

# **The judicial system's response to bullying in the educational setting**

**María José Rabazo Méndez  
&  
Juan Manuel Moreno Manso**

---

Facultad de Educación, University of Extremadura,  
Badajoz

---

**Spain**

[jmmanso@unex.es](mailto:jmmanso@unex.es)

## Abstract

*The aim of this article is to inform in psychoeducational environments about the Instruction 10/2005 of the State General District attorney's office for the treatment of bullying by District attorneys Chiefs when the acts of harassment are denounced at the Police or to the Minors' District attorney's office. This Instruction tries to orientate the actuation process because of the lack of a legal specific frame in our juridical Classification for the treatment of school violence.*

*The judicial treatment to the problem of the school violence has to be based on the principle of minimal intervention, and the role assigned to the juvenile justice in the struggle against this phenomenon has a subsidiary and reactive character.*

*The response to the school harassment by the minors' jurisdiction must turn on three essential aspects: protection of the victim with immediate cessation of the harassment, educational response to the aggressor, modulated according to his psychological, social and family circumstances, and according to gravity of facts and, in its case, repair of damages and prejudices. The above mentioned response is based on three basic props: the Convention of the Laws of the Child, the Constitution and the Educational Legislation, besides in the Organic Regulatory Law of the Penal Responsibility of the Minors (LORPM).*

**Keywords:** Bullying, jurisdiction of minors, Instrucción 10/2005, aggressions in the school, minors' protection.