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Effectiveness of KPAI's Role in Legal Protection of Children as Victims of Bullying Crime

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Abstract: Bullying is frequently encountered, particularly within school environments. In response to this issue, The Indonesian Child Protection Commission (KPAI) was established to protect the interests of children and prevent violence against them. This study aims to examine the effectiveness of the Indonesian Child Protection Commission in safeguarding the rights of children who are victims of bullying crimes, and the legal protections provided for children as victims of such crimes. The empirical legal method was employed in this research, utilizing both primary and secondary data sources. Data collection techniques included interviews and literature studies, with qualitative descriptive data analysis. In the discussion of this research, the author utilizes the theories of legal effectiveness, legal protection, and the principle of *lex specialis derogate legi generalis*. The findings indicate that the Indonesian Child Protection Commission has effectively fulfilled its duties, as evidenced by a significant decrease in reported cases from 2021 to 2023. The role of the Indonesian Child Protection Commission, in collaboration with other institutions such as the Commission for the Protection of Children in the Region (KPPAD) and UPTD PPA, involves providing protection for children victimized by bullying through supervision, legal assistance, and psychological support.

Keywords: Legal Protection, Bullying Crimes, Victims.

INTRODUCTION

Law enforcement issues in the Indonesian region have always been a fascinating topic of discussion, often leading to debates and differing opinions among the public and legal experts. Indonesia is fundamentally a unitary state in the form of a republic, based on the laws that govern it and serve as a guide for the existing social order. Article 1 paragraph (3) of the Fourth Amendment to the 1945 Constitution of the Unitary State of the Republic of Indonesia emphasises that the state is a legal entity. This is clarified by the statement that (1)

Indonesia is based on law (*Rechtsstaat*), (2) not only on power (*Machtsstaat*), and (3) governance is based on a constitutional system rather than absolutism.¹

At present, the development of social life and technological progress contribute indirectly to the increase and diversity of criminal behaviour in society. Crime can happen to anyone, not only to adults, but often to children as well. There have been numerous cases in Indonesia where children have been both perpetrators and victims of crime. Our Constitution explicitly emphasises the protection of children, guaranteeing their right to survival, growth and development, as well as protection from violence and discrimination.²

Children are a reflection of the nation's way of life and have the right to survival, growth, development and participation, as well as the right to protection from violence and discrimination, civil rights and freedom. However, violations of children's rights often occur due to advances in science and technology, globalization and industrial progress, which have eroded the values of love, respect and appreciation for ethical, moral and religious values. As a result, individuals can easily harm children for certain purposes.³ In addition to children being perpetrators of criminal acts, many children today are also victims of criminal acts, commonly considered victims of bullying crimes. Currently, aggressive and oppressive behaviors manifested in physical actions and/or verbal attacks, known as bullying, are common in educational settings from the most basic level to higher education. The perpetrators are not only peers, but also teachers or people in their environment.⁴ The legal protection of children is a collective obligation, considering that children are the future generation of the nation and play a strategic role in realizing the aspirations of the nation. Therefore, children must be provided with guidance and protection to ensure their proper growth and development. Children are among the vulnerable groups affected by criminal acts, whether as victims, witnesses or perpetrators. The provisions of Law No. 35 of 2014, which amends Law No. 23 of 2002 on the protection of children, state that a child is anyone who has not reached the age of 18 (eighteen) years, including those still in the womb.

The act of bullying is common, especially in school environments. Even today, many children are victims of bullying. The term "bullying" is still relatively new in the Indonesian vocabulary. There is no direct translation for the word "bullying" in the Indonesian language. According to Diena Haryana, Chairperson of Sejiwa Foundation, bullying can be simply

¹ Jonlar Purba, *Penegakan Hukum Terhadap Tindak Pidana Bermotif Ringan Dengan Restorative Justice*, Pertama (Jakarta: Jala Permata Aksara, 2017).

² Dheny Wahyudi, "Perlindungan Terhadap Anak Yang Berhadapan Dengan Hukum Melalui Pendekatan Restorative Justice," *Jurnal Ilmu Hukum Jambi* 6, no. 1 (2015): 43318.

³ Sherly Livinus and Mety Rahmawati, "Peranan Komisi Perlindungan Anak Indonesia Dalam Memberikan Perlindungan Hukum Terhadap Anak Korban Tindak Pidana Penganiayaan (Studi Kasus: Penganiayaan Anak Adopsi Di Hotel Le Meridien Jakarta Pusat Oleh Cw)," *Jurnal Hukum Adigama* 1, no. 1 (2018): 168, <https://doi.org/10.24912/adigama.v1i1.2141>.

