

## Reconstruction of Legal Protection Regulations for Child Victims of Bullying with Religious Psychosocial Medical Rehabilitation Based on the Value of Justice



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**ABSTRACT:** Bullying is a negative behavior that causes someone to be uncomfortable or injured and usually occurs repeatedly, characterized by an imbalance of power between the perpetrator and the victim. The purpose of this research is to analyze and find regulations for legal protection of child victims of bullying with psychosocial rehabilitation that are not yet just; to analyze and find weaknesses that arise in the regulation of legal protection of child victims of bullying with psychosocial rehabilitation based on the value of justice; to reconstruct regulations for legal protection of child victims of bullying with religious psychosocial medical rehabilitation based on the value of justice. The research method uses the constructivism paradigm, with a sociological juridical approach method, and descriptive research type. Types and sources of data using secondary data in the form of primary legal materials, secondary legal materials, and tertiary legal materials. Data collection methods use literature, and qualitative analysis methods. The results of the research are: 1) the regulation of legal protection of child victims of bullying with psychosocial rehabilitation has not been equitable that the law should play a role in providing legal certainty to children who are victims of bullying; 2) The weaknesses of the regulation of legal protection of child victims of bullying with psychosocial rehabilitation currently consist of aspects of legal substance, legal structure and legal culture. The weakness of the legal substance aspect is that Law No. 23 of 2002 concerning Child Protection has been amended through Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection, one of which focuses on the aggravation of criminal sanctions against perpetrators of criminal acts against children. The weakness of the legal structure aspect is that law enforcement officials must synergize in providing child protection to victims of bullying, so that every policy to provide protection to children does not overlap authority. The weakness of the legal culture aspect is the weak role of the community so that socialization of roles between elements of society is needed; 3). The reconstruction of legal protection regulations for child victims of bullying with religious psychosocial medical rehabilitation based on the value of justice consists of reconstructing values and norms. The value reconstruction is the regulation of legal protection of child victims of bullying, which was not based on justice, now the regulation of legal protection of child victims of bullying with religious psychosocial medical rehabilitation is based on the value of justice. Norm reconstruction in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection Article 59A, 76 C, Law Number 23 of 2002 concerning Child Protection Article 4.

**KEYWORDS:** Reconstruction, Regulation, Rehabilitation, Bullying

### I. INTRODUCTION

Based on the records of the Indonesian Child Protection Commission (KPAI) in the period of 9 years, from 2011 to 2019, there were 37,381 complaints of violence against children [1]. The principle of legal protection of children must be in accordance with the Convention on the Rights of the Child as ratified by the Government of the Republic of Indonesia with the issuance of Presidential Decree Number 36 of 1990 concerning the Ratification of the Convention on the Rights of the Child. Child protection is one of the efforts to realize child welfare as mandated by Law Number 4 of 1979 concerning Child Welfare, Article 1 paragraph 1 letter a reads "Child Welfare is a system of life and livelihood of children that can ensure their growth and development properly, both spiritually, physically and socially. Law Number 4 of 1979 concerning Child Welfare in the explanation part of the sixth paragraph states "because children, both spiritually, physically and socially, do not yet have the ability to stand alone, it is an obligation for the previous generation to guarantee, maintain and secure the interests of the child". Law Number 4 Year 1979 on Child Welfare Article 2 to Article 8 regulates the rights of children. Criminal law reform must essentially be a manifestation of changes and reforms to the various aspects and policies that underlie it [2].

