



IJIS

Immortalis Journal of Interdisciplinary Studies

ISSN: 3123-3600 <https://immortalispub.com/ijis>

Vol. 2 Issue 3, August 2026, pp. 123-138

Criminal Liability of Specialist Medical Trainees (PPDS) in Sexual Violence Crimes: Abuse of Power Relations and Judicial Reasoning

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Abstract

Sexual violence committed by medical professionals within healthcare settings presents a complex legal challenge, blending criminal conduct with the abuse of professional authority and institutional trust. This study analyzes the criminal liability of Specialist Medical Education Program (PPDS) physicians in sexual violence crimes, focusing on the judicial reasoning in Bandung District Court Decision Number 669/Pid.Sus/2025/PN Bdg. Employing a normative juridical method with statutory, conceptual, and case approaches, this research examines the intersection of Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS), Law Number 17 of 2023 concerning Health, and the doctrine of criminal responsibility (*geen straf zonder schuld*). The findings reveal that the defendant's dual status as a medical trainee and healthcare provider does not constitute a legal defense or ground for eliminating criminal liability. All statutory elements of sexual violence were fulfilled, accompanied by proven intentionality (*dolus*), criminal capacity (*toerekeningsvatbaarheid*), and the absence of exculpatory grounds. Crucially, the court operationalized unequal power relations and the abuse of professional trust as aggravating contextual factors rather than mere background facts. This study concludes that professional medical status entails heightened legal obligations rather than criminal immunity, emphasizing the necessity of integrating criminal prosecution with institutional oversight and victim-centered safeguards in teaching hospitals.

Keywords: Criminal liability, Specialist Medical Education Program (PPDS), Sexual violence, Judicial Reasoning, Medical Ethics.

1. Introduction

Advances in science and technology in the healthcare sector have significantly improved the quality of medical services in Indonesia, one of which is through the implementation of the Specialist Medical Education Program (Program Pendidikan



Dokter Spesialis/PPDS). The PPDS is designed to produce specialist physicians with professional competence, ethical integrity, and clinical expertise that meet national healthcare standards. During their training, PPDS participants are not only engaged in academic learning but also actively involved in providing medical services in teaching hospitals. Consequently, PPDS physicians assume dual roles as medical trainees and healthcare providers, requiring them to perform their professional duties while complying with the legal framework governing medical practice (Republik Indonesia, 2013).

As a profession founded on public trust, physicians are expected to provide healthcare services in accordance with professional standards, medical ethics, and respect for patients' rights. Any abuse of professional authority may not only constitute a violation of medical ethics but may also result in criminal liability when the conduct fulfills the elements of a criminal offense. Therefore, medical professionals remain legal subjects who are accountable for their actions in the delivery of healthcare services, regardless of their professional status (Habsyi & Andriasari, 2025; Republik Indonesia, 2023).

In recent years, criminal acts of sexual violence involving healthcare professionals have attracted considerable public attention in Indonesia because they demonstrate the misuse of professional authority within healthcare settings. One of the most prominent cases involved a PPDS physician who was convicted of committing sexual violence, as reflected in the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg. The case illustrates that the perpetrator's status as a specialist medical trainee does not exempt him from criminal liability. Instead, his professional position became part of the context demonstrating the abuse of authority entrusted to medical practitioners (Pengadilan Negeri Bandung, 2025).

The enactment of Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS) marked an important milestone in strengthening Indonesia's legal response to sexual violence. The law expands the scope of sexual violence offenses while emphasizing victim protection, victim recovery, and the recognition of power relations as an important consideration in law enforcement. Within healthcare services, the physician-patient relationship inherently involves professional authority and unequal bargaining positions, making the concept of power relations particularly relevant in assessing criminal responsibility when professional authority is abused to commit sexual violence (Republik Indonesia, 2022).

Previous studies have examined criminal liability and law enforcement concerning sexual violence committed by healthcare professionals from different perspectives. Aghani (2025) analyzed the criminal liability of resident physicians in sexual violence cases by focusing on the fulfillment of the legal elements of criminal responsibility. Although the study provides an important explanation of the basis for imposing criminal sanctions, it does not specifically examine how the legal status of PPDS participants influences criminal liability in judicial practice.



