The Role of Investigators in Handling Hate Speech Cases by Children as Criminal Offenders
(Case study of Polda Bali)

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Abstract
The rapid progress of our time is evident in various aspects of life, including the realm of technology. This progress can have both positive and negative effects on users, especially children who are more susceptible to influence. There is a concern that when children come across news or false information in the media, they may unknowingly spread it without verifying its accuracy. Furthermore, there is a possibility that they may engage in Hate Speech without realizing that it is against the law. This raises a research question: How effective is the implementation of Restorative Justice at the investigator level through juvenile diversion in cases involving criminal Hate Speech? To answer this question, the research follows an empirical method and adopts a case-based approach with supporting facts. The research location for the study is the Bali Regional Police (Polda Bali). The research object focuses on hate speech cases involving child suspects and the effectiveness of Restorative Justice through diversion at the investigator level. Data is collected through interviews and documentary studies. In addressing the research problem, the author focuses on the theory of legal effectiveness, which emphasizes prevention rather than punishment by investigators. Investigators base their actions on Article 1 Paragraph 6 and 7 of Law Number 11 of 2012, which prioritizes Restorative Justice and diversion in handling juvenile cases. The use of Restorative Justice and diversion plays a crucial role in protecting the rights of children and preventing discrimination.

Keywords: Effectiveness; Restorative Justice; Diversion; Children Who Commit Crimes of Hate Speech

INTRODUCTION

The field of technology has experienced rapid development, impacting various aspects of life. One significant area affected is the way we access information through mass media. This technological advancement has both positive and negative consequences for users. Lack of supervision and knowledge about reliable information sources can lead to negative outcomes. Children, in particular, are vulnerable to being easily influenced. In today's digital era, it is common for children to have their own mobile phones. Without proper guidance and support from parents and family, they may misuse these devices (Habibie, 2018). The internet and mass media are accessible 24/7 without any restrictions, which raises concerns about the potential negative effects on children in the absence of parental supervision (Iskandar et al., 2021).

The rise of internet and mass media has made it easier for people from all walks of life to express their ideas and opinions. However, this convenience also comes with a downside. Internet and mass media can also spread hoaxes and false information, which can be extremely dangerous if people believe them without verifying the truth. This is particularly concerning when it comes to children, as they are more susceptible to believing what they come across without questioning its authenticity (Utama Siahaan, 2018). Consequently, there is a risk that children may unknowingly spread hoax news or engage in hate speech, without realizing that they are violating the rules and laws. Hate speech violations are addressed in the Electronic Information and Transactions Law Number 19 of 2016, specifically in Article 28 Paragraph 2, which prohibits the intentional dissemination of information aimed at inciting hatred or hostility towards individuals or specific community groups based on ethnicity, religion, race, and intergroup (SARA). The law stipulates a minimum sentence of 18 months imprisonment and a maximum of 6 years imprisonment for such offenses.

Restorative Justice and Diversion efforts are highly suitable for addressing cases involving children (Iskandar et al., 2021). These efforts aim to restore justice for children, in accordance with the provisions of Law No. 35 of 2014 on Child Protection, which emphasizes the importance of safeguarding children's rights and ensuring their optimal development and protection from violence and discrimination. Additionally, Law No. 11 of 2012 on the Child Criminal Justice System further supports the implementation of these efforts (Flora, 2018). Given this information, researchers are keen on conducting extensive research on "The Role of Investigators in Dealing with Hate Speech Cases Committed by Children as Criminal Offenders."

Restorative justice in the juvenile criminal justice system is an approach that focuses on recovery and restoring the balance between the offender, victim, and community. It involves a diversion process that aims to avoid the negative impacts of the criminal justice system on children, such as stigma and psychological trauma. This process ensures that children involved in criminal acts can take responsibility for their actions and make amends without having to go through a formal and repressive legal process.

However, not all crimes committed by children can be resolved through restorative justice. Serious crimes or those involving serious violence are not suitable for this approach, due to their complexity and impact on victims and society. Therefore, it is important to evaluate each case individually to determine whether restorative justice is an appropriate approach.
Restorative Justice in the Indonesian Juvenile Justice System (SPAA) Law aims to resolve criminal cases by involving perpetrators, victims, families of perpetrators/victims, and other related parties to find a fair solution. Restorative Justice is regulated in Law No. 11/2012 on SPAA and focuses on restoration to the original state, not retaliation (Nisa & Jaya, 2020; Widiarta et al., 2016). In the juvenile criminal justice system, Restorative Justice is required to consider the best interests of the child. The handling of cases of children in conflict with the law must prioritize Restorative Justice, which involves the criminal justice process being transferred to processes outside of criminal justice, such as diversion (Nisa & Jaya, 2020; Widiarta et al., 2016).