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Article 18 of Law No. 23/2002 Jo Law No. 35/2014 on Child Protection states that every child who is a victim or perpetrator of a criminal offense is entitled to legal and other assistance. The Law on Juvenile Criminal Justice System explains that children who are victims of criminal acts, hereinafter referred to as child victims, are children who are not yet 18 years old who experience physical, mental, and/or economic losses caused by criminal acts. More specifically, to protect the rights of child victims of crime, related to services and assistance to victims so that their rights are fulfilled, the government issued Regulation of the state minister for Women's Empowerment and Child Protection Number 1 of 2010 concerning Minimum Service System for Integrated Services for Women and Child Victims of Crime. Law Number 35 Year 2014 Article 90 has regulated as referred to in Article 89, Child Victims are entitled to: medical rehabilitation and social rehabilitation efforts, both in institutions and outside institutions, safety guarantees, both physical, mental, and social, ease of obtaining information about the progress of the case. Law No. 23/2003 in Article 4 states that every child has the right to be able to live, grow, develop, and participate reasonably in accordance with the dignity of humanity, and receive protection from violence and discrimination. Legal Aid can be broadly interpreted as an effort to assist the underprivileged in the field of law [3].

From data compiled by the Indonesian Child Protection Commission (KPAI) and the Federation of Indonesian Teachers' Unions (FSGI), bullying cases are still a terror for children in the school environment. From the data, it is known that there were 226 cases of bullying in 2022. Then in 2021 there were 53 cases, and in 2020 there were 119 cases [4]. One of the real cases of criminal bullying was experienced by Bintang, a student at SMA Negeri 1 Semarang, this was revealed by a press conference held by SMA N 1 Semarang. The press conference explained about a student named Bintang who died in the Jatidiri swimming pool in Semarang on January 7, 2018. In the incident, there were irregularities, including the discovery of video recordings and line conversations, there were also photos of Bintang wearing a bra in the fitting room of a mall, a video containing scenes of Bintang being asked to crawl in the mall and walk wearing a mini skirt in Bintang's cell phone. Ultimately, Bintang was found dead after jumping into the Jatidiri swimming pool from the springboard. From this incident, two people with the initials AN and MA were returned to their parents because they were considered violent. Meanwhile, the victim's mother has forgiven the perpetrators, and the school stated that this incident should not be brought to justice [5]. Based on this incident, the victim had experienced criminal bullying that caused death, by being told to jump from the swimming pool diving board, criminal bullying experienced also such as wearing a bra and wearing a mini skirt in a mall, which could damage the victim's psychological development, because he was wearing what should not be worn by a man. This case resulted in the perpetrator being sanctioned to be returned to his parents unilaterally.

The above incident is certainly not the only bullying crime that occurred in Indonesia, as reported in online news, with the resource person for the Commissioner for Education of the Indonesian Child Protection Commission (KPAI), Retno Listyanti revealed that 4 violations of children's rights in the field of education are still dominated by bullying, namely in the form of physical violence, psychological violence and sexual violence. Based on the database, from 2019 to 2020 there were 12 cases with victims of psychological violence and bullying [6]. . Furthermore, it was explained that child victims of physical violence and bullying include children accused of stealing, children bullied by their friends, children bullied by educators and teasing each other in cyberspace, there are also problems of persecution in the real world, children victims of beatings, children victims of beatings, and a number of elementary school students reported by the school to the police.

Psychological trauma of children who are victims of bullying will result in violence that can appear at any time in subconscious memory. Physical and psychological trauma will cause unfavorable conditions and lead to different responses to certain conditions. The psychological trauma of physical and psychological violence perpetrated by society against children is usually different and changes according to the times. The above problems require a trauma healing process that seeks to internalize anti-violence values to children who are victims of bullying. The goal is to eliminate the trauma of violence and eliminate negative stigma through value transformation, value transaction and internalization.

Based on the thoughts and descriptions above, the author is interested in conducting research with the title " Reconstruction of Legal Protection Regulations for Child Victims of Bullying with Religious Psychosocial Medical Rehabilitation Based on the Value of Justice".

## **II. RESEARCH METHODS**

In this research the author uses the positivism paradigm, a paradigm that views that legal science only deals with laws and regulations. Law as something that must be applied and is more likely not to question the value of justice and its usefulness to society. The study of law and its enforcement only revolves around what is right and what is not right, what is wrong and what is not wrong and other forms that are more prescriptive.