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Immortalis Journal of Interdisciplinary Studies

ISSN: 3123-3600 <https://immortalispub.com/ijis>

Vol. 2 Issue 3, August 2026, pp. 123-138

Habsyi & Andriasari (2025) investigated the relationship between criminal liability and violations of medical professional ethics. Their findings demonstrate that physicians who commit sexual violence may be held criminally liable while simultaneously being subject to professional ethical sanctions. Nevertheless, the study primarily emphasizes the relationship between criminal law and professional ethics without examining the application of Law Number 12 of 2022 through judicial decision analysis.

Furthermore, Jafar (2025) discussed law enforcement against healthcare professionals who commit sexual violence from a general legal enforcement perspective. While the study contributes to understanding the legal mechanisms applicable to medical personnel, it does not specifically address the relationship between PPDS status, professional power relations, and judicial reasoning in determining criminal liability.

Based on the existing literature, a significant research gap remains regarding the criminal liability of PPDS physicians analyzed through judicial decisions by integrating the concepts of criminal responsibility, professional authority, and the implementation of Law Number 12 of 2022 concerning Sexual Violence Crimes. Previous studies have generally examined criminal liability, professional ethics, or law enforcement separately, leaving limited discussion on how the legal status of PPDS participants as specialist medical trainees affects criminal responsibility when they commit sexual violence within professional healthcare settings.

Accordingly, this study aims to analyze the criminal liability of physicians involved in sexual violence within the Specialist Medical Education Program (PPDS) based on the Decision of the Pengadilan Negeri Bandung (2025). The novelty of this study lies in its integrated analysis of the legal status of PPDS physicians as specialist medical trainees, the concept of criminal liability, and the application of Law Number 12 of 2022 by Republik Indonesia (2022) concerning Sexual Violence Crimes through a case-based examination of judicial reasoning. The findings are expected to contribute to the development of criminal law scholarship concerning the criminal liability of medical professionals while providing practical insights for law enforcement agencies, medical education institutions, and teaching hospitals in preventing and addressing sexual violence within healthcare environments.

2. Literature Review

The literature review presents an analysis of scientific sources on a specific topic in the last ten years that correspond to the research topic. Present the issues and actual scientific debates critically in the research topic and determine the existing research's research position. Review literature can be arranged chronologically, thematically, methodologically, and or theoretically.



2. 1. Criminal Liability in Indonesian Criminal Law

Criminal liability is a fundamental principle of criminal law that determines whether an individual who has committed a criminal act may be held legally accountable. Indonesian criminal law adopts the principle of *geen straf zonder schuld* (no punishment without fault), meaning that criminal sanctions may only be imposed when the offender possesses criminal responsibility, acts with culpability, and has no legally recognized grounds for excuse. Accordingly, criminal liability is assessed not merely by proving the occurrence of a prohibited act but also by evaluating the offender's mental capacity and intent (Aghani, 2025).

In cases involving medical professionals, criminal liability operates independently from professional or ethical responsibility. Habsyi & Andriasari (2025) argue that physicians who commit criminal acts may simultaneously face criminal sanctions and disciplinary or ethical measures because both forms of accountability pursue different legal objectives. This perspective confirms that professional status does not exempt medical practitioners from criminal prosecution when the legal elements of a criminal offense are fulfilled.

2. 2. Criminal Liability of Medical Professionals

Physicians occupy a unique legal position because they perform professional duties while exercising authority over patients during healthcare delivery. Indonesian Law Number 17 of 2023 concerning Health recognizes physicians as medical professionals who are legally responsible for every medical action performed within healthcare services (Republik Indonesia, 2023). Likewise, Law Number 20 of 2013 concerning Medical Education establishes that Specialist Medical Education Program (PPDS) participants actively participate in healthcare services as part of their professional education (Republik Indonesia, 2013).

Although PPDS participants remain medical trainees, they also carry professional responsibilities when interacting with patients. Consequently, unlawful conduct committed during the provision of healthcare services may result in criminal liability. However, previous studies have primarily examined physicians' ethical and criminal responsibilities without specifically addressing the legal implications of the dual status of PPDS physicians as both specialist trainees and healthcare providers (Habsyi & Andriasari, 2025).

