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Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Effectiveness of Law in Combating Cyberbullying Criminal Acts Against Children

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Abstract. *Cyberbullying against children is a form of cybercrime that is increasing with the development of information technology and social media. This article aims to analyze the effectiveness of the law in addressing cyberbullying against children in Indonesia. The method used is normative legal research with a statutory and conceptual approach. The results of the study indicate that the regulation of cyberbullying in the Electronic Information and Transactions Law (UU ITE) does not specifically and comprehensively regulate the protection of children as victims. Furthermore, law enforcement still faces various obstacles, such as limited legal norms, difficulties in identifying perpetrators, and obstacles in digital evidence. Therefore, strengthening regulations and more effective law enforcement are needed to provide optimal protection for children from cyberbullying.*

Keywords: *Children; Cyberbullying; ITE Law; Legal Effectiveness.*

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1. Introduction

The development of information and communication technology has brought about significant changes in various aspects of life, including the way people communicate and socialize. The existence of the internet and social media has provided new spaces for people to connect with each other, exchange information, and express opinions. However, behind these significant benefits, there is also a dark side that has negative impacts on users, one of which is the rise in cases of cyberbullying.¹Cyberbullying is a form of crime committed using electronic media to harm, insult, intimidate, or damage someone's reputation. Cyberbullying differs from conventional bullying in that it can be carried out anonymously, spread quickly, and be accessed by many people in a short time.²Cyberbullying victims not only experience psychological pressure, but can also experience serious mental health disorders, even to the point of losing self-confidence and having thoughts of ending their lives.³

When communicating through social media, children can become victims of intimidating behavior, such as insults, defamation, or other actions in the form of texts, videos, or images. The majority of cyberbullying occurs against children under 18, whether the victim or the perpetrator, who has not yet reached adulthood. Violations that occur as a form of social media misuse when the parties are over 18 or have entered adulthood are considered cyberstalking, also known as cyberharassment.⁴Currently, the development of cyberbullying has become a phenomenon that occurs not only in Indonesia but also in other countries, so it has become a shared concern with countries around the world to overcome cyberbullying, which generally occurs against children. Many countries in the world still do not have policies and regulations to overcome cyberbullying. Preventive measures need to be considered immediately so that children do not become more victims of the ease of information technology, considering the current growing number of other crimes such as harassment, denigration, impersonation, cyberstalking, exclusion, outing, and trickery.⁵

¹UNICEF, 2021, "Cyberbullying: What Is It and How to Stop It?," p. 27.

²Nancy Willard, 2007, "Effectively Managing Internet Use Risks in Schools," Online, pp. 1–19.

³Indonesian Child Protection Commission (KPAI), "Cyberbullying Case Data 2020--2021," 2021, p. 20.

⁴Er Tanjung, Lusla Sulastri, and Rabiah Al Adawiah, 2023, "Legal Protection for Children as Victims of Rape," *Jurnal Hukum Sasana* 9, no. 1, pp. 69–86., <https://doi.org/10.31599/sasana.v9i1.2117>.

⁵Er Tanjung, Sulastri, and Rabiah Al Adawiah, pp. 70-75

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According to Jimly Asshiddiqie, the implementation of law is a series of actions and efforts to ensure that regulations are implemented consistently and realistically, so that they can act as a guide for the character of society when interacting and the relationship between law in social and state life.⁶In Indonesia, the phenomenon of Cyberbullying is increasingly rampant along with the increasing number of social media users, especially among teenagers and young adults. Based on data from UNICEF and APJII, more than 50% of teenagers in Indonesia have experienced cyberbullying. Ironically, although Cyberbullying has become a very crucial issue, the understanding of the public and law enforcement officials regarding the forms and impacts of this crime is still relatively low. In the Indonesian legal system, the crime of Cyberbullying has been accommodated through several legal instruments, one of which is in Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, where the ITE Law is a special regulation to combat cybercrime. The articles that regulate cyberbullying are contained in Article 27 relating to morality and Article 29 relating to threats. Therefore, in this article the author will discuss the Effectiveness of the Law in Combating Cyberbullying Crimes Against Children.

2. Research Methods

This study uses a normative legal research method, namely research that examines law as a norm written in legislation, doctrine, and other relevant legal materials. The approach used in this study is a legislative approach and a conceptual approach to analyze legal regulations related to bullying in the school environment. The legal materials used consist of primary legal materials in the form of legislation related to child protection and criminal provisions, as well as secondary legal materials in the form of literature, scientific journals, and opinions of legal experts. The collection of legal materials is carried out through library studies, then analyzed qualitatively by interpreting legal norms to find systematic, logical, and prescriptive legal arguments in answering the research problem.

