

Legal Frameworks for Early Bullying Surveys on Children: A Comparison Between Indonesia and Japan

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Legal Frameworks for Early Bullying Surveys on Children: A Comparison Between Indonesia and Japan

Article	Abstrak
Article History Received: Jan 26, 2026; Reviewed: Feb 20, 2026; Mar 19, 2026 Accepted: Apr 6, 2026; Published: Apr 10, 2026. DOI: 10.33474/yur.v9i1.24974	<i>Bullying pada anak di satuan pendidikan Indonesia semakin meningkat, namun belum diimbangi dengan sistem deteksi dini yang memadai. Tidak terdapat regulasi yang mewajibkan sekolah melakukan Survei Deteksi Dini Perundungan di Indonesia yang membuat penanganan perundungan cenderung terlambat. Padahal sudah menjadi amanat didalam Undang-Undang No 35/2014 bahwa satuan pendidikan wajib melindungi Anak dari Kekerasan, termasuk Perundungan. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan perundang-undangan, konseptual, dan komparatif terhadap sistem hukum Jepang. Hasil analisis menunjukkan bahwa regulasi di Indonesia yakni Undang-Undang No. 35/2014 belum mewajibkan survei deteksi dini bullying secara eksplisit. Jepang telah menetapkan kewajiban tersebut melalui Act No. 71 of 2013. Survei deteksi dini terbukti efektif sebagai instrumen preventif dalam perlindungan anak. Penelitian ini menyimpulkan bahwa perlindungan hukum terhadap anak harus bersifat preventif dan represif.</i> Kata Kunci: Survei Deteksi Dini; Perundungan; Anak Abstract Bullying among children in Indonesian educational institutions is on the rise, yet this has not been accompanied by an adequate early detection system. There are no regulations requiring schools to conduct Early Detection Surveys for Bullying in Indonesia, which means that responses to bullying tend to be delayed. Yet, it is mandated in Law No. 35/2014 that educational institutions are obligated to protect children from violence, including bullying. This study employs a normative legal methodology with legislative, conceptual, and comparative approaches to the Japanese legal system. The results of the analysis show that regulations in Indonesia, namely Law No. 35/2014, do not yet explicitly mandate early detection surveys for bullying. Japan has established this obligation through Act No. 71 of 2013. Early detection surveys have proven effective as a preventive tool in child protection. This study concludes that legal protection for children must be both preventive and repressive.

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Keywords: Early Detection Survey; Bullying; Children

INTRODUCTION

Digitalization in education is reflected in the availability of internet facilities for teaching purposes: 12,759 senior high schools (public and private) are reported to have such facilities, with notable inter-provincial disparities.¹ This transformation is sociologically significant because schools operate as formative spaces where children's dignity and well-being must be protected while educational access is expanded and also any assessment of technology-mediated schooling must be attentive not only to pedagogical benefits but also to the normative commitment to child protection within educational institutions. Philosophically, the protection of children from violence is part of the Basic Rights of Children as stated in Considerations Letters B and C of Law No. 35/2014. The considerations of Law No. 35/2014 are based on the mandate of Article 28B of the 1945 Constitution of the Republic of Indonesia, which states that every child has the right to protection from violence and

discrimination. The protection of children from violence or other harmful matters is an absolute right of the child and it is the duty of everyone to protect children, including protection from bullying.²

There are much previous research on bullying, it is divided into two major aspects, namely the group that studies the prevention of bullying including its impact, and the legal handling of such bullying. Sintasari et.al entitled "*Pengaruh Perundungan Terhadap Anak di Lingkungan Sekolah*";³ it shows that bullying prevention is carried out through direct anti-bullying education to students, which includes discussions on the effects of bullying that can cause mental wounds such as depression, anxiety, and even suicidal thoughts. The section that studies the handling of bullying from a legal perspective was conducted by Miftahul Huda in 2024 with the title "*Penanganan Hukum Bagi Anak Sebagai Pelaku Perundungan di Lingkungan Satuan Pendidikan*";⁴ where both of these studies

¹ Balai Besar Penjaminan Mutu Pendidikan Provinsi Jawa Timur and Kementerian Pendidikan Dasar dan Menengah Republik Indonesia, 'Kemendikdasmen Tegaskan Perlindungan Dan Pembinaan Anak Dalam Menyampaikan Pendapat', BBPMP Provinsi Jawa Timur, 2025, <https://bbpmpjatim.kemdikbud.go.id/main/kemendikdasmen-tegaskan-perlindungan-dan-pembinaan-anak-dalam-menyampaikan-pendapat/>.

² Joshua Evandeo Irawan, 'Perlindungan Hukum Terhadap Anak Yang Bekerja Dalam Usaha Kuliner Menurut Undang-Undang Ketenagakerjaan Juncto Undang-Undang Perlindungan Anak', *Indonesian State Law Review (ISLRev)* 4, no. 1 (2021): 24, <https://doi.org/10.15294/islrev.v4i1.49842>.

³ Diardana Prima Sintasari et al., 'Pengaruh Perundungan Terhadap Anak Di Lingkungan Sekolah', *MARAS: Jurnal Penelitian Multidisiplin* 2, no. 3 (2024): 1369–75, <https://doi.org/10.60126/maras.v2i3.397>.

