

CRIMINAL LAW POLICY AGAINST MINORS WHO ARE BULLYING PERPETRATORS IN THE CENTRAL KALIMANTAN REGIONAL POLICE

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Abstract

This study aims to understand how criminal law policies are applied to minors who become perpetrators of bullying in the jurisdiction of the Central Kalimantan Regional Police. Using an empirical legal approach, this study examines the application of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA), particularly in the context of restorative justice. The research was conducted through literature review, interviews with police officers, and a review of juvenile case decision documents. The results indicate that juveniles as perpetrators of bullying cannot be treated the same as adults, because psychologically and socially, children are still in the development process. Therefore, resolving cases through diversion or mediation is a more appropriate option to create a sense of justice for all parties. In many cases, the police act not only as law enforcers but also as facilitators in the mediation process between the juvenile perpetrator and the victim, involving parents, schools, and counselors from the Child Protection Agency (BAPAS). However, the restorative approach cannot be applied arbitrarily because there are formal and material requirements that must be met. In addition, challenges faced by the police include a lack of evidence, victims' reluctance to speak out, and delays in reporting. To address these challenges, synergy between schools, families, and the community is needed so that the resolution process doesn't stop at mediation but also results in sustainable behavioral changes in children. This study recommends strengthening training for police officers, providing prevention education in schools, and optimizing the role of families in developing children's character to prevent future bullying.

Keywords: *Children, Bullying, Restorative Justice*

INTRODUCTION

Children are a gift and a trust from God Almighty who must always be guarded and protected because within them are the dignity, honor, and rights as human beings that must be upheld. Children's human rights are part of the human rights contained in the 1945 Constitution and the United Nations Convention on the Rights of the Child. Children are a portrait of the nation's future, the next generation of the nation's ideals who have the right to receive guidance and protection in order to support the balanced growth and development of children's physical, mental, and social.¹ Indonesia is a country governed by law and recognizes human rights. When a child is born, they grow and develop within a family environment. They frequently interact with family members, including their parents. During this phase, children begin to absorb the moral values instilled in them by their parents. Over time, an individual's socialization expands, and they begin to socialize with others. This, in turn, increases their social standing. If the moral values taught by their parents are properly absorbed, a person's social standing can improve. This is because a person develops from one stage to the next without neglecting the wisdom gained from the previous stage.²

¹Aulia Fatin Nur Hasanah and Taun, "Law Enforcement against Perpetrators of Child Bullying in the World of Education," *Istinbath: Jurnal Hukum* 20, no. 1 (2023): 233–239, <https://doi.org/10.32332/istinbath.v20i1.6610>.

²Rohma, Na'is Natmisatur, and Nurdiana Octavia Sari. 2023. "Accountability for Perpetrators of Bullying Crimes". *YUDHISTIRA: Journal of Jurisprudence, Law and Justice* 1 (4): 5-10. <https://doi.org/10.59966/yudhistira.v1i4.1073>.

Children have a role and have special characteristics and characteristics, so that guidance and protection are needed in order to ensure balanced physical, mental and social growth and development.³ Educational factors certainly play a significant role in the behavioral patterns of minors, and as a preventative measure, schools must pay serious attention to preventing violence against children. Cases of violence against children, such as bullying, continue to occur in educational institutions, from elementary school to junior high school, vocational school, and similar settings. Both girls and boys are at risk in the school environment.⁴ Along with the growth and needs of a child for education, a school is an educational institution that has the duty and function to provide learning to students and/or pupils as education participants. The definition of a school in Law Number 20 of 2003 concerning the National Education System in Article 1 Number 10 is stated as an educational unit, namely a group of educational services that organizes education on formal, non-formal, and informal paths at every level and type of education. The process of organizing education in schools will not be separated from the role of educators (teachers), educational staff (administration), and students (pupils).⁵

