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GROOMING OFFENCES AGAINST CHILDREN IN INDONESIA

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ABSTRACT

The development of information technology has brought about profound changes in people's lives. No aspect of life is left untouched and in the world of crime, especially grooming crimes, which target victims who are children, are also experiencing considerable increase. Legal limitations make it difficult for law enforcement officials to carry out more effective law enforcement. This study examines the legal regime and the factors that encourage crime against children. The present research will be an important point of departure as it will influence the work process of law enforcement officers in terms of child care, especially for child victims. This study uses a legal normative method with a qualitative case study approach, a conceptual approach and a legislative approach. The results show that legal arrangements regarding grooming crimes are regulated using different laws, but do not clearly and explicitly address the many important issues around

grooming crimes. As a result, law enforcement officials have difficulty interpreting laws in relation to the relevant causal factors, such as the perpetrator, the victim and social factors.

Keywords: Grooming offence, cybercrime, children, Indonesia.

INTRODUCTION

Due to the rapid progress of development in information technology, everyone now has access to the Internet, to the unlimited bounds of cyberspace. Cyberspace provides a public space, a means of communication for new communities, whether global, local or anything in between (Jones, 1997), and serves as a medium for people to meet their needs in every aspect of their lives that may cross time boundaries and even ages. Both children and adolescents are active netizens in cyberspace, especially as active users of social media which is increasingly popular among them with the passage of time.

As social beings, children need interaction with their environment to grow and develop in every aspect of their lives, be it social, emotional, moral or spiritual intelligence (Maulidya, 2020). Especially in the era of globalization, children's interactions must be well balanced in the context of their everyday activities. This latest technological development requires children to see the positive and negative aspects of using technology. Every child who is connected to this virtual world can roam freely in an unlimited space, facing various risks that can entangle him in social media crimes (Suendra & Mulyawati, 2020). This is because all information uploaded in that space is available to everyone who has access. Therefore, children are in danger of becoming a victim of cyberbullying, a victim of sexual violence, or even a victim of murder (Mohd Fadhilah Zein, 2016).

An example of technology-based sexual violence is grooming. Although it is often seen as some new *modus operandi*, it is in fact related to the prevalence of sexual violence and immoral acts, immoral behavior or pornographic behavior made possible with the advent of the internet and its open access. Similarly, grooming stems from the ease of virtual communication, which makes children susceptible to online sexual exploitation.

According to Kloess et al. (2014), the perpetrator commits verbal or forced sexual violence, which can then lead to other sexual

transgressive behaviors. Grooming, or grooming for sexual purposes, is one of the four forms of online sexual exploitation. Other forms of online sexual harassment that are similar to grooming include posting materials on child sexual abuse/exploitation, sexual extortion, sexting, and direct online sexual harassment of children (Maulidya, 2020).

In Indonesia in particular, the grooming phenomenon has recently received a lot of attention. This was especially so in July 2019 when an offender was caught committing a grooming offence against a child; the amazing aspect of this case was that the perpetrator had already been convicted of a case of sexual violence and child exploitation. Grooming has consequences for child victims, both physically and mentally. The trauma experienced by a victim ranges from feelings of being betrayed, which can lead to reduced or general loss of trust in adults, to sexual trauma and feelings of helplessness which can interfere with the child's mental development (Noviana, 2015). This trauma can cause various problems that can even continue into adulthood (Whittle et al., 2013). For example, the victim will have difficulties managing stress levels, post-traumatic stress disorder, emotional disturbances, anxiety disorders, and develop suicidal tendencies. (Ost, 2009). Digital footprints last as long as the child continues to experience new trauma.