⁴ Miftahul Huda and Ana Silviana, 'Penanganan Hukum Bagi Anak Sebagai Pelaku Perundungan Di Lingkungan Satuan Pendidikan', *Binamulia Hukum* 13, no. 2 (2024): 529–41, <https://doi.org/10.37893/jbh.v13i2.958>.

focus on the fact that children who commit bullying must be legally dealt with based on Law No. 11 of 2012 concerning the Juvenile Criminal Justice System through a restorative justice approach (diversion). Observing these previous research groups, it is clear that none have ever considered early detection bullying surveys as one of the ways to prevent and address bullying among children in educational environments; this is what constitutes the novelty in this paper.

The urgency of this research is underscored by the recurrent nature of bullying cases and the tendency for cyberbullying to become severe before it is visible to authorities or schools.⁵ Indonesian public discourse has repeatedly acknowledged that schools are not yet consistently safe environments for students, reinforcing the need for preventive mechanisms that operate before harm escalates.⁶ Some case examples that can serve as parallels indicating that bullying occurs among children in educational environments, such as what happened in Banyuwangi with child MR who died due to alleged bullying at school.⁷ Another case of bullying occurred involving a child, NF, in Bandung, who ended

their life due to suspected bullying at school in 2024, in this case the school and the local education department acknowledged that NF's death was the result of long-term pressure from being bullied. These cases underscore the critical importance of early bullying detection surveys, as bullying can inflict severe harm on children and may even result in death.

From a doctrinal perspectives, Indonesian child-protection law establishes a normative entitlement for children in educational institutions to be safeguarded from all forms of violence, including psychological harm, and, through Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions, formally designates bullying whether verbal, physical, non-verbal, or cyber based as a legally regulated category of violence while prescribing preventive and responsive measures centred on institutional governance, educational interventions, and infrastructural support, notwithstanding that the educational component remains predominantly oriented toward the

⁵ Anggie Yolanda and Gani Nur Pramudyo, 'Literasi Digital sebagai Sarana Mencegah Perilaku Cyberbullying pada Remaja Kota Tangerang di Media Sosial Instagram', *Anuva: Jurnal Kajian Budaya, Perpustakaan, dan Informasi* 8, no. 1 (2024): 170, <https://doi.org/10.14710/anuva.8.1.161-172>.

⁶ Nur Meyske Anggraini Kakunsi et al., 'Melindungi Generasi Mengungkap Kekerasan Terhadap Anak Di Lingkungan Pendidikan Dan Solusi Holistiknya', *SINERGI: Jurnal Riset Ilmiah* 1, no. 12 (2024): 1202, <https://doi.org/10.62335/sa7k9578>.

⁷ Amir Baihaqi, 'Kronologi Siswa SD di Banyuwangi Gantung Diri gegara Dibully Tak Punya Ayah', *detikjatim*, accessed 2 April 2026, <https://www.detik.com/jatim/berita/d-6597418/kronologi-siswa-sd-di-banyuwangi-gantung-diri-gegara-dibully-tak-punya-ayah>.

dissemination of rules and programme socialisation. The core legal issue examined in this study is the absence of a clear regulatory obligation requiring educational institutions to conduct periodic early-detection surveys of bullying and cyberbullying among students,⁸ despite indications from multidisciplinary initiatives that screening can assist schools in identifying cases and anticipating their consequences.⁹ Comparative studies from Japan that indicates a sharp increase in online bullying cases, and the Japanese Minister of Education has emphasized that many cases become very serious by the time they surface, making early identification a central challenge.¹⁰ Early-detection surveys are therefore positioned as a primary preventive tool that can trigger timely institutional responses and reduce both recurrence and severity. Therefore, this paper focuses on highlighting the absence or lack of legal regulations that do not mandate Early Detection Surveys on bullying among students in Indonesia.

This research focuses on the reform of regulations concerning the prevention and handling of bullying and cyberbullying in

Indonesia through the establishment of the obligation to conduct Early Detection Surveys of Bullying in schools. The author will conduct a normative juridical study that emphasizes the process of discovering a legal rule, legal principles, and legal doctrines to address the problems faced.¹¹ The issue encountered in this study is the absence of regulations requiring educational institutions to conduct early detection surveys for bullying among their students. The main legal materials used in analyzing the issues presented in this paper are the Child Protection Law (Law 23/2002 jo Law 35/2014), Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions and Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights. Meanwhile, as for legal materials from other countries, Japan is used by the author as a legal comparison reference, specifically Act No. 71 of 2013 (Act for the Promotion of Measures to Prevent Bullying). These legal

⁸ Yeni Devita et al., 'Edukasi Dan Skrining Perilaku Bullying Pada Anak Usia Sekolah', *JDISTIRA - Jurnal Pengabdian Inovasi Dan Teknologi Kepada Masyarakat* 4, no. 2 (2024): 297, <https://doi.org/10.58794/jdt.v4i2.1123>.

⁹ Shanti Rosmaharani, 'Deteksi Dini Bagi Guru Untuk Perilaku Bullying Siswa Di Sma Muhammadiyah 1 Jombang', *Jurnal Pengabdian Masyarakat Kesehatan* 7, no. 1 (2021): 37, <https://doi.org/10.33023/jpm.v7i1.731>.