However, it cannot be denied that, although schools should be places of learning and protection, bullying often occurs in schools. Bullies intimidate or taunt their peers, causing them to become irritated. Cases of violence against children seem to receive endless attention in national media. This latent problem, spread as a "negative culture" in today's society, has often reached the point of being unreasonable. Bullying continues to be endemic among children, especially in educational settings, in places that should be safe, comfortable, and protected. It has even resulted in the deaths of some radicals. A more severe impact is that victims of bullying can experience depression and even suicidal thoughts. A survey conducted by the Indonesian Child Protection Commission (KPAI) in nine provinces involving more than 1,000 students from elementary, junior high, and senior high schools (SMP/MTs), showed that 87.6% of students admitted to experiencing violence. This included both physical and psychological violence, such as being pulled by the wrist, hit, yelled at, insulted, stigmatized, and even injured with sharp objects. Conversely, 78.3% of children also admitted to having experienced acts of violence ranging from mild to severe, such as insults and teasing, both directly and verbally, or through social media.⁶

Currently, many bullying cases have been resolved through restorative justice. As stipulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), this resolution emphasizes restoring relationships between the perpetrator, victim, and community through mediation involving all relevant parties.⁷ In this approach, the settlement process is conducted outside the court, emphasizing the perpetrator's responsibility for their actions, reparation for the victim's losses, and reconciliation between both parties to avoid social stigma and support the child's reintegration into society. The goal is not simply to punish, but rather to create comprehensive justice for both the victim and the perpetrator for the well-being of the child and the wider community. This is done to restore the community to a better condition, not only by punishing the perpetrator but also by fostering social responsibility and preventing stigmatization and exclusion of the perpetrator from their social environment.⁸ In 2019, the North Jakarta District Court issued Decision No. 33/Pid.Sus.Anak/2020/PN Jkt.Utr., revealing a case of severe bullying perpetrated by a child and two friends against a victim who was also a minor. The incident occurred in December 2019 and involved serious physical violence, including stone throwing and slashing with a sharp weapon, which resulted in injuries to the victim's body. During the trial, the panel of judges stated that the elements of violence against children had been legally and convincingly proven, and therefore the defendant was sentenced

³Anita and Meidy Triasavira, "Legal Protection for Victims and Perpetrators of Bullying in Schools," *Jurnal Jendela Hukum* 8, no. 2 (September 2021), <https://jurnal.hukumonline.com/a/614f55e822f35e424d1c24db/legal-protection-of-victims-and-perpetrators-of-bullying-practices-in-school-environments/>

⁴Metha, Shaffa. 2023. "CRIMINAL RESPONSIBILITY FOR PHYSICAL BULLYING ACTS BY MINORS". Das Sollen: Journal of Contemporary Studies of Law and Society 1 (02). <https://journal.forikami.com/index.php/dassollen/article/view/294>

⁵Fani Putri Amaliya, Saufitri Komalasari, and Masduki Asbari, "The Role of Islam in Shaping the Millennial Generation's Morals and Character," *Journal of Information Systems and Management (JISMA)* 01, no. 02 (2022): 18–21, <https://jisma.org/index.php/jisma/article/view/10>.

⁶Melista Aulia Nurdina, "Enforcement of Criminal Law Against Perpetrators of Violent Acts" *Bullying in Elementary Schools*, Journal, Lampung: University of Lampung, 2018

⁷Dewi Ervina Suryani et al., Implementation of Restorative Justice in Bullying Cases Perpetrated by Children (Case Study of the Medan City Police), *Journal of Legal Interpretation* 4, no. 3 (2023): 308–315, <https://doi.org/10.55637/juinhum.4.3.7391.308-315>

⁸Anis Widyawati, "Restorative Justice Approach as an Effort to Resolve School Bullying," *Yustisia* 90 (2014): 34, <https://doi.org/10.20961/yustisia.v0i90.29274>