The type of research used in completing this dissertation is descriptive analytical juridical research method, which is research conducted by examining library materials (secondary data) or library legal research [7], then described in the analysis and discussion. The research approach used in this research is sociological legal research or commonly called sociological juridical research. In this research, law is conceptualized as an empirical symptom that can be observed in real life.

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The types of data used are primary and secondary data. To obtain primary data, researchers refer to data or facts and legal cases obtained directly through research in the field including information from respondents related to the object of research and practices that can be seen and related to the object of research. This secondary data is useful as a theoretical basis to underlie the analysis of the main issues in this study.

### **III. DISCUSSION**

#### ***A. Regulation of Legal Protection for Child Victims of Bullying with Psychosocial Rehabilitation is Not Yet Based on the Value of Justice***

Law enforcement is a process of activities or activities, one of which is carried out by law enforcers (POLRI / PPNS Investigators, Prosecutors and Judges) [8]. Considering that one type of bullying is physical bullying, therefore this article makes a protection article for children to avoid criminal acts of bullying and if it is not explained about the violence intended in this article, it tends to produce a definition of violence that uses physical violence, repeated physical violence can be recognized by the presence of scars, but not always physical bullying only causes injuries, physical bullying can also cause psychological impacts such as trauma or even if violence in the learning environment, it will cause the victim to decide not to come to school and be more closed. Based on the process of resolving bullying or bullying can also be done with a mediation process, the victim and the perpetrator must be accompanied by parents or guardians, community supervisors (PK), and professional social workers, however, the application or implementation of the diversion process cannot be for all children who commit or all types of criminal acts committed by children, so that investigators in conducting diversion must consider the category of criminal acts and the age of the child [9].

Children are a gift from God and are the next generation of the nation, determining the future of a nation. The good and bad of a nation is determined from how to educate it, and the surrounding environment. Therefore, children must always be protected and fulfill their rights such as child protection rights so that children can avoid violence and bullying that always surrounds them. Violence and bullying are still considered normal at the early childhood education unit level so that the handling is still not optimal. Some cases of violence and bullying at the early childhood education unit level are when children snatch their friend's food, and do not want to be friends with a child for no apparent reason. One example of bullying in the PAUD environment includes when in a class there is a child with special needs, but when he wants to socialize playing with his friends no one wants to and the child is avoided by his friends for unclear reasons. With these cases, sensitivity and knowledge about handling violence and bullying in early childhood is needed.

The crime of bullying is not a new crime in society, abroad the crime of bullying has been known for a long time, even bullying does not recognize the limits of age, education, or gender. Bullying is also often considered a joke when someone tries to make a joke, but it is the joke that usually hurts because it is often related to someone who looks "different" from others.

Protecting children from being exposed to pornography, bullying, and other crimes through the surrounding environment and cyber-based is also a separate job for the government environment. Another preventive measure that can be taken to anticipate bullying is to apply positive and democratic parenting patterns. Positive and democratic parenting patterns will have an impact on the psychological condition of children, so that children will feel comfortable and safe when in their environment. In addition, conditioning a child-friendly culture from an early age is also an effort to anticipate bullying in the surrounding environment. In addition to preventive action against bullying, curative action also needs to be taken on victims of bullying, one of which is through therapy that is carried out intensively to eliminate trauma in victims of bullying. A personal approach to children who are victims of bullying needs to be done to eliminate the trauma that exists in them. A personal approach is carried out by prioritizing compassion so that victims of bullying can feel safe and comfortable to tell what has happened before. Advocacy also needs to be implemented to prevent bullying behaviour from recurring with different victims. Individual is one of the factors that cause bullying. The individual factor is one of the factors that comes from the individual's experience as a victim of bullying so that it can lead to revenge to carry out acts of bullying against parties who are considered weaker than themselves.