The massive impact of this sort of trauma underscores the importance of law enforcement against the offenders. However, since Indonesians are only beginning to be impacted by grooming, they are still exploring ways to circumvent these new scourge against children. If you think about it, grooming is an outgrowth of the crime of pornography. Rules regarding all forms of prohibition of pornography are written in articles 282 and 283 of the Criminal Code (Harefa, 2019). Due to the widespread use of technology, new regulations have to be introduced to strike a balance between justice, order and legal certainty (Kansil, 2014). Law enforcement based solely on the Criminal Code will lead to violations of the law or what is often referred to as a legal vacuum (Setiyono, 2010).

This concern underlies the initiative by law enforcers to make regulations to specifically deal with technology-based sexual crimes that are not covered in the Criminal Code (Rosyadi, 2013). Laws and regulations based on the Pancasila and the 1945 Constitution of the Republic of Indonesia are based on the principle found in Article 28B

number (2) of the 1945 Constitution of the Republic of Indonesia, which expressly states that a child may not become a victim of violence or crime. This concern is the basis for the author's motivation to conduct further studies regarding the laws and regulations that will regulate planned criminal acts in Indonesia. There is an urgent need to provide a deterrent effect and prevent more cases from arising, given the rapid technological advances that cannot be avoided, as well as the existence of factors that cause grooming crimes in Indonesia.

The main focus of this research is on what legal arrangements are most important in relation to sexual criminal acts, especially against child victims and what factors can lead to the crime of grooming children. This research is very important as it seeks to address legal issues, especially the laws and regulations that regulate the crime of grooming as a crime. As a result of the rapid development in information technology, this issue has not been studied specifically through research in Indonesia.

This research will be an important contribution to the field as it will have an impact on the work processes of law enforcement officials in cases of grooming crimes, especially as it involves children as victims. In addition, it will be a significant contribution to the development of law, especially the development of legal regulations which can keep abreast of the rapid development and widespread uses of information technology.

RESEARCH METHODOLOGY

This study uses a normative juridical method with a qualitative approach. It will include illustrations about general definition and legislation, as well as the forms of protection and prevention against the act of grooming in Indonesia (Marzuki, 2005). Furthermore, the approaches used in this study are the case study approach, the conceptual approach, and the legislation approach. The data used is secondary data in the form of laws and regulations and the results of previous research that generally discusses the impact of technological and social developments on society with regard to the crime of grooming. The collected data is then critically analyzed to flesh out the concept of regulation regarding grooming crimes, especially those that involve children as victims.

In this study, several laws were studied, namely:

- a. Criminal Code
- b. Law No. 19 of 2016
- c. Law No. 44 of 2008
- d. Law No. 35 of 2014
- e. Government Regulation No. 50 of 2019

THE APPLICABLE LEGISLATIONS ON THE SUPERVISION OF OFFENDERS AND VICTIMS OF GROOMING OFFENCES IN INDONESIA

The National Society for the Prevention of Cruelty to Children (NSPCC), a child protection service based in the UK, defined grooming as a situation where a child unconsciously forms a relationship with an offender which then evokes trust and emotional connection towards the child and/or teenager, allowing the offender to manipulate, exploit, and even commit violence or sexual assault towards the child. A similar definition was given by Gillespie (2002), where he defined grooming as a process where an alleged offender forms a relationship with a child in order to gain trust or in other words to allow the offender to target children as victims. Moreover, O'Connell (2003), a researcher from the University of Central Lancashire Cybercrime Research Unit, defined grooming as a behavior in which the offender, who is a pedophile, establishes a relationship with a child victim in order to sexually violate him/her and break the law. Furthermore, Knoll (2010) defined grooming as a process where a sexual offender establishes and maintains a relationship of sexual misconduct with children. He also defined grooming as an arranged approach by the offender in order to conduct a sexual relationship and keeping it under the radar.

In general, a grooming offence is committed by three types of offenders; the first one is the distorted attachment offender, who desires a relationship with children, the second type is the adaptable online groomer, whereby the offender wishes to satisfy their sexual desire by viewing their target as someone who is mature and capable, and the third type is the hypersexual offender, whereby the offender develops an addiction in child pornographic content and has established significant relations with other offenders (Gottschalk, 2011). According to O'Connell (2003), there are five stages in the

grooming process, commonly known as “the general pattern of grooming”. The five stages are the friendship forming stage, the relationship forming stage, the risk assessment stage, the exclusivity stage, and the sexual stage.

