

Aspects of Legal Protection Against Children Due to Acts of Psychological Violence (Bullying) in Karawang Vocational School Are Linked to The Rights of Children According to Law Number 35 Of 2014 on Child Protection

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Abstract: Compared to children who are victims of abandonment, child victims of violence often get less public attention seriously because the suffering experienced by the victim is not as dramatic as those abandoned children. Violence is often identified with visible violence, such as physical and sexual violence. Though the violence that is psychological and social (structural) also bring a bad and permanent impact on the child. This study examines How Legal Protection Against Children From Violent Actions (Bullying) Is Linked With Child Rights According to Law No. 35 of 2014 on Child Protection. How Law Enforcement In Karawang district Service Protection Program Against Children Victims of Bullying and How Efforts Provincial Health Karawang In Implementation Protection Against Children Victims of Violence. This research is conducted by normative juridical, with qualitative method and directed to analysis of Legal Protection of Children From Bullying, and use secondary data that is data obtained from library materials. Based on the research results can be concluded, that There are two forms of protection against students of bullying: First, Prevention of bullying. Second, Protection against victims of bullying. In addition to the protection of students who are preventive, there is also protection of students bullying victims.. Law enforcement conducted in the service of protection programs against child victims of bullying, conducted by the Regional Police Karawang regency in preventing and cracking down on bullying by doing preventive and repressive actions.

Keywords - Legal Protection, Child Protection, Bullying.

1. Introduction

Child protection of Indonesia means protecting the potential of human resources and building a whole Indonesian human being, towards a fair and prosperous society, spiritual material based on Pancasila and the Constitution of the Republic of Indonesia year 1945..[1] A child is a person who is not yet 18 (eighteen) years old, including a child who is still in the womb. Child Protection is all activities to ensure and protect the child and his rights in order to live, grow, develop, and participate optimally in accordance with the

dignity and dignity of humanity, as well as get protection from violence and discrimination[2]

Therefore the child has the right to care and protection both during pregnancy until adolescence. Adolescence is a transition period between childhood and adulthood. In adolescence there are many changes in terms of physical, psychological and social. They often feel uncomfortable and react emotionally such as offended, angry and resentful. They no longer want to be considered children but they also cannot be given full responsibility like adults. [3]

Experts and observers of child and adolescent mental health, say teenagers as learners are the next generation to improve national development therefore they need to be prepared to be a resource that is quality, not only smart but resilient, creative, productive high moral and able to face various demands and challenges in life therefore it takes education both at school and at home[4]. The student's behavior was heavily influenced by his mental health. For those who are healthy their soul will be able to overcome the challenges of the environment and excel and reject negative things[5]. The government has affirmed that schools as a second environment for adolescents who are studying should strive for a healthy school environment for the development of adolescent mental health itself through the school health business program (UKS). UKS is organized to improve the ability to live healthy learners in a healthy living environment so that students can learn, grow and develop harmoniously and as high as they can into quality human resources[6]

Violence against children both verbally and non-verbally is increasing, one of the obstacles according to the Secretary of the Indonesian Child Protection Commission (KPAI), during January to April 2017 has been recorded 8 reports of violence. Two cases of violent behavior occurred in elementary school (elementary school), 2 cases in junior high school (SMP) and the rest in (SMA)[7]. Incidents of child abuse each year has increased significantly, this is evidenced by the results of reporting data of the National Commission for Child Protection from 2011 to 2016, in 2011 incidents of children who experienced violence as many as 2178, 2012 3512 cases, 2013 there were 413 cases, 2014 5066 cases. The five highest cases with the number of field cases from 2011 to April 2016 first children faced the law until April 2016 recorded 6006 cases[8]. Students can act as perpetrators, victims, facilitate or witness incidents of violent behavior. Violent behavior can be fights (either without or using tools, either alone or in groups) bullying, sexual violence, and self-harm.[9]. According to *Ida and Komang* in 2014, in their research, against 176 school children in Bali, victims of bullying will have difficulty in hanging out, feel afraid to come to school so that their attendance is high and left behind lessons, and have difficulty concentrating in following the sapings so that it will have an impact on their learning achievements[10].

