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Criminal Law Approach in Handling Bullying Cases in Junior High School Enviroments

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Abstract: This study aims to analyze the legal protection approach for victims of bullying and the obstacles that affect its implementation in the school environment. This study uses an empirical legal method with a sociological approach and a normative approach. Data were obtained through interviews with Guidance and Counseling (BK) teachers, the Violence Prevention and Handling Team (TPPK), and students. Data collection methods used include library research and field research. Data analysis techniques include data reduction, data presentation, and drawing conclusions. The results show that the legal protection approach for victims of bullying is carried out through two forms of approaches: a preventive approach and a repressive approach. The preventive approach includes a personal approach, special guidance and handling, consultation with experts, and socialization. And, the repressive approach is carried out through mediation, sanctions, legal assistance, and referrals to relevant parties. The implementation of preventive and repressive approaches in schools continues to face various obstacles, including low student understanding, limited capacity of guidance and counseling teachers and the TPPK team, a culture of inaction within schools, limited coordination with external parties, and suboptimal operational systems and policies at the school level. Therefore, strengthening integrated, sustainable, and collaborative implementation is necessary to ensure effective legal protection for victims.

Keyword: Legal Approach, Bullying, School Environment

INTRODUCTION

Schools are educational institutions that serve not only as places to acquire knowledge but also play a vital role in shaping the character and attitudes of students as the nation's future generation. Therefore, it is crucial to create a safe, comfortable, and enjoyable school environment for all children to prevent various forms of violence and discrimination.

Child protection in Indonesia is regulated in Law Number 35 of 2014, Article 54 (Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Tentang Perlindungan Anak, n.d.). However, in practice, there are still a number of students who feel uncomfortable, afraid, and stressed while in the school environment. This occurs due to a lack of supervision from teachers, other school members, and parents regarding children's behavior in the school environment, which can trigger actions that exceed applicable school rules/norms, including

bullying behavior. Therefore, every child needs legal protection in their life as stipulated in the 1945 Constitution of the Republic of Indonesia (Undang-Undang Dasar Negara Republik Indonesia 1945, n.d.) through the application of a legal approach appropriate to the various problems faced (Rachma, 2022).

Bullying in junior high schools (SMP) has become a worrying phenomenon in the Indonesian education system. The Federation of Indonesian Teachers' Unions (FSGI) stated in 2025 that cases of bullying in schools were increasingly prevalent. Throughout 2024, 36 cases of bullying were recorded in schools, with the most victims coming from junior high school level, namely 52 students who became victims with a percentage of 36% (Amisha Auralia, Alina, 2024); (C. Yulianti, 2023). A similar thing was also stated by the Indonesian Child Protection Commission (KPAI) that throughout 2024 there were 240 cases of bullying in the school environment (Diannita, Annisya, Fina Salsabela, Leni Wijiati, 2022).

The high number of bullying cases occurring in school environments can leave deep trauma and wounds for victims (Dhara Rizfinanda, Rasimin, 2023);(Apriliada, 2022). The impact of bullying not only affects students' psychological conditions but can also hinder the development of each child's character, reduce academic achievement and even threaten student safety (Sari, Heti Novita, Putri Pebriyani, Salsa Nurfarida, Muhammad Fadhil Suryanto, Putri Ageng Ambun Suri, 2022);(A Fikriana & A Hartantri, 2023). Perpetrators of bullying should receive punishment as a deterrent so they do not repeat their actions in the future. However, implementation in the field still faces various challenges, including the perception of some teachers and parents who view bullying as a normal part of the dynamics of children's lives. So this behavior is often normalized and not seen as a problem that requires serious treatment. This further reinforces a culture of violence and hinders the creation of a safe, inclusive learning environment that supports socio-emotional development.

Based on information obtained from one of the schools in Merauke Regency, it shows that there are allegations of bullying actions carried out by students against other students. The forms of bullying that occur include physical violence such as hitting and pushing, as well as verbal violence such as teasing. This condition indicates that the practice of bullying remains a problem that requires serious attention in the school environment, because it can impact the psychological condition of students, reduce student self-confidence and disrupt the creation of a safe and conducive learning environment. However, implementation in the field still faces various challenges including a lack of understanding and sensitivity of some teachers towards bullying, inconsistent enforcement of regulations and the existence of a culture of tolerance that considers bullying as a normal thing in interactions between students. This condition indicates that the existence of regulations has not been fully followed by effective implementation in the school environment.