Connell explained that in the first two stages, which are friendship- and relationship-forming stages, perpetrators will first gather information about the child, to observe any vulnerabilities within the child, and use that information to make the particular child the victim. The next stage would be the risk assessment stage. During this stage, the offender would consider the risk of being discovered and to assess whether the conversation between the offender and the victim remain under wraps. If so, the offender would move on to the next stage, that is the exclusivity stage. During this stage, the offender would provide the feelings of closeness and comfort to the child so that the offender might enter the final stage, which is the sexual stage. In this stage, the offender would carry out his/her purpose, that is to harass or exploit the victim sexually during their conversation (Panouvic, 2020).

The stages of grooming are supported by a psychological theory from Olson (2003), known as Olson’s Theory of Luring Communication (LCT). There are three stages in the process of grooming when a groomer has attained access to a child. The first stage is the deceptive trust development stage, whereby the offender exchanges personal information such as age, hobbies, and dislikes. This exchange of information allows both sides to achieve a form of mutual understanding and allows the offender to dig for further information about the victim. The next stage is the grooming stage. During this stage, the offender would incite sexual curiosity in the victim by using sexual terms in their conversation, thus trapping the child into engaging in online sexual behavior. Through the method, the offender would execute their act by nurturing and framing the child through constant communication, gaining trust from the victim and isolating the victim from his/her friends and family. The last stage is the physical approach, the offender will ask for the schedule and the location of the victim’s parents (Cano et al., 2014).

In Indonesia, grooming offences have gained a lot of public attention since 2019. The modus operandi of a convicted child molester called TR begun when the perpetrator started looking for information about potential victims through the social media platform Instagram. The offender used several keywords such as elementary school, junior high

school, or senior high school and then browsed through the public accounts of both teachers and students. Subsequently, the offender proceeded by creating fake accounts using the identity of one of the victim's teachers. The offender then instructed the victim to send nude photos and videos through the chat application Whatsapp, as well as through direct messages which would coerce the victims through threats such as giving the victims low grades if they refused. When these ploys achieved their purpose, the offender would ask the victims to delete every photograph and video, as well as incoming messages. Lastly, the victim would be instructed to keep the interactions secret.

The investigation carried out by the Directorate of Cyber Crime, Sub Directory 1, found out that the offender's motive was to fulfill his own desire or for his personal gain. This investigation was started because there was a report made by the victim's parents, who unintentionally looked through the victim's cellphone. The parents found Whatsapp chats as well as direct messages from the perpetrator which had content that was not normal. This discovery prompted the parents to report this distasteful state of affairs to the police who moved quickly to carry out an investigation of the perpetrators.

Till today, there is still no *lex specialist* tasked with regulating grooming offences in Indonesia. However, according to Soekanto (2012) one out of the five factors that has impacted law enforcement in Indonesia, legislation has an important role to play in reigning in the perpetrators. In this regard, there have been several developments in several laws which formed the basis for addressing the legal issues related to grooming offences, such as:

a. Article 82 jo 76E Law Number 35 Year 2014 on The Amendment on Law Number 23 Year 2002 on Child Protection

According to Article 82, the perpetrator of a grooming offence can be punished with a jail term of five (5) years and at most 15 years, with a maximum fine of Rp5.000.000.000,00 (five billion rupiahs) because it has fulfilled the element in Article 76E, which states: "*conducting violence or threat of violence, coercion, deceit, to conduct a series of trickery, or to persuade children to act or to permit indecent act to happen.*"

The element of "violence" according to Article 1 number 15A Law Number 35 Year 2014 on The Amendment on Law Number 23 Year

