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## CYBERBULLYING AMONG CHILDREN: A CROSS JURISDICTIONAL PERSPECTIVE

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### Abstract

The offence of **cyberbullying** is becoming prevalent in the digital era. This involves embarrassing pictures of the victims, negative comments on social media, and the internet with the intent to harass or shame the victims. In Malaysia, **cyberbullying** is governed by the Communication and Multimedia Act 1998 and the Penal Code. However, if the perpetrator is **a child**, the Child Act 2001 governs the criminal process and the disposition of the case, which is punitive in nature. The United Nations encourages state parties to apply restorative justice to deal with **cyberbullying**. New Zealand has implemented **a family group conference** to resolve criminal offences committed by **children**, which includes **cyberbullying**. The objective of this article is to examine the nature of **cyberbullying among children**. This article also analyses the process under the United Nations Convention on the Rights of the Child, New Zealand law, and Malaysian law on **cyberbullying among children**. It is recommended that the Child Act 2001 is amended by allowing **children** who are involved in **cyberbullying** to resolve the case through **a family group conference** as **a process of restorative justice**, which is recommended by the United Nations. The significance of this research is that it works towards the betterment of **children's** needs and welfare in Malaysia. This research adopts **a qualitative methodology** that mainly focuses on doctrinal research where the sources include, **among** others, statutes, journal articles, and books.

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