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to one year and six months in prison and required to undergo three months of job training. Although the defendant was a child, the judges considered that the actions caused public unrest and there was no justification or excuse. This decision reflects the firm application of the law against child perpetrators, while still taking into account the principles of restorative justice and the need for guidance.⁹ Most recently in 2024, in one of the cases of violence committed by children, namely Decision Number 12/Pid.Sus-Anak/2020/PN Mnd for the perpetrator with the initials MRM who was found guilty based on Article 80 paragraph (1) in conjunction with Article 76C of Law Number 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection. Article 76C states the prohibition for anyone to commit violence against children, while Article 80 paragraph (1) regulates criminal sanctions for violations of this prohibition, namely a maximum imprisonment of 3 years and 6 months and/or a fine of up to IDR 72 million, because it is legally certain that physical violence has been committed that causes injury to the victim, and is subject to a prison sentence of 5 months and a fine of IDR 9 million. In this case, the panel of judges decided on the form of sanctions in the form of guidance at the Special Child Guidance Institution (LPKA) for six months. This decision was made by considering the child's age, psychological condition, and considerations from the Correctional Center (BAPAS). The judge prioritized the principle of restorative justice and referred to Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA), which emphasizes that every child in conflict with the law must receive different treatment from adults and should be given priority for guidance rather than repressive punishment.¹⁰

Despite efforts to resolve cases through restorative justice, bullying still occurs frequently in schools. The Indonesian Teachers' Union Federation (FSGI) has released data on bullying cases in schools in 2023. From January to September, 23 cases of bullying were recorded. Of these 23 cases, 50% occurred at the junior high school level, 23% at the elementary school level, 13.5% at the high school level, and 13.5% at the vocational high school level. Most cases occurred at the junior high school level and were perpetrated by fellow students and educators. Therefore, to prevent immoral acts, character development is needed for Indonesia's young generation from an early age by implementing and prioritizing moral responsibility.¹¹ The city of Palangka Raya, Central Kalimantan, is also not immune to bullying behavior or bullying of minors. Such as the case that occurred at one of the private junior high schools in the city of Palangka Raya which has a boarding school system. This bullying case was experienced by the victim, an 8th grade student, and occurred at the victim's home and was recorded by the perpetrator's friend for 1 minute and 15 seconds which then went viral on social media. In the video, the victim is shown initially sitting on a chair in the living room when approached by his friend and immediately hit the victim in the face. The bullying action then continued with the perpetrator kicking and pulling him until he fell to the floor until the victim screamed in pain. The abuse continued when the victim sat back on the chair. When confirmed, the Principal of the Private School, with the initials RR, said that the case has now been resolved after mediation between the victim's parents and the perpetrator and ended peacefully. Meanwhile, one of the teachers at the private junior high school, with the initials FH, revealed that the abuse occurred outside of school hours, namely during a long holiday some time ago. Even though it was outside school hours, his party had facilitated and mediated between the victim's parents and the perpetrator as well as the victim and the perpetrator.

Meanwhile, Widya Kumala, Head of the Central Kalimantan Women and Children Protection Task Force (PPA), expressed her regret over the violence. She added that such a heinous act cannot be justified under any circumstances, especially given that both the victim and perpetrator are minors. A wiser approach would be to conduct further mediation to find the best solution for the children involved. The video's virality could also impact children psychologically; the more it goes viral, the more mental stress they could experience. Parents should focus on improving the mental health of both victims and perpetrators, to prevent similar incidents from recurring. As law enforcers, the police are at the forefront of preventing and resolving cases of violations of the law, including bullying. While many believe that mediation does not necessarily involve criminal proceedings, the reality is that as law enforcers, the police cannot simply ignore cases of legal violations. The police play a crucial role in handling bullying cases, from receiving reports and investigating them, to bringing perpetrators to justice, including children.

⁹Ardiansyah Putra, Warasman Marbun, and Ali Johardi Wirogioto, Restorative Justice in Efforts to Hold Children Criminally Accountable as Bullying Perpetrators, *Sigli Social Humanities Journal* 7, no. 1 (June 2024): 283–290.

¹⁰Nadia Putri Eliza Rosadi, Analysis of Judges' Decisions on Acts of Violence Committed by Children based on Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Thesis, Syarif Hidayatullah State Islamic University Jakarta, 2020), 45–46.

