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SUSPENSION OF THE APPLICATION OF SAFETY MEASURES OF A MEDICAL NATURE

Summary: This paper is an attempt to first of all point out the importance of security measures, especially medical security measures, in the domestic system of criminal sanctions, with a distinctly special preventive character. After the analysis of the general provisions concerning these security measures, the analysis of the work is focused on the procedure that precedes the imposition of these security measures, with a special emphasis on the analysis of the suspension procedure.

The purpose of the work is a detailed analysis of the suspension of the discussed security measures, with the expressed desire to point out the vagueness and inconsistencies that exist in the domestic legislation of these procedures. As our legislator has most fully regulated the procedure of suspension of security measures, mandatory psychiatric treatment and care in a health institution, the author first deals with the analysis of this procedure, while in connection with it he points out the inconsistency of the provisions that exist in the texts of the laws that regulate this procedure and points to the need for harmonization of these laws, in order to facilitate their application in practice.

As particularly controversial, the issue of legally unregulated and unspecified procedures for suspending the remaining safety measures of a medical nature stands out. The author's analysis of the work remains within the framework of the valid legal framework of the observed security measures in the criminal procedural legislation of the Republic of Serbia, while simultaneously pointing out the formal-technical vagueness, inaccuracies and legal gaps that exist in the regulation of the suspension of the observed security measures.

Keywords: security measures of a medical nature, imposition of security measures, suspension of the application of security measures, legal loophole

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