The regulation of legal protection of child victims of bullying with religious psychosocial medical rehabilitation has not been based on the value of justice that the law should play a role in providing legal certainty to children who are victims of bullying, with legal provisions, this can provide protection for both parties, both perpetrators and victims, with the aim of obtaining appropriate justice which can be interpreted that the victim is protected and gets legal certainty, on the other hand, the perpetrator gets the appropriate sanctions for his actions but is still guaranteed his human rights while serving the sentence determined for his actions [10]. Related to the legal protection of children, in addition to law enforcement efforts, the role of the House of Representatives (DPR) is needed in conducting more intensive supervision of the implementation of the Law and various government policies related to child protection, especially victims who receive the impact of bullying.

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### ***B. Weaknesses of Current Regulations on Legal Protection of Child Victims of Bullying with Psychosocial Rehabilitation***

#### **a. Weaknesses of Legal Substance**

The weakness of the legal substance aspect is that Law No. 23/2002 on Child Protection has been amended through Law No. 35/2014 on the Amendment to Law No. 23/2002 on Child Protection, one of which focuses on the aggravation of criminal sanctions against perpetrators of criminal acts against children. However, the changes to the law have not significantly reduced the level of violence, especially victims of bullying against children.

#### **b. Weaknesses of Legal Structure**

The weakness of the legal structure aspect is that law enforcement officials must work together in providing child protection for victims of bullying, so that every policy to provide protection to children does not overlap authority.

#### **c. Weaknesses of Legal Culture**

The weakness of the legal culture aspect is the weak role of the community so that socialization of roles between elements of society is needed. The need for cooperation between the family, the school, and the government to eradicate the criminal act of bullying. The role of parents is needed in instilling values and norms not to commit all forms of bullying, both violent and verbal.

### ***C. Reconstruction of Legal Protection Regulations for Child Victims of Bullying with Religious Psychosocial Medical Rehabilitation Based on the Value of Justice***

#### **a. A Foreign Country Review of the regulation of legal protection for child victims of bullying.**

##### **1) America**

Twenty-seven states in the United States set the age limit between 8 (eight) years and 17 (seventeen) years, while other states set the age limit between 8 (eight) years and 16 (sixteen) years. In the United Kingdom, the age limit is set between 12 (twelve) years and 16 (sixteen) years. In Australia, most states set the age limit between 8 (eight) years and 16 (sixteen) years. In the Netherlands, the age limit is between 12 (twelve) years and 18 (eighteen) years. In the United States itself, where children can be convicted with an age of at least 8 (eight) years to 17 (seventeen) years and when viewed from Law Number 3 of 1997 concerning Juvenile Courts, children who violate the law can face the law and can be submitted to a juvenile court, Therefore, the author disagrees with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System which clearly states that children under 12 (twelve) years of age who are in conflict with the law and the impact of crimes that are so great are only decided to be returned to parents / guardians, there needs to be special arrangements for children in conflict with the law under 12 (twelve) years of age, so that they can still be sentenced to criminal punishment in accordance with the impact of the actions caused by the child perpetrator on the victim (child).

Currently 160,000 school-aged children would rather stay at home every day than go to school and be bullied. About 1 in 3 school children are victims of bullying at school, and more than 60% of children have witnessed bullying but could not do anything about it. This number is so large due to many factors. Anti-bullying laws are in place in 44 states, and the existence of the Office of Civil Rights is publicized. Disney star - Demi Lovato - who was a victim of bullying during her school days, was engaged to socialize the urgency of this bullying case.

In the United States bullying does not receive as much attention as in Japan because it is often lumped in with other forms of violence that are common in schools. Research looking at 4092 students aged 10-12 from 20 junior high schools in Portugal showed that males from low socioeconomic backgrounds were more likely to be bullied.

In 2004, the United States National Mental Health and Education Center obtained data showing that between 15% and 30% of students are victims of bullies and victims of bullies. Bullying is a form of violence that usually occurs in a social setting. In a victimological survey, the victim is also at fault. The victim still plays a role in the occurrence of a crime, although his role is not as expected. active as a perpetrator. In fact, since there are criminals, there must be. Most importantly, victims are also functionally responsible for a crime.

