






# Sexual Grooming of Children Mode through Live Streaming: Legal Gaps in the Face of Anonymity of Online Transactions

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## Abstract

The rapid development of digital technology has enabled new forms of child sexual exploitation, including sexual grooming conducted through live-streaming platforms. This phenomenon demonstrates not only the heightened vulnerability of children in cyberspace but

also the limitations of national legal frameworks in addressing crime patterns characterized by anonymity and online financial transactions. This study employs a combined normative and empirical juridical approach to provide a comprehensive understanding of online grooming cases in Indonesia. The normative component analyzes statutory provisions, child protection laws, and digital platform regulations to identify the intended legal protections for children. The empirical component complements this by collecting first-hand insights through semi-structured interviews with law enforcement officers, representatives of the Indonesian Child Protection Commission (KPAI), digital platform operators, and victim support companions. The integration of these approaches reveals gaps between legal norms and enforcement practices, particularly regarding institutional constraints, reporting mechanisms, and socio-technical challenges faced in case handling. The findings show that grooming through live streaming involves complex psychological manipulation facilitated by platform features that allow perpetrators to maintain anonymity. Current regulations do not explicitly recognize online grooming as a distinct criminal offense, nor do they adequately address anonymous electronic transactions commonly used in this crime. Court decisions also illustrate inconsistencies in legal application due to the absence of specific norms governing technology-based grooming. These findings highlight the urgency of reformulating national legal policies by introducing explicit criminal norms on digital grooming, strengthening penalties for online media-based sexual crimes, and regulating anonymous online transactions. The study further recommends enhancing the role of digital financial institutions and technology platforms in prevention, monitoring, and reporting mechanisms. In addition, community-based education and preventive interventions are essential to complement law enforcement efforts and create a safer digital environment for children.

**KEYWORDS:** *Sexual Grooming, Live Streaming, Anonymous Transactions, Legal Gaps.*

## Introduction

The development of internet technology and live streaming platforms has provided practical and global real-time communication facilities. However, this convenience is also abused

by perpetrators of sexual crimes against children (CSA).<sup>1</sup> The grooming mode, a psychologically and emotionally manipulative approach to children, has transformed into online sexual grooming through the live streaming feature. Perpetrators take advantage of direct interactions, deceptive content, and financial rewards from viewers in the form of "*gifts*" to deceive and exploit children.<sup>2</sup>

UNICEF data says that between 1-20% of children internet users

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<sup>1</sup> Ben Mathews et al., "Child Sexual Abuse by Different Classes and Types of Perpetrator: Prevalence and Trends from an Australian National Survey," *Child Abuse & Neglect* 147 (January 2024): 106562, <https://doi.org/10.1016/j.chiabu.2023.106562>; Fatmawati and Raihana, "Analisis Yuridis Terhadap Artificial Intelligence Pada Tindak Pidana Penyebaran Malware Di Indonesia," *Innovative: Journal Of Social Science Research* 3, no. 20 (2023); YANTI KIRANA, "REGULASI YANG MENGATUR SECARA KHUSUS TERKAIT PERLINDUNGAN DATA PRIBADI DI INDONESIA TENTANG HOAKS DAN KERAWANAN MEDIA SOSIAL (Undang-Undang No.11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik (ITE)," *Jurnal Ilmiah Hukum Dan Keadilan* 10, no. 1 (March 30, 2023): 101–14, <https://doi.org/10.59635/jihk.v10i1.274>; Dodo Zaenal Abidin, "Kejahatan Dalam Teknologi Informasi Dan Komunikasi," *Jurnal Ilmiah Media Processor* 10, no. 2 (2015); Muhammad Hafid et al., "Tantangan Menghadapi Kejahatan Cyber Dalam Kehidupan Bermasyarakat Dan Bernegara Muhammad," *Pendidikan Tambusai* 7, no. 2 (2023); Muhamad Danuri and Suharnawi, "Trend Cyber Crime Dan Teknologi Informasi Di Indonesia," *Informasi Komputer Akuntansi Dan Manajemen* 13, no. 2 (2017); Ni Kadek Putri Anggreni et al., "Perguruan Tinggi: Garda Terdepan Mengatasi Pelecehan Seksual Di Media Sosial," *Prosiding Webinar Nasional Pekan Ilmiah Pelajar (PILAR)*, 2022; Melati Rosanensi and Lanang Sakti, "Hukum Teknologi Informasi; Karakteristik Cyberporn Anak Dalam Social Media Di Internet," *Jurnal Fundamental Justice*, September 29, 2021, 129–50, <https://doi.org/10.30812/fundamental.v2i2.1521>; Elvira Zikra and Tantimin, "Penegakan Dan Perlindungan Hukum Terhadap Korban Kejahatan Seksual Maupun Pemerasan Pada Aplikasi Online Dating," *Jurnal Hukum Sasana* 8, no. 1 (April 11, 2022): 201–18, <https://doi.org/10.31599/sasana.v8i1.1070>; Delvyan Putri Surya Ningrum and Jamiatur Robekha, "Analisa Yuridis Dalam Kasus Kejahatan Siber Terhadap Internet Banking Di Indonesia," *PESHUM: Jurnal Pendidikan, Sosial Dan Humaniora* 2, no. 4 (June 30, 2023): 765–76, <https://doi.org/10.56799/peshum.v2i4.2115>.

<sup>2</sup> Anjeli Holivia and Teguh Suratman, "Child Cyber Grooming Sebagai Bentuk Modus Baru Cyber Space Crimes," *Bhirawa Law Journal* 2, no. 1 (May 31, 2021): 1–13, <https://doi.org/10.26905/blj.v2i1.5847>; Alfina Febriyana and Chazizah Gusnita, "Child Grooming Approach Model of Offenders toward Children on Social Media," *Martabat: Jurnal Perempuan Dan Anak* 7, no. 1 (June 26, 2023): 67–82, <https://doi.org/10.21274/martabat.2023.7.1.67-82>; Kurnia Dewi Anggraeny et al., "Cyber Child Grooming on Social Media: Understanding the Factors and Finding the Modus Operandi," *International Journal of Law and Politics Studies* 5, no. 1 (February 15, 2023): 180–88, <https://doi.org/10.32996/ijlps.2023.5.1.21>.

in ASEAN have experienced online sexual exploitation in the past year, especially through live streaming. In Indonesia, the ease of digital access for children strengthens the potential for exploitation.<sup>3</sup>

Perpetrators often position themselves as peers, build trust, and then direct children to commit sexual acts in front of the camera. This kind of interaction is not only manipulative, but it has also become an attempt at online sex trafficking. For example, in Cirebon, it was found that children were invited to live stream adult content with the lure of financial bonuses, supported by online transactions such as bank transfers and virtual gifts.<sup>4</sup> The anonymity of the platform and the anonymity of payments through accounts, digital wallets, and cryptocurrencies make it difficult to track perpetrators and fund grooming and child exploitation activities. Such transactions are not only cross-border but also operate within the private domain of the platform, thereby evading the direct scope of national law. While existing Anti-Money Laundering (AML) and Know Your Customer (KYC) regulations are designed to enhance transparency and traceability in financial transactions, their effectiveness in this context is limited. Many digital platforms and crypto exchanges operating in jurisdictions with weaker enforcement or lacking stringent KYC procedures may still provide loopholes for illicit activities. Therefore, although AML/KYC laws could theoretically mitigate anonymity-related risks by requiring identity verification and transaction reporting, their impact heavily depends on cross-jurisdictional cooperation, uniform regulatory standards, and consistent enforcement across platforms and payment systems.<sup>5</sup>

<sup>3</sup> Mubarak Rahamathulla, "Cyber Safety of Children in the Association of Southeast Asian Nations (ASEAN) Region: A Critical Review of Legal Frameworks and Policy Implications," *International Journal on Child Maltreatment: Research, Policy and Practice* 4, no. 4 (December 14, 2021): 375–400, <https://doi.org/10.1007/s42448-021-00087-5>.

<sup>4</sup> Lihat Abdullah Fikri Ashri, "Konten Pornografi Berkedok Lowongan Kerja di Cirebon, Anak Jadi Korban," *Kompas.id*, 17 Oktober 2024, <https://www.kompas.id/baca/nusantara/2024/10/17/konten-pornografi-berkedok-lowongan-kerja-di-cirebon-anak-jadi-korban>; Azi Satriya, "Polres Ciko Bongkar Sindikat Konten Dewasa melalui Live Streaming," *RRI.co.id*, 17 Oktober 2024, <https://www.rri.co.id/kriminalitas/1053206/polres-ciko-bongkar-sindikat-konten-dewasa-melalui-live-streaming>; dan Eki Yulianto, "Iming-iming Uang Jadi Faktor Utama Anak di Bawah Umur Terjebak Kasus Pornografi Siber Cirebon," *Tribun Jabar*, 17 Oktober 2024, <https://jabar.tribunnews.com/2024/10/17/iming-iming-uang-jadi-faktor-utama-anak-di-bawah-umur-terjebak-kasus-pornografi-siber-cirebon>.