The prevalence of bullying cases in schools is often unreported or resolved informally without a clear legal process. Therefore, it does not provide a deterrent effect for perpetrators and adequate protection for victims. Indonesia has a legal umbrella on Child Protection through Law Number 35 of 2014 and Regulation of the Minister of Education, Culture, Research, and Technology Number 46 of 2023 concerning Handling Violence in Educational Units. Based on this legal umbrella, every student has the right to receive education in a safe and comfortable environment free from fear, intimidation, bullying, and other acts of violence (Sari, Heti Novita, Putri Pebriyani, Salsa Nurfarida, Muhammad Fadhil Suryanto, Putri Ageng Ambun Suri, 2022). Therefore, an analysis of the forms of legal protection approaches for victims of bullying and the obstacles that influence the handling of bullying in the school environment is needed.

METHOD

This study uses an empirical legal research method with a sociological and normative approach. This study was conducted at Yapis Merauke Middle School with research subjects consisting of 1 guidance and counseling teacher (BK), 3 students and 1 member of the violence prevention and handling team (TPPK). The instruments used were interview sheets for teachers, students and the TPPK team. The data used consisted of primary data in the form of interviews with guidance and counseling teachers, students and the violence prevention and handling team (TPPK) as well as secondary data. Data collection methods used included library research and field research. Data analysis techniques included data reduction, data presentation and conclusion drawing.

RESULTS AND DISCUSSION

The results of interviews with students found that there were several forms of bullying that occurred in the school environment.

Table 1. Forms of Bullying in Middle Schools

Subject	Forms of Violence		
	Physical	Verbal	Psychic
GR		Getting physical teasing (body shaming) such as being fat, short, and having a lisp	Extorted
TZ	Beaten	Getting teased with the words "ugly, cowardly, weak"	Excommunicated
NC	Beaten	Get teased	Extorted

Source: Student interview data

Based on Table 1 above, it was found that several students had experienced bullying in their junior high school environment. A student with the initials GR revealed that he was teased related to his physical condition (body shaming), such as being called "fat," "short," or being teased for his speech which was considered slurred. In addition, student GR also experienced extortion by peers. This shows that the bullying he experienced was not only verbal, but also accompanied by psychological pressure. Furthermore, a student with the initials TZ revealed that he had experienced physical violence in the form of beatings by friends at school. In addition, TZ also experienced verbal taunts with words such as "ugly," "cowardly," and "weak." Furthermore, student TZ also revealed that he had experienced this from his friends. This condition shows that the bullying that occurred was complex because it involved physical, verbal, and psychological violence. A similar experience was also experienced by NC, who stated that he had experienced beatings and teasing from peers. In addition, NC had also been a victim of extortion. As a result, some students who are victims of bullying sometimes feel uncomfortable going to school.

Research shows that bullying in schools does not occur in a single form, but often occurs simultaneously in various forms of violence. This can have serious psychological impacts on students, such as decreased self-confidence, fear at school, and reduced motivation to learn (Rachma, 2022); (Damayanti et al., 2024). If this is not addressed promptly and appropriately, it can hinder the creation of a safe, comfortable, and conducive learning environment for student development.

The results of interviews conducted with BK teachers and the TPPK team related to the protection provided by the school to students who experience bullying in the school environment.

Table 2. Forms of Legal Protection by Schools

Subject	Form of Protection	
	Preventive Legal Protection	Repressive Legal Protection
Teacher BK	<ul style="list-style-type: none"> ▪ Conduct outreach and provide materials related to bullying prevention ▪ Provide special guidance and treatment for victims and perpetrators of bullying 	<ul style="list-style-type: none"> ▪ Conduct mediation between the perpetrator and the victim ▪ Conduct advocacy or provide assistance and protection for victims of bullying ▪ Giving a warning with suspension ▪ Giving a final sanction, namely moving up a class with the condition
Team TPPK	<ul style="list-style-type: none"> ▪ Personal approach by providing guidance or counseling by the BK teacher ▪ Conducting anti-bullying outreach and campaigns 	<ul style="list-style-type: none"> ▪ Providing legal assistance in accordance with the juvenile criminal justice system (UU No. 11 of 2012) ▪ Mediate between the perpetrator and the victim of bullying ▪ Giving a warning with suspension ▪ Make referrals ▪ Giving a warning with suspension

Source: Interview data from BK Teachers and TPPK Team

Based on table 2 above, it was found that the legal protection approach for victims of bullying in the Junior High School environment was carried out through two main approaches, namely:

1. Preventive legal protection approach

A preventative legal protection approach to handling bullying in schools is a strategy that focuses on prevention and minimizing its impact (Lin, J. C. C., & Shih, 2024). Based on research findings, the preventive approach includes personal outreach, specialized guidance and treatment, expert consultation, and anti-bullying outreach.