Schools in the US also implement several learning programs to build emotional and social skills, as reported by the journal page entitled "Anti-bullying programs in the United States: What works and what doesn't?" written by Dorothy L Espelage et al from the American Psychological Association (APA) PsycNet page. The US government has also created antibullying laws, one of which applies in the state of Utah. The law is used as a foundation for bullying prevention, not only in schools but also in out-of-school environments.

##### **2) Japan**

Japan will severely punish perpetrators of cyber-bullying on social media. They will be subject to imprisonment of up to one year. This penalty is an increase from what existed previously. The crime, called 'insult', is punishable by a maximum detention of less than 30 days or a fine of less than 10,000 yen.

The new rules will come into effect this summer. In addition to the prison sentence, the maximum fine has been increased to 300,000 yen. In addition, the statute of limitations for prosecution has also been increased. From the previous one year to three



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years. Although the rule covers insults committed offline, they are less likely to be subject to harsher penalties. Senior partner of law firm Atsumi & Sakai said the reason is because the insults are disseminated to fewer people.

Japan has been concerned about cyber bullying since 2020. At that time, Hana Kimura, who was known as a 33-year-old professional wrestler, died by suicide after being harassed online.

Bullying in Japan is often referred to as "ijime". According to Japan's Ministry of Education, Culture, Sports, Science and Technology (MEXT), ijime is understood as a student's action against another student that causes physical or psychological harm.

Reporting from the Savvy Tokyo website, as an effort to prevent ijime, in 2013 the Japanese government passed a law promoting ijime prevention methods that requires schools to take steps to prevent ijime from an early age. This law was triggered by a 2nd grade junior high school student who was also a victim of severe bullying, committing suicide in 2011, as reported by the Mainichi website. The law encourages school antibullying task forces consisting of teachers and staff in each school to detect and prevent bullying quickly. For example, if a student quits school or has suicidal symptoms due to bullying, the law requires the task force to immediately investigate and consider it a 'serious situation' and find out the facts. In addition, Japan also provides services to report acts of ijime, such as the Tokyo Metropolitan Education Consultation Center in Japanese and English for 24 hours, TELL Lifeline, and Japan Helpline which also operates 24 hours.

### 3) Malaysia

In Malaysia, the issue of children's rights is set out in the Children's Act 2001 (Act 611) [11]. The children protected under this 2001 act consist of:

- a) children who are nurtured and protected,
- b) children in need of protection and restoration,
- c) trafficking and running away of children,
- d) children who have committed a criminal offense,
- e) unescorted children.

#### 1. Children in Need of Care and Protection

In Section 17 (1) of the 2001 Act provides an understanding that children who need care and protection are those who suffer physically, mentally, neglected, children who behave badly, children whose parents experience divorce as well as children of beggars and hawkers [12].

#### 2. Children in Need of Protection and Recovery

Section 38 (1) of the 2001 Act defines this class as those who engage in promiscuous sex acts, or those who are in an environment that leads to such acts, live in or frequent brothels, or those who are under the control of brothel operators. In addition to this group, section 42 of the 2001 Act also lists children who are bought to be brought into or out of Malaysia for the purpose of prostitution as children who also require protection and remedy [13].

#### 3. Trafficking and Runaway Children

Section 48 of the 2001 Act lists children who are victims of trafficking within or outside Malaysia as those who must be protected, as well as children who are hidden by one of the children's mothers or fathers or caregivers who do not have legal custody [14].

#### 4. Children who Make Mistakes

Jinayah Children may be criminalized but it requires that the court for children must be in control except for crimes that carry the death penalty.