⁴ Muhammad Muhammad, "Aspek Perlindungan Anak Dalam Tindak Kekerasan (Bullying) Terhadap Siswa Korban Kekerasan Di Sekolah (Studi Kasus Di SMK Kabupaten Banyumas)," *Jurnal Dinamika Hukum* 9, no. 3 (2009): 230–36, <https://doi.org/10.20884/1.jdh.2009.9.3.234>.

defined as the use of power or strength to harm an individual or group, causing the victim to feel oppressed, traumatized, and powerless. Bullying can take three forms: physical, such as hitting, slapping, or extortion; verbal, such as insults, gossip, or mocking; and psychological, such as intimidation, exclusion, neglect, or discrimination.⁵ The impact of violence on children is not only short-term, but can have long-term effects that can lead to serious psychological disorders. However, children unconsciously record all violent acts they experience. As a result, these unpleasant experiences can have lasting effects into adulthood and even throughout their lives.

The phenomenon of bullying also occurs in Indonesia, bullying is also a serious and threatening problem for Indonesian children. Bullying cases in Indonesia are ranked fifth in the world in the incidence of bullying⁶. According to Arofa, Hudaniah, and Zulfiana, Indonesia ranked first in a survey on bullying conducted by the NGO Plan International and the International Center for Research on Women (IRCW) in several countries in the Asian region⁷. The problem of violence in children according to Zakiyah, Humaedi, and Santoso⁸ was divided into physical bullying and verbal bullying, where physical bullying is a bullying that is visible and can be identified by the type of behavior such as hitting, choking, punching, kicking, biting, scratching⁹.

However, current regulations do not prioritize the rights and welfare of child victims, resulting in a lack of justice for them¹⁰. Criminal sanctions imposed on perpetrators of crimes against children, such as sexual violence, are not based on justice and fail to provide adequate support for victims¹¹. There is a need to establish regulations that ensure the recovery and rehabilitation of child victims, including the provision of restitution and compensation¹². Overall, there is a need for comprehensive and effective legal protection for child victims of crime in Indonesia.

The existence of children who are victims of bullying crimes should be of special

⁵ Purba, *Penegakan Hukum Terhadap Tindak Pidana Bermotif Ringan Dengan Restorative Justice*.

⁶ Dwi Hadya Jayani, "PISA: Murid Korban 'Bully' Di Indonesia Tertinggi Kelima Di Dunia," *Dipetik Maret* 25 (2019): 2020.

⁷ Isnaini Zakiiyah Arofa, Hudaniah Hudaniah, and Uun Zulfiana, "Pengaruh Perilaku Bullying Terhadap Empati Ditinjau Dari Tipe Sekolah," *Jurnal Ilmiah Psikologi Terapan (JIPT)* 6, no. 1 (2018): 74–92.

⁸ Ela Zain Zakiiyah, Sahadi Humaedi, and Meilanny Budiarti Santoso, "Faktor Yang Mempengaruhi Remaja Dalam Melakukan Bullying," *Prosiding Penelitian Dan Pengabdian Kepada Masyarakat* 4, no. 2 (2017).

⁹ Arofa, Hudaniah, and Zulfiana, "Pengaruh Perilaku Bullying Terhadap Empati Ditinjau Dari Tipe Sekolah."

¹⁰ Sri Endah Wahyuningsih et al., "Comparison Legal Perspective of Criminal Sanctions for Sexual Crime Against Children in Indonesia," *International Journal of Social Science and Human Research* 6, no. 2 (2023): 891–98; Hardian Ardy Sengkey and Tomy Michael, "Tanggung Jawab Negara Dalam Memberikan Perlindungan Hukum Terhadap Anak Penyalahguna Narkotika," *Syntax Literate: Jurnal Ilmiah Indonesia* 8, no. 7 (2023): 4941–51.

¹¹ Maydika Ramadani, "Legal Views in Indonesia on Children with Problems with the Law," *International Journal of Social Science and Human Research* 6, no. 5 (2023): 2637–40.