A personal approach is employed by guidance counselors through direct interaction with students, both victims and perpetrators of bullying. This personal approach allows teachers to gain a deeper understanding of students' psychological states and foster open relationships. Through this personal approach, students who are victims of bullying will be more willing to disclose their experiences, thus facilitating early resolution of the problem before it escalates into a more complex situation (Ananda Salsabilla Styaningrum dan Fuadi Isnawan, 2023).

Furthermore, specialized guidance and treatment are provided to both victims and perpetrators of bullying. Victims are given psychological support to recover mentally and boost self-confidence, while perpetrators are given guidance to improve their behavior and raise awareness of the impact of their actions. This approach demonstrates that schools focus not only on imposing sanctions but also on ongoing educational processes.

The next preventive approach is outreach activities. Outreach activities are conducted to provide students with an understanding of the forms, impacts, and consequences of bullying. Outreach activities aim to build awareness among all students and instill values of empathy, tolerance, and mutual respect among them. This aligns with research conducted by (Damayanti et al., 2024), which shows that ongoing outreach activities can increase student understanding and reduce levels of bullying in the school environment.

The preventive approach adopted demonstrates a comprehensive effort to create a safer and more supportive school environment for students. This preventive approach aligns with the Whole School Approach concept, which is a bullying prevention approach that involves the entire school community. Research shows that an approach involving the entire school community is more effective in reducing bullying rates than one that focuses

solely on specific individuals (UNESCO, 2019); (Gaffney, H., Farrington, D. P., & Ttofi, 2021).

2. Protection of repressive legal approaches

A repressive approach is implemented as a form of handling bullying cases that have already occurred. Based on research, the repressive approach includes mediation between the perpetrator and victim, sanctions such as suspension, legal assistance, and referrals to relevant parties.

Mediation is conducted as an effort to peacefully resolve conflicts by involving the perpetrator and victim in a dialogue process facilitated by the school. This approach aims to restore social relationships and provide the perpetrator with an understanding of the impact of their actions. A restorative approach in schools can improve social relationships, prevent recurrence of conflict, and increase the perpetrator's sense of responsibility for their actions (Gregory, A., Clawson, K., Davis, A., & Gerewitz, 2021). This demonstrates that mediation not only resolves the conflict but also serves as an educational tool.

Furthermore, sanctions such as suspension are implemented as a form of firm action to provide a deterrent effect on perpetrators. However, the implementation of suspension sanctions for perpetrators must be balanced with a coaching approach to prevent a negative impact on student development. The legal assistance provided by the TPPK Team demonstrates broader protection efforts for victims, particularly in cases leading to criminal acts. This aligns with research conducted by (Fitriani, 2022), which suggests that victims of violence in school environments also require legal protection to guarantee their rights. Referrals are also carried out if the case requires the involvement of external parties, such as psychologists or child protection agencies.

The repressive approach taken is not only oriented towards imposing sanctions, but also includes aspects of conflict resolution and victim protection in a more comprehensive manner.

In addition to the implementation of preventive and repressive legal protection approaches, research results also show that handling bullying in the school environment still faces various obstacles that affect the effectiveness of its implementation, namely:

1. Low student understanding and awareness of bullying.

Research results show that students are still unable to differentiate between joking behavior and bullying, particularly verbal forms such as teasing, exclusion, and body shaming. This condition results in bullying that goes unnoticed by perpetrators, making it difficult to prevent due to the gap between students' normative understanding and the reality of social behavior in the school environment. This aligns with research conducted by (UNESCO, 2019), which states that students' low awareness of the various forms of bullying is a major factor contributing to the high incidence of bullying in schools, particularly verbal forms that are often perceived as jokes.