2002 on Child Protection has been defined as “*every act against Children that will cause suffering either physically, mentally, sexually, and/or neglect including threats of behaviors, coercion or the deprivation of independence that is against the law.*” The element of “coercion” can be defined as commanding someone to do a certain behavior, in such a way that they act against their own whims (Soesilo, 1991). The elements of “deceit” and “to conduct a series of trickery or to persuade” have a strong connection with each other. Hoge Raad in his arrest in January 30, 1911, explained that deceit is any misleading deed which could generate false pretexts and inaccurate views, and people are compelled to accept it (Soenarto, 2009). Whereas in Hoge Raad’s arrest in March 8, 1926, it was defined as ‘to conduct a series of trickery’ as an elaborate connection where one lie completes the other, collectively framing false pretexts that is claimed as the truth (Soenarto, 2009). The context of persuasion itself is a behavior to manipulate oneself to conduct a misleading deed through methods and approaches written in Article 55 number (1) Criminal Code (Yunastian et al., 2017).

In substance, the context of ‘a series of trickery’ can be defined as some false pretexts, deceit is lying non-verbally, and persuasion is to convince someone with words that are framed to be the truth. These three methods are then being used simultaneously against the child victim, which according to Article 1 number 1 Law Number 35 Year 2014 on Child Protection is, “*someone who is under 18 (eighteen) years old, including a child in their mother’s womb.*” The element of “indecent act” itself, referring to Article 289 Criminal Code, is every deed that violate decency or is considered immoral deeds. The prohibition in this Article does not only refer to the coercion to do indecent act, but also prohibit people to coerce people to permit an indecent act to happen to oneself (Soesilo, 1991).

b. Article 29 jo Article 4 Number (1) jo Article 37 Law Number 44 Year 2008 on Pornography

The element of pornography in this context has a strong connection with the possibility of sexual exploitation or indecent act towards children through the internet medium. Therefore, the definition of pornography according Law Number 44 Year 2008 on Pornography is related to grooming offences and would be a sound alternative in

addition to Law Number 35 Year 2014 on The Amendment on Law Number 23 Year 2002 on Child Protection.

Article 29 states that every perpetrator will be punished with jail time of at least six (6) months and at most 12 years and/or to a fine of at least Rp250.000.000,00 (two hundred fifty million rupiahs) and a maximum of Rp6.000.000.000,00 (six billion rupiahs) for every person who commits any illegal deeds according to Article 4 Law Number 44 Year 2008, in the form of production, creating, multiplying, reduplicating, distributing, importing, exporting, offering, trading, renting, or providing any pornographic content which explicitly contains:

- a. Sexual intercourse, including sexual deviation;
- b. Sexual violence;
- c. Masturbation;
- d. Nudity or any display that implied nudity;
- e. Genitals; or,
- f. Child pornography.

Children are the main targets in grooming offences, therefore according to Article 11 the perpetrator might face punishment as much as 1/3 of the maximum sentence according to Article 37 Law Number 44 Year 2008 on Pornography.

c. Article 45 Number (1) jo Article 27 Number (1) Law Number 19 Year 2016 on The Amendment on Law Number 11 Year 2008 on Electronic Information and Transaction

Since the majority of grooming offences utilize social media and/or information technology as the medium targeting victims (Purandari, 2019), the grooming offence is interconnected to Law Number 19 Year 2016 on the Amendment on Law Number 11 Year 2008 on Electronic Information and Transaction. The perpetrator of a grooming offence, according to Article 45, can be sentenced with jail time for a maximum of six (6) years and/or pay a maximum fine of Rp1.000.000.000,00 (one billion rupiahs) because the offence has violated Article 27 (number 1), which states that “*every one purposefully and unrightfully distribute and/or transmit and/or to allow the access to Electronic Information and/or Electronic Documents which contain contents that violate the norms of decency.*”

The term “purposefully” used in the Article with regard to the issue of a grooming offence stated that a groomer is aware and fully intent/with a certain intent in accordance with a statement in Hoge Raad, June 19 1911, by devising a scheme beforehand with a sound mind and a psychological capability to think (Soenarto, 2009). The term “unrightfully” can be defined as an illegal deed, unlawfully imposing on another person’s rights (Lamintang, 2014), and in the context of the offence this can be defined as child’s right as a victim of grooming. The contents obtained by the groomer itself has been explicitly stated as illegal according to the Law on Electronic Information and Transaction, confirming that groomer has no legal basis according to rights, legislation, as well as permission to abuse others by using contents which contained pornographic material.