¹² Indra Gunawan Purba, Ervina Sari Sipahutar, and Erikson Napitupulu, "Legal Protection of Children as Persons of Criminal Abuse in the Investigation Process at Polres Aceh Tenggara," *SIASAT* 8, no. 2 (2023): 51–62; Arianus Harefa, "Legal Protection of Child As Victims of Crime of Rape," *Riwayat: Educational Journal of History and Humanities* 6, no. 1 (2023): 212–21.

concern to child protection institutions, both at the central and local levels. It is crucial for child protection institutions, especially the Indonesian Child Protection Commission, to serve as a shield to protect children who are victims of bullying crimes. It is not only the perpetrators who need protection, but also the victims, especially when both the perpetrator and the victim are underage children. The Indonesian Child Protection Commission, established under the mandate of Law No. 35 of 2014, is tasked with enhancing the effectiveness of monitoring the fulfillment of children's rights, as stipulated in Article 76 of Law No. 35 of 2014 on Amendments to Law No. 23 of 2002 on Child Protection. The Indonesian Child Protection Commission is entrusted with monitoring and supervising the implementation of child protection by the obligated actors, as emphasized in Article 20 of Law No. 35 of 2014 on Child Protection, which states that "the State, the Government, society, the family and parents or guardians have the duty and responsibility for the implementation of child protection" at all levels, both central and local, which includes the fulfillment of basic rights and specific protection for children.¹³ Therefore, the role of the Indonesian Child Protection Commission is highly anticipated by society as it acts as a shield to protect children who are victims of bullying.

Previous studies have shown that the Indonesian Child Protection Commission has an important role in the legal protection of child victims of bullying crimes. A study highlights that the Indonesian Child Protection Commission receives hundreds of complaints related to bullying in schools every year¹⁴. In addition, another study found a significant relationship between peer roles and bullying behavior in adolescents¹⁵. However, there are studies that mention the limited effectiveness of the Indonesian Child Protection Commission in handling cases of child abuse, including bullying, due to unclear functions and limitations in handling cases¹⁶.

In the context of law enforcement, the concept of restorative justice has gained increasing attention as an alternative approach that is more recovery-oriented than punitive. Restorative justice emphasizes the importance of repairing relationships between offenders and victims and reintegrating offenders into society, which is considered to reduce the burden on the existing criminal justice system.

In the context of legal theory, this research also refers to the principle of *Lex Specialis Derogat Legi Generalis*, which asserts that in cases involving children, special regulations

¹³ Livinus and Rahmawati, "Peranan Komisi Perlindungan Anak Indonesia Dalam Memberikan Perlindungan Hukum Terhadap Anak Korban Tindak Pidana Penganiayaan (Studi Kasus: Penganiayaan Anak Adopsi Di Hotel Le Meridien Jakarta Pusat Oleh Cw)."

¹⁴ Muh Hanif, "Kekerasan Dalam Dunia Pendidikan (Studi Peran Dalam Mencegah Bullying Di SDN 2 Kalikesur Kecamatan Kedungbanteng Kabupaten Banyumas)," *Jurnal Kependidikan* 10, no. 2 (2022): 301–24.

¹⁵ Rizki Mailinda, "Perlindungan Hukum Korban Bullying Bagi Anak Di Bawah Umur Di Salah Satu Sekolah Menengah Pertama Di Balikpapan" 4, no. 2 (2021): 50–56.

¹⁶ Ni Luh Khrisna Shanti Kusuma Devi, I Ketut Rai Setiabudi, and I Made Tjatrayasa, "Kebijakan Formulasi Fungsi Komisi Perlindungan Anak Indonesia Menurut Undang – Undang No 23 Tahun 2002 Tentang Perlindungan Anak," *Kertha Wicara: Journal Ilmu Hukum* 5, no. 2 (2015): 1–7.

should prevail over general laws. This shows that handling cases involving children requires special attention and adjustments to existing laws to ensure that the best interests of the child are always the main consideration, in accordance with the principle of *Lex Specialist Derogat Legi Generalis* which emphasizes that special regulations that protect children must be applied over general laws.

The novelty of this research lies in its particular focus on the effectiveness of the Indonesian Child Protection Commission in protecting the rights of children who are victims of bullying crimes, which is a very relevant and urgent issue in today's society. This is a pressing issue in today's society. The study examines how these child protection agencies operate and collaborate with other law enforcement agencies, as well as the infrastructure that supports the child protection process. In addition, it sheds light on the application of the principle of *Lex Specialist Derogat Legi Generalis* in cases involving children, highlighting the need for specialized treatment different from cases involving adults. Therefore, this research makes a significant contribution to the academic literature and legal practice by providing empirical data and in-depth analysis on the legal protection of child victims of bullying in Indonesia. It can also serve as a basis for recommending improvements in child protection policies and practices, and for raising awareness among policymakers, legal professionals, and the general public about the importance of this issue.