2. Limited roles and capacities of guidance and counseling teachers and the Violence Prevention and Handling Team (TPPK)

The research results indicate that the guidance and counseling teachers and the TPPK team have performed their guidance, mediation, and mentoring functions effectively. However, limited staff, high workloads, and the lack of specialized training in handling bullying hinder the delivery of optimal services. This situation indicates that structurally, institutional capacity at the school level does not fully support the optimal implementation of legal protection. This is in line with research (Gaffney, H., Farrington, D. P., & Ttofi, 2021), which states that the effectiveness of bullying management programs is highly dependent on the capacity and competence of educators, including specialized training in handling bullying cases professionally.

3. There is a culture of neglect in the school environment
The research also shows that some school members still consider bullying to be part of the dynamics of student social interactions, and therefore, it is not addressed seriously. This culture has the potential to reinforce bullying behavior due to the lack of a firm response from the surrounding environment. These findings indicate that cultural factors have a significant influence on the persistence of bullying behavior in schools (R. Yulianti, 2023). This is in line with research (Espelage, D. L., & Swearer, 2011), which suggests that social norms and a school culture that are permissive of violence can increase the risk of recurrent bullying.
4. Limited coordination and support from external parties
The research also shows limited effective communication and collaboration with external parties in resolving some cases. This situation indicates that the handling of bullying cases is not fully based on cross-sector collaboration. However, the involvement of external parties is crucial in handling complex cases. This is in line with research (Karikari et al., 2020), which shows that handling bullying requires the involvement of various stakeholders (a multi-stakeholder approach), because bullying is a social phenomenon that involves many parties and different contexts. Furthermore, research conducted by (Viona Erlanda & Anggraeny Puspaningtyas, 2023) suggests that the success of handling bullying is largely determined by good collaboration between schools, parents, and other relevant parties. Without effective collaboration, efforts to prevent and handle bullying cases cannot run optimally. Furthermore, research (J. Stamatis & N. Nikolaou, 2016) also states the same thing, namely that limited communication and coordination between schools and families is one of the main obstacles in handling bullying. Parental involvement has a significant contribution in addressing student bullying behavior.
5. Limitations of operational systems and policies at the school level
The research findings indicate that regulations related to the prevention and handling of violence in schools exist, but their implementation in the field is not fully supported by clear and consistent operational procedures at the educational unit level. This finding indicates a gap between normative policies and practical implementation in the field. This aligns with research conducted by (Astuti, 2022), which states that the existence of regulations alone is insufficient without the support of clear, structured, and sustainable operational mechanisms at the school level.

CONCLUSION

The research results show that the legal protection approach for victims of bullying in the school environment has been implemented through two approaches: preventive and repressive. The preventive approach is carried out through various efforts such as personal approaches, special guidance and treatment, expert consultations, and outreach aimed at preventing bullying from occurring early. And, the repressive approach is carried out through mediation, sanctions, legal assistance, and referrals to relevant parties as a form of handling cases that have occurred. However, the implementation of the preventive and repressive approaches that have been carried out has not been optimal because it still faces various obstacles, both from individual, institutional, cultural and systemic aspects. The obstacles faced include students' low understanding of bullying, limited capacity of BK teachers and TPPK teams, the existence of a culture of tolerance in the school environment, limited coordination with external parties, and suboptimal operational systems and policies at the school level. Therefore, legal protection for victims of bullying requires not only the existence of regulations, but also requires strengthened implementation supported by increased human resource capacity, changes in school culture, and collaboration between

stakeholders. Without strengthening, legal protection efforts have the potential to have no significant impact in reducing bullying cases in the school environment.