The use of the phrase “distribute and/or transmit and/or allow access” has its own definitions according to the commentary on Law Number 19 Year 2016 on The Amendment on Law Number 11 Year 2008 on Electronic Information and Transaction number 4, where “distribute” means to send and/or distribute Electronic Information and/or Electronic Documents to many people or various parties through an electronic system. “Transmit” is to send information and/or Electronic Document to other parties through an electronic system, and “allow access” means every other deed in addition to distributing and transmitting through an electronic system, causing the Electronic Information and/or Electronic Document to be accessible to other parties or the public.

The three elements lead to the conclusion that the groomer’s actions to obtain the photos and videos, which they then send singularly from the victim for themselves, showed that the elements have been fulfilled. The element of “violating the norms of decency”, for instance to show nudity is considered a grooming offence, which in substance can be viewed as an electronic document with pornographic content, and it can be safely concluded that the action has violated the norm of decency in society. Furthermore, The Law on Electronic Information and Transaction has been able to provide adequate protection for child victims. It is written in Article 52 number (1), where it is stated that, *“in the matter of criminal offences as referred to in Article 27 number (1), relating to decency or sexual exploitation towards children, would be sentenced more severely as much as one third of its main sentence.”*

The approach towards a grooming offence can be viewed from the offender's side as well, other than from the perspective of the child victims. This is because veritably, every child is an individual with full rights to be afforded protection and security. Whereas specifically there still has been no adequate legislation in regulating grooming offences, whether with respect to the offenders or the victims, it does not dismiss the urgent need for the victims to receive fair treatment providing protection against every aspect or element related to the grooming offence. Every regulation, whether national or international, has sought to guarantee the safety of the child victims, as can be seen from the following Regulations:

a. Government Regulation Number 50 Year 2019 on The Implementation of Child Protection Coordination

The handling of a grooming offence requires the collaboration of both government and stakeholders such as parents, teacher and practitioners (Winters et al., 2017), which also includes advocates, researchers, judiciary officials, the police, child protection organizations and other such parties (Brown, 2017). The government without a doubt, has a big role to play in handling the criminal act of grooming. It must address the following considerations on further provisions regarding the coordination for the implementation of protection for the child victims as contained in Article 73A Paragraph (3) of Law Number 35 Year 2014, and on the amendment of Law Number 23 Year 2002 on Child Protection. The right steps have been taken when Indonesia's President, Joko Widodo on 6th September 2019 signed The Government Regulation Number 59 Year 2019 on the Implementation of Coordination for Child Protection.

Due to the fact that children who are victims of grooming can also be victims of pornography, psychic violence and sexual crimes as written in Article 7 point (f), (i), and (j) of the Government Regulation, the implementation of coordination as written in Article 4 Paragraph (2) about children who are victims of grooming can be done through monitoring, evaluation, and reporting of the offence. Especially in the evaluation stage, as written in Article 12 Paragraph (2), this can also include an evaluation of the ongoing implementation of protection for victims, effects on the victim themselves and the results of implementation in order to maximize the scope of child protection for the victims of grooming.