¹¹Zefanya Amarya Christy, Rikman Unter, and Doddy Hendro Wibowo, "I Am an Anti-Bullying Student': Psychoeducational Services to Prevent Bullying in Schools," *Magistrorum Et Scholarium: Jurnal Pengabdian Masyarakat* 2, no. 3 (2022): 429–39.

They are also involved in prevention through education and collaboration with schools and parents. Challenges include weak evidence, perpetrator silence, and victims' reluctance to speak out. Solutions include streamlined reporting, officer training, restorative approaches, and cross-sector collaboration.¹² This study aims to determine the process of resolving bullying cases when the violation of the law by a child reaches the criminal realm. This study attempts to analyze and examine how police in Central Kalimantan, as law enforcers, deal with and resolve bullying-related cases involving minors. This research is expected to provide an overview of how bullying cases are resolved and the criteria that determine whether a case is appropriate for restorative or criminal resolution.

Research methods

This study uses an empirical legal method, an approach aimed at understanding how criminal law policies against minors who bully are actually implemented in the Central Kalimantan Regional Police. Through this approach, researchers explore the application of legal regulations related to the crime of child bullying by gathering data from field practices, interviews with law enforcement officers, and reviewing concrete cases that have been handled. This method was chosen to examine the alignment between written legal norms and their implementation, as well as the obstacles and strategies faced by police officers in handling cases of bullying by minors.

Research result

1. The Urgency of Special Legal Protection for Child Perpetrators and Victims of Bullying

Children are individuals who are still in the physical, mental, and emotional developmental stages. In the Indonesian legal context, a person is categorized as a child if they are under 18 years of age, as stipulated in Law Number 23 of 2002 concerning Child Protection. This provision not only sets an age limit but also emphasizes that children are legal subjects entitled to special treatment within the national legal system. Children are not yet mature in their thinking and actions, so they do not fully understand the consequences of their actions, including when they become perpetrators of violence such as bullying. Therefore, an approach that takes into account their limitations is needed to prevent them from being trapped in a repressive criminal system that does not provide opportunities for healthy growth and development. Bullying not only physically injures the victim but can also damage the psychological well-being of both the perpetrator and the victim. From the victim's perspective, bullying causes long-term trauma that impacts social, emotional, and even academic life. Impacts such as anxiety, depression, difficulty establishing social relationships, sleep disturbances, and even self-harm are often experienced by children who are targets of violence. Meanwhile, perpetrators of bullying are also at risk of becoming trapped in deviant behavioral patterns if not promptly and appropriately addressed. In many cases, their actions do not emerge suddenly, but are rooted in a lack of attention, harsh parenting, or a social environment that is permissive of violence. Therefore, handling such cases must address the child's humanity, not simply uphold justice through punishment.

The Juvenile Criminal Justice System Law (UU SPPA) exists to provide a solution to this complexity. Through this law, the state provides differentiated treatment for children in conflict with the law, whether as perpetrators or victims. Law enforcement for children is no longer solely oriented towards punishment, but rather focuses on guidance and rehabilitation. This approach creates space for children to admit mistakes, improve their behavior, and be accepted back into their social environment. In practice, law enforcement officials, including the police, are required to pay attention to the psychological aspects of children, ensure their safety during the legal process, and ensure that all decisions made support optimal child development. *Restorative justice* is one of the most widely used approaches to resolving child bullying cases. This approach emphasizes restoring the relationship between the perpetrator and the victim and repairing the damage caused by the violence. In this mechanism, the child perpetrator is not immediately sentenced to prison but is guided to understand the consequences of their actions. The mediation process between the perpetrator and victim, facilitated by the police, provides a space for both parties to express their feelings and hopes. Restorative justice not only aims to reduce conflict but also serves as a learning tool for children to understand empathy and responsibility. Thus, children who have committed mistakes can still have the opportunity to improve themselves and live meaningful lives in the future.