<sup>5</sup> Juliane A. Kloess, Catherine E. Hamilton-Giachritsis, and Anthony R. Beech, "Offense Processes of Online Sexual Grooming and Abuse of Children Via

Indonesia has legal umbrellas such as the Child Protection Law (Law 23/2002),<sup>6</sup> the Telecommunications & ITE Law (Law 11/2008 jo. 19/2016),<sup>7</sup> the Pornography Law (Law 44/2008),<sup>8</sup> and the Law on Sexual Violence (TPKS Law/2022).<sup>9</sup> However, this framework is not specifically designed to ensnare sexual grooming through live streaming that involves online anonymity. For example, Article 76E of the Child Protection Law does not explicitly define or regulate the stages and methods of online grooming. In contrast, the

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Internet Communication Platforms," *Sexual Abuse* 31, no. 1 (February 17, 2019): 73–96, <https://doi.org/10.1177/1079063217720927>; Henry Ogbeide, Mary Elizabeth Thomson, Mustafa Sinan Gonul, Andrew Castairs Pollock, Sanjay Bhowmick, and Abdullahi Usman Bello, "The Anti-Money Laundering Risk Assessment: A Probabilistic Approach," *Journal of Business Research* 162 (July 2023): 113820, <https://doi.org/10.1016/j.jbusres.2023.113820>; Berkan Oztas, Deniz Cetinkaya, Festus Adedoyin, Marcin Budka, Gokhan Aksu, and Huseyin Dogan, "Transaction Monitoring in Anti-Money Laundering: A Qualitative Analysis and Points of View from Industry," *Future Generation Computer Systems* 159 (October 2024): 161–71, <https://doi.org/10.1016/j.future.2024.05.027>; Iswarya Konasani, "Decentralized Identity: Revolutionizing KYC/AML in Financial Services," *International Journal of Information Technology and Management Information Systems* 16, no. 1 (2025): 951–65, [https://doi.org/10.34218/IJITMIS\\_16\\_01\\_068](https://doi.org/10.34218/IJITMIS_16_01_068); Henry Ogbeide, Mary Elizabeth Thomson, Mustafa Sinan Gonul, Andrew Castairs Pollock, and Sanjay Bhowmick, "Rethinking Experts' Perceptions in Money Laundering Risk Assessment," *European Journal on Criminal Policy and Research* (2024), <https://doi.org/10.1007/s10610-024-09586-w>; Ben Van Vliet, "Cryptocurrency Anti-Money Laundering (AML) and Know-Your-Customer (KYC) Management System Standard—Requirements," *Journal of Payments Strategy and Systems*, March 28, 2023, <https://ssrn.com/abstract=4403529> or <http://dx.doi.org/10.2139/ssrn.4403529>.

<sup>6</sup> Law No. 23 of 2002 is the Law of the Republic of Indonesia on Child Protection. This law aims to guarantee and protect the rights of children to be able to live, grow, develop, and participate optimally in accordance with human dignity and dignity, as well as to be protected from violence and discrimination.

<sup>7</sup> The ITE Law (Electronic Information and Transaction Law) is a regulation in Indonesia that regulates the use of information technology and electronic transactions. The ITE Law, which consists of Law No. 11 of 2008 and its amendment, Law No. 19 of 2016, regulates various aspects such as the dissemination of electronic information, electronic transactions, prohibited acts in cyberspace, and personal data protection.

<sup>8</sup> The Pornography Law, or Law Number 44 of 2008, is a law and regulation in Indonesia that regulates the prohibition, prevention, and countermeasures of pornographic crimes. This law aims to protect the public, especially children and adolescents, from the negative impact of pornography.

<sup>9</sup> The TPKS Law stands for Law Number 12 of 2022 concerning the Crime of Sexual Violence. This law was passed on April 12, 2022 and came into effect on May 9, 2022. The goal is to prevent, handle, protect, and rehabilitate victims of sexual violence, as well as enforce the law and rehabilitate perpetrators.

United Kingdom's Sexual Offences Act 2003 (Section 15) criminalizes "meeting a child following sexual grooming" and explicitly covers online communication intended to prepare or facilitate sexual abuse, including through real-time interaction.<sup>10</sup> Similarly, Australia's Criminal Code Act 1995 (Sections 474.26–474.27) establishes clear offences for using a carriage service to groom a child under 16, with detailed provisions addressing persistent communication, intent, and technology-mediated contact.<sup>11</sup> These jurisdictions provide more targeted statutory definitions that capture the preparatory nature of grooming, whereas Indonesia's current laws tend to focus on completed acts of sexual exploitation, leaving a legal gap in preventing grooming before the abuse occurs.

The ITE Law and the Pornography Law punish the distribution of pornographic content, but they are less effective in ensnaring *the stages of pre-content grooming and anonymous transactions that occur before the spread of exploitation*.<sup>12</sup> Current criminal law also faces significant challenges in proving grooming offences, as courts sometimes misinterpret apparent "willingness" on the part of the victim as genuine consent. This misinterpretation often occurs because the judicial assessment focuses narrowly on the victim's outward behaviour or verbal agreement, without adequately considering the psychological dynamics of grooming, such as

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<sup>10</sup> O'Malley, Tom, and Elisa Hoven. "Consent in the Law Relating to Sexual Offences." Chapter. In *Core Concepts in Criminal Law and Criminal Justice: Volume I*, edited by Kai Ambos, Antony Duff, Julian Roberts, Thomas Weigend, and Alexander Heinze, 135–71. Cambridge: Cambridge University Press, 2020.

<sup>11</sup> accessed on August 13, 2025: <https://www.legislation.gov.au/C2004A04868/latest/text>; [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Human\\_Rights/Scrutiny\\_reports/2014/244/b02](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/Scrutiny_reports/2014/244/b02); <https://www.infrastructure.gov.au/department/media/publications/australian-government-response-senate-legal-and-constitutional-affairs-reference-committee-report>; <https://www.sydneycriminallawyers.com.au/blog/what-is-a-control-order-under-the-criminal-code-act-1995/>

<sup>12</sup> Devi Tama Hardiyanti and Beniharmoni Harefa, "Perlindungan Terhadap Korban Grooming Yang Dilakukan Oleh Narapidana Pencabulan Anak," *Humani* 11 (2) (2021); Dalam Kejahatan, Seksual Mediol, and Stiovanny Yoku, "Perlindungan Hukum Terhadap Korban Child Cyber Grooming," *Law Proscientist*, vol. 1, 2022; Devi Ratnasari and M. Solehuddin, "Sebagai Upaya Preventif Tindakan Kejahatan Seksual Child Grooming Pada Anak," *Jurnal Mahasiswa BK An-Nur : Berbeda, Bermakna, Mulia* 8, no. 1 (2022); Ryan Fachri Maulana, Olivine Alifaprilina Supriadi, and Bambang Melga Suprayogi, "Perancangan Buku Ilustrasi Tentang Online Child Grooming Untuk Anak Usia 13-15 Tahun Di Kota Bandung," *E-Proceeding of Art & Design* 8, no. 5 (2022).

coercive persuasion, trust-building, and emotional dependency deliberately cultivated by the perpetrator. In reality, the victim's so-called "willingness" is not a free and informed choice, but the product of sustained manipulation that erodes their ability to refuse.<sup>13</sup>

The significant surge in cases of sexual violence against children in Indonesia is an important indicator of the urgent need to study the phenomenon of online sexual grooming, especially through live streaming mechanisms. Data from the Ministry of Women's Empowerment and Child Protection (Kemen PPPA) noted that during the period from January to June 2024, there were more than 7,800 cases of sexual violence against children. Of these, the mode of sexual exploitation through online means is increasingly prevalent, showing that sexual crimes against children have adapted to the dynamics of technology.<sup>14</sup> In many cases, the trauma experienced by the victim is not only physical, but also psychosocial, because the grooming process often lasts for a long time and manipulates the emotional state of the child until they lose their critical power and trust in the social environment.

The rise of financial technology particularly digital wallets and peer-to-peer payment systems has inadvertently created new channels for grooming and child sexual exploitation. In Indonesia, for example, e-wallets such as OVO, Dana, and GoPay have been

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<sup>13</sup> Dewi Anggraeny et al., "Cyber Child Grooming on Social Media: Understanding the Factors and Finding the Modus Operandi"; Nuria Lorenzo-Dus, Craig Evans, and Ruth Mullineux-Morgan, *Online Child Sexual Grooming Discourse*, *Online Child Sexual Grooming Discourse* (Cambridge University Press, 2023), <https://doi.org/10.1017/9781009314626>; Susan Raine and Stephen A. Kent, "The Grooming of Children for Sexual Abuse in Religious Settings: Unique Characteristics and Select Case Studies," *Aggression and Violent Behavior*, 2019, <https://doi.org/10.1016/j.avb.2019.08.017>.

