

ABSTRAK

Kejahatan *cyberbullying* satu tahun belakangan ini mengalami peningkatan. Sedangkan aturan atau hukum positif di Indonesia belum mengatur secara tersurat terkait *cyberbullying* terhadap anak dengan jelas dan tersurat. Tujuan penelitian ini untuk mengetahui urgensi pengaturan *cyberbullying* terhadap anak dalam hukum positif di Indonesia serta untuk mengetahui pencegahan dan penanganan *cyberbullying* terhadap anak yang dilakukan Komisi Perlindungan Anak Indonesia (KPAI). Penelitian ini merupakan penelitian hukum normatif yang dilengkapi dengan wawancara. Pendekatan masalah yang digunakan pendekatan perundang-undangan dan pendekatan konseptual. Sumber data berupa Bahan Hukum Primer, Bahan Hukum Sekunder dan Bahan Hukum Tersier. Cara Pengumpulan Data dengan Studi kepustakaan di mana peneliti melakukan studi dokumentasi terhadap data sekunder dan melakukan wawancara dengan narasumber yang terdiri dari akademisi, praktisi dan KPAI. Teknik analisis data secara kualitatif, teknik penyajian deskriptif analitis. Penelitian ini menggunakan metode penemuan hukum penafsiran gramatikal. Hasil penelitian menunjukkan guna memberikan rasa aman kepada anak yang merupakan penerus Bangsa ini maka sangat penting untuk adanya aturan yang jelas dan tersurat mengenai definisi *bullying* dalam UU Perlindungan Anak. Terkait aturan *cyberbullying*, idealnya apabila dijadikan satu antara Pasal 27 ayat (1), (3), (4) dengan Pasal 29 UU ITE, begitu juga mengenai ancaman pidananya. Kemudian untuk melengkapi aturan mengenai *cyberbullying* bisa ditambahkan definisi *cyberbullying* termasuk aspek-aspek lain didalamnya. Terkait pencegahan dan penanganan yang dilakukan oleh KPAI terhadap kasus *cyberbullying* terhadap anak, sudah tepat. Akan tetapi, mungkin bisa ditambahkan dengan bekerjasama antara KPAI dengan kementerian atau lembaga atau organisasi lain.

Kata Kunci: Anak; *Cyberbullying*; Perlindungan Anak

ABSTRACT

Cyberbullying crimes in the past year have increased. Meanwhile, positive rules or laws in Indonesia have not explicitly and explicitly regulated cyberbullying against children. The purpose of this study was to determine the urgency of regulating cyberbullying against children in positive law in Indonesia and to determine the prevention and handling of cyberbullying against children by the Indonesian Child Protection Commission (KPAI). This research is normative legal research that is equipped with interviews. The problem approach used is a statutory approach and a conceptual approach. The data sources are Primary Legal Materials, Secondary Legal Materials and Tertiary Legal Materials. Method of Data Collection by Studying the literature in which the researcher conducts a documentation study of secondary data and conducts interviews with resource persons consisting of academics, practitioners and KPAI. Data analysis techniques are qualitative, descriptive analytical presentation techniques. This study uses the method of finding the law of grammatical interpretation. The results of the study show that in order to provide a sense of security to children who are the successors of this nation, it is very important to have clear and explicit rules regarding the definition of bullying in the Child Protection Act. Regarding the rules of cyberbullying, according to researchers, ideally if it is made one between Article 27 paragraphs (1), (3), (4) with Article 29 of the ITE Law, as well as regarding the criminal threat. Then to complete the rules regarding cyberbullying, the definition of cyberbullying can be added including other aspects in it. Regarding the prevention and handling carried out by KPAI on cases of cyberbullying against children, it is appropriate. However, it may be added by collaborating between KPAI and other ministries or institutions or organizations.

Keywords: Children; cyberbullying; child protection