¹²Anggraeni, Neneng, and Zaini Bidaya. "Police Efforts in Handling Violent Crimes Committed by Students (A Study of the Dompu Police's Jurisdiction)." *Civics*, vol. 6, no. 1, Mar. 2018, pp. 21-25. p-ISSN 2338-9680 | e-ISSN 2614-509X

Child-friendly criminal law policies also aim to prevent stigmatization of juvenile offenders. When children are labeled as criminals without any opportunity for development, their potential to change for the better is eroded. In many cases, this labeling actually exacerbates children's behavior because they lose the trust of society. Furthermore, victims of bullying should not be ignored. They need support, psychological recovery, and assurance that the perpetrators are being treated in a way that encourages change, not simply repressive punishment. Both parties deserve fair treatment, not only within the legal framework but also within a social and humanitarian context. Interviews with police officers in Central Kalimantan revealed that children involved in bullying often come from unsupportive family backgrounds. The absence of values such as honesty, empathy, and self-control within the family environment also triggers deviant behavior. This emphasizes that legal action alone is insufficient without the active involvement of families and communities. When families are involved in the resolution process, both as victims and perpetrators, child development becomes more comprehensive and sustainable. This also encourages the social environment to become part of the solution, rather than simply observing or judging.

Social media also complicates the resolution of bullying cases. In some cases, the spread of videos or information about acts of violence actually increases the mental stress for both victims and perpetrators. The viral nature of an incident can lead to children feeling publicly humiliated, ultimately complicating their psychological recovery process. Therefore, legal protection must also include safeguarding children's personal data and reputations. Wise use of social media, along with regulations that protect children from the spread of harmful content, are part of the effort to create a more humane criminal justice system. By using an empirical approach in legal research, the effectiveness of criminal justice policies regarding children can be concretely evaluated. Collecting direct data from the field, such as interviews with law enforcement officials, provides a deeper understanding of the gap between legal norms and practice. This allows for identification of various obstacles, such as late reporting, lack of physical evidence, and difficulties obtaining post-mortem examinations in older cases. This data can serve as the basis for reformulating criminal justice policies regarding children, prioritizing not only formal procedures but also addressing the developmental needs of children involved in criminal cases. This way, the juvenile criminal justice system can truly become a learning environment, not merely a punishment.

2. The Role of Schools, Families, and Communities in Preventing Bullying

School is a place where children spend most of their time learning and interacting with peers. In this process, social interactions don't always run smoothly. Competition, differences in background, and unstable emotional dynamics can cause friction between students. When these conflicts are not managed properly, bullying behavior can emerge, whether verbal, physical, or social. Therefore, schools serve not only as providers of formal education but also as environments that encourage character development and monitor students' social behavior. Teachers, educational staff, and the implemented disciplinary systems need to be designed to respond to these situations quickly and appropriately. Teacher supervision of student activities at school is a key factor in preventing bullying. Lack of attention to the dynamics occurring in the classroom, on the school grounds, or even online, connected to school activities, can provide opportunities for perpetrators to carry out their actions without detection. Teachers serve not only as instructors but also as observers and moral educators who must be able to read social cues among their students. When teachers are able to establish open communication with students, it becomes easier for students to express complaints or share negative experiences they have experienced or witnessed.

The family is the primary foundation for a child's character development. Interviews with law enforcement officials revealed that values such as empathy, honesty, and self-control are largely formed at home. Children who grow up in environments that provide positive role models, with healthy communication between parents and children, are less likely to become perpetrators or victims of bullying. However, it is not uncommon for children who become perpetrators of violence in schools to come from families experiencing conflict, domestic violence, or authoritarian parenting styles lacking in affection. These conditions demonstrate that family involvement in a child's education cannot be limited to academic matters alone. Parents need to be involved in school activities, especially in programs related to character building and violence prevention. When schools are able to build close partnerships with parents, deviant behavior can be detected more quickly. For example, parents can be given space to share their observations at home, while teachers report on their children's progress at school. This two-way communication forms the basis for a shared understanding that children's education is a shared responsibility, not just the