Diversion in the settlement of juvenile cases is a criminal justice process that is diverted to processes outside the criminal justice system, such as penal mediation and restorative conferencing, including family group conferences. Diversion aims to prevent children from being detained and improve community conditions.

Law enforcers, such as public prosecutors, must cooperate to create alternative legal conflict resolution that takes into account human rights and justice. The resolution of cases of children in conflict with the law must consider the best interests of the child and prioritize Restorative Justice (Cornelius & Harefa, 2021; Nisa & Jaya, 2020).

Juhari (2019) conducted a study titled "Restorative Justice in Criminal Law Reform in Indonesia" that delved deeper into similar research. The study focused on the effective use of Restorative Justice in law reform, specifically in the context of punishment being transformed into a discussion process and negotiation techniques to achieve more balanced decisions in handling criminal cases. The aim was to involve all parties involved in the legal process, including suspects and victims, in order to explore alternative approaches to handling cases and reduce reliance on established mechanisms. In contrast, the researcher of this study aims to examine the effectiveness of Restorative Justice in handling juvenile criminal cases through diversion at the investigator level. Specifically, the focus is on the role of investigators in applying Restorative Justice to cases of hate speech involving child suspects. The objective of this research is to gain a deeper understanding, analyze, and explore knowledge and insights in the field of law, particularly regarding the effectiveness of applying Restorative Justice through diversion for child suspects involved in hate speech crimes.

**RESEARCH METHODS**

This study utilizes an empirical methodology. The empirical approach to law entails describing the research methods employed in studying and understanding how the law functions within society. As stated by Salim & Nurbani (2015), empirical research involves "describing and analyzing patterns of legal behavior exhibited by individuals and communities, with connections based on law and data obtained from primary sources" (Muhaimin, 2020). The approach types are divided into the case approach and the fact approach. These approaches are closely linked to the empirical method used. By employing the case approach and the fact approach, researchers observe the actual realities in the field to obtain effective, relatable, and accurate data outcomes.

The empirical juridical study was conducted at the Bali Police. This research aims to understand, analyze, and explore the effectiveness of the application of Restorative Justice through diversion in hate speech cases involving children as suspects.
This research uses primary and secondary legal materials. Primary legal materials include relevant laws and regulations, such as Law No. 11/2012 on the Juvenile Criminal Justice System and Law No. 35/2014 on Child Protection. Meanwhile, secondary legal materials include literature, journals, and previous research related to Restorative Justice and diversion.

The data collection techniques used in this research include interviews and documentation studies. Interviews were conducted with investigators at the Bali Police to obtain information regarding the handling of hate speech cases involving children. Documentation studies were conducted by collecting and analyzing relevant documents, including case reports, laws and regulations, and related literature.

The data that has been collected is analyzed using a qualitative approach. This analysis involved an in-depth examination of the data to understand the patterns and relationships between the various factors that influence the effectiveness of Restorative Justice in juvenile criminal cases. This technique allowed the researcher to gain a more comprehensive insight into how the law functions in society and how the Restorative Justice approach can be effectively applied.

RESULTS AND DISCUSSION

According to the interview conducted by the author with the Investigator at the Bali Police RPK (Special Handling Room), it was revealed that there was one reported case of hate speech crime in 2019. However, no such cases involving children were reported in 2020 and 2021. It is important to note that continuous engagement in hate speech can have severe psychological impacts on children. The data provided by UPTD-PPA Denpasar City indicates that there were 17 cases of children perpetrating psychological violence in 2019, followed by 12 cases in 2020, and 15 cases in 2021. Additionally, the KPPAD Bali data for 2021 highlights that two children were identified as victims of ITE (Information and Electronic Transactions).

The lack of clear laws on hate speech in Indonesia has led to a lack of police response to such cases, highlighting the need for better regulations and enforcement mechanisms (Indonesia, 2016). In Merauke, Papua, police face challenges in enforcing hate speech laws due to factors such as limited investigators and the absence of a specialized team (Silambi et al., 2018). Combating hate speech and its detrimental effects, including mental and social disorders, is critical, as highlighted in efforts targeting students to raise awareness and prevent negative behaviors (Erlina et al., 2023).