3. Results and Discussion

3.1. Effectiveness of Law in Handling Cyberbullying Crimes Against Children.

The rules governing cyberbullying in Indonesia are found normatively in Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008

⁶Hasaziduhu Moho, 2019 "Law Enforcement in Indonesia According to the Aspects of Legal Certainty, Justice, and Benefit.", *Warta Journal* 13, no. 1, pp. 38–49.

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concerning Electronic Information and Transactions in Articles 27 and 29. Article 27 paragraph (1) reads,

"Any person who intentionally and without authority broadcasts, displays, distributes, transmits and/or makes accessible Electronic Information and/or Electronic Documents that contain content that violates morality for public knowledge."

Meanwhile, Article 29 reads,

"Any person who intentionally and without authority sends Electronic Information and/or Electronic Documents directly to victims containing threats of violence and/or intimidation."

This normative legal protection has not been implemented effectively and optimally, as cyberbullying cases have grown rapidly in Indonesia over the years. According to data from the Indonesian Child Protection Commission (KPAI), there were 209 cases of cyberbullying in 2018. This contrasts sharply with the zero cases in 2015. There were no complaints from cyberbullying victims between 2011 and 2015, but complaints began to emerge in 2016, reaching 45, and the number doubled in 2017 and 2018.⁷ Obstacles to Law Enforcement of Cyber Bullying Crimes Against Children in Indonesia Regarding the obstacles in law enforcement of cyber bullying crimes in Indonesia, they can be reviewed from the legal factors themselves, law enforcement factors, and facility factors, community factors, and cultural factors, namely:

1. Legal Factors

Criminalization of perpetrators of cyber bullying crimes generally still refers to the ITE Law, especially in Article 27 paragraph (1) and Article 29. However, victims as objects of cyber bullying in these provisions are classified globally as adults or the implementation of age benchmarks is equated with adults. In fact, the victims have now reached an early age or underage children. The ITE Law in this case generally only contains elements such as intentionally and without the right to distribute and/or transmit and/or make accessible electronic information and/or documents that have content such as insults, defamation, threats, and blackmail,

⁷Retno Listyarti (KPAI Commissioner for Education), 2018, "KPAI National Children's Day Records the Most Bullying Cases", accessed on the website: <https://nasional.tempo.co/read/1109584/hari-anak-nasional-kpai-catat-kasus-bullying-palingbanyak/full&view=ok> accessed on June 20, 2026

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without touching at all on the aspect of children as victims.⁸Cyberbullying in the ITE Law does not contain clear elements. There are only elements of morality, insults, threats, and intimidation. Meanwhile, the type of cyber bullying does not only contain elements of morality, insults, threats and intimidation. Article 27 paragraphs (1) and (4) of the ITE Law does not cover the elements of Flaming, Harassment, Impersonation, Outing (spreading other people's secrets), Trickery, Exclusion, Cyberstalking. The ITE Law also does not mention updates regarding children as victims of cyber bullying crimes.

2. Law Enforcement Factors

The challenge faced by law enforcement, particularly the Indonesian National Police (Polri), in enforcing cyberbullying against children is the ease with which evidence can be removed, erased, or hidden. Perpetrators are relatively protected because they can create or use multiple or anonymous contact information/accounts, which can obscure their identity. This undoubtedly complicates the Polri Cyber Crime Unit's investigations.⁹

3. Facilities Factor

The facilities owned by the National Police Cyber Crime Unit are still unable to function optimally considering that perpetrators can easily delete their content immediately, including using various fake accounts.¹⁰

4. Social and Cultural Factors

The public, particularly parents, in several countries around the world, including Indonesia, is widely aware that cyberbullying is harmful to children. Surveyed by the international research institute Ipsos, more than 18,000 parents in 24

⁸Yolanda Oktaviani, 2017 "Cyber Bullying According to Law Number 11 of 2008 concerning Electronic Information and Transactions and Islamic Law", Faculty of Sharia and Law, Raden Fatah State Islamic University, Palembang, p. 68.