¹⁰ 'Record-High Cases of Absenteeism, Bullying at Japanese Schools in FY 2024', Japan Wire by Kyodo News, 3 November 2025, <https://english.kyodonews.net/articles/-/64165>.

¹¹ Irwansyah Irwansyah, *Penelitian Hukum: Pilihan Metode Dan Praktik Penulisan Artikel (Edisi Revisi)*, 5 (Mira Buana Media, 2022), 3:97.

materials will be used by the author to analyze the importance of regulating early detection surveys of bullying among children within educational institutions.

The author employs several approaches to the issue, namely the statutes approach, conceptual approach, and comparative approach. Statutes Approach is “an approach by examining all laws and regulations related to the legal issue being addressed”. Conceptual Approach is “a problem-solving approach based on the opinions of scholars as supporting foundations. Meanwhile, the Comparative Approach according to Morris L. Cohen is basically “an approach that compares a country's legal system with that of another country. The author will outline the legal foundations, the concept of child protection from bullying in Indonesia, particularly regarding the regulation of prevention and handling of bullying among children in Indonesia and will then conduct a legal comparison with the regulations concerning the early detection system in Japan.

RESULT AND DISCUSSION

Positive Law on the Protection of Children from Violence in Indonesia

The basic regulations for child protection against bullying in Indonesia are actually stipulated in Article 76 C of Law No.

35 of 2014, which states everyone is prohibited from placing, allowing, committing, instructing to commit, or participating in committing violence against children.¹² In this case, if bullying is terminologically regulated in Article 6 paragraphs (1) and (2) of Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions, as the author has mentioned in the previous section, then in the author's opinion, bullying, including cyberbullying, constitutes a form of violence against children.

The legal regulations regarding cyberbullying are governed by Law No. 1 of 2024 concerning Amendments to Law No. 11 of 2008 on Electronic Information and Transactions (hereinafter referred to as Law 1/2024). According to Article 29 in conjunction with Article 45B of Law 1/2024, it is stipulated that “Any person who intentionally and without right sends Electronic Information and/or Electronic Documents directly to the Victim containing threats of violence and/or intimidation shall be punished with imprisonment of up to 4 (four) years and/or a fine of up to IDR 750,000,000”.

Explanation of Article 29 of Law No. 1 of 2024 Law No. 1 of 2024, which is the second amendment to Law No. 11 of 2008 on

¹² Novea Elysa Wardhani et al., ‘Analisis Yuridis Perlindungan Hukum Bagi Anak Korban Bullying di Lingkungan Panti Asuhan (Studi Pada Panti Asuhan Nurul Solihin Palangka Raya)’, *UNES Law Review* 8, no. 3 (2026): 826, <https://doi.org/10.31933/pze55k51>.

Electronic Information and Transactions, clarifies that the acts referred to in Article 29 constitute cyberbullying.¹³

Irawan stated that a child who becomes a perpetrator of cyberbullying can still be prosecuted under Law No. 11 of 2012 concerning the Juvenile Justice System. Meanwhile, in another study, Irawan stated that a teacher who allows bullying or cyberbullying to occur among their students, without taking preventive or further corrective action, may also be prosecuted under Article 76C in conjunction with Article 80 of Law No. 35 of 2014 and Law 1/2024.¹⁴ The process of the Criminal Justice System for children who commit bullying or cyberbullying also refers to Law No. 11 of 2012 concerning the juvenile justice system, whereby this also constitutes a form of legal protection for children who commit bullying because their criminal justice system is distinguished from the adult criminal justice system, thus there are specific rights of children guaranteed by law when a child is suspected of committing a criminal act.¹⁵

Prevention of Bullying in Children

As a state governed by law, Indonesia positions law as the primary instrument in realizing order and ensuring security for all layers of society. In its capacity as a norm regulating social behavior, law functions not only as a guideline but also as a mechanism of social control through normative forms such as commands, recommendations, and prohibitions. Therefore, law must consistently be actively present in regulating the dynamics of community life to ensure the creation of a just and orderly system.¹⁶ Law is also referred to as a normative institution, where law represents the concrete form of norms that exist within society.

Legal Protection according to Philipus M. Hadjon is divided into two types, namely preventive legal protection and repressive legal protection. preventive legal protection aims to prevent disputes from arising.¹⁷ This prevention is carried out by providing opportunities or rights to the public to raise objections before government decisions take on a definitive form. Such objections from the public hold central significance for the government, which must act with caution in

¹³ Putra Wijaya and Gusliana Hb, 'Relevansi Hak Privasi Dalam Undang-Undang Nomor 19 Tahun 2016 Tentang Perubahan Atas Undang -Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik Dengan Pasal 28 G Ayat 1 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945', *Jurnal Ilmiah Wahana Pendidikan* 10, no. 22 (2024): 663, <https://doi.org/10.5281/zenodo.14574771>.

¹⁴ Joshua Irawan et al., 'Criminalization of Teachers Due to Case of Bullying Committed by Students', *Indonesian Journal of Criminal Law Studies* 10, no. 2 (2025): 342, <https://doi.org/10.15294/ijcls.v10i2.21014>.

