

MALPRACTICE OF ENGINEERS, LAWYERS AND DOCTORS UNDER BAHRAIN LAWS

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ABSTRACT: *The relationship between professional persons and their clients has a special nature which requires legal protection to the latter. The client lacks the knowledge in the specific area which the professional person has, that what pushes the client to deal with the professional person and trust on her/his work.*

Malpractice can be defined as a wrong act committed by a professional person during practicing her/his profession which is considered as unfamiliar attitude violates the rules of the profession. Every wrongful act caused a damage to someone the wrongdoer must compensate for such a damage. Based on this general principle, when the professional person committed malpractice she/he shall compensate her/his client for the damage she/he suffered. Beside the wrongful act principle, the profession person is also responsible for breaching her/his obligations of the agreement with the client. Moreover, malpractice may in some cases raise criminal and disciplinary liabilities beside the civil one.

This paper consists of two parts. The first part will focus on the civil liability of doctors, engineers and lawyers and as these are the most prominent professions in the Kingdom of Bahrain, therefore, this part will concerns the Decree Law No. 7 of 1989 on the Practice of Medicine and Dentistry, the Law No. 51 of 2014 on Practicing Engineering Professions and the Law No. 26 of 1980 on issuing the Lawyering Law.

The second part will discuss the professional persons' criminal liability under the laws of Bahrain mainly the Law No. 15 of 1976 on issuing the Penal Law.

KEYWORDS: *professional, rules of profession, damage, malpractice, responsibility*

JEL CODE: *K 4*

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