⁹Sherly, 2016, "Enforcement of Criminal Law Against Cyber Bullying Acts According to Law Number 11 of 2008 Concerning Electronic Information and Transactions, Thesis, Faculty of Law, Tarumanegara University, West Jakarta, p. 89

¹⁰Martinus Sitompul (Head of the Public Information Section (Kabagpenum) of the Indonesian National Police), "How the Cyber Crime Team Tracks Anonymous Cyber Bullying Accounts", <https://bisnis.tempo.co/read/1097364/caratim-cyber-crime-kepolisian-melacak-akun-anonim-cyberbullying/>, accessed on November 26, 2025 at 1:34 PM

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countries, Indonesians have the highest level of concern about child abuse, or cyberbullying.¹¹

5. Preventive Factors

Effort Preventive measures to address cyberbullying crimes against children in the future include:

a. Moral and Educational Approach by Parents

A major problem in the modern era is when adults, acting as parents, become so busy with their own activities that they don't have time to teach their children ethics and monitor their use of communication technology. Children are at a stage where they need more parental attention. Once children have received ethical education in their daily lives and understand the ethics of online life, it's crucial for parents to take a role in combating cyberbullying.¹²

b. Global Approach (International Cooperation)

International cooperation/global approaches that can be taken to address cyberbullying include international cooperation with other countries to combat cyberbullying through bilateral and multilateral agreements. For example, the cooperation undertaken by the United States and China in combating and eradicating cybercrime. Cooperation between countries in combating cybercrime must be carried out by Indonesia, considering that Indonesia itself does not have many law enforcement officers who understand cybercrime. Based on information conveyed by the Deputy Director of Special Economic Crimes at the Criminal Investigation Agency of the Indonesian National Police, Senior Commissioner Agung Setya, who stated that Indonesia only has 18 cybercrime investigators. Compared to China, the number is very far, reaching 18,000 personnel.¹³

¹¹Scientia Afifah Taibah, 2013, "The Urgency of Criminalizing Cyber Bullying in Indonesia", Thesis, Faculty of Law, University of Indonesia, Jakarta, p. 86

¹²Wenggedes Frensh, et al., 2017 "Overcoming Cyberbullying Against Children as Victims", USU Law Journal, Faculty of Law, University of North Sumatra, Medan, Vol. 5, No. 2, p. 41.

¹³Fabian Januarius Kuwado (Kompas Online Contributor), 2015, "Indonesian Cyber Crime Police Only Have 18 Personnel, Chinese Police Shake Their Heads", quoted on the website: <https://nasional.kompas.com/read/2015/12/19/19450071/Polisi.Cyber.Crime.RI.Cuma.18.Personel.Polisi.China.Geleng-geleng.Kepala>, accessed on November 26, 2025.



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c. Role of Government

The role of the government in tackling cyber bullying crimes against children in the future, including:

- 1) Establish an Institution to Address Cyber Bullying
- 2) Create Anti-Cyber Bullying Websites for Education
- 3) Organizing Healthy Internet and Anti-Cyber Bullying Seminars
- 4) Re-socializing the ITE Law and its Use

Good Internet

Law enforcement against perpetrators of cyberbullying of adolescents and children is crucial in maintaining the integrity and security of the digital environment, especially given the widespread penetration of technology and social media in today's society. Cyberbullying, which involves aggressive and harmful actions carried out online, has become a serious problem among adolescents. As information technology advances, cyberbullying has become increasingly complex and disturbing.¹⁴ To address these challenges, a proper law enforcement process is crucial to upholding applicable laws and providing protection to victims. This process involves several stages and requires the cooperation of various parties, including authorities, schools, families, and the individuals involved. The first step in the law enforcement process against cyberbullying perpetrators is reporting the cyberbullying incident. This report can be filed by the victim or their guardian, who feels harmed or disturbed by harmful behavior occurring online. The report must contain sufficiently detailed information and a chronology of events, as well as relevant evidence to support the victim's claims.¹⁵ The more comprehensive and detailed the report, the stronger the foundation for further legal proceedings. Once a report is received, authorities such as the police or the school will begin an investigation. The investigation is a crucial step in determining whether a cyberbullying incident has occurred and, if so, in gathering sufficient evidence to determine further legal

¹⁴Nugroho. Et.al., 2013, Legal Review of Rights Restoration for Cyberbullying Victims in Indonesia, Jakarta, p. 75.

¹⁵Kartika Hardiyanti and Yana Indawati, 2023, Protection for Child Victims of Cyberbullying: A Study at the Regional Indonesian Child Protection Commission (Kpaid) East Java, Sibatik Journal: Scientific Journal in the Fields of Social, Economic, Cultural, Technology, and Education, Vol.2, No.4, 2023 p.20.



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action. This investigation involves gathering further evidence, such as online messages or posts, recorded conversations, or information about the devices used in the incident. Furthermore, accurate identification of the perpetrator is crucial in this process.