responsibility of one institution. This involvement also gives children the impression that all parties care about their well-being. On the other hand, society also has a role in creating a conducive environment for children to grow up without burdensome social pressures. Neighborhoods, community organizations, and local media can be strategic partners in supporting bullying prevention efforts. Activities such as outreach, community forums, or parenting training can be used as a means to spread awareness about the impact of bullying and how to deal with it. When communities are indifferent to social issues around them, tendencies toward deviant behavior, including violence between children, are more easily allowed to develop. Social media, as an integral part of today's children's lives, must also be included in the scope of supervision. Bullying occurs not only in person but also online through abusive comments, hate messages, or the dissemination of damaging personal information. Schools and parents need to share roles in supporting children when using digital technology. Children should be taught about digital ethics and the consequences of their actions online. Furthermore, when cyberbullying occurs, schools and families must be able to handle the situation with a firm approach while still prioritizing the restoration of the child's social relationships.

Collaboration between schools, families, and the community will be a powerful force in creating an environment that prevents violence between children. When all parties recognize that bullying prevention cannot be achieved alone, synergy will emerge from the ground up. Schools, as centers of children's activities, will find it easier to implement anti-bullying policies if supported by parents and the surrounding community. For example, this could include establishing a confidential reporting system for bullying victims, developing character education modules, or involving community leaders in school activities with anti-violence themes. For prevention to be sustainable, it is necessary to build a school culture that instills the values of justice, empathy, and diversity. This program does not have to be formal, but can include strengthening extracurricular activities, developing thematic curricula, or developing internal school rules formulated jointly by students and teachers. When children feel safe, valued, and have the space to express their opinions, the likelihood of bullying can be reduced. Thus, efforts to create a healthy educational environment will be felt in students' daily lives, not just in words.

3. Implementation of Restorative Justice in Handling Cases of Bullying by Children in Central Kalimantan

Restorative justice Restorative justice, or restorative justice, is becoming an increasingly common approach in handling bullying cases involving minors. This approach emerged in response to the shortcomings of the conventional justice system, which often focuses solely on punishment without considering the social and psychological impacts on both the perpetrator and the victim. In the context of children, a harsh punishment system can negatively impact their development and even lead to further trauma. Therefore, a resolution model that aims to improve the relationship between the perpetrator, the victim, and the community is considered more appropriate for addressing social conflicts such as bullying. In Central Kalimantan, this model has been implemented in several cases as part of an effort to avoid stigmatization and provide opportunities for children to correct their mistakes. Decision Number 3/Pid.Sus-Anak/2025/PN Plk from the Palangkaraya District Court stated that the case of the child who committed bullying was resolved through a diversion mechanism.

The agreement was reached on February 24, 2025, and was outlined in the form of a peace agreement between the perpetrator's parents and the victim, which included an apology, a guarantee not to repeat the act, payment of medical expenses, and a promise not to sue each other in the future. The court granted the diversion request because it was in accordance with statutory provisions, and determined the termination of the case examination after the agreement was fully implemented. In interviews with law enforcement officials in Central Kalimantan, it was explained that restorative justice involves the perpetrator, the victim, and the parents of both parties in a mediation process facilitated by the police. This process not only aims to reach a peaceful agreement but also leads to a shared understanding of the impact of the perpetrator's actions. The perpetrator's children are encouraged to recognize that their actions have caused harm to others, while the victim is given space to express their feelings and hopes. Through this direct communication, the perpetrator can more easily develop empathy, while the victim gains emotional healing that is not always possible through traditional court proceedings.

The requirements for a case to be resolved through a restorative approach are not arbitrary. Both formal and material requirements must be met. Formally, all parties involved must agree to pursue an out-of-court resolution. Subsequently, the crime must not have resulted in the victim's death and must not be a repeated act by the same perpetrator. Given these criteria, not all bullying cases can be directly processed through restorative mechanisms; instead, they must be carefully assessed based on the impact and context of the incident. This serves as a filter to prevent the misuse of this approach in serious cases. The implementation of restorative justice also involves consideration by the Correctional Institution (BAPAS), which provides recommendations regarding the child's psychological condition and the likelihood of successful social reintegration. The results of this review serve as a reference for police and schools in determining whether the perpetrator can still be reintegrated into their social environment. In many cases, this approach has been proven to prevent children from receiving harsh punishment and instead opens up opportunities for more constructive reintegration. Children who are given the opportunity to participate in training, social activities, or psychological counseling after the incident show more stable behavioral changes.