According to Soerjono Soekanto’s theory of legal effectiveness, there are five significant components to address cases, particularly when dealing with minors who commit acts of hate speech or Hate Speech (Soekanto, 1986). These components involve Restorative Justice and diversion (Siregar, 2018), where the 5 (five) components are:

1. Examined from legal factors

Examining the legal factors surrounding hate speech cases committed by children requires careful consideration of the special regulations that apply to minors. It is important to recognize that children are a distinct group with specific rights and needs, and therefore cannot be treated the same as adults under general regulations. The regulations pertaining to children are designed to provide appropriate sanctions while also ensuring their well-being and protection. As children are the future of our nation, it is crucial to uphold and safeguard their rights, including their right to grow, develop, and live in accordance with basic human values, as well as their right to be
Hate speech possesses the potential to result in a range of human rights violations, varying from mild to severe. These violations can manifest in direct forms, such as verbal abuse or offensive language used in the presence of the targeted individual. Alternatively, hate speech violations can also occur indirectly through the utilization of social media platforms, which can incite conflicts, misunderstandings, and the dissemination of false information. It is crucial to address the repercussions of hate speech in a responsible manner in order to prevent the escalation of conflicts and the potential proliferation of discriminatory acts or the dissemination of hatred through deceptive posts or comments.

Restorative Justice serves as an effective approach to addressing issues involving minors by emphasizing the establishment of relationships between the victims and perpetrators. This approach prioritizes the mutual benefits and responsibilities of both parties. Moreover, Restorative Justice plays a crucial role in providing constructive feedback on criminal acts within the societal framework. It strives to mediate conflicts in a fair and equitable manner, taking into account the interests of the victim, suspect, and the public. Importantly, Restorative Justice also upholds the privacy, identity, safety, and dignity of all individuals involved (Wibowo & Gunrahti, 2021).

Cases of hate speech by children are prevalent in Bali due to various factors. Critical Race Theory applied in Indonesia highlights how hate speech, both verbal and non-verbal, directly and indirectly through social media, leads to social inequality, disrespect, and national decline (Harahap et al., 2022). In addition, the presence of intolerant groups such as the Islamic Defenders Front (FPI) and Hizb ut-Tahrir Indonesia (HTI) shows the tensions in Indonesian society stemming from the newfound freedom of expression in the post-New Order era (Erлина et al., 2023). Efforts to combat hate speech involve initiatives such as providing counseling and taking strict legal action against perpetrators, as seen in the Bali Police’s preventive and repressive measures (Irawan, 2018). In addition, educational campaigns targeting youth in Bali, such as at SMK Kartini Batam and Buleleng Regency, aim to raise awareness and understanding of the dangers of hate speech and bullying, contributing to a more informed and responsible younger generation (Noviyanti, 2022).

In addition to imposing imprisonment or punishment on the suspect, Indonesian law also emphasizes the implementation of Restorative Justice and diversion. In cases involving children, it is crucial to impose appropriate sanctions while considering the investigator’s assessment.

Investigators must thoroughly comprehend the issue of not criminalizing Hate Speech initiated by children in order to approach it from different angles. This will enable them to make informed decisions regarding the imposition of penalties, while ensuring that children’s rights are not violated. When imposing criminal sanctions on children, investigators should carefully consider the relevant provisions outlined in Law Number 35 of 2014, which pertains to Child Protection, as well as Law Number II of 2012, which addresses the Child Criminal Justice System.

The principle of Lex Specialis Derogat Legi Generalis establishes that the provisions of Law Number 35 of 2014, which pertains to child protection in cases of hate speech committed by children, take precedence over the regulations outlined in Law Number 19 of 2016 concerning Electronic Information and Transactions (abbreviated as ITE) Article 28 paragraph (2). Despite this, the Lex Specialis Derogat Legi Generalis principle allows for the
overriding of general laws in favor of specific laws, such as Law Number 35 of 2014 on Child Protection, which is considered a special law as it is not governed by the Criminal Code.

Criminal penalties imposed on juvenile offenders encompass coaching measures implemented by institutions or the application of social sanctions. These two forms of penalties serve as a moderate deterrent for minors, ensuring that the consequences are not excessively severe. Moreover, these measures also facilitate the holistic growth and development of children, encompassing their psychomotor skills and creativity, while avoiding any adverse effects associated with criminal sanctions.