2. 3. Sexual Violence under Law Number 12 of 2022

The enactment of Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS) represents a significant development in Indonesia's criminal justice system by strengthening victim protection and expanding the legal regulation of sexual violence. The law recognizes that sexual violence frequently occurs within unequal relationships



and therefore emphasizes victim-centered protection and the recognition of power relations during legal proceedings (Republik Indonesia, 2022).

Previous studies generally agree that the implementation of the UU TPKS provides a stronger legal framework for prosecuting sexual violence cases. Fatimah & Fithriyyah (2023) emphasize that the law improves legal certainty and victim protection, while Noviaman & Haryadi (2025) highlight its role in strengthening criminal law enforcement against perpetrators. Nevertheless, these studies primarily discuss the implementation of the statute in general and provide limited analysis of its application to sexual violence committed by medical professionals within healthcare institutions.

2. 4. Power Relations in Healthcare Services

Power relations constitute an important concept in understanding sexual violence occurring within professional environments. In healthcare services, physicians possess professional authority, specialized knowledge, and institutional legitimacy, placing patients in relatively vulnerable positions. Nugraha & Subaidi (2022) argue that unequal power relations may significantly influence a victim's ability to provide genuine consent. Similarly, Muhammad & others (2025) contend that the abuse of professional authority by medical practitioners transforms ordinary criminal conduct into a more serious violation because it exploits institutional trust.

Although previous studies recognize the importance of power relations in explaining sexual violence, most discussions remain conceptual and are rarely integrated into judicial analyses involving medical professionals. Consequently, the relationship between the legal status of PPDS physicians, criminal liability, and the abuse of professional authority has not yet been comprehensively examined.

2. 5. Research Position

The existing literature has contributed to understanding criminal liability, medical professional accountability, the implementation of Law Number 12 of 2022 concerning Sexual Violence Crimes, and the concept of power relations. However, these issues have largely been examined separately. Limited research integrates the legal status of PPDS physicians, criminal liability, judicial reasoning, and the application of the Sexual Violence Crimes Law within a single case analysis. Therefore, this study positions itself by providing an integrated legal analysis of the criminal liability of PPDS physicians based on the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg, combining criminal liability theory, professional accountability, and power relations within the framework of Indonesian criminal law.

3. Research Method

This study employed a normative juridical research method to examine the criminal liability of physicians involved in sexual violence within the Specialist Medical Education



Program (Program Pendidikan Dokter Spesialis/PPDS). Normative juridical research focuses on analyzing legal norms, statutory regulations, legal doctrines, and judicial decisions to understand the application of law in resolving legal issues. This approach was considered appropriate because the study aimed to analyze the legal basis of criminal liability as reflected in judicial reasoning and the applicable legal framework.

The primary legal material consisted of the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg as the principal object of analysis. Additional primary legal materials included Law Number 12 of 2022 concerning Sexual Violence Crimes, Law Number 17 of 2023 concerning Health, and Law Number 20 of 2013 concerning Medical Education. Secondary legal materials comprised journal articles, legal doctrines, and relevant scholarly publications discussing criminal liability, medical professional accountability, sexual violence, and power relations in healthcare services.

Data were collected through a document-based approach by reviewing statutory regulations, judicial decisions, and relevant legal literature. The collected legal materials were analyzed qualitatively using statutory, conceptual, and case approaches. The statutory approach was employed to examine the applicable legal framework governing criminal liability and sexual violence crimes. The conceptual approach was used to analyze the legal doctrines concerning criminal liability, professional accountability, and power relations. Meanwhile, the case approach focused on examining the legal reasoning adopted by the Bandung District Court in determining the criminal liability of the defendant.

The analysis was conducted descriptively and analytically by interpreting legal provisions, comparing them with relevant legal doctrines and previous studies, and evaluating their application in the judicial decision. This method enabled the study to provide a comprehensive understanding of the criminal liability of PPDS physicians who commit sexual violence within the Indonesian legal system.