<sup>14</sup> Lihat "Menteri PPPA Apresiasi UPH: Inspirasi bagi Kampus Lain dalam Mengatasi Kekerasan Seksual," Universitas Pelita Harapan, 2 Juli 2024, <https://www.uph.edu/2024/07/02/menteri-pppa-apresiasi-uph-inspirasi-bagi-kampus-lain-dalam-mengatasi-kekerasan-seksual/>; Lembaga Penyelidikan Ekonomi dan Masyarakat (LPEM), "Studi Kualitatif Survei Pengalaman Hidup Perempuan Nasional (SPHPN) 2024," LPEM FEB UI, 19 Desember 2024, <https://lpem.org/studi-kualitatif-survei-pengalaman-hidup-perempuan-nasional-sphpn-2024/>; Kementerian Pemberdayaan Perempuan dan Perlindungan Anak (Kemen PPPA), "Resiliensi Digital Cegah Anak Menjadi Korban Kekerasan Seksual Online," Siaran Pers No. B-200/SETMEN/HM.02.04/6/2024, Juni 2024, <https://kemenpppa.go.id/page/view/NTI4NA==>; dan Kemen PPPA, "Kemen PPPA Rilis Survei Pengalaman Hidup Perempuan Nasional (SPHPN) dan Survei Nasional Pengalaman Hidup Anak dan Remaja (SNPHAR) 2024," Siaran Pers No. B-304/SETMEN/HM.02.04/10/2024, Oktober 2024, <https://www.kemenpppa.go.id/page/view/NTQzMw==>.

linked to online child prostitution transactions, as these platforms often lack robust age verification and enable anonymous fund transfers. Moreover, transaction mechanisms such as digital gifts, cryptocurrency wallets, peer-to-peer payments, and end-to-end encrypted features in various streaming applications not only facilitate real-time exploitation but also make it difficult for law enforcement agencies to trace perpetrators. Cross-border transactions without verified user identities further widen the gap for offenders to evade legal accountability. Consequently, the complex and borderless nature of online transactions in the context of child sexual exploitation presents significant challenges to legal proof systems that have traditionally relied on conventional investigative approaches.<sup>15</sup>

On the other hand, the national legal framework has not been able to respond to the complexity of the live streaming-based grooming mode. Existing regulations, such as the Child Protection Law, the ITE Law, and the Sexual Violence Crime Law, tend to focus on crimes that have actually occurred, such as the dissemination of content or physical violence.<sup>16</sup> Meanwhile, the grooming stage,

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<sup>15</sup> Fatmawati and Raihana, "Analisis Yuridis Terhadap Artificial Intelligence Pada Tindak Pidana Penyebaran Malware Di Indonesia"; Delvyan Putri Surya Ningrum and Jamiatur Robekha, "Analisa Yuridis Dalam Kasus Kejahatan Siber Terhadap Internet Banking Di Indonesia"; Mathews et al., "Child Sexual Abuse by Different Classes and Types of Perpetrator: Prevalence and Trends from an Australian National Survey"; Syaza Dyah Utami, Carudin Carudin, and Azhari Ali Ridha, "ANALISIS LIVE FORENSIC PADA WHATSAPP WEB UNTUK PEMBUKTIAN KASUS PENIPUAN TRANSAKSI ELEKTRONIK," *Cyber Security Dan Forensik Digital* 4, no. 1 (June 10, 2021): 24–32, <https://doi.org/10.14421/csecurity.2021.4.1.2416>; Olivia Schieber, "South Korea Needs to Contend With Sexual Violence," *Foreign Policy*, 2020; Jason Chan, Probal Mojumder, and Anindya Ghose, "The Digital Sin City: An Empirical Study of Craigslist's Impact on Prostitution Trends," *Information Systems Research* 30, no. 1 (March 2019): 219–38, <https://doi.org/10.1287/isre.2018.0799>; Herwin Sulistyowati, Sri Endah Wahyuningsih, and Eko Soponyono, "Legal Analysis of Crimes in Contracts Validity in the Digital Era," *UNIFIKASI: Jurnal Ilmu Hukum* 7, no. 1 (May 5, 2020): 110, <https://doi.org/10.25134/unifikasi.v7i1.2701>.

<sup>16</sup> Sinta Laksmi Anindita et al., "Efektivitas Seks Edukasi Dengan Media Video Terhadap Peningkatan Pengetahuan Seks Dan Sikap Remaja Tentang Penyebaran Konten Pornografi Di SMP N 6 Rembang Purbalingga," *JURNAL CITRA KEPERAWATAN* 10, no. 1 (June 20, 2022): 54–60, <https://doi.org/10.31964/jck.v10i1.216>; I Kadek Arya Sumadiyasa, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi," *Jurnal Interpretasi Hukum* 2, no. 2 (2021); Ratu Agung Dewangga Arinatha Gunawan, I Nyoman Gede Sugiarta, and Ni Made Sukaryati Karma, "Penyebaran Iklan Pada Media



which is the initial foundation of exploitation that is manipulative, hidden, and takes place in a vague emotional relationship, has not been explicitly regulated in laws and regulations. As a result, law enforcement officials face difficulties in identifying when grooming begins, as well as how to distinguish healthy digital relationships from predatory interactions.<sup>17</sup>

The difficulty of law enforcement in handling online grooming

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Elektronik Yang Memuat Konten Pornografi," *Jurnal Interpretasi Hukum* 2, no. 2 (June 17, 2021): 261–67, <https://doi.org/10.22225/juinhum.2.2.3421.261-267>; Dwi Putri Natasya and Dian Andriasari, "Penegakan Hukum Terhadap Tindak Pidana Penyebaran Konten Kejahatan Pornografi Balas Dendam (Revenge Porn) Di Media Sosial Ditinjau Dari UU ITE Dan UU Pornografi," *Bandung Conference Series: Law Studies* 3, no. 1 (January 25, 2023), <https://doi.org/10.29313/bcsls.v3i1.4922>; Komang Wiraguna, Anak Agung Sagung Laksmi Dewi, and I Made Minggu Widyantara, "Tindak Pidana Pelaku Penyebaran Konten Pornografi Terhadap Anak Dibawah Umur," *Jurnal Analogi Hukum* 2, no. 3 (November 20, 2020): 372–77, <https://doi.org/10.22225/ah.2.3.2581.372-377>; Nur Hikmah Karim, Fenty U. Puluhalawa, and Nuvazria Achir, "Perlindungan Hukum Terhadap Korban Tindak Pidana Penyebaran Konten Pornografi Melalui Media Sosial Oleh Kepolisian Resor Bone Bolango," *Journal of Comprehensive Science (JCS)* 2, no. 5 (May 15, 2023): 1151–60, <https://doi.org/10.59188/jcs.v2i5.331>; Gede Bagus et al., "Pertanggungjawaban Pidana Penyalahgunaan Media Sosial Twitter Sebagai Wadah Penyebaran Konten Pornografi," *Jurnal Kertha Semaya* 9, no. 10 (2021); I Kadek Arya Sumadiyasa, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi," *Jurnal Interpretasi Hukum* 2, no. 2 (June 18, 2021): 372–77, <https://doi.org/10.22225/juinhum.2.2.3443.372-377>; Zoupi Dwi Raka, "Penyebaran Konten Ilegal Di Media Sosial (Studi Kasus: Pornografi Pada Aplikasi Bigo Live)," *Fakultas Ilmu Dakwah Dan Ilmu Komunikasi Universitas Islam Negeri Syarif Hidayatullah Jakarta* 8, no. 25 (2019); Christiany Juditha, "Isu Pornografi Dan Penyebarannya Di Twitter (Kasus Video Asusila Mirip Artis)," *Jurnal Penelitian Komunikasi Dan Opini Publik* 25, no. 1 (2021).