Ratification of the Convention on the Rights of Children in the Presidential Decree Number 36 Year 1990

Children as individuals inherently have the inalienable right to feel safe, as well as a sense of security against the act of grooming. Indeed, the responsibility of providing a sense of security in the handling of grooming offences and protection for the child victims is an obligation that must be guaranteed to every child all over the world, including Indonesia. The Convention on the Rights of Children which have been ratified in the Presidential Decree Number 36 Year 1990 Article 3 Point (2) has stated that *“States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her; and, to this end, shall take all appropriate legislative and administrative measures.”*

The importance of a child’s welfare is highlighted in Article 3 Point (1) of the said Convention. For example, in the case of grooming offences, children are susceptible to technology-based crimes which implies the necessity for countries to give a considerable amount of attention to their rights, personal freedom, and protection, especially regarding the security of their personal data (Singh, 2018). The Convention further stipulates in Article 19 that state parties, in this case Indonesia, *“shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”*

The importance of the regulation and protection of children in the convention on accommodating state parties, including Indonesia, underscores the need to pay closer attention to all forms of sexual abuse of children. This can be seen in the reaffirmation of the “sexual abuse” element, which is closely related to the crime of grooming in Article 34 of the convention, where it is stipulated that: *“States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:*

- a. *The inducement or coercion of a child to engage in any unlawful sexual activity;*
- b. *The exploitative use of children in prostitution or other unlawful sexual practices;*
- c. *The exploitative use of children in pornographic performances and materials.”*

THE UNDERLYING FACTORS OF GROOMING IN INDONESIA

The grooming phenomenon continues to increase with the passing of time. In cases of convictions of child molestation in 2019, nearly 50 children had become victims of grooming. The increasing number of cases of grooming has led to the strong possibility that the crime of grooming would continue to become even more widespread and problematic. This is because the act of grooming as a criminal offence itself is not a new concept, as the internet as a widely available medium provides the space for offenders to access and to sexually exploit children anonymously and with ease. (Cooper, 1998).

Research from The British Leading Charity carried out by the National Society for the Prevention of Cruelty to Children in 2016 stated that the number of sexual crime offenders increased by 15 percent per year as compared to previous years, both offline and online offences include grooming offences (Martellozzo, 2019). In addition, observations made by Ending the Sexual Exploitation of Children, Indonesia (ECPAT Indonesia) in 2019, out of the 37 cases of online sexual abuse of children, 35 percent of them were cases related to child pornography and grooming.

Increases in the number of cases have continued unabated, especially in 2020. The United States' National Center for Missing & Exploited Children stated that as of April 2020, as many as 4.2 million children have experienced sexual crimes and exploitation. This increase continues to rise by 2 million children since March of 2020. The increase accelerates along with the ceasing of educational face-to-face activities due to Covid-19 pandemic, which creates a condition where children must continue learning online in their respective homes.

The spike in grooming cases has made an even greater impact on children's mental health, resulting in disorders which include shame,

stress, mental sensitivity, mood swings, becoming apathetic, and showing signs of depression (Whittle et al., 2013). Given the child's state of mind, continuous online interaction exposes the child to the possibility of sexual abuse and harassment. As a result of constant grooming, the potential for further abuse can also be exacerbated by the sale and purchase of pictures and videos not only through easy-to-access medium such as social media, but also through more secretive platforms such as peer-to-peer file sharing networks, darknet, or through software encryption techniques which can only be accessed by those who have the expertise, such as hackers (ECPAT, 2017).

The reason this happens is because offenders are very much aware that online interactions using the internet is a reasonably safe medium to control children sexually and emotionally (Elliot & Ashfield, 2011). However, the internet should not be seen as the main cause of the increase in grooming offences for it is just a medium. The internet is not the only cause of a child becoming vulnerable, but it gives access to children who are already vulnerable in the first place (Staksrud, 2013).

The grooming offence committed by the suspect TR is not without cause. Advances in technology and science as well as the uniqueness of Indonesian society related to the existing population structure in society such as changes in socio-cultural values certainly have an impact on the shape, motive, nature, intensity, or modus operandi of grooming offence. It relates to the opinion of Garland and Sparks (2000) which states that the challenges that exist in the 20s era lie in the social construct and economic relations as well as smoothness of social processes and technological developments combined with cultural heterogeneity of a nation which will have an impact on difficulties that led to a person's desire to ignore the existing rule of law, especially in Indonesia which have the second largest cultural activity in the world.