The application of Restorative Justice and diversion in addressing these issues offers a comprehensive understanding of the relevant legal framework in Indonesia. The primary objective of this approach is to ensure its effective implementation by considering the provisions outlined in Chapter II Articles 6 to 15. By utilizing the Restorative Justice process and diversion, the resolution seeks to eliminate criminal behavior and identify the underlying factors contributing to hate speech. Consequently, this empowers citizens and other individuals to actively contribute towards preventing the recurrence of similar criminal offenses (Poerana, 2020).

Restorative justice serves as a means of healing and restoring the situation, employing diversion and ensuring that children, when acting as perpetrators, are adequately equipped to undertake each action and process. The prosecution or handling of criminal offenses involving children necessitates careful and patient treatment, devoid of any employment of violence. Instances involving hate speech crimes suspects who are still considered children, as reported by the Bali Regional Police, were only identified in a single case throughout 2019.

2. Examined from law enforcement factors

Law enforcement of hate speech in Bali committed by children involves several important aspects, starting from the definition of law enforcement, forms of law enforcement (restorative justice), factors that influence law enforcement, to the obstacles faced.

Law enforcement is an effort to ensure that applicable laws are applied fairly and consistently. In the context of hate speech by children, law enforcement includes preventive and repressive actions by the legal apparatus to handle such cases in accordance with applicable regulations.

Law enforcement against children involved in hate speech cases in Bali often uses a restorative justice approach. This approach aims to restore social relations and repair the harm caused, rather than simply punishing the perpetrator. The diversion process, which is part of restorative justice, is often used to divert case resolution from the formal criminal justice system to alternative mechanisms that are more educational and rehabilitative.

Some of the factors that influence law enforcement against hate speech cases by children in Bali include:

a) Technology and Information Development: Children can easily access unverified information through technology, thus increasing the risk of being involved in the spread of hate speech.

b) Emotional and Psychological Conditions of Children: Children are susceptible to being influenced by their surroundings and have unstable emotions, which can trigger impulsive behavior including hate speech.

c) The Role of Family and Environment: Lack of supervision and guidance from parents and the
surrounding environment also plays a role in the rise of hate speech cases. Meanwhile, law enforcement against hate speech cases by children in Bali faces several obstacles, such as:

a) Lack of Legal Understanding by Children: Many children do not understand that their actions may violate the law, so they do not realize the consequences of their actions.

b) Limited Resources: Law enforcement officials may face resource constraints in handling the growing number of cases.

c) Unoptimal Socialization Process: The socialization of the dangers of hate speech and the importance of internet etiquette is still not optimal, so many children are not well educated.

According to the Chief of Police Circular Letter Number: SE/8 / VII / 2018 No. 2 Point B, the implementation of restorative justice in handling crime cases aims to restore balance by holding the perpetrator accountable for their actions, encouraging them to acknowledge their mistakes, apologize, and make amends for the damage or harm caused to the victim. The circular letter also emphasizes the need for a distinct investigation system for children involved in legal proceedings, taking into consideration their less stable mental condition.

When dealing with cases involving children, investigators do not rush to pass judgment before determining guilt or innocence. Instead, they take the time to thoroughly understand the individual involved and invite them to discuss potential steps towards resolution. Naturally, investigators prioritize resolving any issues internally first. Only if they are unable to find a satisfactory solution within the internal framework, do they consider utilizing the diversion system as an alternative. This approach is strongly advocated for when addressing problems concerning children, whether they are the perpetrators or victims, as it ensures the protection of their rights, as well as their overall growth and development.

The settlement conducted by investigators places emphasis on preventive measures rather than punitive actions. In doing so, investigators rely on the provisions outlined in Article 1, Paragraphs 6 and 7 of Law Number 11/2012, which pertain to the Child Criminal Justice System. This approach prioritizes Restorative Justice and diversion strategies in resolving cases involving children. By doing so, the focus is on safeguarding the rights of the child and avoiding any detrimental effects of punishment.

The utilization of Restorative Justice within the criminal justice system holds significant sway and exerts a profound influence on the implementation of restorative justice's objectives or functions. Consequently, this will render the criminal system in Indonesia proficient in terms of executing legal sanctions. The anticipated outcomes of employing Restorative Justice encompass facilitating the rehabilitation and reintegration of offenders into society, fostering comprehension of the repercussions stemming from their actions, instilling in perpetrators an understanding that discourages future transgressions, and offering valuable insights to parents and the wider community (Hambali, 2019).