4. Result

Analysis of the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg, relevant statutory regulations, and supporting legal literature revealed four principal findings concerning the criminal liability of physicians involved in sexual violence within the Specialist Medical Education Program (PPDS). First, the legal status of a PPDS physician as a specialist medical trainee does not exempt the individual from criminal liability. Second, the defendant's conduct fulfilled the legal elements of sexual violence as stipulated under Law Number 12 of 2022 concerning Sexual Violence Crimes. Third, criminal liability was established based on the fulfillment of criminal responsibility, intentional conduct, and the absence of legally recognized grounds for excuse. Fourth, the abuse of professional authority and unequal power relations between the physician and the victim constituted an important contextual

factor considered in determining criminal responsibility. These findings form the basis for the subsequent discussion.

Table 1. Main Findings of the Study

Findings	Evidence
Legal Status	PPDS status does not eliminate criminal liability
Criminal Act	All elements under Law No.12/2022 fulfilled
Criminal Responsibility	Capacity, intent and no excuse established
Power Relations	Abuse of professional authority strengthened criminal liability

These findings demonstrate that the court based its decision not merely on the defendant's professional status but on the fulfillment of the legal elements of criminal liability supported by statutory provisions and judicial evidence.

5. Discussion

5.1 Legal Status of PPDS Physicians as Subjects of Criminal Liability

One of the central findings of this study concerns the legal status of Specialist Medical Education Program (PPDS) physicians in determining criminal liability. The analysis of the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg demonstrates that the defendant's status as a specialist medical trainee did not eliminate his criminal responsibility. Instead, the court regarded the defendant as a legal subject fully accountable for his conduct because he had already obtained professional qualifications, actively participated in healthcare services, and performed medical duties under the authority granted by a teaching hospital. Consequently, participation in the PPDS cannot be interpreted as a legal basis for reducing or exempting criminal liability when a criminal offense has been committed (Pengadilan Negeri Bandung, 2025; Republik Indonesia, 2023).

From a normative perspective, Indonesian criminal law applies the principle of equality before the law, under which every individual who fulfills the legal elements of a criminal offense may be held criminally responsible regardless of profession, educational status, or institutional affiliation. This principle reflects the universal application of criminal law and ensures that professional status cannot serve as immunity from criminal prosecution. Within the healthcare context, Law Number 17 of 2023 concerning Health further reinforces this principle by recognizing physicians as medical professionals who bear legal responsibility for every professional action undertaken during healthcare delivery. Therefore, although PPDS physicians continue their specialist education, they



simultaneously assume legal obligations arising from the medical services they provide (Habsyi & Andriasari, 2025; Republik Indonesia, 2023).

The judicial reasoning adopted in the Bandung District Court decision is consistent with this legal framework. Rather than treating the defendant's educational status as a mitigating circumstance, the court considered his professional background as evidence that he possessed sufficient intellectual capacity, legal awareness, and ethical understanding to distinguish lawful from unlawful conduct. This reasoning strengthens the application of the principle of criminal responsibility because an individual with professional medical education is reasonably expected to understand both legal obligations and professional standards governing interactions with patients. Similar observations were reported by Aghani (2025), who argues that resident physicians remain fully subject to criminal liability whenever the constituent elements of a criminal offense are established.

Another important aspect concerns the dual legal position of PPDS physicians. Unlike ordinary students, PPDS participants simultaneously function as specialist trainees and healthcare providers within teaching hospitals. This dual status creates professional authority that enables direct interaction with patients while simultaneously imposing higher legal and ethical responsibilities. Such authority is accompanied by public trust, making physicians responsible not only for complying with statutory regulations but also for maintaining professional integrity throughout healthcare services. Consequently, the abuse of this authority for personal interests, including the commission of sexual violence, constitutes not only a violation of criminal law but also a serious breach of professional trust and ethical obligations (Habsyi & Andriasari, 2025; Republik Indonesia, 2023).

The present findings also contribute to the ongoing scholarly discussion regarding the legal accountability of healthcare professionals. Previous studies have primarily emphasized either criminal liability or professional ethics separately. In contrast, this study demonstrates that the criminal liability of PPDS physicians cannot be understood solely from their educational status but must also consider their professional authority and legal obligations as healthcare providers. Accordingly, criminal responsibility arises from the unlawful conduct itself rather than from the institutional position occupied by the offender. This interpretation is consistent with the Bandung District Court's reasoning, which imposed criminal sanctions based on the fulfillment of statutory elements rather than on the defendant's professional identity (Aghani, 2025; Pengadilan Negeri Bandung, 2025).