<sup>17</sup> Hardiyanti and Harefa, "Perlindungan Terhadap Korban Grooming Yang Dilakukan Oleh Narapidana Pencabulan Anak"; Kejahatan, Mediol, and Yoku, "Perlindungan Hukum Terhadap Korban Child Cyber Grooming"; Yuli Winiari w. and Firda Laily Mufid, "Techno Prevention Sebagai Upaya Pencegahan Terhadap Pelaku Child Grooming Melalui Media Sosial," *JURNAL RECHTENS* 11, no. 1 (June 30, 2022): 109–22, <https://doi.org/10.56013/rechtens.v11i1.1385>; Formas Juitan Lase, "Edukasi Bahaya Child Grooming Kepada Anak Di Bawah Umur," *JURNAL Comunitã Servizio: Jurnal Terkait Kegiatan Pengabdian Kepada Masyarakat, Terkhusus Bidang Teknologi, Kewirausahaan Dan Sosial Kemasyarakatan* 4, no. 2 (October 18, 2022): 927–42, <https://doi.org/10.33541/cs.v4i2.3947>; Dewi Anggraeny et al., "Cyber Child Grooming on Social Media: Understanding the Factors and Finding the Modus Operandi"; Holivia and Suratman, "Child Cyber Grooming Sebagai Bentuk Modus Baru Cyber Space Crimes"; Febriyana and Gusnita, "Child Grooming Approach Model of Offenders toward Children on Social Media."

cases is also exacerbated by challenges in proving the law. The private space provided by digital platforms, the concept of user anonymity, and the blurring of the boundaries between the victim's "consent" and the perpetrator's manipulative influence make it difficult to prepare strong evidence. In many cases, grooming is done gradually until the child does not realize that he or she is a victim. This situation poses structural obstacles in the legal process, especially in proving the element of malicious intent (*mens rea*) of the perpetrator. Therefore, this study is very important to explore the gap between the development of crime modes and available legal instruments, as well as to recommend strategic measures that can strengthen child protection in the digital space.

## Methods

This study uses a normative juridical approach and an empirical juridical approach simultaneously. A normative juridical approach is used to analyze positive legal norms related to the protection of children against online sexual crimes, particularly in the context of live streaming and anonymous transactions. This approach allows researchers to examine the compatibility between existing regulations and the phenomenon of sexual grooming in the digital space. Meanwhile, an empirical juridical approach is used to understand how these legal norms are implemented in practice, including how law enforcement officials face obstacles in ensnaring perpetrators who operate anonymously on online platforms.

The data sources used in this study consist of primary data and secondary data. Primary data was obtained through in-depth interviews with law enforcement officials (police, prosecutor's office), the Indonesian Child Protection Commission (KPAI), digital platform service providers, and victims or companions of victims of online sexual crimes. These interviews were conducted in a structured and semi-structured manner to gain a hands-on perspective on legal challenges and the implementation of child protection. The secondary data includes primary legal materials such as the Child Protection Law, the ITE Law, the Pornography Law, and the TPKS Law, as well as secondary legal materials in the form of scientific journals, NGO reports, cyber law literature, and relevant case documents.

Data collection techniques were carried out through document studies, legal observations, and interviews, which were then analyzed using descriptive qualitative analysis methods. This analysis was conducted to identify gaps in normative and legal

practice in dealing with online sexual grooming and anonymous transactions. The results of the analysis are used to build comprehensive legal arguments and formulate policy recommendations that are responsive to the development of digital technology. Thus, this research is not only diagnostic of existing legal problems, but also projective in offering more adaptive and protective legal solutions for children in the digital era.

## Result & Discussion

### A. Characteristics and Patterns of Children's Sexual Grooming Mode Through Live Streaming

The phenomenon of child sexual grooming through live streaming is a complex form of digital-based sexual violence, involving perpetrators with certain psychosocial profiles who use digital space as an arena for child sexual manipulation and exploitation. Based on the results of interviews with law enforcement officials and analysis of several cases that have been processed legally in Indonesia, grooming perpetrators generally show manipulative characteristics, technologically adaptive, and have certain psychopathological tendencies, such as compulsive needs for children's sexual content.<sup>18</sup>

Perpetrators are often adults, with an age range that varies between 20 to 50 years. They generally have stable access to information technology, have high digital literacy, and are proficient in utilizing the anonymity and confidentiality of identities offered by live streaming platforms. Some actors even act as technology service providers to smooth the *grooming* process, such as providing third-party applications for private live streaming or modifying software so that the digital platform's automatic reporting system is not detected.<sup>19</sup>

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<sup>18</sup> Wawancara dengan aparat penegak hukum, dilakukan oleh penulis, Bandung, 5 Mei 2025

<sup>19</sup> Kloess, Hamilton-Giachritsis, and Beech, "Offense Processes of Online Sexual Grooming and Abuse of Children Via Internet Communication Platforms"; Georgia M. Winters et al., "Child Sexual Grooming of Catholic Clergy: A Comparison between Victims Allegedly Abused by Clergy with Single versus Multiple Victims," *Journal of Child Sexual Abuse* 32, no. 1 (January 2, 2023): 91–115, <https://doi.org/10.1080/10538712.2022.2163020>; Eunice Carmo and Celina Manita, "The Knowledge, Perceptions and Training Needs About Online Sexual Grooming of Children and Adolescents in a Sample of Professionals Who Work in Portugal," *Journal of Child Sexual Abuse* 32, no. 6 (August 18,

In many cases, perpetrators do not come from just one country or cultural background, but involve cross-border networks connected in the *online child sexual exploitation ecosystem*.<sup>20</sup> They use fake accounts with fictitious identities, including posing as teenagers or popular figures, to build a convincing initial relationship with victims.

Victims of *grooming* through live streaming are generally children aged 10–16 years, who are in situations of high vulnerability both psychologically and socially. Based on interviews with child psychologists and companions from child protection agencies, the majority of victims came from families with weak emotional relationships, minimal parental supervision, and limited digital literacy.<sup>21</sup> Some children also experience problems with self-esteem or social pressure, so they are vulnerable to using digital spaces as a place of escape or search for validation.

Live streaming as a mode of exploitation puts victims in a more difficult position to realize that they are being manipulated, because

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2023): 715–31, <https://doi.org/10.1080/10538712.2023.2234355>; Virginia Soldino and Kathryn C. Seigfried-Spellar, "Criminological Differences between Contact-Driven and Online-Focused Suspects in Online Child Sexual Grooming Police Reports," *Child Abuse & Neglect* 149 (March 2024): 106696, <https://doi.org/10.1016/j.chiabu.2024.106696>; Molly R. Wolf and Doyle K. Pruitt, "Grooming Hurts Too: The Effects of Types of Perpetrator Grooming on Trauma Symptoms in Adult Survivors of Child Sexual Abuse," *Journal of Child Sexual Abuse* 28, no. 3 (April 3, 2019): 345–59, <https://doi.org/10.1080/10538712.2019.1579292>.

<sup>20</sup> Juliane A. Kloess, Anthony R. Beech, and Leigh Harkins, "Online Child Sexual Exploitation," *Trauma, Violence, & Abuse* 15, no. 2 (April 6, 2014): 126–39, <https://doi.org/10.1177/1524838013511543>; Małgorzata Skórzewska-Amberg, "Online Child Grooming – Some Remarks Against the Background of the Pandemic," *Krytyka Prawa* 13, no. 4 (December 15, 2021), <https://doi.org/10.7206/kp.2080-1084.493>; Sana Ali, Hiba Abou Haykal, and Enaam Youssef Mohammed Youssef, "Child Sexual Abuse and the Internet—A Systematic Review," *Human Arenas* 6, no. 2 (June 4, 2023): 404–21, <https://doi.org/10.1007/s42087-021-00228-9>; Laura Jayne Broome, Cristina Izura, and Jason Davies, "A Psycho-Linguistic Profile of Online Grooming Conversations: A Comparative Study of Prison and Police Staff Considerations," *Child Abuse & Neglect* 109 (November 2020): 104647, <https://doi.org/10.1016/j.chiabu.2020.104647>; Samsul Arifin and Kholilur Rahman, "DINAMIKA KEJAHATAN DUNIA MAYA MENGENAI ONLINE CHILD SEXUAL EXPLOITATION DI TENGAH PANDEMI COVID-19," *Al Daulah: Jurnal Hukum Pidana Dan Ketatanegaraan* 1, no. 1 (December 24, 2021): 89, <https://doi.org/10.24252/ad.v1i1.19812>; Lorenzo-Dus, Evans, and Mullineux-Morgan, *Online Child Sex. Grooming Discourse*; Fiona Bullock, "Online Child Sexual Exploitation, Grooming and the Law," *British Journal of School Nursing* 14, no. 2 (March 2, 2019): 87–90, <https://doi.org/10.12968/bjsn.2019.14.2.87>.

<sup>21</sup> Wawancara dengan Psikolog Anak dan Pendamping dari Lembaga Perlindungan Anak, dilakukan oleh penulis, 10 Juni 2025.

communication happens in real time and perpetrators often use persuasion strategies that lead to "*consensual grooming*". Children feel they have an emotional bond or even a romantic relationship with the perpetrator, which makes it difficult for them to refuse explicit requests such as showing certain body parts during broadcasts.<sup>22</sup>

Not a few victims are asked to hide these interactions from their parents for reasons of "privacy" or "partner secrets", which ultimately plunges them into a cycle of psychological hostage taking and emotional dependence on the perpetrator.