¹⁵ Anwar Fadilah et al., 'Perlindungan Hukum Terhadap Anak Pelaku Tindak Pidana Bullying Berdasarkan Undang-Undang Nomor 11 Tahun 2012', *AKADEMIK: Jurnal Mahasiswa Humanis* 5, no. 2 (2025): 775, <https://doi.org/10.37481/jmh.v5i2.1353>.

¹⁶ Dino Rizka Afdhali and Taufiqurrohman Syahuri, 'Idealitas Penegakkan Hukum Ditinjau Dari Perspektif Teori Tujuan Hukum', *Collegium Studiosum Journal* 6, no. 2 (2023): 556, <https://doi.org/10.56301/csj.v6i2.1078>.

¹⁷ Philipus M. Hadjon, *Perlindungan Hukum Bagi Rakyat Indonesia* (Bima Ilmu, 1987), 54.

decision-making based on individual judgment. While repressive legal protection fundamentally means that law must exist to resolve disputes in a broad sense, including the provision of legal protection for the people by the judiciary in Indonesia.

Based on the theory of preventive and repressive legal protection proposed, various legal regulations protecting children from violence, including bullying (cyberbullying), can be categorized as both preventive and repressive regulations.¹⁸ The preventive perspective in child protection regulations against bullying can be observed from several articles as follows:

1. Article 9 paragraph (1a) of Law No. 35 of 2014: "Every Child has the right to receive protection in educational institutions from sexual crimes and violence committed by educators, education personnel, fellow students, and/or other parties". The explicit regulation of this article mandates that children be protected by educational institutions from violence and sexual crimes, thereby ensuring that such protection can ultimately prevent violence and sexual offenses.¹⁹
2. Article 54 paragraphs (1) and (2) of Law No. 35/2014: "Children within and in the

environment of educational units are required to receive protection from physical violence, psychological abuse, sexual crimes, and other criminal acts committed by educators, education personnel, fellow students, and/or other parties". The phrase "is required" indicates that protecting children from acts of violence whether physical, psychological, sexual, or otherwise is an absolute obligation that must be fulfilled by educators, teaching staff, authorities, and/or the public (paragraph (2)).

The Legal Protection Theory in the

The regulations above are certainly positive law that require enforcement by all parties obligated to implement them. Although regulations such as Law No. 35/2014 above already exist, more decisive and comprehensive steps are still needed to address bullying, not only to take action after bullying occurs but also in terms of prevention.²⁰ The author highlights the absence of implementing regulations that govern the obligations of educational units, educators, and the government to prevent bullying through the mandated early detection survey on bullying among students. If such regulations existed, the author believes that

¹⁸ Flora Apriliana Manilani et al., 'Perlindungan Hukum Terhadap Anak Korban Perundungan (Bullying)', *Artemis Law Journal* 2, no. 2 (2025): 645, <https://doi.org/10.35508/alj.v2i2.21180>.

¹⁹ Herli Antoni et al., 'Perlindungan Hukum bagi Korban Kekerasan Seksual pada Anak Berdasarkan Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual', *Logika: Jurnal Penelitian Universitas Kuningan* 15, no. 02 (2024): 245, <https://doi.org/10.25134/logika.v15i02.10471>.

²⁰ Dian Ety Mayasari et al., 'Legal Protection for Child Victims of Bullying from the Perspective of Child Protection Law', *Yuridika* 39, no. 1 (2024): 80, <https://doi.org/10.20473/ydk.v39i1.48032>.

the positive law could be implemented more effectively.

The *ius operandi* of the provisions of Article 54 paragraphs (1) and (2) of Law 35/2014 is Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions, as specifically regulates the role of prevention and handling of violence against children in educational institutions. Child Protection is a collective responsibility involving various elements, including the Central Government, Regional Governments, educational units such as schools, educators and educational staff, as well as parents or guardians. Each of the parties has a legal obligation to ensure the safety, security, and fulfillment of children's rights in all situations and conditions. This obligation reflects the commitment of the state and society to ensure the optimal growth and development of children in accordance with the principles of

child protection as stipulated in legislation²¹.

Active involvement from each of these elements constitutes a concrete form of implementing the principle of child protection and upholding the right to a sense of security within the educational environment. Efforts to Prevent and Address Violence in the Educational Environment, including bullying, as stipulated in Article 14 of Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions, are implemented through three strategic approaches. In the implementation of each of these approaches, stakeholders comprising Educational Units, Local Governments, and the Ministry have complementary roles and responsibilities. The Efforts to Prevent and Address Violence in the Educational Environment by Educational Units, Local Governments, and the Ministry are summarized in the following table:

Aspect	Educational Units	Local Governments	Ministry	Law Source
Strengthening Governance	Formulating and implementing regulations and the Prevent and Address Violence in the Educational Environment programs; establishing and facilitating the Team to Prevent and Address Violence in the Educational Environment; applying non-violent learning methods; providing and utilizing funding; conducting evaluations.	Establish Regional Head Regulations; integrate Prevent and Address Violence in the Educational Environment into regional policies; allocate budgets; form Task Forces; conduct annual evaluations and report to the Ministry.	Formulating national policies and guidelines; allocating budgets; cross-sector coordination; national monitoring and evaluation.	Articles 15, 16, and 17 of Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions

²¹ Balai Besar Penjaminan Mutu Pendidikan Provinsi Jawa Timur and Indonesia, 'Kemendikdasmen Tegaskan Perlindungan Dan Pembinaan Anak Dalam Menyampaikan Pendapat'.