RESEARCH METHODS

The type of research employed in this study is empirical legal research, examining legal issues based on field research, which involves studying the applicable legal provisions and the actual situation in society.¹⁷ The author conducted interviews with the first informant at the Indonesian Child Protection Commission Headquarters. The individuals providing information include Mr. F, who serves as the deputy commissioner of ABH's Complaints division within the community. Additionally, there are Mrs. A and Mrs. N, who are officers in the Complaints section of the Indonesian Child Protection Commission. Lastly, Mrs. Y is an officer in the registration section of the Indonesian Child Protection Commission. The data used in this study include primary data obtained from the interviews with the informant, as well as secondary data sourced from primary legal materials (legislation) and secondary legal materials (journals, books). Data collection techniques involved interviews and literature reviews. The analytical technique employed in this research is qualitative descriptive analysis, where the author describes or depicts the research subject based on the observable facts or as they are.

¹⁷ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2013).

DISCUSSION

A. The Effectiveness of the Indonesian Child Protection Commission (KPAI) in Protecting the Rights of Children Who Are Victims of Bullying Crimes

The Indonesian Child Protection Commission is an independent institution established under the Child Protection Law. The Indonesian Child Protection Commission has a supervisory and protective role in implementing the Child Protection Law. Although the Indonesian Child Protection Commission has seven main tasks, there are limitations in reaching all regions of Indonesia, so policy development is needed to increase the effectiveness of its supervision¹⁸. In the context of protecting the rights of children who are victims of criminal acts of bullying, the Indonesian Child Protection Commission has an important role in ensuring the protection and interests of children are fulfilled in accordance with applicable law¹⁹.

Bullying is a criminal act that involves direct or indirect violence. Direct bullying includes physical violence such as torture, hitting, and assault committed by a child with or without the use of specific objects that cause physical injury or death to the victim. Indirect bullying usually involves ridicule and mockery directed at the victim, resulting in the victim experiencing psychological and mental trauma. When discussing bullying crimes, there are always subjects who commit the crime and objects who endure it. In this context, the author will delve deeper into bullying crimes committed by children against their peers. According to Dr. Aris Adi Leksono, a Commissioner of the Central The Indonesian Child Protection Commission, there are several factors that lead children to engage in bullying behavior towards their peers. Firstly, some children feel stronger and more dominant in school, causing them to be feared by their peers. Due to this fear, they find it easier to engage in bullying behaviors such as teasing, extortion, or even physical violence. Secondly, it has been observed that some children who become bullies were previously victims of bullying themselves. Without proper intervention from the school, these children seek revenge and may become bullies to their peers. Lastly, the lack of attention from their families can lead some children to seek attention through bullying. By engaging in bullying, they feel they can garner more attention from their parents.

The occurrence of bullying cases has adverse effects on the victims. The repercussions of bullying are detrimental to a child's growth and development. As we are aware, children are the future generation of the nation and their rights must be protected to ensure proper growth. In this regard, all parties, including the government, society, activists, and law

¹⁸ Apri Rotin Djusfi, "Kedudukan Dan Fungsi Komisi Perlindungan Anak Indonesia Dalam Melindungi Hak-Hak Anak," *Jurnal Public Policy* 2, no. 2 (2019).

¹⁹ Averin Dian Boruna Sidauruk, "Kedudukan Komisi Perlindungan Anak Indonesia Sebagai Lembaga Negara Independen Dalam Perlindungan Hak-Hak Anak Di Indonesia: Analisa Perbandingan Lembaga Negara Anak Di Tiongkok Dan Britania Raya," *Neoclassical Legal Review: Journal of Law and Contemporary Issues* 2, no. 1 (2023): 23–35.

enforcement agencies, must actively participate in safeguarding children's rights. During the research, the author obtained data on children who were recorded as victims of both physical and psychological bullying by The Indonesian Child Protection Commission as follows:

Table 1. Data on Children as Victims in 2021-2023

Year	Data on Children as Victims of Physical Violence	Data on Children as Victims of Psychological Abuse
2021	588 Cases	515 Cases
2022	364 Cases	63 Cases
2023	121 Cases	18 Cases

Source : KPAI, data processed 2023

Table 1 presents the data for 2021, indicating that there were 588 instances of physical violence and 515 cases of psychological abuse against children. However, there has been a significant reduction in the number of cases in subsequent years. In 2022, the number of physical violence cases decreased to 364, and there was a dramatic drop in psychological abuse cases to just 63. The decline continued in 2023, with only 121 cases of physical violence and 18 cases of psychological abuse. Although the decrease in abuse cases is a positive trend, it is crucial to remember that every instance of violence or abuse against children is a grave concern that necessitates preventive measures and comprehensive intervention.