3. Examined from the Facilities factor

Examined from the perspective of the Facilities factor, the role of these facilities can be likened to a means of achieving goals. In order for goals to be successfully achieved, it is essential to have physical facilities that can effectively support and fulfill their intended functions. Apart from PPA Investigators, UPTD PPA and KPPAD serve as tools that provide support for child protection. Through interviews
conducted with Ms. Luh Putu Anggereni, S.H., a counselor at UPTD PPA, and Mr. A.A Made Putra Wirawan, S.H., M.H., the Deputy Chairperson of KPPAD Bali and concurrently the Special Protection Division at KPPAD, it has been revealed that the functions and means of UPTD PPA and KPPAD involve carrying out socialization efforts within the community to emphasize the importance of child protection. It is crucial to provide proper guidance to children who have engaged in criminal acts, rather than intimidating them. In order to fulfill their duties effectively, UPTD PPA and KPPAD collaborate with village leaders and the youth of the village.

The purpose of the collaboration is to provide assistance and facilitate the resolution of issues, beginning with the internal party. However, if the matter cannot be resolved internally, the UPTD PPA and KPPAD will personally intervene in the field to address the case. The procedure followed by the UPTD PPA and KPPAD in resolving cases involves engaging with the child's family, guardian, or parents who are responsible for the child’s actions. They will inquire about the child’s daily routine, behavior at school and in the community, as well as the child’s social circle.

The behavior of children to engage in criminal activities is significantly impacted by various factors, including the influence of their peers. The role of the family, guardian, or parents is crucial in shaping the development and behavior of children. This is because children tend to imitate what they observe in their surroundings. When children engage in unlawful activities, it is important to provide them with guidance rather than discriminate against them. This approach ensures that their mental well-being and overall growth and development are not hindered.

The UPTD PPA offers amenities for three Child Lawyers and two Child Psychologists, who will support and guide the child throughout the entire process until the case is fully resolved or concluded. The main objective behind providing these facilities is to ensure convenience and alleviate any financial burden on parents who are unable to afford legal representation or seek consultation with a Child Psychologist. However, in cases where the expertise of a Psychologist is deemed inadequate, a referral will be made to a Psychiatrist at a hospital.

4. Examined from Cultural Factors

Cultural factors are closely connected to community factors, although they are intentionally distinguished due to their focus on the system of values from a cultural or non-material perspective. In addition, society develops laws within its surrounding environment, known as customary law, which can also play a significant role in shaping these cultural factors.

Hate speech, particularly in the context of Restorative Justice and cultural factors, involves the expression of prejudice and negative sentiments, which can have severe implications both online and offline (Liebmann, 2015). Restorative Justice offers a potential avenue to address the harm caused by hate speech by focusing on repairing the damage and challenging the underlying prejudices that fuel the speech (Sari et al., 2022; Walters, 2014). Cultural factors play an important role in hate crime victimization, with socio-cultural and socio-economic variables influencing the causes and effects of hate-motivated offenses, highlighting the complexity of effectively addressing this issue (Gavrielides, 2012).

Society plays a crucial role in shaping the perception and stigma that emerge, as it undergoes constant evolution. It is imperative to prioritize the social well-being of children, necessitating a
collaborative effort between the community and law enforcement agencies to foster positive advancements within society. Investigators responsible for child protection must also strive for coherence, ensuring that their actions differ from those taken in response to offenses committed by adults.

Following the interview process conducted by the Bali Regional Police (Polda Bali), investigators responsible for handling cases involving children are under the direct supervision of Ditreskrimum (Directorate of General Investigation and Criminal), particularly in the area of Subdit IV. In relation to the Cultural Factor, it is imperative for investigators to not only focus on the child’s actions when carrying out their duties, but also consider the circumstances that led to the child’s involvement in the case. It is crucial for investigators to establish a synergy with the community in order to gain insights into the child’s background, daily life, and the extent of their social interactions. This is because children often engage in hate speech due to their unstable emotions and negative influences from their social circle.

When handling a case involving children, investigators must adopt a relaxed approach, avoiding any actions that may corner or intimidate the child. It is crucial for investigators to refrain from using a high tone and to conduct investigations in accordance with the Standard Operating Procedures (SOP) of Restorative Justice. By adhering to these guidelines, the investigation process can proceed smoothly. However, if the investigator fails to follow these principles, there is a concern that the child may feel pressured and provide inaccurate answers. In cases where children are perpetrators of hate speech, it is expected that investigators can opt for non-litigation or mediation instead of the traditional litigation route. The primary objective of diverting criminal proceedings in such cases is to minimize the negative impact of punishment on these children. This diversion approach has significant implications as it allows children to continue their growth and development while safeguarding their mental and physical well-being.