The pattern of sexual grooming through live streaming has relatively similar stages to conventional grooming, but with an acceleration of the process due to the speed of digital interaction.<sup>23</sup> Based on the thematic mapping of the results of interviews and

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<sup>22</sup> Jane Reeves et al., "Children and Young People's Vulnerabilities to Grooming," in *Contemporary Perspective on Child Psychology and Education* (InTech, 2018), <https://doi.org/10.5772/intechopen.71672>; Sonia Mukhtar, "Domestic/Intimate Partner Violence, Abuse, and Trauma During COVID-19 Lockdown: Gaslighting, Non-Consensual Condom Removal, Grooming, Coercive Control, Power Dynamic, and Sexual Entitlement in Emotional and Psychological Abuse," *Journal of Psychosexual Health* 5, no. 4 (October 18, 2023): 198–207, <https://doi.org/10.1177/26318318231225050>; Annie E. Lin, Jimmy A. Young, and Jeannine E. Guarino, "Mother-Daughter Sexual Abuse: An Exploratory Study of the Experiences of Survivors of MDSA Using Reddit," *Children and Youth Services Review* 138 (July 2022): 106497, <https://doi.org/10.1016/j.childyouth.2022.106497>; Aina M. Gassó et al., "Sexting, Mental Health, and Victimization Among Adolescents: A Literature Review," *International Journal of Environmental Research and Public Health* 16, no. 13 (July 3, 2019): 2364, <https://doi.org/10.3390/ijerph16132364>.

<sup>23</sup> Hardiyanti and Harefa, "Perlindungan Terhadap Korban Grooming Yang Dilakukan Oleh Narapidana Pencabulan Anak"; Kejahatan, Mediol, and Yoku, "Perlindungan Hukum Terhadap Korban Child Cyber Grooming"; Ina Veleshnja and Dorina Hoxha, "Analyzing Online Sexual Grooming of Minors and the Case of the Albanian Criminal Framework," *Academic Journal of Interdisciplinary Studies* 13, no. 1 (January 5, 2024): 160, <https://doi.org/10.36941/ajis-2024-0012>; Montserrat Peris Hernández et al., "The Risk of Sexual-Erotic Online Behavior in Adolescents – Which Personality Factors Predict Sexting and Grooming Victimization?," *Computers in Human Behavior* 114 (January 2021): 106569, <https://doi.org/10.1016/j.chb.2020.106569>; Salina Nen and Nooifazrina Mohd Hazari, "PROSES ANTUN SEKSUAL KANAK-KANAK DALAM KES INSES TT - Sexual Grooming Process in Child Incest Cases," *E-BANGI* 18, no. 6 (2021); Fatima Ferreira, Paula Martins, and Rui Goncalves, "Online Sexual Grooming: A Cross-Cultural Perspective on Online Child Grooming Victimization," *20th World Congress for Sexual Health*, 2011; Ella Cockbain, "Grooming and the 'Asian Sex Gang Predator': The Construction of a Racial Crime Threat," *Race & Class* 54, no. 4 (April 28, 2013): 22–32, <https://doi.org/10.1177/0306396813475983>.

case investigation documents, there are five main stages in this grooming mode:

1) Initial Contact

The perpetrator starts the relationship by pretending to be a peer or a figure admired by the child. The most frequently used platforms are social media such as Instagram, TikTok, and Facebook, with communication switching to live streaming applications such as Bigo Live, OmeTV, or Discord. At this stage, the perpetrator tries to build trust and comfort.

2) Building Trust and Dependency

After the initial closeness is established, the perpetrator begins to show more attention, give excessive compliments, and sometimes send digital gifts or credit as a form of affection. The victim felt appreciated and understood, so he began to open up more deeply to the perpetrator.

3) Sexual Desensitization

At this stage, the perpetrator begins to direct the conversation to the sexual realm slowly, by testing the limits of the victim's comfort through jokes or suggestive questions. The goal is to reduce the victim's sensitivity to sexual discussions so that the next request is considered reasonable.

4) Sexual Request and Coercion

Requests to perform sexual acts through live streaming began to appear, initially as light as dancing or dressing in the open. If the victim refuses, the perpetrator uses emotional strategies such as threats to break the relationship, guilt, or other psychological manipulation. Some perpetrators also used previous recordings as a tool of extortion (sextortion).

5) Disengagement or Cycle Repeat

Once the perpetrator has obtained the desired content, the perpetrator can disappear, change identities, or repeat the grooming cycle with a new victim. In some cases, the perpetrator contacts the victim again under the pretext of nostalgia or "longing", so that the manipulation cycle repeats itself.

Live streaming provides a creates significant vulnerabilities for perpetrators to exploit victims instantly without having to make physical contact. Features such as private chats, deletion of conversation history, visual filters, and the ability to hide user

identities make this practice even more difficult to detect.<sup>24</sup> Platforms with AI-based automated monitoring systems still often fail to recognize grooming actions packaged in the form of emotional or non-explicit chats.

Some platform providers are also slow to act on reports or lack a moderation team to respond quickly to high-risk content. For example, a scientific study that simulated the removal of illegal content confirmed that handling it in a matter of hours significantly lowered the level of exposure to that content. Conversely, delays make moderation less effective.<sup>25</sup> On the other hand, legal barriers also slow down real action: in the United States, AI reports without human scrutiny cannot be directly accessed by law enforcement without a warrant, so the time for child predator investigations is hampered even though platforms are required to report them to the National Center for Missing & Exploited Children (NCMEC).<sup>26</sup>

The lack of national regulations that require platforms to be legally responsible for child safety has also worsened the situation. The lack of a thorough law has meant that most platforms do not have explicit obligations such as age checks or strict moderation. Only a few countries have implemented similar things such as Australia which through the Online Safety Act requires age verification for children under 16 years old, and the UK which has enacted the Online Safety Act 2023 with a "duty of care" obligation on platforms as well as a fine of up to £18 million or 10% of global turnover if it fails to crack down on content harmful to children.<sup>27</sup> In

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<sup>24</sup> Molly R. Wolf, Braden K. Linn, and Doyle K. Pruitt, "Grooming Child Victims into Sexual Abuse: A Psychometric Analysis of Survivors' Experiences," *Journal of Sexual Aggression* 24, no. 2 (May 4, 2018): 215–24, <https://doi.org/10.1080/13552600.2018.1504555>; Georgia M. Winters et al., "The Sexual Grooming Model of Child Sex Trafficking," *Victims & Offenders* 17, no. 1 (January 2, 2022): 60–77, <https://doi.org/10.1080/15564886.2021.1926031>; Kayla D. Spenard and Daniella K. Cash, "Detecting Grooming Behaviors in Same-Sex versus Opposite-Sex Child Sexual Abuse," *Journal of Child Sexual Abuse* 31, no. 8 (November 17, 2022): 875–91, <https://doi.org/10.1080/10538712.2022.2146561>.

<sup>25</sup> Bao Tran Truong, Sangyeon Kim, Gianluca Nogara, Enrico Verdolotti, Erfan Samieyan Sahneh, Florian Saurwein, Natascha Just, Luca Luceri, Silvia Giordano, and Filippo Menczer. "Delayed Takedown of Illegal Content on Social Media Makes Moderation Ineffective." arXiv, February 12, 2025. <https://doi.org/10.48550/arXiv.2502.08841>.

<sup>26</sup> Katie McQue. "Revealed: US Police Prevented from Viewing Many Online Child Sexual Abuse Reports, Lawyers Say." *The Guardian*, January 17, 2024. <https://www.theguardian.com/technology/2024/jan/17/child-sexual-abuse-ai-moderator-police-meta-alphabet>.

<sup>27</sup> Dan Oliver. "What the UK's Online Safety Act Means for IT Companies." *IT Pro*.

the absence of such national regulations in many countries, platforms often escape responsibility because they are not legally dragged along. This slows down the response to harmful content and opens the gap for the exploitation of crimes against children.

An investigator in the cyber crime unit said that in the investigation process, they often face challenges in obtaining digital evidence because the perpetrators use technical methods such as Virtual Private Networks (VPNs), end-to-end encryption, and foreign-based servers. "Many perpetrators employ these advanced techniques to hide their tracks. They can terminate communication sessions strategically to avoid detection," he said.<sup>28</sup>

Meanwhile, a companion from LPAI (Indonesian Child Protection Institute) stated that victims often did not realize that they had experienced sexual violence. "For them, it's like a love relationship. So when asked for testimonials, many children feel confused they don't feel forced, even though it's manipulation," he said.<sup>29</sup>

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2023. Accessed August 13, 2025. <https://www.itpro.com/business/policy-and-legislation/what-the-uks-online-safety-act-means-for-it-companies>; Shaun Rockwood. "4 Regions You Didn't Know Already Had Age Verification Laws – and How They're Enforced." TechRadar. 2024. Accessed August 13, 2025. <https://www.techradar.com/computing/cyber-security/4-regions-you-didnt-know-already-had-age-verification-laws-and-how-theyre-enforced>.