Overall, the findings confirm that the legal status of PPDS physicians neither creates immunity from criminal prosecution nor justifies a reduction in criminal responsibility. Instead, their professional qualifications and involvement in healthcare services reinforce the expectation that they understand the legal and ethical consequences of their conduct. Consequently, the court's decision reflects the consistent application of equality



before the law while affirming that medical professionals remain fully accountable for criminal acts committed in the course of their professional activities.

5.2 Qualification of Sexual Violence under Law Number 12 of 2022

Another significant finding concerns the legal qualification of the defendant's conduct as a criminal act of sexual violence under Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS) (Nova & Elda, 2022). The Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg demonstrates that the court did not merely consider the defendant's actions as a violation of medical ethics but concluded that they fulfilled the legal elements of a criminal offense as charged by the public prosecutor. This distinction is important because it establishes that professional misconduct and criminal liability are not mutually exclusive. While unethical conduct may trigger disciplinary sanctions within the medical profession, conduct that satisfies the statutory elements of a criminal offense must also give rise to criminal responsibility under Indonesian law (Pengadilan Negeri Bandung, 2025).

From a statutory perspective, Law Number 12 of 2022 provides a comprehensive legal framework for addressing sexual violence by extending legal protection beyond conventional physical assaults to include acts that violate an individual's bodily integrity, sexual autonomy, and reproductive rights. The legislation further recognizes that sexual violence frequently occurs within unequal relationships, where consent may be compromised by professional authority, dependence, or coercive circumstances. In this regard, the application of the UU TPKS in the present case reflects the legislative objective of strengthening victim protection while ensuring that criminal liability is assessed within the broader social and professional context in which the offense occurred (Fatimah & Fithriyyah, 2023; Republik Indonesia, 2022).

The factual findings presented during the trial indicate that the defendant committed the offense while exercising his professional authority as a PPDS physician within a teaching hospital. Such circumstances created an inherently unequal relationship between the defendant and the victim because the victim reasonably relied on the defendant's medical competence and professional integrity. Consequently, the legal qualification of the offense cannot be separated from the abuse of professional authority that facilitated the commission of the crime. This interpretation is consistent with the analysis of (Noviaman & Haryadi, 2025), who argue that the enforcement of the UU TPKS requires courts to consider not only the prohibited act itself but also the broader context in which unequal relationships contribute to the occurrence of sexual violence.

The court's reasoning further demonstrates that the conviction was not based solely on the victim's testimony but on the evaluation of legally admissible evidence in accordance with Indonesian criminal procedure. The judgment reflects a comprehensive assessment of witness testimony, documentary evidence, and other evidentiary materials supporting the fulfillment of each statutory element of the charged offense. This approach



reinforces the principle that criminal convictions in sexual violence cases must remain evidence-based while simultaneously recognizing the unique evidentiary challenges commonly encountered in such offenses (Pengadilan Negeri Bandung, 2025).

Beyond satisfying the statutory elements of sexual violence, the defendant's conduct also constituted a serious abuse of the trust inherently attached to the medical profession. Public confidence in healthcare professionals is founded upon expectations of professionalism, integrity, and respect for patients' dignity. When professional authority is exploited to commit sexual violence, the resulting harm extends beyond the individual victim and undermines public trust in healthcare institutions. Jafar (2025) argues that misconduct committed by medical professionals requires firm legal enforcement because professional status should reinforce, rather than diminish, legal accountability. The present findings support this perspective by demonstrating that criminal liability serves not only to punish unlawful conduct but also to preserve public confidence in the integrity of medical practice.

Overall, the legal qualification adopted by the Bandung District Court is consistent with the objectives of Law Number 12 of 2022 concerning Sexual Violence Crimes. The judgment confirms that sexual violence committed by a PPDS physician cannot be regarded merely as an ethical or disciplinary violation but constitutes a criminal offense when all statutory elements are established. By applying the provisions of the UU TPKS comprehensively, the court strengthened legal certainty, reinforced victim protection, and affirmed that abuses of professional authority within healthcare services remain fully subject to criminal law (Pengadilan Negeri Bandung, 2025; Republik Indonesia, 2022).