Based on the data, the author will examine the effectiveness of the Indonesian Child Protection Commission in protecting children as victims of bullying offenses. Theory of Effectiveness according to Soerjono Soekanto (1986) Law as a rule is a benchmark regarding appropriate action or behavior. The method of thinking used is the deductive-rational method, giving rise to a dogmatic way of thinking. On the other hand, there are those who view the law as an attitude of action or behavior that is regular (steady). The method of thinking used is inductive-empirical, so that the law is seen as an act that is repeated in the same form, which has a certain purpose. Considering the theory of legal effectiveness by Soerjono Soekanto ²⁰, there are 5 (five) important components in his theory for handling cases:

1. Examined from the Legal Perspective

Considering this legal aspect, it is well understood that if there is a criminal act with a child as the victim, the child must be protected. In this case, the focus will be on children who are victims of bullying offenses. Bullying has become increasingly prevalent in Indonesia, particularly in educational institutions or schools. Although the Indonesian

²⁰ Soerjono Soekanto, *Teori Efektifitas Hukum* (Jakarta: Gramedia, 1986).

Criminal Code (KUHP) does not explicitly stipulate provisions regarding bullying, certain articles in the KUHP encompass elements of bullying offenses. These articles include Article 333 concerning Deprivation of Liberty and Article 351 concerning assault. Data obtained by the author from the Indonesian Child Protection Commission I and the Commission for the Protection of Children in the Region reveals that from 2021 to 2023, there are still children who are victims of bullying offenses. This is where the role of the Indonesian Child Protection Commission becomes crucial in providing protection for children affected by bullying, as children represent the future generation that deserves their rights to be safeguarded. In carrying out its duties and functions, the Indonesian Child Protection Commission always adheres to Law No. 35 of 2014 concerning amendments to Law No. 23 of 2002 regarding child protection, hereinafter referred to as UUPA. The duties and functions of the Indonesian Child Protection Commission are specified in Article 76 of the UUPA. With regulations defining the duties and functions of The Indonesian Child Protection Commission, the government and other regional institutions must collaborate to protect children who are victims of bullying offenses. The Indonesian Child Protection Commission must continue to coordinate with the Commission for the Protection of Children in the Region and PPA agencies to provide protection, supervision, and assistance in fulfilling their duty to protect children who are victims. Based on the data obtained, it is evident that The Indonesian Child Protection Commission has effectively fulfilled its duties and functions, despite the persistence of bullying cases. Over the last three years, from 2021 to 2023, there has been a decline in the number of child bullying cases, both physical and psychological.

2. Examined from the Law Enforcement Perspective

Every law enforcement agency has a clear obligation to uphold the law. Through the effectiveness of legal regulations, the law indirectly provides protection for all legal relationships and various aspects of societal life governed by the law itself. The protection of children is one of the primary focuses of national development. Children are the future generation of Indonesia, possessing rights and responsibilities to contribute to the nation's development in the future, which is crucial for the continuity and success of national development.²¹ Investigators, as the main and initial gatekeepers in the law enforcement process, must ensure the alignment of actions in cases committed by perpetrators to prevent any abuse of power in the process. Various stages must be undertaken in handling cases involving minors. In carrying out their duties, investigators must create a secure environment for children, free from violence and any form of undue pressure. The resolution of child cases can be categorized under special criminal acts, implying that they have their own rules apart from the KUHP (Criminal Code). Law enforcement officials, including investigators, prosecutors, judges, and

²¹ Melinda Sopiani, "Analisis Perlindungan Hukum Terhadap Anak Sebagai Korban Bullying Di Media Sosial," *Angewandte Chemie International Edition*, 6(11), 951–952. 3, no. 1 (2018): 10–27.

lawyers, must adhere firmly to the UUPA when handling child-related cases. Indonesia recognizes the principle of *Lex Specialis Derogat Legi Generalis*, which means that special laws override general laws. This indicates that the handling of cases involving minors differs from that of adult cases. Therefore, law enforcement officials must firmly adhere to the UUPA in their approach.