Education	Socialization of rules and the Prevent and Address Violence in the Educational Environment program to education unit residents and parents/guardians; character strengthening through Pancasila values and a culture free from violence.	Socialization to educational units and stakeholders; training for Task Forces.	Socialization of policies and modules to local governments and educational units; Training for Prevent and Address Violence in the Educational Environment.	Articles 18, 19, 20 of Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions
Infrastructure	Providing reporting channels, examination rooms, office supplies; ensuring the safety of learning and public spaces; educational facilities and environmental comfort.	Providing disability-friendly facilities; means for the implementation of Task Forces and Education to Prevent and Address Violence in the Educational Environment.	Facilitating an information system for managing violence data; providing national reporting services.	Articles 21, 22, 23 of Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions

Table 1. Summary of Prevention and Address Violence in the Educational Environment Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions

By examining the summary table above, it can be understood that the role of each stakeholder in protecting, preventing, and addressing violence against children in the educational environment is as follows:

1. Educational Institutions are the primary and initial entities in the implementation of Prevention and Address Violence in the Educational Environment. Educational Institutions must establish a Team to Prevent and Address Violence in the Educational Environment and support the activities of the Team. Educational Institutions are required to conduct education and evaluation and subsequently report to the Regional Government.
2. The local government is the regulator of regional policies related to Prevent and Address Violence in the Educational Environment, whose duties are to establish and support Task Force, conduct education and evaluations, and receive reports from educational units.
3. The Ministry, in this case acting as the representative of the Central Government, serves as the National Regulator, formulates modules and Guidelines to Prevent and Address Violence in the Educational Environment, facilitates national reporting, and allocates funds for the implementation of Prevent and Address Violence in the Educational Environment.

Considering the roles mentioned above, the regulations concerning the prevention and management of Prevent and Address Violence in the Educational Environment can be implemented in a top-down manner (from the central government to local governments and subsequently applied to educational institutions), or in a bottom-up manner (initiatives from educational institutions that remain aligned with local and central government policies). The top-down implementation of policy does indeed provide greater legal certainty for all actions taken by both educational units and local governments. However, it must be understood that implementing policy in a top-down manner requires strict oversight from the higher authority, in this case the central government. Monitoring, reporting, and evaluation, together with mechanisms for remediation and enforcement, need to be stipulated in greater detail and ensured to be carried out in every educational unit. By contrast, the bottom-up implementation of policy appears more autonomous; nevertheless, the standards applied will tend to differ and vary. The forms of bullying may differ from one region to another, and the methods of addressing them will inevitably vary. Therefore, in this paper, a top-down policy should first be formulated to safeguard legal certainty; only thereafter, in the implementation of the policy, should bottom-up autonomous mechanisms be

employed, with control and monitoring by the “top” still being maintained

In this context, the regulation regarding early detection surveys for bullying and cyberbullying can actually be carried out in both directions: either educational institutions independently conduct detection surveys and report the results to the local government, or the central government explicitly mandates that both governments and educational institutions perform regular early detection surveys for bullying, as is done in Japan.

The Japanese’s early detection surveys are not merely administrative instruments but form an integral part of a comprehensive prevention mechanism. Routine surveys conducted at the school level are designed to systematically capture early indications of bullying, which are then followed by mandatory reporting and coordinated interventions involving school authorities and local governments. This structured approach ensures that preventive action is taken before bullying escalates into more serious forms of violence. The relevance of this model to the Indonesian context lies in its compatibility with Indonesia’s decentralized education governance, where national policy standards can be established while allowing local governments and educational institutions sufficient discretion to implement preventive measures according to local conditions. Therefore, adopting such a model in Indonesia

would strengthen preventive governance without undermining institutional autonomy.

A Comparative Study of Indonesian and Japanese Law in Preventing Bullying Through Early Detection Surveys

Policies for the prevention of bullying and cyberbullying among children in educational settings, besides being regulated in Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions, are also governed by the Regulation of the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia No. 4 of 2024 concerning the "Provision of Services for Fulfilling Children's Rights" (hereinafter abbreviated as Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights).

One of the services for fulfilling children's rights as stipulated in Article 3 of Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, is Education, Leisure Utilization, and Child-Friendly Cultural Activities. Part VI A of Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, regarding

the Implementation of Child-Friendly Education states that "To protect children while they are in educational institutions, the government establishes policies and programs called Child-Friendly Educational Units".

The implementation of Child-Friendly Educational Units must apply four aspects, particularly in the service management section, which includes a Child-Friendly Educational Units Policy that must regulate five main prohibitions in implementing Child-Friendly Educational Units. In this regard, the author directly quotes the first prohibition, which is "Prohibition of acts of violence and discrimination among students (bullying)". Delving deeper into the prohibitions against bullying among students, the author only found mechanisms for prevention and handling, including:

- a. Prevention: educational units have policies to carry out various efforts to prevent violence within the educational environment, covering aspects such as strengthening governance, education, and provision of infrastructure, conducted systematically and involving students.
- b. Handling: Educational Units have policies to systematically address acts of violence and involve students within the educational environment through the following mechanisms:
 1. Receipt of the report
 2. Examination
 3. Preparation of conclusions and recommendations

4. Follow-up on the report and recommendations; and
5. Parallel recovery begins from the report receipt process through the accompaniment process.