2. Method

This study will look at aspects of child protection in acts of violence against students in schools. Given the end of this many cases of bullying sticking up surface. To see how aspects of child protection from bullying, this study will begin by outlining the form of

bullying, the impact of bullying on children, and describing aspects of child protection from bullying. Simply put this thesis mindset departs from the main design of child protection which includes: First, child protection in general such as the implementation, promotion and respect of the basic rights of children as part of human rights issues, Second, child protection in particular is divided into protection for children who stumble into legal problems and child protection for victims of crime. This thesis will specialize in taking aspects of child protection as a student victim of bullying, and with viktimological analysis.

This study will emphasize on the aspect of victim protection which in the study of legal science is known as viktimology studies. Viktimology as a science related to the study of victims (Victimology refers to science dealing with the study of victims). From the above mindset, this thesis will parse three basic problems, namely: first, forms of violence (bullying) against children in school. Second, the impact of violence on children in school (bullying) and third, the protection of children from acts of violence (bullying) in schools . The research informant is a student victim of violence in KARAWANG District Vocational School.

This research is descriptively analytical, which describes a variety of legal issues, and the facts to provide data as accurate as possible legal problems, circumstances or other symptoms. The approach method used is normative juridical method, namely tracing, reviewing and researching secondary data related to the legal protection of children due to violence (bullying) associated with the rights of children according to the 2002 law on child protection.

3. Research Finding and Discussion

3.1. Legal Protection of Children from Psychological Violence

The existence of Law No. 35 of 2014 on Amendments to Law No. 23 of 2002 on Child Protection, affirms the need for the enforcement of criminal sanctions and fines for perpetrators of crimes against children, especially to sexual crimes aimed at providing deterrent effect, as well as encouraging concrete steps to restore the physical, psychic and social of children[11]

Criminal liability leads to the criminalization of the perpetrator, if he has committed a criminal offence and fulfills the elements that have been determined by the law. In terms of the occurrence of prohibited acts, he will be held accountable if the act violates the law. Judging from the point of view of responsible ability, only a capable person who is responsible can be held accountable.[12]

Article 45 of Law Number 3 year 2002" on Amendments to Law No. 23 of 2002 on Child Protection. Everyone is prohibited from placing, allowing, committing, ordering and committing or participating in violence against children or who violate it will be punished with a maximum imprisonment of 3 (three years and six months and or a maximum fine of Rp 42,000,000.00).[13]

3.2. *The Role of Karawang District Police in Tackling Bullying.*

The role of karawang District Police in preventing and cracking down on bullying is to take preventive and repressive measures. These actions include tackling both long-term possible occurrence of bullying, short-term possibility of bullying, and crackdown if there has been bullying.

3.2.1. *Preventive Measures*

Preventive measures are the implementation of police activities to reduce the space of movement and opportunities for kamtibmas disturbances. Preventive measures taken by the Karawang District Police karawang district, among others, are patrols in places that are considered vulnerable to crime and the installation of Closed Circuit Television (CCTV).



Preventive measures taken by the Karawang District Police karawang district have been more aimed at violations of the law that can be seen physically, such as traffic violations and theft or robbery. For crimes that can not be seen physically such as bullying is still minimal preventive measures carried out by the District Police karawang Karawang District. The lack of preventive measures taken against electronic crimes, especially bullying due to bullying is an unlawful act that uses technology, so in performing acts of bullying perpetrators can do it anywhere.

Given that bullying can be done using the internet on mobile phones cause patrol activities or cctv installation is not so influential. Efforts made by the Karawang District Police in karawang district in the prevention of bullying measures are emphasized more on pre-emptif actions. Pre-emptif action is the implementation of police activities in order to prevent and reduce as early as possible social insecurity by eliminating directly the source of insecurity that exists in the community so as not to develop into kamtibmas disorder.