5.3 Analysis of Criminal Liability of PPDS Physicians in Sexual Violence Cases

A fundamental issue in this case concerns whether the defendant fulfilled the legal requirements for criminal liability under Indonesian criminal law. The analysis of the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg demonstrates that the court did not merely establish the occurrence of a criminal act but also examined the essential elements of criminal responsibility before imposing criminal sanctions. Consistent with the principle of *geen straf zonder schuld*, criminal punishment may only be imposed when the offender possesses the capacity to be held responsible, acts with culpability, and is not protected by legally recognized grounds for excuse. The court concluded that all of these elements had been satisfied in the present case, thereby justifying the imposition of criminal liability upon the defendant (Aghani, 2025; Pengadilan Negeri Bandung, 2025).

The first element concerns the defendant's capacity for criminal responsibility (*toerekeningsvatbaarheid*). The evidence presented during the trial revealed no indication that the defendant suffered from a mental disorder or any other condition capable of eliminating criminal responsibility under Indonesian criminal law. On the contrary, the defendant had completed professional medical education and was



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Immortalis Journal of Interdisciplinary Studies

ISSN: 3123-3600 <https://immortalispub.com/ijis>

Vol. 2 Issue 3, August 2026, pp. 123-138

undertaking specialist medical training, indicating an adequate level of intellectual maturity and professional competence. These circumstances support the conclusion that the defendant fully understood both the legal consequences and the wrongful nature of his conduct. Accordingly, the court correctly determined that the requirement of criminal capacity had been fulfilled (Pengadilan Negeri Bandung, 2025).

The second element relates to culpability (*schuld*). The court found that the defendant's conduct reflected intentional wrongdoing (*dolus*) rather than negligence (*culpa*). The defendant consciously performed acts that violated both legal norms and professional obligations despite fully understanding the limits governing physician-patient relationships. This finding is consistent with the scholarly arguments advanced by Aghani (2025), who emphasizes that criminal liability requires proof of intentional conduct in addition to the commission of an unlawful act. Likewise, Habsyi & Andriasari (2025) argue that physicians who deliberately abuse their professional authority should bear both criminal and professional responsibility because intentional misconduct fundamentally violates the ethical and legal obligations attached to the medical profession. The present findings reinforce these perspectives by demonstrating that the defendant intentionally exploited his professional position for personal interests rather than performing legitimate medical duties.

Another important aspect concerns the absence of legally recognized grounds for excuse. Throughout the judicial proceedings, no evidence suggested that the defendant acted under circumstances capable of eliminating criminal responsibility. The defendant's status as a PPDS physician, the academic demands associated with specialist training, and the hierarchical structure of medical education were insufficient to constitute legal excuses under Indonesian criminal law. Although these factors may explain the professional environment in which the offense occurred, they cannot justify or eliminate criminal responsibility for acts of sexual violence. This interpretation is consistent with Jafar (2025), who emphasizes that professional status or institutional affiliation should never operate as a shield against criminal prosecution when the constituent elements of a criminal offense have been established.

The court's reasoning demonstrates a comprehensive application of the doctrine of criminal liability by examining not only the occurrence of the prohibited act but also the defendant's mental capacity, culpability, and the absence of exculpatory circumstances. Such an approach reflects the proper application of the principle of *geen straf zonder schuld*, ensuring that criminal sanctions are imposed only upon offenders who are legally and morally accountable for their actions. This reasoning further reinforces the principle that criminal liability should be determined through objective legal assessment rather than by reference to professional identity or institutional status (Aghani, 2025; Pengadilan Negeri Bandung, 2025).

The findings of this study also contribute to the broader discussion regarding criminal accountability within the medical profession. Previous studies have generally examined criminal responsibility from either a doctrinal perspective or an ethical



perspective. The present study demonstrates that these two dimensions are complementary rather than contradictory. Professional status imposes higher ethical obligations upon physicians, while criminal law evaluates whether the statutory requirements of criminal responsibility have been fulfilled. Consequently, the defendant's status as a PPDS physician neither diminished nor increased criminal liability as a matter of law; instead, it confirmed that the defendant possessed the professional competence and legal awareness necessary to understand the consequences of his actions. Therefore, the Bandung District Court's decision appropriately reflects both the principles of Indonesian criminal law and the broader objective of ensuring accountability for abuses of professional authority within healthcare services.