#### 5. Unaccompanied Children

In the 2001 Act there is no explanation of the meaning of unaccompanied children, but in section 46 (1) of the 2001 Act it can be concluded that children are said to be unaccompanied if the mother and father or the person who is taking care of them makes a written declaration to the court that he is unable to take care of them, then the children are taken care of by the State.

For children's rights to be protected and fulfilled, there needs to be cooperation between parents or families, the community and of course the State. This is also regulated in the 2001 Act on Children.

##### 1. Parental or Family Responsibility.

The increasing complexity of social problems in society is certainly influenced by disharmony within the family. The 2001 Act calls for the important role of parents in addressing these problems. The Act emphasizes the responsibility of parents and families, especially when children are facing problems. In addition to parents, namely mothers and fathers and their families, the Act also defines family as people who are related to that person by blood, marriage or adoption [15].

##### 2. The role of professors

The 2001 Act also introduced educational institutions in helping children in trouble, the Court allows parents or caregivers to consult with educational institutions once a month. The Court must ensure that the meeting is conducted in accordance

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with the rules aimed at helping the child. In addition to informing parents or caregivers about the child's achievements and problems faced by the child and giving advice on resolving these problems, these meetings must be carried out seriously and not just as a formality [16].

### 3. The Role of Media

In Malaysia the court for children is a closed court, to ensure this is met, news and media broadcasting about children is not allowed to be broadcast, this rule was included in the 2001 Act to ensure the rights of children are better preserved [17].

### 4. Protective Institution

As a person working in this institution, he/she will be responsible for children in need of care and protection (Section 18 of the 2001 Act). If he/she finds a child in need of care and protection, he/she must immediately bring the child to the court. If the protective institution thinks the child should be taken into care, it must do so immediately. The protective institution is also required to provide a report on the children which the court will consider before making a decision (Section 30(6) of the 2001 Act) [18].

### 5. Community Benevolent Officer

A person who works in a community benevolent institution is called a moral officer (Section 10 of the 2001 Act). He or she is in charge of providing behavioral reports when necessary and is also in charge of supervising children (Seksyen 1 and 2 of the 2001 Act). In terms of supervising children, the moral officer must visit, advise and act as a friend to the children (Section 47 (1) (a) (b) of the 2001 Act). This role requires a long period of time to get to know and gain the trust of the children under their supervision [19].

### 6. Policy

The police are in charge of taking in children in need of care who are then cared for and protected and then handed over to protective institutions (Section 19 (5) of the 2001 Act). Children who commit criminal offenses are subject to arrest by the police and brought before the court (Section 84 (1) of the 2001 Act). While in custody, the police must ensure that these children are secluded from adults both before and after being brought before the court (Section 85 (a) of the 2001 Act). In addition, the police need to inform the protective agency, parents or caregivers that the child has been arrested for committing a crime (Section 87 (a) of the 2001 Act). This is to make it easier for the protector to prepare the necessary reports. The role of the police is to assist public benevolent officers in protecting children, especially when they need care and protection. Especially in cases of trafficking and runaway children (Section 53 (3) (a) to (d) of the 2001 Act) [20].

## b. Reconstructing the Value of Legal Protection Regulations for Child Victims of Bullying with Religious Psychosocial Medical Rehabilitation Based on the Value of Justice.

The value reconstruction to be achieved in this study is that the regulation of legal protection for child victims of bullying, which was not based on justice, is now based on the value of justice.

## c. Reconstruction of Legal Protection Norms for Child Victims of Bullying with Religious Psychosocial Medical Rehabilitation Based on the Value of Justice.

Children are an integral part of human survival and the sustainability of a nation and state. In order to be able to be responsible for the sustainability of the nation and state, every child needs to receive the widest possible protection and opportunity to grow and develop optimally physically, mentally and socially. For this reason, protection efforts need to be made to realize the welfare of children by providing guarantees for the fulfillment of their rights without discriminatory treatment.