The process of preventing and handling violence against children within educational institutions is primarily the responsibility of the educational institutions themselves.²² This has been thoroughly regulated in Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, and more generally in Article 54 of Law 35/2014, where it is clearly stated that this protection is carried out by educators, education personnel, government officials, and/or the community. Considering that the primary responsibility for protection lies with educators and education personnel, the author believes that educational institutions should be the first to prevent and address violence against children that occurs within the educational environment. Such prevention and handling can also involve local governments, families, the community, and even the central government, if necessary, in accordance with the responsibilities of each stakeholder as stated by the author in Table 1 above.

In Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, the Child-Friendly Educational Units concept involves various parties in preventing and addressing violence within educational institutions, including the involvement of students as the Ambassadors of Child-Friendly Educational Units.

Child-Friendly Educational Units Ambassadors are essentially fellow students who have the task of collecting input from students in the formulation of policies and regulations within educational units and encouraging students to be brave to report if cases of violence occur among students. Rohika K. Sari, serving as the Deputy Assistant for Parenting, Family, and Environment at Ministry of Women's Empowerment and Child Protection, stated that the role of peers is highly influential in shaping the mindset of their friends. Child-Friendly Educational Units ambassadors are agents of change within the school. The delivery of positive messages can be more strategic and effective when conveyed by peers themselves, as they communicate in their own style and language. However, when such messages are delivered by parents, they sometimes tend to be instructive and

²² Teguh Syuhada Lubis, 'Reformulasi Hukum Penanganan Tindak Pidana Kekerasan Di Lingkungan Pendidikan Dalam Upaya Perlindungan Profesi Guru', *DE LEGA LATA: Jurnal Ilmu Hukum* 6, no. 1 (2021): 196, <https://doi.org/10.30596/dll.v6i1.4660>.

repressive, leading children to feel a sense of distance between them.

The role of Child-Friendly Educational Units has been considered quite significant in various studies for preventing and addressing bullying among students. Efforts such as varying classroom layouts to keep students engaged, instilling character values, promoting anti-bullying awareness, and collaborating with parents can support Child-Friendly Educational Units initiatives in preventing bullying in schools.²³ Teachers and schools must also continuously evaluate and update anti-bullying rules in their schools; all these actions taken by teachers and schools aim to achieve a conducive learning process and to make students become better individuals, responsible, and disciplined.²⁴ The appropriate Child-Friendly Educational Units planning strategy to prevent and address bullying is by formulating an anti-bullying policy,²⁵ establishing a child-friendly school team consisting of teachers, staff, and the students themselves, as well as actively involving parents and other parties to prevent and handle bullying.

The ideal conditions of Child-Friendly Educational Units also encounter obstacles in its implementation. The competence of educators in handling social conflicts still needs to be improved because many bullying interventions tend to be ad hoc and are not oriented towards victim recovery.²⁶ Local and central governments need to strengthen teacher capacity and school quality through continuous training programs, including the integration of an anti-bullying curriculum into teacher professional training. Furthermore, a technological approach that involves cross-sector collaboration between educational institutions, the police, and digital service providers is also required to address cyberbullying.²⁷

Through Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, 3, as stated in the previous section, and Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights mentioned

²³ Annisaa Permatasari and Zaini Tamin Ar, 'Kontribusi Sekolah Ramah Anak Terhadap Pencegahan Bullying', *An-Nafah: Jurnal Pendidikan Dan Keislaman* 3, no. 2 (2023): 103, <https://doi.org/10.64469/an-nafah.v3i2.44>.

²⁴ Salsa Yamada and Rr Nanik Setyowati, 'Peran Guru Dalam Mengatasi Tindakan School Bullying Sebagai Upaya Mewujudkan Sekolah Ramah Anak Di SMP Negeri 2 Wates Kab. Kediri', *Journal of Civics and Moral Studies* 7, no. 1 (2022): 37, <https://doi.org/10.26740/jcms.v7n1.p30-43>.

²⁵ Annisa Nur Khoiriyah et al., 'Sekolah Ramah Anak Dalam Mencegah Perilaku Bullying di Sekolah Dasar', *Primary: Jurnal Keilmuan dan Kependidikan Dasar* 17, no. 1 (2025): 10, <https://doi.org/10.32678/primary.v17i1.11473>.

²⁶ Dwi Dasa Suryantoro, 'Efektivitas Penerapan Hukum Penanggulangan Bullying Di Kalangan Pelajar Indonesia', *Journal of Law and Security Studies* 2, no. 2 (2025): 229, <https://doi.org/10.31599/kjlew030>.

²⁷ Wahyudianto Wahyudianto and Risma Indrawati, 'Cyber Bullying di Kalangan Pelajar: Tantangan Penegakan Hukum Dan Perlindungan Anak', *RIGGS: Journal of Artificial Intelligence and Digital Business* 4, no. 4 (2026): 3960, <https://doi.org/10.31004/riggs.v4i4.4224>.

above, it can be understood that the Government, through the Ministry of Education and the Ministry of Women's Empowerment and Child Protection, has actually established various regulations to prevent violence against children, which also include bullying and cyberbullying. However, there is no regulation that mandates, in a top-down manner, educational institutions to conduct early detection surveys of bullying. Until today, early detection surveys of bullying in Indonesia have been conducted based on the initiative of the educational institutions themselves, as the author has stated in the introductory section of this writing.