Socio-economic status, level of education, level of income, as well as the intellectual level of the offenders were also relevant aspects. This is because the act of grooming as a criminal offence has different characteristics, in contrast to traditional crime in general (Leukfeldt, 2017). The complex nature of the grooming offence underscores the importance of getting a deeper understanding of the causal factors of such offences in Indonesia and to be able to coordinate and optimize the various existing regulations to effectively deal with the problem.

a. External Factors

i) Geo-Cultural Factors

The existing high crime rate in Indonesia can be attributed to its geographical location. This phenomenon is known as the spatial phenomenon as described by Waldo Tobler in 1970 with his theory called the law of geography. According to the theory, everything is related to everything else, but near things are more related than distant things (in Waters, 2016). Indonesia has the 4th largest population in the world and this is a cause of its high crime rate, especially in over populated areas such as in Java and Sumatra.

The variety of criminal phenomenon, including the grooming offence as a new form of crime has a higher probability of success compared to direct child abuse in general because of the difficulties of handling cases. It is not just due to how the offenders use long-distance communication, but also because a grooming offender uses two different spaces; the spaces where the offender is physically located and also the spaces where the offender carries out their crime, such as over the internet (Hayward, 2012). The high use of the internet in a country opens up opportunities for offenders to use the internet as a business medium (Lin & Nomikos, 2018), which in and of itself is a source of further concern towards the impacts arising from grooming offences on children as victims.

In addition, the large number of people in Indonesia, as well as it being an archipelagic state have impaired the effectiveness of national social control whether carried out by law enforcers or the local community (Purwanda et al., 2022). Law enforcement in urban areas, especially on the larger islands in Indonesia, tends to be more orderly and well-organized than in the rural areas. This has led to a considerable impact on the number of grooming victims. A stricter and more rapid law enforcement in a region means a lower number of grooming victims. The lack of knowledge regarding grooming and its law enforcement in rural areas have resulted in the growing imbalance in all the handling and follow-ups of grooming cases to more competent law enforcers in urban areas. This difficulty in the proper supervision of grooming offences has become one of the main reasons for the large number of grooming victims in Indonesia.

Limited information on how a grooming offence can occur also plays its part on the potential rise in the number of victims (Winzer, et.al.,

2019), especially considering Indonesia's unfamiliarity with the concept of cybercrime. This situation is in line with the theory put forward by A. Lacassagne who argues that crimes can be caused by:

- a. an environment providing opportunities for crime to occur
- b. a social environment providing examples and role models
- c. economic environment (poverty and misery)
- d. a distinct social environment

(Soedjono Dirdjosisworo, 2010)

Moreover, Indonesia's Eastern culture, which considers sexual matters as taboo, can be used by offenders to manipulate victims, thus creating opportunities where their actions are difficult to detect, as they would be cunningly concealed from the community or even to the parents of the victims themselves.

ii) Socio-economic and Educational Factors

Indonesia's high crime rate can also be due to the problem of economic inequality. There has been quite a lot of studies dedicated to finding the factors causing economic inequality, such as poverty in the affected countries. Some of them relates to issues such as workforce reduction, layoffs and sluggish national economic growth (Nansadiqa, et.al., 2019). For example, Jonnadi et.al. (2012) found that a higher level of national economic growth would reduce the level of poverty, as robust economic development will essentially reduce the rate of layoffs which will then be followed by a reduction in crime rates.

Indonesia's economic development is still growing steadily. However, the rapid economic development happening in Indonesia is not matched by its technological development, especially in remote areas. This will certainly become a source of grave problems in the future. For example, it is often the case in many families with low socio-economic status, that the parents with poor education will tend to have little to no knowledge regarding technology, especially in the context of parenting in a digital world (Weatherburn, 2021). This situation can also be aggravated by parents who has not gone through the same basic education level that is mandatory for every Indonesian citizen.