The police, as facilitators in mediation, have a complex role. They are not only tasked with mediating between the perpetrator and the victim but also ensuring that the process is fair for all parties. In some cases, police face obstacles such as late reporting, lack of physical evidence, or even victims' reluctance to speak out for fear of repercussions. However, a restorative approach is considered able to overcome these obstacles because it is more participatory. Children are not forced to testify in a stressful formal setting but are instead given a safe space to speak under supervision. In Central Kalimantan, this approach is also supported by the support of schools and community leaders who are actively involved in the child's development. Principals, teachers, and village officials are often involved in mediation sessions and follow-up after a case is resolved. This step aims to prevent children who have fulfilled their responsibilities from being ostracized or negatively labeled by their peers. This social support is crucial for the child's reintegration process, ensuring they maintain a sense of belonging in society and prevent them from repeating the same mistakes in the future. Furthermore, restorative justice can also build collective awareness that resolving children's problems does not always require imprisonment. In many cases, mediation actually provides more tangible results in fostering a sense of social responsibility and restoring the emotional well-being of all parties involved. In areas like Central Kalimantan, which have a strong community character, this approach is gaining traction because it allows for the active involvement of parents, teachers, traditional leaders, and the wider community. Thus, restorative justice serves not only as an alternative legal tool but also as a social bridge in educating the younger generation to better understand the consequences of their actions.

Direct involvement of children in the recovery process through a restorative approach provides space for the development of social sensitivity. When child perpetrators are not only asked to formally admit their mistakes but also to directly hear the feelings and experiences of the victims, this process touches a deeper level than simply written law. Children learn to recognize the real impact of their actions through encounters with the victims and the affected community. This model fosters an understanding that responsibility extends beyond the law to other human beings. In the context of character development, this process becomes a form of contextual and directly experienced moral education. One of the advantages of this resolution model lies in its ability to prevent the cycle of violence from continuing. If the perpetrator is immediately punished without being given understanding and space to make amends socially, there is a possibility that the child will grow up with feelings of resentment, lack of self-confidence, or even isolation. However, if the perpetrator is processed through dialogue and guided to understand their role and impact in an incident, there is a greater chance that the child will be able to voluntarily change their behavior. Furthermore, the victim also receives clarity that the perpetrator is aware of his or her mistakes and will not repeat them. This process reduces the potential for lasting trauma because the victim does not feel ignored or marginalized by the legal system. In many cases in Central Kalimantan, the restorative approach has also transformed public perceptions of violence involving children. People who initially sought harsh punishment, after observing the open mediation process, have instead shown support for child development. This demonstrates that justice for children can be achieved not only through verdicts, but also through a process that builds mutual understanding. The police, as the driving force behind this mechanism, have a significant responsibility to build public trust and demonstrate that resolving children's social problems can be done humanely and have a long-term impact on community life.

4. The Role and Challenges of the Police in Enforcing Criminal Law Against Child Bullies

The police play a very broad role in handling bullying cases involving children as perpetrators. As the spearhead of law enforcement, the police function not only as investigators and inquisitors, but also as facilitators in resolving cases involving minors. In this context, the police's role is not solely to prosecute violations of the law, but also to ensure that the legal process is carried out in accordance with the provisions of the Juvenile Criminal Justice System Law (UU SPPA). Handling children in conflict with the law requires a different approach than the legal process for adults, as it must prioritize aspects of guidance and protection. When receiving a report of a bullying case, the police must first classify the type of violence that occurred. According to informants from the Central Kalimantan Regional Police, bullying is differentiated between physical violence and sexual violence, even if the sexual violence does not involve physical contact. The evidence-gathering process is carried out carefully, especially because it involves children, whether as perpetrators, victims, or witnesses. During this stage, the police must ensure that the investigation is conducted with a child-friendly approach, for example by involving a counselor from the Correctional Center (BAPAS), a psychologist, or other professional. This aims to prevent children from feeling intimidated by the legal process.