The Indonesian government can conduct a comparative study with the Japanese government regarding the regulation of educational institutions' obligations to carry out early detection surveys on bullying. Bullying, or in Japanese referred to as "ijime", is defined as "a particular form of aggression, physical or psychological, which is carried out unilaterally and continuously against someone weaker than the perpetrator(s), which the victim himself/herself finds detrimental".²⁸ Based on data from the Ministry of Education, Culture, Sports,

Science and Technology of Japan (MEXT), it is estimated that 10 (ten) school-level students in Japan (aged 6-18 years) commit suicide each year as a result of ijime (bullying).²⁹ According to data from the World Health Organization cited by Elsyé et al., bullying cases in Japan, particularly among adolescents, reach 72.5%.³⁰

In response to the very high incidence of bullying cases, the Japanese Government in 2013 enacted a law specifically regulating the prevention of bullying, namely Act No. 71 of 2013 (Act for the Promotion of Measures to Prevent Bullying). According to Article 16 of Act No. 71 of 2013 – Actions for the Early Detection of Bullying, it is stipulated that:

1. "School administrators and schools are required to conduct periodic surveys of students to detect bullying at an early stage. This survey obligation is also clarified in Article 20 of the Act for the Promotion of Measures to Prevent Bullying.
2. The Central and Regional Governments are obliged to carry out necessary initiatives to develop a system for receiving reports and consultations on bullying.
3. Schools must have a consultation system concerning bullying that can be used by students, parents/guardians, teachers, and other staff to carry out consultations on bullying.
4. Schools and their administrators must provide proper attention in developing the

²⁸ 'Ijime (Bullying) in Japanese Schools: A Product of Japanese Education Based on Group Conformity - UQ eSpace', accessed 2 April 2026, <https://espace.library.uq.edu.au/view/UQ:7721>.

²⁹ Tohru Takizawa, 'Bullying-Related Suicides among Japanese Elementary, Middle, and High School Students Using Newspaper Databases', no. 0, preprint, 一般社団法人 日本学校保健学会, 2025, 15, https://doi.org/10.20812/jash.SH_138.

³⁰ Elsyé Yubilia Keyzinaya and Nuraeni, 'Peran UNICEF Indonesia Menangani Perundungan Di Sekolah Melalui Program Roots', *Sospol* 8, no. 2 (2022): 207, <https://doi.org/10.22219/jurnalsospol.v8i2.22258>.

consultation system to ensure that the right to education, along with other rights and interests of children who are victims of bullying, is protected, in collaboration with the relevant families, local communities, and other concerned parties”.

Early detection surveys of bullying among children in Japan have prompted the government and stakeholders to adopt a more proactive and progressive approach in implementing various measures to prevent or address bullying. For instance, in the 2017 academic year, the Niigata City Government began conducting mandatory surveys in the form of questionnaires at least three times a year in all junior high schools in Niigata City to identify bullying issues among students. If bullying is detected, the city government requires schools to hold internal meetings involving school management, teachers, and class guardians.³¹

The impact of this survey is that schools and education officials have begun to view the increase in bullying rates as an indicator of successful detection rather than a failure. Based on the bullying data from this survey, the city government, through the

mayor, can create and implement policies to prevent bullying in schools across Tokyo. The early detection survey of bullying has prompted reforms in local administrative law, whereby early detection of bullying is not merely a moral responsibility but also an administrative legal obligation.

One of the methods used by the Japanese Government in the Early Detection of Bullying Survey is the Japan Ijime Scale (JaIS). JaIS identifies bullying among students in Japan into nine (9) categories, namely Physical Bullying, Verbal Bullying, Social Isolation, Theft, Spreading Gossip and Lies, Coercion or Threats, Racism, Sexual Bullying and Cyberbullying.³² These nine categories of bullying are the same as those identified in Indonesia. Several studies have shown that physical and verbal bullying still frequently occurs among children.³³ Bullying with threats or spreading hoaxes still occurs.³⁴ This is why if the government wants to adopt JaIS, it would actually be better to identify and prevent bullying among students in schools.

The questionnaire structure in the JaIS survey is divided into three main sections, namely the Victimization Subscale, the

³¹ 'Japan Steps up Efforts to Detect Bullying in Schools as Cases Reach Record High | The Straits Times', accessed 2 April 2026, <https://www.straitstimes.com/asia/east-asia/bullying-cases-reach-record-high-in-japan-education-ministry-says>.

³² Yuko Osuka et al., 'Reliability and Validity of the Japan Ijime Scale and Estimated Prevalence of Bullying among Fourth through Ninth Graders: A Large-Scale School-Based Survey', *Psychiatry and Clinical Neurosciences* 73, no. 9 (2019): 554, <https://doi.org/10.1111/pcn.12864>.

³³ I. Wayan Kandia, 'Perundungan Dalam Perspektif Hukum Indonesia', *IJOLARES: Indonesian Journal of Law Research* 2, no. 1 (2024): 21, <https://doi.org/10.60153/ijolares.v2i1.43>.