Identifying cyberbullying perpetrators often involves analyzing digital evidence. In many cases, perpetrators can hide their online identities or use aliases. Therefore, authorities must work diligently to accurately identify perpetrators. Technical data, such as IP addresses, device traces, or other records, can be used to determine the perpetrators of cyberbullying. The investigation process also involves interviewing various parties involved.¹⁶ This includes interviews with the victim, witnesses, and, if necessary, the perpetrator. These interviews aim to gather additional information, understand the context of the incident, and ensure that the testimony of various parties aligns with the available evidence. Witnesses often play a crucial role in helping explain what happened and strengthening the case based on the evidence. Once the investigation is complete and sufficient evidence is gathered, the next step is to file a lawsuit. The lawsuit can be filed by the public prosecutor or the attorney representing the victim. The case will go to court, and all parties involved will present their evidence and arguments to a judge. In court, the judge will consider the available evidence and the arguments presented by the various parties. The judge's decision will form the basis for the final verdict in the case. This decision may include a sentence, a protective order for the victim, or other sanctions appropriate to the severity of the offense. Cases involving juvenile cyberbullying often require a more educational approach. In addition to punishment, an approach focused on education and rehabilitation is often necessary. This is a crucial step in ensuring the perpetrator understands the consequences of their actions and preventing future negative behavior.

Of course, it is important to note that law enforcement processes must always respect individual rights, including the perpetrator's right to appropriate legal representation. Furthermore, cases involving adolescents must be approached with sensitivity that takes into account their psychological development. This may involve a more pedagogical approach to gain a deeper understanding of their actions and prevent recurrence of negative behavior. Law enforcement against cyberbullying perpetrators should also be viewed as one component of broader efforts to prevent and address cyberbullying. Education about ethical online behavior, awareness of the negative impacts of cyberbullying, and a culture that encourages empathy and respect for individuals are key to reducing cyberbullying

¹⁶Justin W. Patchin and Sameer Hinduja, 2013, *Wounded Words: Eradicating Cyberbullying and Making Kindness Go Viral*, Free Spirit Publishing, Jakarta, p. 20

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incidents. Furthermore, collaboration between various parties, including schools, authorities, and online communities, can play a crucial role in preventing and addressing cyberbullying cases.

To address the complex challenges posed by cyberbullying, a holistic approach is key to understanding, preventing, and addressing this phenomenon. Cyberbullying is a serious problem that impacts various aspects of individuals' lives, especially adolescents, in the evolving digital era. To mitigate the negative impact of cyberbullying, a combination of elements is needed, including legal aspects, education, awareness, and social support. The legal aspect is an integral part of efforts to eradicate cyberbullying. Clear and firm laws are needed to reduce incentives for cyberbullying behavior and provide legal protection for victims. Laws governing cyberbullying must also include appropriate sanctions for perpetrators to deter recurrence. However, laws alone are not enough; ensuring effective law enforcement is crucial.

This article demonstrates that although Indonesia has various legal instruments to address cyberbullying, particularly through the Electronic Information and Transactions Law (UU ITE) and other related regulations, the effectiveness of these regulations in providing child protection remains suboptimal. Using a normative approach, this article finds that existing legal provisions do not specifically and comprehensively accommodate the characteristics of cyberbullying experienced by children in the digital space. This situation results in the legal protection provided being unable to address the various challenges that arise in practice. Therefore, this article emphasizes the need to strengthen and refine the legal framework to be more responsive, adaptive, and oriented towards the best interests of children to increase the effectiveness of cyberbullying prevention in Indonesia.¹⁷

4. Conclusion

Based on the discussion, it can be concluded that the effectiveness of the law in addressing cyberbullying against children in Indonesia is still less than optimal. Although there are regulations through Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law), specifically Articles 27 and 29, these provisions do not specifically regulate cyberbullying against children as a vulnerable group. Existing regulations are still general and do not accommodate the various forms of

¹⁷Rr. Dijan Widiyowati, 2023, "Effective Implementation of Law Against Cyberbullying Perpetrators Among Teenagers" *Bhayangkara Legal Reform Journal*, Vol. 14, No. 1, p. 23.

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cyberbullying that develop in the digital space, such as flaming, harassment, impersonation, outing, trickery, exclusion, and cyberstalking. This condition has resulted in legal protection for children as victims of cyberbullying not being optimally implemented. Furthermore, law enforcement against cyberbullying against children still faces various obstacles, both from the legal aspect, law enforcement, facilities and infrastructure, as well as societal and cultural factors. Difficulty in identifying perpetrators who use anonymous identities, limited resources and law enforcement technology, and the rapid deletion of digital evidence are major obstacles in the law enforcement process. Therefore, it is necessary to update regulations that specifically regulate cyberbullying against children, strengthen the capacity of law enforcement officers, improve facilities for handling cybercrime, and optimize preventive efforts through digital education, the role of families, schools, communities, and the government to create a safe digital environment and provide more effective protection for children.

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