REFERENCE

- A Fikriana, & A Hartantri. (2023). Fikriana, A., & Hartantri, A. (2023). Urgensi Perlindungan Hukum. *Dalihan Na Tolu: Jurnal Hukum, Politik Dan Komunikasi Indonesia*, 2(1), 32–38.
- Amisha Auralia, Alina, dkk. (2024). Perlindungan Hukum Terhadap Anak Yang Menjadi Korban Bullying. *Jurnal Ilmu Pertahanan, Hukum Dan Ilmu Komunikasi*, 1(3).
- Ananda Salsabilla Styaningrum dan Fuadi Isnawan. (2023). Perlindungan Hukum Pidana oleh Sekolah dalam Mengatasi Perundungan yang Dilakukan Siswa (Studi Kasus di SMP Yogyakarta). 5(1), 248–264. <https://news.republika.co.id/berita/pmt27q383/21-persen-anak-sekolah-di-diy-masih-alami-perundungan>,
- Apriliada, L. dwi anisah. (2022). Fenomena Bullying di Kalangan Remaja. *Kompasiana*, 1–22.
- Astuti. (2022). Implementasi kebijakan perlindungan anak di lingkungan sekolah. *Jurnal Pendidikan Dan Kebijakan*, 7(2).
- Damayanti, S., Suryadi, K., & Tanshzil, S. W. (2024). School Climate and Bullying Prevention A Civic Education Perspective. *Journal of Education Research*, 5(4), 4980–4990. <https://doi.org/10.37985/jer.v5i4.1369>
- Dhara Rizfinanda, Rasimin, R. A. (2023). Identifikasi Perilaku Bullying Verbal Dalam Hubungan Pertemanan Di Desa Simpang Terusan Kabupaten Batang Hari. *Innovative: Journal of Social Science Research*, 3(3).
- Diannita, Annisya, Fina Salsabela, Leni Wijati, A. M. S. P. (2022). Pengaruh Bullying Terhadap Pelajar Pada Tingkat Sekolah Menengah Pertama. *Journal of Education Research*, 4(1).
- Espelage, D. L., & Swearer, S. M. (2011). *A social-ecological model for bullying prevention*. Routledge.
- Fitriani, R. (2022). Perlindungan hukum terhadap anak korban kekerasan di lingkungan sekolah. *Jurnal Hukum Dan Pembangunan*, 52(1), 89–102.
- Gaffney, H., Farrington, D. P., & Ttofi, M. M. (2021). What works in anti-bullying programs? Analysis of effective intervention components. *Campbell Systematic Reviews*, 17(1). <https://doi.org/10.1002/cl2.1143>
- Gregory, A., Clawson, K., Davis, A., & Gerewitz, J. (2021). The promise of restorative practices to transform teacher-student relationships. *School Psychology Review*, 50(2), 381–395.
- J. Stamatis, P., & N. Nikolaou, E. (2016). Communication and Collaboration between School and Family for Addressing Bullying. *International Journal of Criminology and Sociology*, 5(2003), 99–104. <https://doi.org/10.6000/1929-4409.2016.05.09>
- Karikari, I., Brown, J. R., Ashirifi, G. D., & Storms, J. (2020). Bullying prevention in schools: The need for a multiple stakeholder approach. *Advances in Social Work*, 20(1), 61–81. <https://doi.org/10.18060/22928>
- Lin, J. C. C., & Shih, Y. H. (2024). Strategies for preventing school bullying: A life education perspective. *Frontiers in Psychology*, 15. <https://doi.org/10.3389/fpsyg.2024.1429215>
- Rachma, A. W. (2022). Upaya Pencegahan Bullying di Lingkup Sekolah. *Jurnal Hukum Dan Pembangunan Ekonomi*, 10(2).
- Sari, Heti Novita, Putri Pebriyani, Salsa Nurfarida, Muhammad Fadhil Suryanto, Putri Ageng Ambun Suri, dan R. G. N. (2022). Perilaku Bullying Yang Menyimpang Dari Nilai Pancasila Pada Siswa Sekolah. *Jurnal Kewarganegaraan*, 6(1), 2095–2102.

Undang-Undang Dasar Negara Republik Indonesia 1945.

Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan tentang Perlindungan Anak.

UNESCO. (2019). Behind the numbers: Ending school violence and bullying. UNESCO Publishing.

Viona Erlanda, & Anggraeny Puspaningtyas. (2023). Proses Collaborative Governance dalam Penanganan Bullying di UPT SD Negeri 206 Gresik. Birokrasi: JURNAL ILMU HUKUM DAN TATA NEGARA, 1(4), 102–109. <https://doi.org/10.55606/birokrasi.v1i4.724>

Yulianti, C. (2023). FSGI: Ada 16 Kasus Bullying Di Sekolah Pada Januari-Juli. DetikEdu. <https://www.detik.com/edu/sekolah/d-6858404/fsgi-ada-16-kasus-bullying-di-sekolah-pada-januari-juli-2023>

Yulianti, R. (2023). Peran guru dalam menangani bullying di sekolah. Jurnal Pendidikan Dan Konseling, 5(1).