5.4 Power Relations as an Aggravating Factor in Sexual Violence Cases

One of the distinguishing characteristics of the present case is the existence of unequal power relations between the defendant and the victim. The analysis of the Decision of the Bandung District Court Number 669/Pid.Sus/2025/PN Bdg demonstrates that the defendant did not interact with the victim as an ordinary individual but as a PPDS physician who exercised professional authority within a teaching hospital. This professional position placed the defendant in a dominant role, while the victim occupied a comparatively vulnerable position due to the trust and dependence inherently associated with healthcare services. Consequently, the criminal conduct cannot be understood solely as an isolated unlawful act but must also be viewed within the broader context of the abuse of professional authority (Muhammad & others, 2025; Pengadilan Negeri Bandung, 2025).

The enactment of Law Number 12 of 2022 concerning Sexual Violence Crimes reflects a significant shift in Indonesian criminal law by recognizing power relations as an important contextual element in the assessment of sexual violence. The legislation acknowledges that genuine consent may be compromised where unequal authority, dependence, or professional influence exists between the perpetrator and the victim. Within healthcare settings, physicians possess specialized knowledge, institutional legitimacy, and decision-making authority, all of which may influence a patient's ability to exercise free and independent judgment. Consequently, the application of the concept of power relations in this case is consistent with the victim-oriented approach adopted by the UU TPKS (Nugraha & Subaidi, 2022; Republik Indonesia, 2022).

The present findings further indicate that the unequal relationship between the defendant and the victim arose not only from the defendant's professional status as a physician but also from the hierarchical structure of specialist medical education. Although PPDS physicians remain participants in postgraduate medical education, they simultaneously perform professional duties that involve direct interaction with patients under institutional authority. Such a position creates expectations of competence, integrity, and professionalism while simultaneously increasing the potential for abuse if



that authority is exercised for personal interests. Sumintak & Idi (2022) argue that hierarchical institutional structures may reinforce unequal power relationships that facilitate abusive conduct. Similarly, Muhammad & others (2025) emphasize that the misuse of professional authority in medical practice represents a serious violation of both criminal law and professional ethics because it exploits the trust placed in healthcare professionals. The present case illustrates these concerns by demonstrating how institutional authority became an instrument facilitating the commission of sexual violence.

The judicial reasoning adopted by the Bandung District Court further demonstrates that the defendant's professional position was not regarded as a mitigating circumstance but rather as an important contextual factor supporting the finding of criminal liability. Instead of focusing exclusively on the physical acts committed by the defendant, the court also considered the broader professional and social circumstances surrounding the offense, including the unequal relationship between the parties. This approach is consistent with the objectives of the UU TPKS, which seeks to strengthen legal protection for victims by recognizing that sexual violence frequently occurs within relationships characterized by unequal authority rather than equal bargaining positions (Pengadilan Negeri Bandung, 2025; Republik Indonesia, 2022).

The findings of this study contribute to the current scholarly debate by demonstrating that power relations should not merely be regarded as the background of sexual violence but as an integral factor in assessing criminal responsibility within professional settings. Previous studies have generally discussed power relations from sociological or theoretical perspectives. However, the present analysis illustrates how this concept is operationalized in judicial reasoning through the evaluation of professional authority, institutional hierarchy, and victim vulnerability. Consequently, the abuse of authority by a PPDS physician extends beyond a breach of professional ethics and becomes an aggravating factor that reinforces criminal responsibility. This interpretation is consistent with the contemporary development of Indonesian criminal law, which increasingly emphasizes victim protection and accountability for abuses of institutional power in sexual violence cases (Habsyi & Andriasari, 2025; Nugraha & Subaidi, 2022).