<sup>28</sup> Holivia and Suratman, "Child Cyber Grooming Sebagai Bentuk Modus Baru Cyber Space Crimes"; Ali Johardi Wirogioto, "Criminal Responsibility of Child Cyber Grooming Perpetrators as a Form of Child Sexual Abuse on Social Media," *International Journal of Social Service and Research* 3, no. 5 (May 13, 2023): 1137–41, <https://doi.org/10.46799/ijssr.v3i5.373>; Danuri and Suharnawi, "Trend Cyber Crime Dan Teknologi Informasi Di Indonesia"; Hafid et al., "Tantangan Menghadapi Kejahatan Cyber Dalam Kehidupan Bermasyarakat Dan Bernegara Muhammad"; Sumadiyasa, Sugiarta, and Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi"; I Kadek Arya Sumadiyasa, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi"; Zulfa Rahmanati, Djoko Priyono, and Nita Anisatul Azizah, "Law Enforcement in the Protection of Children Victims of Online Child Grooming Cyberspace during the Covid-19 Pandemic," *GMPI Conference Series* 2 (January 31, 2023): 73–80, <https://doi.org/10.53889/gmpics.v2.176>; Rosanensi and Sakti, "Hukum Teknologi Informasi; Karakteristik Cyberporn Anak Dalam Social Media Di Internet"; KIRANA, "REGULASI YANG MENGATUR SECARA KHUSUS TERKAIT PERLINDUNGAN DATA PRIBADI DI INDONESIA TENTANG HOAKS DAN KERAWANAN MEDIA SOSIAL (Undang-Undang No.11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik (ITE))."

<sup>29</sup> Chella Defa Anjelina dan Ahmad Naufal Dzulfaroh, "Psikolog Ungkap Dampak Kekerasan Seksual terhadap Anak, Perlu Uluran Tangan Bersama untuk Pulih," Kompas.com, 13 Maret 2025, <https://www.kompas.com/tren/read/2025/03/13/071500065/psikolog-ungkap->



The phenomenon of grooming through live streaming requires an interdisciplinary approach that includes children's digital education, increasing the capacity of parental supervision, updating technology-based child protection regulations, and strengthening the capacity of law enforcement officials in digital forensics. On the legal side, there is a need for encouragement to strengthen criminal rules against online grooming, including sanctions against digital platforms that neglect child protection.

Based on this analysis, sexual grooming through live streaming is not only a matter of individual criminality, but a structural problem that reflects systemic weaknesses in Indonesian child protection. The interaction between perpetrators, digital platforms, inadequate public policy enforcement, and the limited resilience of families reveals significant gaps. For instance, the Indonesian Child Protection Commission (KPAI) reported that cases of online sexual exploitation of children increased by 70% between 2019 and 2023, yet the National Child Protection System remains fragmented across institutions and lacks effective coordination. Moreover, UNICEF (2021) highlights that more than 30% of Indonesian children aged 12–17 have been exposed to online sexual risks, while law enforcement and rehabilitation services remain under-resourced. These systemic shortcomings demonstrate that prevention and treatment must target all levels policy, education, digital governance, and psychosocial recovery of victims through evidence-based interventions and stronger institutional collaboration.

## **B. National Legal Regulation Gap on Digital Grooming and Anonymous Transactions**

The development of digital technology has brought about a major transformation in social and legal dynamics, including the emergence of new forms of crime such as digital grooming and anonymous transactions. Both of these phenomena reflect contemporary challenges in the national legal system, particularly in terms of child protection and the prevention of covert and cross-border cybercrime. Digital grooming, which refers to the psychological manipulation of children or adolescents by perpetrators through online media for exploitative purposes, alongside the use of anonymous cryptocurrency transactions that rely on cryptographic tools to conceal criminal identities and digital footprints, demonstrates how rapidly technology has outpaced regulatory adaptation. To address these challenges, regulatory

solutions such as enhanced digital forensics capable of tracing blockchain-based transactions beyond simple anonymization layers and the implementation of mandatory wallet identification systems (similar to Know Your Customer/KYC mechanisms in financial institutions) are increasingly being considered. For instance, according to the Financial Action Task Force (FATF, 2021), over 60% of jurisdictions have adopted regulatory measures requiring cryptocurrency service providers to collect and verify customer identity data, while Europol (2022) has emphasized the role of advanced forensic tools in successfully de-anonymizing transactions linked to child exploitation networks. These examples illustrate that strengthening forensic capabilities and enforcing identity verification in digital transactions could serve as crucial safeguards in preventing technology-driven exploitation.<sup>30</sup>

Digital grooming is a complex phenomenon because it involves interpersonal relationships that are not easily identified as crimes in the early stages. Perpetrators use social media platforms, instant

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<sup>30</sup> Fitri Hardianti, Wahyudi Kumorotomo, and Widodo Agus Setianto, "Sosialisasi Child Grooming : Cyber Crime Yang Mengintai Anak-Anak Di Era Digital," *Jurnal Pengabdian Literasi Digital Indonesia* 2, no. 2 (December 24, 2023): 85–96, <https://doi.org/10.57119/abdimas.v2i2.45>; Winiari w. and Laily Mufid, "Techno Prevention Sebagai Upaya Pencegahan Terhadap Pelaku Child Grooming Melalui Media Sosial"; Veleshnja and Hoxha, "Analyzing Online Sexual Grooming of Minors and the Case of the Albanian Criminal Framework"; Tatiana R. Ringenberg et al., "A Scoping Review of Child Grooming Strategies: Pre- and Post-Internet," *Child Abuse & Neglect* 123 (January 2022): 105392, <https://doi.org/10.1016/j.chiabu.2021.105392>; Jane Reeves and Tracy Crowther, "Teacher Feedback on the Use of Innovative Social Media Simulations to Enhance Critical Thinking in Young People on Radicalisation, Extremism, Sexual Exploitation and Grooming," *Pastoral Care in Education* 37, no. 4 (October 2, 2019): 280–96, <https://doi.org/10.1080/02643944.2019.1618377>; Afrooz Kaviani Johnson, "Grooming and Child Sexual Abuse in Organizational Settingsan Expanded Role for International Human Rights Law," *Journal of Human Rights Practice* 16, no. 1 (May 28, 2024): 355–73, <https://doi.org/10.1093/jhuman/huad039>; Mengna Liu and Jinshi Chen, "'Digital Grooming: Discourses of Manipulation in Cyber-Crime' Nuria Lorenzo-Dus (2022)," *The International Journal of Speech, Language and the Law* 30, no. 2 (December 19, 2023): 319–25, <https://doi.org/10.1558/ijssl.27368>; Wirogio, "Criminal Responsibility of Child Cyber Grooming Perpetrators as a Form of Child Sexual Abuse on Social Media"; Afrooz Kaviani Johnson, "Grooming and Child Sexual Abuse in Organizational Settings—an Expanded Role for International Human Rights Law," *Journal of Human Rights Practice* 16, no. 1 (May 28, 2024): 355–73, <https://doi.org/10.1093/jhuman/huad039>; Patricia Alonso-Ruido et al., "Victims of Child Grooming: An Evaluation in University Students," *Societies* 14, no. 1 (January 9, 2024): 7, <https://doi.org/10.3390/soc14010007>.

messaging applications, and online forums to build trust with potential victims.<sup>31</sup> In the context of Indonesian criminal law, grooming does not yet have an adequate explicit juridical definition. Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE) and its amendments through Law No. 19 of 2016 do regulate a number of prohibitions on pornographic content and sexual harassment through electronic media, but it has not specifically touched on the grooming process as a persuasive, manipulative, and non-physical violence stage.

This creates a significant normative vacuum. In an interview with one of the investigators at the Directorate of Cyber Crime of the Criminal Investigation Branch of the National Police, it was stated that grooming perpetrators often cannot be charged before real exploitation occurs, because the existing legal construction focuses more on consequences than processes.<sup>32</sup> Thus, preventive efforts through criminal law are limited, and law enforcement officials face a dilemma between the principle of legality and the need for child protection.