Similarly, Indonesian parents lack understanding of the concept of self control in using technology. This discerning use of technology should be passed on from parents to their child, with the aim of minimizing the chances of their children becoming a victim of grooming. In fact, children who spends more time on activities not related to school is more vulnerable to becoming victims of child grooming (Macaulay et al., 2020). In line with Hirschi's theory (2002), which states that children in the lower social class system tends to have a weaker relationship with their respective families. These children do not relate well to acceptable existing social values, which then brings us to the idea of it becoming a condition for children being susceptible to grooming or even becoming an offender themselves in the future. This would then impact the yearly increase of crime rates in Indonesia because children with a low socio-economic status are a significant factor in the rising crime rates in a given area. A person or a group with a low socio-economic status is more likely to participate in a criminal act (Larzelere & Patterson, 1990). Thus, a strong and steady economic growth and regulatory developments in Indonesia would have a major impact on reducing the number of grooming offences against children in Indonesia (Tambunan, 2005).

b. Internal Factors

i) Individual Factors Found in Offenders and Victims

A person's own character has a significant influence on whether they would commit child grooming. The character associated to grooming offenders does not develop without cause, for there are supporting conditions that would make someone a groomer. In line with the three-dimensional theory, there are certain traits which would make someone vulnerable and develop the desire for grooming (Seto, 2017) and they are as follows:

- a. **A typical Sexuality**
Includes persons with certain psychological disorders such as someone who is a pedophilia or who struggles with hypersexuality.
- b. **Antisocial**
Includes persons who have different behavioral characteristics in relation to other human beings in general, such as differences in beliefs and lifestyles.

- c. Intra-personal Deficiency
Includes social skill issues caused by difficulties in maintaining a positive relationship and suffers from feelings of loneliness.

These three traits are further compounded by several factors known to cause grooming offenders to have the Antisocial trait, namely (Ward, 2006):

- a. Historical factor
(past experiences of violence)
- b. Dispositional or dynamic factor
(impulsiveness or aggressiveness and level of antisocial behavior)
- c. Offender's criminal risk factor
(involvement with a deviant social group)
- d. Clinical factor
(emotional issues, feeling of alienation, and difficulties faced in a social environment)

The aforementioned theories bring about the idea that there could be a correlation between the offender's low empathy towards victims and their antisocial behaviour (Van Brunt, et al., 2019).

Apart from observing through the lenses of the offenders, the rampant cases of a grooming offence can also be observed through the victim's perspectives. Even some attitudes and behaviours, such as low social media self-control found in victims of grooming tends to spur on offenders to continue to commit grooming. Children do not realize nor care about the consequences as a result of their being afflicted with low social media self-control (Bossler & Holt, 2010). Moreover, there are children who should become more aware of social media self-control, because in essence, self-control plays an important role in preventing abuse and/or violence against children on social media (Schreck et al., 2002). A child's tendencies to overshare their personal life on social media (Nurse, 2018) and to think that it is a common thing to share their daily activities in detail (Kirwan, 2018) makes it easier for groomers to access all information about their targets, which in turn makes manipulating their targets easier.

CONCLUSION

In the absence of specific legal provisions governing grooming crimes, the law enforcement process relies on regulations related

to general cybercrime rules, crimes against child victims and child protection rules. The problem is further compounded because the crime of grooming is caused by the condition of the perpetrators themselves and the victims; in this case children who are impacted by the developments in information technology, as well as the social conditions of people who are currently complacent in the use of technology and information. This study has suggested several recommendations, especially for the government and its legislature. The authorities can make laws that specifically regulate grooming crimes and law enforcers must be able to enforce the law by responding to the challenges of changes in technology and information. There must be an appropriate response to social developments in society through revisions of related laws.

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