³⁴ Dewi Wulandari, 'Dampak Positif Dan Negatif Penggunaan Internet Bagi Peserta Didik', *Aksioma Ad Diniyah: The Indonesian Journal Of Islamic Studies* 10, no. 2 (2022): 153, <https://doi.org/10.55171/jad.v10i2.747>.

Witnessing Subscale, and the Perpetration Subscale. In the Victimization Subscale, there are nine questions designed to detect bullying based on different types of bullying, accompanied by a 5-point frequency scale (never, once or twice, 2-3 times a month, once a week, several times a week). In the Witnessing Subscale, the questions are similar to those above but framed in the context of being a witness (whether the respondent has ever observed or heard incidents).

During the Survey, JaIS must be anonymous and declared to have no negative consequences. Before conducting the survey, the school or the party administering the survey must first explain what bullying is, its various forms, and most importantly, how it differs from joking. The JaIS survey is conducted in the classroom under the supervision of teachers. The survey is completed independently, confidentially, and anonymously. The interpretation of JaIS results is presented in two forms: the Early Detection Potential Scale and the Psychological Correlation. The Early Detection Potential Scale can indicate the potential victims, potential active witnesses, and potential perpetrators within each subscale. Meanwhile, the psychological correlation of JaIS can be linked to the Child Depression Scale and the Child Problem Behavior Scale.

Follow-up actions that can be taken by educational units after the JaIS results include individual interventions, systemic interventions, and regular monitoring. Individually, educational units through teachers can provide counseling for students identified as victims or perpetrators. A strong teacher-student relationship is an important foundation in bullying prevention.³⁵ Teachers who frequently interact with their students on a personal level are more capable of building students' trust, so that when students report bullying, they will be listened to and not judged. A teacher who is trusted by their students can become a 'safe space' for students to share their stories, act as a mediator to resolve problems, and even assist students in solving their issues.

The results of this JaIS survey shall also be reported by the school to the entity that supervises the school. For example, if the school is under the provincial government or under a university, the JaIS results shall be reported together with the corresponding follow-up measures. The school supervisors must ultimately report to MEXT so that the central government can design and implement programs to further prevent and reduce the number of bullying cases involving children in Japan.

Learning from the comparison of laws between Indonesia and Japan in preventing

³⁵ 山田啓太 et al., 'Bullying (Ijime) in Japanese Schools: Teacher-Student Relationship for Prevention', 早稲田大学臨床心理学研究 13, no. 1 (2014): 53-63.

bullying among school children, Japan has a more general legal framework than Indonesia, namely under Act No. 71 of 2013 (Act for the Promotion Measures to Prevent Bullying). This results in the role of the Japanese central government as a regulator being able to mandate that each local government and educational unit in various regions conduct early detection surveys on bullying among children within the educational environment.

While Indonesia regulates the prevention and handling of violence in schools through Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions and Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, the Child-Friendly Educational Units, which essentially construct prevention through governance, policy mechanisms have been arranged in such a way to prevent bullying among children in educational institutions. However, in the author's view, the missing link in existing Indonesian policies is the obligation to conduct Early Detection Surveys on Bullying. If such Early Detection Surveys on Bullying were mandated in Indonesia, with all the established teams such as the Child-Friendly Educational Units Team. Parental involvement in preventing bullying that is

identified early can also be an important factor for the success of bullying prevention in schools. Once the survey is conducted and results are obtained, parents are called to be informed about the results, and then the school must communicate the bullying prevention strategies approved by the parents. All these efforts to prevent bullying will be meaningful if the Government mandates early detection surveys of bullying in schools and these surveys would greatly assist in preventing bullying among children within educational environments.

CONCLUSION

The legal framework for child protection from bullying and cyberbullying in Indonesia has been normatively regulated through Laws and Technical Regulations (Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions and Regulation of the Minister of Women's Empowerment and Child Protection No. 4 of 2024 on the Provision of Services for the Fulfillment of Children's Rights, the Child-Friendly Educational Units); however, it does not yet fully reflect the principles of preventive legal protection. The absence of a mandatory early detection survey for bullying in national regulations indicates a normative gap that results in a weak bullying prevention system within educational institutions. Through a comparative study with the Japanese legal

system, it can be concluded that the obligation to conduct early detection surveys for bullying is an effective and progressive legal instrument to prevent and address child bullying. Therefore, in order to achieve comprehensive and equitable legal protection for children in Indonesia, it is necessary to implement legal reforms that explicitly mandate educational institutions to conduct periodic early detection surveys for bullying as part of a comprehensive child protection system.

SUGGESTION

The author recommends that the government, particularly the Ministry of Education and the Ministry of Women's Empowerment and Child Protection, promptly establish regulations that require schools to conduct periodic early detection surveys on bullying. Such surveys are crucial so that schools can identify cases of bullying at an early stage and take immediate action. In addition, schools need to be provided with training and support to effectively implement these surveys. By making the surveys mandatory, child protection will become more tangible and proactive, rather than only reactive once a child has become a victim.

AUTHOR CONTRIBUTION

Joshua Evandeo Irawan: Conceptualization, Methodology, Investigation, Writing – Original Draft, Supervision.

Andrew Johnathan Setia: Formal Analysis, Investigation, Writing – Review & Editing.

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