5.5 Challenges in Law Enforcement and Its Implications

The enforcement of criminal law against PPDS physicians who commit sexual violence presents challenges that differ from those encountered in ordinary criminal cases. The findings of this study indicate that judicial assessment extends beyond proving the constituent elements of the offense to encompass the professional relationship between the perpetrator and the victim, the existence of unequal power relations, and the particular characteristics of sexual violence, which frequently occurs without direct eyewitnesses. Consequently, courts are required to evaluate witness testimony,



documentary evidence, and other legally admissible evidence comprehensively to establish the defendant's guilt beyond reasonable doubt. The reasoning adopted in the Bandung District Court Decision Number 669/Pid.Sus/2025/PN Bdg reflects this comprehensive evidentiary approach in determining criminal liability (Jafar, 2025; Pengadilan Negeri Bandung, 2025).

Another significant challenge concerns the delayed reporting of sexual violence by victims. In many cases, victims postpone reporting because of fear, psychological trauma, feelings of shame, or concerns about unequal power relationships with the perpetrator. Within healthcare settings, these concerns may be intensified by the authority exercised by medical professionals and by institutional hierarchies that discourage victims from coming forward. As argued by Nova & Elda (2022) and Zulaikha (2023), the effective implementation of Law Number 12 of 2022 concerning Sexual Violence Crimes requires a victim-centred approach that not only strengthens evidentiary mechanisms but also ensures adequate legal protection and procedural safeguards throughout the criminal justice process. The present findings support this perspective by demonstrating that victim protection constitutes an essential prerequisite for effective law enforcement in sexual violence cases.

The study also highlights institutional challenges within teaching hospitals and specialist medical education programs. The hierarchical nature of medical education may create conditions in which victims are reluctant to report misconduct because of concerns regarding academic evaluation, professional relationships, or institutional pressure. Although internal disciplinary or ethical mechanisms remain important for maintaining professional standards, they cannot replace criminal proceedings when the statutory elements of a criminal offense have been fulfilled. Kastury (2024) emphasizes that professional disciplinary institutions are designed to uphold medical ethics and discipline rather than determine criminal responsibility, while Jafar (2025) similarly argues that criminal accountability must be enforced independently whenever medical professionals commit criminal offenses. Accordingly, disciplinary sanctions and criminal prosecution should operate complementarily rather than as mutually exclusive mechanisms.

Despite these challenges, the Bandung District Court Decision demonstrates that effective law enforcement remains achievable when criminal proceedings are conducted objectively in accordance with the Indonesian Criminal Procedure Code and Law Number 12 of 2022 concerning Sexual Violence Crimes. The court's reasoning reflects the principle of equality before the law by assessing the fulfillment of the statutory elements of the offense without according privileged treatment based on the defendant's professional status. This approach strengthens legal certainty while reinforcing victim protection and accountability within the medical profession (Pengadilan Negeri Bandung, 2025; Republik Indonesia, 2022).

Overall, this study demonstrates that strengthening the response to sexual violence committed by healthcare professionals requires an integrated approach involving



criminal law enforcement, institutional governance, and professional accountability. In addition to imposing criminal sanctions upon offenders, teaching hospitals, specialist medical education programs, and professional organizations should strengthen supervision, reporting mechanisms, victim protection, and ethical oversight to prevent similar misconduct. Such measures not only enhance the implementation of Law Number 12 of 2022 but also reinforce accountability within the medical profession and preserve public confidence in Indonesia's healthcare system (Fatimah & Fithriyyah, 2023; Pengadilan Negeri Bandung, 2025; Republik Indonesia, 2022).

6. Conclusion

This study examined the criminal liability of Specialist Medical Education Program (PPDS) physicians in cases of sexual violence through a normative juridical analysis of the Bandung District Court Decision Number 669/Pid.Sus/2025/PN Bdg. The findings demonstrate that the defendant's status as a PPDS physician did not exempt him from criminal responsibility. The court established that the statutory elements of sexual violence under Law Number 12 of 2022 concerning Sexual Violence Crimes had been fulfilled and confirmed that the defendant possessed the capacity for criminal responsibility, acted intentionally, and had no legally recognized grounds for excuse. Furthermore, the abuse of professional authority and the unequal power relationship between the physician and the victim reinforced the defendant's criminal liability.

This study highlights that professional status cannot serve as immunity from criminal prosecution but instead entails greater legal and ethical responsibilities. Accordingly, strengthening institutional supervision, reporting mechanisms, and coordination between criminal law enforcement and professional disciplinary systems is essential to prevent similar offenses, enhance victim protection, and maintain public trust in healthcare institutions.

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