One of the challenges facing police in handling child bullying cases is delayed reporting. Many cases are only reported by the victim's parents days or even weeks after the incident. This directly impacts the investigation process because the evidence that could be collected, especially physical evidence, is no longer visible or difficult to substantiate through a post-mortem examination. This situation makes it difficult for police to substantiate their suspicions against the perpetrator. Furthermore, the children involved tend to remain secretive or reluctant to provide information due to social pressure, fear, or unfamiliarity with the legal process. These challenges make the process of establishing evidence more complex and require a flexible approach. Besides technical constraints, another challenge lies in public perception of the police's role in dealing with children. Many parents and teachers believe that police involvement in children's cases will only worsen the situation or increase psychological stress. As a result, some parties choose to resolve bullying cases internally at school or within the family without involving law enforcement. While informal resolution is not inherently wrong, if it is not accompanied by an educational and restorative approach, the perpetrator will not receive adequate learning, and the victim will not feel fully restored. Therefore, the police need to build public trust that their presence is not solely to punish, but also to accompany and provide solutions appropriate to the child's situation.

To address these challenges, police have begun to prioritize a restorative justice approach in handling juvenile cases. In this approach, the police act as facilitators in a mediation process between the perpetrator and the victim, involving both families and the school. This process focuses not on punishment, but rather on raising awareness, social responsibility, and restoring relationships. The police also collaborate with the Child Protection Agency (BPAS) and child rehabilitation institutions to provide alternative treatment options such as coaching, counseling, or job training. These steps demonstrate that the police have adapted their role to align with the principles of pro-juvenile justice. However, the implementation of restorative justice does not always run smoothly. Not all cases meet the formal and material requirements for restorative resolution. In cases that result in serious injury or are committed repeatedly, the police must still pursue criminal proceedings. In such cases, the child perpetrator will be processed according to juvenile criminal law provisions and may be sentenced, although they must still consider the need for guidance. Therefore, the police must be able to sort cases objectively and consider all aspects comprehensively, including psychological, social, and legal aspects. In carrying out their role, the police also face administrative burdens and limited resources. Not all police units have officers trained in handling child cases, let alone those with a thorough understanding of psychosocial and child legal approaches. This means that the handling process does not always align with expectations or the ideal provisions of the Child Protection Act. To address this, regular training, cross-agency collaboration, and the establishment of a dedicated child handling unit are steps that can support the effectiveness of the police's role in the future. This way, the police can become part of a system that not only enforces the law but also contributes to the social and moral development of children.

Conclusion

Handling cases of bullying perpetrated by minors requires an approach that takes into account the human aspect and the child's psychological development. As individuals still in the process of character formation, children often act without understanding the long-term impact of their actions. Therefore, criminal law applied to child bullies needs to balance protection for the victim and opportunities for rehabilitation for the perpetrator. Through the implementation of the Juvenile Criminal Justice System Law (UU SPPA), a developmental approach is prioritized over punishment, especially when the act can still be resolved outside of formal channels through mediation and social responsibility. *Restorative justice* is a method widely used in cases of child bullying, particularly in Central Kalimantan. This process involves all parties involved, including families, schools, and communities, to create a dialogue that repairs relationships and provides a sense of justice for victims. Perpetrators are given the opportunity to understand the impact of their actions and are encouraged to take responsibility without being immediately subjected to harsh criminal penalties. However, this approach still requires certain conditions and cannot be applied in all cases, particularly when it comes to serious violence or repeated criminal offenses. To optimize the child protection system and the handling of bullying cases, regular training for police officers on restorative approaches and psychosocial-based intervention techniques is recommended. Furthermore, schools need to strengthen character education programs and expand collaboration with parents in detecting and preventing violence between students. Local governments can also support this by providing psychological counseling and encouraging active community participation through consistent anti-bullying campaigns. With mutually supportive measures from various parties, safe spaces for children can be more effectively realized in their daily lives.

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