



BULLYING AND LEGAL ACCOUNTABILITY: VICTIMS' COMPENSATION IN INDONESIAN CRIMINAL, CIVIL, AND ADMINISTRATIVE LAW

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Abstract: Bullying committed by minors, both within and outside school environments, gives rise to complex legal consequences encompassing criminal, civil, and educational dimensions. From a criminal law perspective, Law Number 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA) provides that children aged 12–18 may be held criminally liable through special mechanisms such as diversion, supervision, social service, and rehabilitative sanctions, with penalties limited to one-half of those imposed on adults. From a civil law perspective, bullying may constitute an unlawful act under Article 1365 of the Indonesian Civil Code, while liability for compensation may also extend to parents or guardians pursuant to Article 1367. Schools may likewise bear responsibility where negligence in supervision or handling of bullying incidents can be proven, as mandated under Law Number 20 of 2003 on the National Education System, Minister of Education and Culture Regulation Number 82 of 2015, and Minister of Education, Culture, Research, and Technology Regulation Number 46 of 2023 concerning the Prevention and Handling of Violence in Educational Units. Compensation for victims may include restitution in criminal proceedings as well as material and immaterial damages in civil actions. Accordingly, the resolution of bullying cases should balance the rehabilitation of child offenders, the protection and restoration of victims' rights, and the responsibility of educational institutions to ensure a safe learning environment.

Keywords: Bullying; Child Protection; Child Protection Act; Civil Liability; Criminal Liability; Compensation; Minors; Restorative Justice; Schools; Unlawful Acts
