a very weak relationship. From the analysis, the value of Sig.(2-tailed) was 0.707, that is > 0.05 which indicates that the variables in this study had an insignificant relationship between the existence of *Visum et Repertum* and the duration of the investigation process.

Table I. Spearman Relationship Test

		VeR	Process Duration Investigation
VeR	<i>Correlation Coefficient</i>	1.000	-.034
	<i>Sig. (2-tailed)</i>	.	.707
	<i>N</i>	127	127
Durasi Proses Penyidikan	<i>Correlation Coefficient</i>	-.034	1.000
	<i>Sig. (2-tailed)</i>	.707	.
	<i>N</i>	127	127

Research conducted on 127 (one hundred and twenty-seven) decision sheets from 7 (seven) district courts in the Residency of Surakarta showed that the existence of *Visum et Repertum* did not have a significant or significant relationship with the duration of the investigation process in criminal acts of persecution. This is indicated by the value of sig. (2-tailed) Spearman's test result is 0.707. The quality of the relationship obtained based on the correlation coefficient of -0.034 indicates a very weak relationship between the presence or absence of *Visum et Repertum* with the duration of the investigation process on criminal acts of persecution in the research area.

The implication of this research is that there is no significant relationship between the existence of *Visum et Repertum* and the duration of the investigation process. This happened because many factors other than *Visum et Repertum* that could affect the investigation process were not examined in this study, including formal requirements in the form of persecution in the period studied, investigators had attached evidence in the form of *Visum et Repertum* at the beginning of the investigation process. However, because this study did not examine the formal requirements and also material requirements other than

Visum et Repertum, the researcher also could not find out whether the Visum et Repertum and other evidence obtained by the investigator and the administration of the investigation submitted by the investigator was in accordance with what was expected by the prosecution. As stated by Joshua (2018), the public prosecutor will return the case file without a count of how many times the file has been returned because the public prosecutor does not want the prosecution to fail and cause injustice to the party concerned. So that this can be used as material for further research whether the extension of the existing duration is caused by a lack of administration or the lack of evidence obtained including the quality of the Visum et Repertum so that the public prosecutor can determine the suspect as a defendant.

This study illustrates that the existence of Visum et Repertum actually needs to exist to complement other evidence so that the investigation process can take place easily. In accordance with the function of the investigation itself, namely to collect and connect any evidence related to a criminal case, especially those related to the human body.

CONCLUSION

Based on the statistical discussion and the results of data analysis, it can be concluded that the existence of Visum et Repertum with the duration of the investigation process in the case study of persecution at the Surakarta Residency District Court did not have a statistically significant relationship. This happens because there are material requirements in the form of other legal evidence.

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