3. Examined from the Aspect of Facilities and Infrastructure

Simply put, the factor of facilities and infrastructure serves as a means to achieve goals. In order to achieve these goals, it is essential to consider physical facilities that can effectively support the process. KPAI (Indonesian Child Protection Commission), the Regional Technical Implementation Unit (UPTD PPA), and the Commission for the Protection of Children in the Region (KPPAD) serve as the means to support the process of child protection, in addition to law enforcement agencies (investigators, prosecutors, judges). In an interview conducted by the author with Mr. Aris, a commissioner at the Indonesian Child Protection Commission, he explained that these three institutions serve as facilities provided by the government to facilitate all forms of child protection in the face of the law. However, the roles and functions of each institution differ. The Indonesian Child Protection Commission, at the central level, receives case data from all over Indonesia and its main task is to supervise the process of child protection in collaboration with the government, including NGOs or Legal Aid Institutions in each region. On the other hand, the Commission for the Protection of Children in the Region operates similarly to The Indonesian Child Protection Commission, but at the regional level. Its tasks and functions are the same as the Indonesian Child Protection Commission, serving as overseers of the process of child protection. If there are reports of children being victimized submitted to the Indonesian Child Protection Commission at the central level, it will immediately coordinate with the Commission for the Protection of Children in the Region to resolve the matter. Subsequently, the Commission for the Protection of Children in the Region will directly collaborate with the UPTD PPA, which provides assistance, including legal and psychological support. Additionally, these institutions are tasked with conducting public awareness campaigns in schools, universities, and communities regarding the importance of understanding child protection. This is because child protection is not solely the responsibility of law enforcement agencies or relevant institutions; the community also plays a crucial role. This can be achieved by reporting any witnessed criminal acts against children to the authorities or by educating children about the impacts of specific offenses, particularly bullying. The role of the family or guardians is crucial in the development and behavior of children, as they tend to emulate what they observe. Thus, the government has established excellent facilities and infrastructure to prevent bullying in society. These institutions will undoubtedly facilitate the necessary protection required by children facing legal issues.

4. Examined from the Cultural Aspect

The cultural factor is interconnected and similar to the societal factor, but it is deliberately distinguished because the discussion of the Cultural Factor leans more towards the system of values from a cultural perspective or non-material aspects. Children must also be given deeper attention in community life. Therefore, the community must synergize with law enforcement and relevant child protection institutions to foster positive developments in the community. According to Mr. Aris, a Commissioner at The Indonesian Child Protection Commission, nowadays, there has been an increase in the cultural awareness of the community regarding child protection. Community concern for the process of child protection has been commendably carried out in several regions. Previously, many people did not care about this issue, often assuming that it was not their concern when witnessing bullying incidents involving children. However, with the passage of time, technological advancements, and societal development, the culture of the community has evolved, leading to an increased number of people who recognize the importance of protecting children as a collective responsibility of society.

In Indonesia, bullying is widely recognized as a significant issue that can have detrimental effects on the mental and physical well-being of children. Those who are bullied often feel alone, scared, and their self-esteem may suffer, leading to difficulties in their academic performance and social interactions. Different societies may have different perspectives on bullying, depending on their level of understanding of its negative consequences. In some cultures, bullying may be seen as a harmless joke or a part of growing up, but this perception is gradually shifting as people become more aware of children's rights and the significance of providing a safe and nurturing environment for their development. One of the research results shows that bullying behavior can become a hereditary tradition and is sometimes normalized as a joke, making it difficult to stop²². In addition, there are studies that highlight the importance of socialization about bullying behavior to prevent adolescents from becoming perpetrators of bullying and help them respond wisely if they become victims²³. This suggests that in cultural contexts, it is important to raise awareness of the impact and consequences of bullying behaviors and change mindsets that normalize such behaviors. Education and awareness campaigns can play an important role in changing these perceptions and promoting more protective attitudes towards children who are victims of bullying.

²² Lisda Sofia Putri Hanifah and Ayunda Ramadhani, "Gambaran Pemaafan Pada Korban Perundungan," *Jurnal Imiah Psikologi* 10, no. 2 (2022): 345–52; Fathimah Asy Syarifah and Yeniari Indriana, "Pemaafan Pada Korban Perundungan," *Jurnal Empati* 7, no. 2 (2020): 447–55.

²³ Sondang Sibuea et al., "Sosialisasi Literasi Online Untuk Menangkal Perilaku Perundungan (Bullying) Di Kalangan Siswa SMK Negeri 51 Jakarta," *Jurnal Pemberdayaan Komunitas MH Thamrin* 2, no. 2 (2020): 66–73.