Based on the description above, the reconstruction of legal protection regulations for child victims of bullying with religious psychosocial medical rehabilitation based on the value of justice is carried out as follows:

**Table 5.1. Reconstruction of Legal Protection Regulations for Child Victims of Bullying with Religious Psychosocial Medical Rehabilitation Based on the Value of Justice**

No.	Construction	Weaknesses	Reconstruction
1	Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on Child Protection Article 76 C Every person is prohibited from placing, allowing, committing, ordering to commit, or participating in violence against a Child.	Still general and not specific	Reconstruction of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection Article 76 C by adding a sentence at the end with the phrase "basic physically or verbally". So, it reads: Article 76C

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			Every person is prohibited from placing, allowing, committing, ordering to commit, or participating in violence against children both physically and verbally.
2	Law Number 23 of 2002 concerning Child Protection Article 4 Every child has the right to be able to live, grow, develop, and participate reasonably in accordance with the dignity of humanity, and to receive protection from violence and discrimination.	Not yet based on the value of justice	Reconstruction of Law Number 23 of 2002 concerning Child Protection Article 4 by adding a sentence at the end of the article, so that it reads. Article 4 Every child has the right to be able to live, grow, develop, and participate reasonably in accordance with the dignity of humanity, and receive protection from violence and discrimination based on the value of justice.
3	Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on Child Protection Article 59 A Letter b Special protection for children as referred to in Article 59 Paragraph (1) is carried out through efforts: Psychosocial assistance during treatment and recovery.	Special protection for children is carried out through religious psychosocial rehabilitation assistance efforts.	Reconstruction of Law Number 35 of 2014 Concerning the Amendment to Law Number 23 of 2002 Concerning Child Protection Article 59 A in Letter b by inserting the sentence religious psychosocial medical rehabilitation, so that it reads. Article 59 A Letter b Special protection for children as referred to in Article 59 Paragraph (1) is carried out through efforts: b. Religious psychosocial medical rehabilitation assistance during treatment and recovery.

### CONCLUSIONS

The regulation of legal protection of child victims of bullying with psychosocial rehabilitation has not been just that the regulation of legal protection of child victims of bullying with psychosocial rehabilitation has not been based on the value of justice that the law should play a role in providing legal certainty to children who are victims of bullying, with legal provisions, this can provide protection to both parties, both perpetrators and victims, with the aim of obtaining appropriate justice which can be interpreted that the victim is protected and gets legal certainty, on the other hand, the perpetrator gets the appropriate sanctions for his actions but is still guaranteed his human rights while serving the sentence determined for his actions. The weaknesses of legal protection regulations for child victims of bullying with psychosocial rehabilitation currently consist of aspects of legal substance, legal structure and legal culture. The weakness of the legal substance aspect is that Law Number 23 of 2002 concerning Child Protection has been amended through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, one of which focuses on aggravating criminal sanctions against perpetrators of criminal acts against children. However, the amendment to the law has not significantly reduced the level of violence, especially victims of bullying against children. The weakness of the legal structure aspect is that law enforcement officials must synergize in providing child protection against victims of bullying, so that every policy in an effort to provide protection to children does not overlap authority. The weakness of the legal culture aspect is the weak role of the community so that socialization of roles between elements of society is needed. The need for cooperation between the family, the school, and the government to eradicate the crime of bullying. The role of parents is needed in instilling values and norms not to commit all forms of bullying, both violent and verbal. The reconstruction of legal protection regulations for child victims of bullying with religious psychosocial medical rehabilitation based

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on the value of justice consists of value reconstruction and norm reconstruction. The value reconstruction to be achieved in this study is that the regulation of legal protection for child victims of bullying, which was not based on justice, is now the regulation of legal protection for child victims of bullying with religious psychosocial medical rehabilitation based on the value of justice. Reconstruction of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection Article 76 C by adding a sentence at the end with the phrase "basic physically or verbally", Reconstruction of Law Number 23 of 2002 concerning Child Protection Article 4 by adding a sentence at the end of the article, Reconstruction of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

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