Examining the cultural and environmental factors surrounding a child, it becomes evident that the influence of parental education and parenting styles is of utmost importance, particularly in relation to the child’s future development. One crucial aspect in this regard is the teaching of language. The utilization of language and the upbringing within the family environment significantly impact the child’s future growth. This is primarily due to the fact that language serves as a vital medium of communication in various aspects of life, thereby influencing the child’s behavior, speech patterns, and thinking processes. In order to foster a healthy parent-child relationship, it is imperative for parents to establish a partnership with their children, ensuring a harmonious and comfortable environment.

5. Examined from Community Factors

Social environments play an important role in understanding hate speech, with studies emphasizing the need for an integrated approach that considers both online and offline dimensions (Langton, 2016). Hate speech not only affects individuals but also undermines justice in society, hinders public social recognition and undermines basic dignity and social standing (Walters & Hoyle, 2017).

Examined through the lens of community factors, the role of law enforcement in society is to ensure fairness and promote overall well-being. In this context, the term “community” refers to individuals who are not closely related to the child but are part of the broader social fabric. These individuals have the potential to impact children’s behavior and
serve as role models. The societal sphere encompasses a wide range of influences that significantly shape the understanding of ethical principles and the development of character.

Its role in society is closely related to shaping people's perceptions and mindsets towards education. This influence becomes evident when considering the significance of intelligence and understanding within a community, particularly in terms of preparing individuals to navigate social life in an increasingly technology-driven world. Failing to teach or cultivate compassion and love in children from an early age may result in the development of selfish and anti-social tendencies as they mature. As responsible parents, it is crucial to instill social behavior in children. This process involves facilitating opportunities for children to gain a deeper understanding of themselves through interactions with society and friends. However, parents cannot simply relinquish control; they must maintain appropriate oversight of their child's development.

The current era offers a highly intricate communication landscape and an abundance of compact devices. Among the users of these gadgets are children, who require careful and stringent supervision. There is a concern that if children are left unsupervised, they may access the internet and search for information that could potentially lead to the dissemination of hoaxes, offensive content, or inappropriate material. Moreover, this unrestricted access to the internet may result in the misuse of online platforms, inadvertently causing children to unknowingly violate Indonesian laws.

Parents play a crucial role in shaping the mindset of their children and it is essential for them to establish a deep emotional bond with their child. This bond enables parents to gauge the extent of their child’s development, which is reflected in their ability to adapt, form friendships, understand their emotions, and comprehend their thoughts and needs.

The UPTD PPA acknowledges that the growth and development of children within their surrounding environment holds immense importance. This significance stems from the fact that children are often influenced by their daily playmates, who are typically their peers. It is crucial for parents to be aware of their children's friends, as a lack of knowledge regarding their backgrounds may potentially result in negative consequences for the child. In addition to preventing child discrimination, it is essential to carefully and wisely select the spaces in which children engage in play, as this can greatly impact their future.

CONCLUSION
This research examines law enforcement against hate speech cases committed by children in Bali using restorative justice and diversion approaches. Based on the formulation of the problems that have been studied, the conclusion that can be drawn is that law enforcement against hate speech cases involving children in Bali involves preventive and repressive efforts in accordance with applicable regulations. The aim is to ensure that the law is applied fairly and consistently. A restorative justice approach is used to deal with these cases, which aims to restore social relations and repair the harm caused. Diversion processes are used to divert case resolution from the formal criminal justice system to alternative mechanisms that are more educational and rehabilitative. This helps to protect the rights of the child and prevent discrimination.

Factors affecting law enforcement include technological advances that facilitate access to information for children, children’s unstable emotions and psychology, and the role of family and environment in supervising and guiding...
children. These factors influence children’s involvement in hate speech and are important to understand in the context of law enforcement. Obstacles faced in law enforcement include the lack of understanding of the law by children, limited resources of law enforcement officers, and the process of socialization of the dangers of hate speech that has not been optimal.

Collaboration between UPTD PPA, KPPAD, and village community leaders is essential in solving problems involving children. Preventive efforts are prioritized over punitive measures, with a focus on rehabilitation and reintegration of children into society. Overall, this research emphasizes the importance of a holistic and collaborative approach in law enforcement against hate speech cases committed by children. Restorative justice and diversionary approaches play a key role in protecting children’s rights, preventing discrimination, and promoting better child development and growth.

REFERENCES