5. Examined from the Societal Aspect

When examined from the societal perspective, the role of the community in protecting children who are victims of bullying offenses is crucial. The community holds the responsibility to create a safe, supportive, and respectful environment that upholds the rights of children. In essence, children are unable to protect themselves from various actions that can cause mental, physical, and social harm in various aspects of life and livelihood.²⁴ Children need assistance from others to protect themselves, particularly in the implementation of Juvenile Justice which may be unfamiliar to them. They need protection from the misapplication of regulations that may result in mental, physical, and social harm. Bullying is a form of violence, and the community generally supports efforts to reduce and prevent all forms of violence in the social environment. The community can play a role in preventing bullying by providing education about the negative impacts of bullying, fostering empathy, respect, and good communication. Through education, the community can help reduce bullying incidents and create a more inclusive culture. Additionally, the community should be attentive to signs of bullying. If they witness or hear about bullying cases, they should have the courage to report it to the authorities or the relevant school. Active supervision helps in detecting and addressing bullying cases early. Furthermore, the community can provide emotional support to children who are victims of bullying. By understanding and providing psychological support, the community can help mitigate the negative impact of bullying.

Bullying is commonly viewed from a social standpoint as a display of power imbalance and aggression, impacting not just the individuals involved but also the broader social fabric they exist in. Those who are bullied often experience feelings of stigma and isolation, as bullying frequently results in shame and a decline in self-confidence. Additionally, they may believe that society lacks sufficient support or fails to comprehend the psychological toll they endure. These perceptions can be intensified if the community tolerates bullying or regards it as a customary part of one's development, like an "initiation ritual" or "coming-of-age" experience.

On the other hand, communities that have a high awareness of bullying issues and support prevention and intervention efforts may give victims a more positive perception. Communities that are proactive in addressing bullying, for example through education programs and awareness campaigns, may help victims feel more supported and less isolated. Public perceptions can also be influenced by how the media and educational institutions handle and report cases of bullying. Media that report bullying cases in a responsible manner and educational institutions that implement effective anti-bullying policies can increase public awareness and change their attitudes towards

²⁴ Iskandar, Ariza Umami, and Dilla Fadilla, "Analysis Related To Judges' Considerations In The Immediate Decision Of Criminal Actions Against Children," *POLICY, LAW, NOTARY AND REGULATORY ISSUES (POLRI)* 1, no. 1 (2021): 57–64, <https://doi.org/https://doi.org/10.55047/polri.v1i1.32>.

bullying.

B. The Form of Legal Protection for Children as Victims of Bullying Offenses

Based on the wealth of data obtained from interviews with the Indonesian Child Protection Commission, it is evident that there have been numerous incidents of bullying in our country, some of which have resulted in the heartbreaking loss of life, including that of the victims of bullying. Prevention efforts against bullying must be implemented, starting from the family environment, educational institutions, workplaces, and social circles. The importance of protecting children is apparent, given that bullying can significantly impact their development. It is crucial for all environments to synergize so that noble values such as mutual respect and appreciation for others can be effectively instilled.²⁵ From the victim's perspective, the effects of bullying are detrimental. According to Byrne, compared to peers who are not bullied, victims of bullying tend to isolate themselves and experience feelings of depression, anxiety, and fear of new situations. Individuals may become victims of bullying because of their visible loneliness and low self-confidence. With the prevalence of bullying cases in Indonesia, it is expected that the government, through the Indonesian Child Protection Commission, will be able to prevent violence against children and protect their best interests. Indonesia is a country based on Pancasila, which emphasizes moral values, ethics, good behavior, and noble identity for the nation. The country also upholds faith and devotion to the one almighty God and respects diversity in community life within the framework of nationalism and the state. In addition, Indonesia is determined to protect the dignity and position of all its citizens.

According to Satjipto Raharjo, legal protection refers to efforts aimed at safeguarding human rights that have been violated by the actions of others.²⁶ This protection is directed towards the community as a whole, enabling them to fully enjoy the rights guaranteed by legal regulations.²⁷ In addition, Rahardjo also defines legal protection as the effort to protect the interests of an individual by giving them the authority of a human right to act in the interest of that right. The form of protection provided by institutions such as the Indonesian Child Protection Commission, the Commission for the Protection of Children in the Region, and UPTD PPA begins when there is a report of bullying to the Indonesian Child Protection Commission. The Indonesian Child Protection Commission issues a letter of assignment to conduct supervision and assistance to the local institution, in this case, the Commission for the Protection of Children in the Region. The Commission for the Protection of Children in the Region then coordinates directly with the UPTD PPA to provide assistance to the child who has become a victim of bullying. The UPTD PPA is then monitored by both the Indonesian Child Protection Commission and the Commission for the Protection of Children

²⁵ Mailinda, "Perlindungan Hukum Korban Bullying Bagi Anak Di Bawah Umur Di Salah Satu Sekolah Menengah Pertama Di Balikpapan."