Anonymous transactions, especially those based on blockchain technology and cryptocurrencies such as Bitcoin, Monero, or Zcash, also pose a major challenge to national legal regulation. The anonymous and decentralized nature of the ledger used makes digital economic activities difficult to track by legal and fiscal authorities.<sup>33</sup> In practice, anonymous transactions have been used in various cybercrimes, ranging from money laundering, narcotics trafficking, to funding terrorism activities.<sup>34</sup>

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<sup>31</sup> Yusep Mulyana, "KEJAHATAN SEKSUAL DARING TERHADAP ANAK DENGAN MODUS OPERANDI MELALUI MEDIA GAME 'ONLINE' DI KABUPATEN GARUT," *Communnity Development Journal* 4, no. 3 (2023); Juditha, "Isu Pornografi Dan Penyebarannya Di Twitter (Kasus Video Asusila Mirip Artis)."

<sup>32</sup> Arifin and Rahman, "DINAMIKA KEJAHATAN DUNIA MAYA MENGENAI ONLINE CHILD SEXUAL EXPLOITATION DI TENGAH PANDEMI COVID-19."

<sup>33</sup> Danuri and Suharnawi, "Trend Cyber Crime Dan Teknologi Informasi Di Indonesia"; Hafid et al., "Tantangan Menghadapi Kejahatan Cyber Dalam Kehidupan Bermasyarakat Dan Bernegara Muhammad"; Abidin, "Kejahatan Dalam Teknologi Informasi Dan Komunikasi"; Putri Natasya and Dian Andriasari, "Penegakan Hukum Terhadap Tindak Pidana Penyebaran Konten Kejahatan Pornografi Balas Dendam (Revenge Porn) Di Media Sosial Ditinjau Dari UU ITE Dan UU Pornografi"; Sumadiyasa, Sugiarta, and Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi."

<sup>34</sup> Bambang Sudjito et al., "Tindak Pidana Pornografi Dalam Era Siber Di Indonesia," *Wacana, Jurnal Sosial Dan Humaniora* 19, no. 02 (June 20, 2016): 66–72, <https://doi.org/10.21776/ub.wacana.2016.019.02.1>; Parisa Rezaee Borj, Kiran Raja, and Patrick Bours, "Online Grooming Detection: A Comprehensive Survey of Child Exploitation in Chat Logs," *Knowledge-Based Systems* 259

Indonesia itself has tried to respond to this phenomenon through regulations by Bank Indonesia and the Financial Services Authority (OJK) which prohibit the use of crypto assets as legal tender. However, there is no national regulation that holistically and technically explores the mechanism of anonymous transactions for criminal purposes, let alone regulates it in the form of a repressive and preventive criminal law at the same time.<sup>35</sup>

The absence of explicit articles in the Indonesian Criminal Code (KUHP) and the ITE Law related to anonymous transactions that are illegal creates difficulties in proving in the litigation process. A cyber law expert from the University of Indonesia in an interview stated that transactions on the dark web based on cryptocurrencies tend to be in the grey area, because Indonesia's positive law has not accommodated the classification of digital crimes in the context of anonymity as a separate legal object.<sup>36</sup>

Structurally, this regulatory gap is caused by the lack of integrated legal approaches that are adaptive to digital changes. The Indonesian legal system still relies on a written and positiveistic approach, which has led to delays in absorbing changes in the characteristics of highly dynamic criminal acts. This can be seen from the slow revision of the ITE Law and the absence of provisions in the Criminal Code and Criminal Code that are relevant to digital technology-based crimes.

Substantially, the gap arises because existing regulations tend to regulate the final form of the crime, rather than the process or tools used.<sup>37</sup> For example, digital grooming as a manipulative

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(January 2023): 110039, <https://doi.org/10.1016/j.knosys.2022.110039>.

<sup>35</sup> CNBC Indonesia, "OJK Larang Lembaga Keuangan Fasilitasi Kripto, Ini Alasannya!," *CNBC*, 2022; Amparo Pamela Fabe, Joan Andrea Toledo, and Sylvia Laksmi, "The Growth of Financial Technology in Indonesia: Implications for Terrorism Financing," *International Annals of Criminology* 60, no. 2 (July 18, 2022): 162–81, <https://doi.org/10.1017/cr.2022.16>.

<sup>36</sup> Basit Barry, "Urgensi Perlindungan Hukum Perusahaan Exchanger Cryptocurrency Terhadap Aliran Transaksi Dari Pengguna Anonim Wallet Decentralize Exchange," *COMSERVA Indonesian Jurnal of Community Services and Development* 2, no. 11 (March 27, 2023): 2620–44, <https://doi.org/10.59141/comserva.v2i11.650>; Muhammad David Bagoes Ivano and Aji Lukman Ibrahim, "Cryptocurrency Dan Peluang Terjadinya Praktik Money Laundering," *Jurnal Hukum Pidana Dan Kriminologi* 4, no. 1 (April 30, 2023): 12–31, <https://doi.org/10.51370/jhpk.v4i1.94>; Novitasari, "Legalitas Bitcoin Sebagai Alat Transaksi Menurut Undang-Undang Nomor 7 Tahun 2011 Tentang Mata Uang," *Universitas 17 Agustus 1945 Surabaya* 1, no. 7 (2018).

<sup>37</sup> Ratnasari and Solehuddin, "Sebagai Upaya Preventif Tindakan Kejahatan Seksual Child Grooming Pada Anak"; Abidin, "Kejahatan Dalam Teknologi Informasi Dan Komunikasi"; Hafid et al., "Tantangan Menghadapi Kejahatan

process cannot be criminalized as long as there is no real act such as the spread of pornography or sexual coercion. The same is true in anonymous transactions, where the act will only be considered unlawful when it can be proven to be directly related to another criminal act.

In comparison, several jurisdictions have demonstrated progressive and concrete steps in regulating emerging forms of digital crime. The United Kingdom, through the Sexual Offences Act 2003, explicitly criminalizes grooming behaviors, including those conducted via digital communication such as chatrooms, social media, and instant messaging platforms. The law recognizes grooming as a distinct criminal act, even before any physical abuse occurs, thereby enabling early intervention by law enforcement. Empirical data from the UK Home Office shows that in 2021 alone, over 5,000 cases of online grooming were recorded, many of which were successfully prosecuted under this Act. This evidences the effectiveness of recognizing grooming at the preparatory stage of crime.<sup>38</sup>

Similarly, the United States has taken a robust stance against anonymous digital transactions that potentially facilitate money laundering and financing of terrorism. Through the Bank Secrecy Act (1970) and subsequently strengthened by the USA PATRIOT Act (2001), financial institutions are legally required to implement Know Your Customer (KYC) procedures, report suspicious transactions, and maintain transparency over digital wallets and cross-border transfers. According to the U.S. Financial Crimes Enforcement

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Cyber Dalam Kehidupan Bermasyarakat Dan Bernegara Muhammad”; Delvyan Putri Surya Ningrum and Jamiatur Robekha, “Analisa Yuridis Dalam Kasus Kejahatan Siber Terhadap Internet Banking Di Indonesia”; Putri Natasya and Dian Andriasari, “Penegakan Hukum Terhadap Tindak Pidana Penyebaran Konten Kejahatan Pornografi Balas Dendam (Revenge Porn) Di Media Sosial Ditinjau Dari UU ITE Dan UU Pornografi”; Kejahatan, Mediol, and Yoku, “Perlindungan Hukum Terhadap Korban Child Cyber Grooming.”

<sup>38</sup> Raymond Arthur and Lisa Down, “Preventing the Criminalisation of Children Who Have Been Victims of Group-Based Sexual Exploitation Involving Grooming Tactics—Understanding Child Sexual Exploitation as Enslavement,” *The Journal of Criminal Law* 83, no. 5 (October 23, 2019): 370–80, <https://doi.org/10.1177/0022018319879013>; Susanna Abigael Coetzee, “Sexual Grooming of Children in Teaching as a Trust Profession in South Africa,” *Potchefstroom Electronic Law Journal* 26 (February 16, 2023), <https://doi.org/10.17159/1727-3781/2023/v26i0a14192>; SAMANTHA CRAVEN, SARAH BROWN, and ELIZABETH GILCHRIST, “Current Responses to Sexual Grooming: Implication for Prevention,” *The Howard Journal of Criminal Justice* 46, no. 1 (February 19, 2007): 60–71, <https://doi.org/10.1111/j.1468-2311.2007.00454.x>.

Network (FinCEN), suspicious activity reports related to cryptocurrency transactions increased by over 40% in 2021, reflecting both the rise of anonymous transaction technologies and the proactive oversight mechanisms mandated by law.<sup>39</sup>

These comparative experiences demonstrate that the formation of responsive legal norms to address digital crime is feasible through a progressive, evidence-based approach. Importantly, both the UK and the US integrate preventive measures such as early detection protocols and financial transparency requirements with repressive enforcement mechanisms, ensuring a holistic response to evolving modes of criminality.