In connection with the act of bullying, police officers are obliged to take action against bullying in accordance with the general police duties based on Law No. 2 of 2002 concerning the State Police of the Republic of Indonesia, stating that the main duties of the National Police of the Republic of Indonesia are: a. Provide security and public order; b. Enforce the law; c. Provide protection, protection, and service to the community (Article 13 of Law No. 2 of 2002 concerning the National Police of the Republic of Indonesia. The following is documentation of the coaching that has been done by binmas District Police Karawang Karawang Regency

3.3. Health Services

So far several efforts have been made by the school for perpetrators of bullying, namely the imposition of sanctions and the call of parents to the school to cooperate in providing assistance handling. So far the results achieved have not been maximized, because according to the observations of the authors, changes in attitudes and behaviors of bullying perpetrators are only temporary. Because they repeat what they did the other day.

To help address this problem of bullying the author tries to offer the concept of behavioral counseling.: "behavioral therapy (behaviour counseling) is the application of a variety of techniques and procedures rooted in various theories about learning. The emphasis of the term learning in this sense is on the consideration that counsellors help people (counseling) learn or change behavior. Counsellors play a role in the learning process of creating a vision that is such that the client can change his behavior as well as solve the problem. (1) Humans are reactive beings whose behavior is controlled by external factors. Humans begin life by reacting to their environment and these interactions produce patterns of behavior that then form personality. (2) A person's behavior is determined by the many and kinds of reinforcement received in his or her life situation. (3) Behavior is learned when individuals interact with the environment through learning laws (classical habituation, operand habituation and impersonation. (4) Certain behaviors in individuals are influenced by the satisfaction and dissatisfaction they obtain. (5) Man is not the result of unconscious motivation but rather a learning result, so that he can be changed by manipulating and creating conditions that shape behavior. (6) By looking at the advantages of behavioral counseling mentioned above, the author hopes to minimize bullying in school institutions, so that the school can be a safe, fun, stimulating learning place to learn, socialize and develop all potential students both academically, socially and emotionally

4. Discussion

There are two forms of protection against students from bullying: First, preventing bullying. Second, Perlins- against victims of bullying. In addition to protecting students who are preventive, there is also protection of students victims of bullying. protection of students victims of bullying is done so that students get a recovery as an effort to balance the condition of students who are experiencing disorders.[14] If there are victims of crime, then the state must pay attention to the needs of victims by improving services and rights

arrangements. Victim protection is also related to one of the objectives of criminalization, namely conflict resolution.[15]

With the resolution of conflicts caused by criminal acts will restore balance and future peace in the community If observed then the legal protection of students in schools appears in several aspects, namely from the considerant, dictum of the articles listed in it and in the explanation of the articles of Law No.35 of 2014 on Child Protection. Among them are: Article 54 of Law No. 35 of 2014 on Child Protection mentioned that: Children in and around the school must be protected from violence committed by the teacher, school manager or friends within the school concerned, or other educational institutions.[16]

Furthermore, in Law No. 53 of 2014 on Child Protection Chapter III on The Rights and Obligations of Children Article 13 mentioned: Every child during the care of any parent, guardian or other party responsible for parenting, is entitled to protection from treatment: Discrimination, Exploitation of both sexual and economic, Abandonment, Cruelty, violence and persecution, Injustice, and other misconduct Basically the protection of students in schools can be reviewed from a criminal policy standpoint. Criminal policy is an effort to combat crime with the following approach: (1) There is an integrality between criminal politics and social politics; (2) There is an integrality between crime prevention efforts and "penal" and "non-penal" lines. (3) Sudarto pointed out, that if criminal law is to be involved in efforts to overcome negative aspects of community development / modernization (among others, crime handlers), then it should look at the overall relationship of criminal politics or social defence planning, which should be an integral part of the national development plan.

5. Conclusion

Based on the results of research and discussion can be concluded as follows: Forms of violence (bullying) that occurred in SMK LABORTY Karawang district is Verbal, in the form of actions: taunting, profanity, inappropriate dubbing, profanity, ridicule and prank. Third, Mental/Psychological Bullying, in the form of actions: evasion, forced cheating, exclusion, intimidation

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