²⁶ Satjipto Rahardjo, *Ilmu Hukum* (Bandung: PT. Citra Aditya Bakti, 2000).

²⁷ HS Salim, *Penerapan Teori Hukum Pada Tesis Dan Desertasi* (JAKARTA: Raja Grafindo Persada, 2013).

in the Region in carrying out its duties. Following this, the UPTD PPA will prepare an official report on the resolution of the case it has handled. Subsequently, The Indonesian Child Protection Commission and the Commission for the Protection of Children in the Region will evaluate the process of child protection conducted by the UPTD PPA.

The role of the UPTD PPA is different from that of the Indonesian Child Protection Commission. While the Indonesian Child Protection Commission acts as a supervisor in the implementation of child protection, the UPTD PPA acts as a companion or takes on cases. It can be said that the performance of the UPTD PPA is directly monitored by the Indonesian Child Protection Commission. The form of protection provided by the UPTD PPA includes legal and psychological assistance. Legal assistance is provided to children who are both perpetrators and victims of crime. This assistance is related to the processes that the child goes through during the diversion, such as accompanying the child to school, to the investigators, to the prosecutor's office, and even during the trial. Legal assistance is provided by lawyers or advocates. Psychological assistance, on the other hand, is primarily for children who are victims, including victims of bullying. This assistance involves healing the child's mental state through psychological approaches. Psychologists with expertise in this area are responsible for providing this counseling. In performing its duties, the UPTD PPA always coordinates with the Commission for the Protection of Children in the Region, which is a regional derivative of the Indonesian Child Protection Commission. The Commission for the Protection of Children in the Region acts as an overseer of the performance of the UPTD PPA. Its function is similar to that of the central Indonesian Child Protection Commission, which serves as an overseer of the fulfillment of children's rights. Both the Indonesian Child Protection Commission and the Commission for the Protection of Children in the Region can conduct monitoring and socialization to educate the public on the importance of preventing violence against children. The working system of the Commission for the Protection of Children in the Region involves both central and regional institutions, which always coordinate with each other in order to carry out their supervisory duties in the fulfillment of children's rights.

These three institutions need to coordinate effectively to ensure the proper implementation of protection for children who are victims of bullying. This is in line with Satjipto Rahardjo's theory of legal protection, which defines legal protection as an effort to protect an individual's interest by granting him or her the authority to act in the interest of a human right. Here, both the Indonesian Child Protection Commission, the Commission for the Protection of Children in the Region, and the UPTD PPA have the task and authority to carry out the implementation of child protection. In other words, they must fulfill their obligations in accordance with the laws enacted to protect the interests of children, especially those who are victims of bullying offenses. Children are the future generation of the nation and must be protected to grow and develop, thereby preventing long-term mental disorders and trauma.

CONCLUSION

In conclusion, based on Soerjono Soekanto's theory of legal effectiveness, it can be determined that the Indonesian Child Protection Commission has effectively fulfilled its role in providing protection to victims of bullying offenses. Although cases of children being bullied still persist, the data collected from 2021 to 2023 indicates a significant decline in such incidents. The forms of protection offered by the Indonesian Child Protection Commission, the Commission for the Protection of Children in the Region, and UPTD PPA to children who are victims of bullying encompass various measures, including supervision, monitoring, evaluation, as well as legal and psychological support. This is in line with Satjipto Rahardjo's theory of legal protection, which emphasizes the obligation of these institutions to protect the interests of children, recognizing them as the future pillars of the nation who deserve the utmost protection from the state.

Going forward, it is recommended that the Indonesian Child Protection Commission further optimize its cooperation with local institutions to effectively prevent violence against children, such as the establishment of Safe Houses for Children in each province to enhance child protection. This would ensure more comprehensive monitoring of the implementation of child protection measures. In addition, the Indonesian Child Protection Commission should conduct a thorough evaluation of its procedures to ensure that the protection of children who are victims of bullying is carried out with the utmost effectiveness. It is essential that the government demonstrate a stronger commitment to minimizing the number of children who become victims of bullying. These measures will go a long way in creating a safer and more nurturing environment for the next generation, protecting them from prolonged psychological trauma and distress.

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