In the Indonesian context, this comparative lesson underscores the urgency of comprehensive legal reform in two critical dimensions. First, the recognition of digital grooming as an independent criminal offense in substantive criminal law is essential to prevent victimization at its earliest stages, especially among vulnerable groups such as children and adolescents. Second, the development of a collaborative supervisory mechanism over anonymous digital transactions must be institutionalized, involving the Financial Services Authority (OJK), Bank Indonesia, the Ministry of Communication and Information, and law enforcement agencies.<sup>40</sup>

Beyond repressive law enforcement, regulatory reform in Indonesia should also embed preventive and educational measures. For instance, national digital literacy programs could be expanded to incorporate modules on online grooming risks, supported by partnerships between government, schools, and social media platforms. At the technological level, digital service providers could be mandated to apply automated detection systems using algorithm-based keyword recognition and behavioral pattern analysis, similar to the Project Artemis initiative in the UK a collaboration between

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<sup>39</sup> Anang Ramadianto and Bayu Wicaksono, "Countering the Crimes of Money Laundering and Terrorism Financing in Indonesia Digital Banking: A Legal Approach Perspectives," *Indonesian Journal of Counter Terrorism and National Security* 2, no. 2 (2023), <https://doi.org/10.15294/ijctns.v2i2.66841>; Omogbolahan Alli, Okechukwu Eze Chigbu, Chinedu Mbabie, Ajibola Olapade, Vivian Kiniga, dan Karl Kiam, "Harnessing Artificial Intelligence for Combating Money Laundering and Fraud in the U.S. Financial Industry: A Comprehensive Analysis," *World Journal of Advanced Research and Reviews* 17, no. 2 (2023): 940–953, <https://doi.org/10.30574/wjarr.2023.17.2.0227>.

<sup>40</sup> Vivi Ariyanti, "Pembaharuan Hukum Pidana Di Indonesia Yang Berkeadilan Gender Dalam Ranah Kebijakan Formulasi, Aplikasi, Dan Eksekusi," *Halu Oleo Law Review* 3, no. 2 (September 19, 2019): 178, <https://doi.org/10.33561/holrev.v3i2.8654>.

Microsoft and NGOs to detect grooming language in chats. On the financial side, Indonesia could adopt a Suspicious Activity Reporting (SAR) framework tailored to digital wallet transactions, aligning with global standards set by the Financial Action Task Force (FATF).<sup>41</sup>

In addition to repressive law enforcement, regulations also need to encourage digital education-based prevention mechanisms and strengthening cyber literacy, especially for vulnerable groups such as children and adolescents. The government together with digital platforms can develop early detection protocols for potential grooming through algorithms for detecting keywords or suspicious behavior. The same can also be applied to anonymous transactions by enforcing an automatic reporting system against suspicious activity based on transaction value and digital wallet address.<sup>42</sup>

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<sup>41</sup> María Reneses, María Riberas-Gutiérrez, and Nereida Bueno-Guerra, "'He Flattered Me': A Comprehensive Look into Online Grooming Risk Factors: Merging Voices of Victims, Offenders and Experts through in-Depth Interviews," *Cyberpsychology: Journal of Psychosocial Research on Cyberspace* 18, no. 4 (2024): Article 3, <https://doi.org/10.5817/CP2024-4-3>; Wendi Audina and Muhammad Zaky, "Controlling Child Grooming in the Digital World: Public Policy Strategies Based on Media Criminology Studies," *International Journal of Environmental, Sustainability, and Social Science* 6, no. 4 (July–August 2025), <https://doi.org/10.38142/ijesss.v6i4.1499>; Indah Sri Utari, Ridwan Arifin, and Diandra Preludio Ramada, "Exploring Child Grooming Sexual Abuse through Differential Association Theory: A Criminological and Legal Examination with Constitutional Implications," *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi* 7, no. 1 (2024): 69–88, <https://doi.org/10.24090/volksgeist.v7i1.9564>; Kunti R. Mahmudah, Muhammad K. Biddinika, Dhias C. Hakika, Wildan P. Tresna, Lyon T. Sugiarto, and Inna Syafarina, "Automated Detection of Porcine Gelatin Using Deep Learning-Based E-Nose to Support Halal Authentication," *Journal of Electronics, Electromedical Engineering, and Medical Informatics* 7, no. 1 (2025): 220–30, <https://doi.org/10.35882/jeeemi.v7i1.654>.

<sup>42</sup> Barry, "Urgensi Perlindungan Hukum Perusahaan Exchanger Cryptocurrency Terhadap Aliran Transaksi Dari Pengguna Anonim Wallet Decentralize Exchange"; Ariyanti, "Pembaharuan Hukum Pidana Di Indonesia Yang Berkeadilan Gender Dalam Ranah Kebijakan Formulasi, Aplikasi, Dan Eksekusi"; Mutia Rahmi Pratiwi, Mukaromah, and Egia Rosi Subhiyakto, "Edukasi Seks Pada Anak Usia Dini Melalui Media Digital Dengan Metode StoryTelling," *I-Com: Indonesian Community Journal* 2, no. 2 (July 22, 2022): 269–78, <https://doi.org/10.33379/icom.v2i2.1506>; Roswita Nerrisa Arviana and Intan Prameswari, "Studi Komparasi Elemen Formal Dalam Psikoedukasi Seksual Anak Usia Dini Berbasis Game Digital," *Ars* 26, no. 1 (April 28, 2023): 19–28, <https://doi.org/10.24821/ars.v26i1.8018>; Dian Furwasyih, Sunesni, and Ilham Akerda Edyyul, "Pengaruh Pemberian Edukasi Tentang Pendidikan Seksual Pada Anak Berkebutuhan Khusus Dengan Tingkat Pengetahuan Guru Sekolah Luar Biasa (SLB)," *JURNAL KESEHATAN MERCUSUAR* 5, no. 2 (October 29, 2022): 33–40, <https://doi.org/10.36984/jkm.v5i2.308>; Shorea Helminasari, Helnisa, and Kurnawati Pasulle, "Peningkatan Kesadaran Publik Terhadap Fenomena

The absence of comprehensive regulation on digital grooming and anonymous transactions in Indonesia highlights the structural limitations of the current legal system in addressing contemporary forms of crime. Crime is no longer confined to physical space; it now extends into the mental and virtual domains, demanding an integrated, multidisciplinary legal approach that combines law, technology, criminology, and sociology. Therefore, legal reform must become a national priority, involving a broad coalition of stakeholders including legislators, regulators, academia, civil society, and the digital industry to build a responsive, adaptive, and protective legal framework for the digital era.

## C. Juridical Precedent in the Handling of Online Sexual Grooming

The phenomenon of online sexual grooming, especially those involving children through live streaming and anonymous transactions, presents a serious challenge to the national legal system. Although the legal aspect has developed through the Child Protection Law, the ITE Law, and the TPKS Law, the practice in court still shows inconsistencies in the understanding and application of the law to this form of crime.<sup>43</sup> A review of five court decisions both in the general judiciary and the Syar'iyah Court offers an important juridical precedent as a basis for reflection and direction of legal reform.

Decision Number 9/Pid.Sus/2024/PN Wgw involves the defendant Aliudin alias La Mea who tried to secretly record the victim while taking a shower. This act is qualified as an "attempt to commit electronic-based sexual violence" based on Article 14 paragraph (1) letter a of Law No. 12 of 2022 concerning TPKS jo.

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Sosial Sexting Sebagai Kasus Kekerasan Dan Pelecehan Seksual Anak Berbasis Gender Online Di Kota Samarinda," *Masyarakat Berdaya Dan Inovasi* 4, no. 1 (April 20, 2023), <https://doi.org/10.33292/mayadani.v4i1.128>; Laili Muttamimah and Firman Kurniawan Sujono, "Resepsi Khalayak Perempuan Terhadap Konten Edukasi Seksual Oleh Key Opinion Leader," *Jurnal Komunikasi Profesional* 7, no. 1 (March 9, 2023): 98–120, <https://doi.org/10.25139/jkp.v7i1.5223>.

<sup>43</sup> Veleshnja and Hoxha, "Analyzing Online Sexual Grooming of Minors and the Case of the Albanian Criminal Framework"; Ringenberg et al., "A Scoping Review of Child Grooming Strategies: Pre- and Post-Internet"; Reeves and Crowther, "Teacher Feedback on the Use of Innovative Social Media Simulations to Enhance Critical Thinking in Young People on Radicalisation, Extremism, Sexual Exploitation and Grooming"; Ali, Haykal, and Youssef, "Child Sexual Abuse and the Internet—A Systematic Review"; Kaviani Johnson, "Grooming and Child Sexual Abuse in Organizational Settings and Expanded Role for International Human Rights Law."



Article 53 paragraph (1) of the Criminal Code.<sup>44</sup> The use of this norm reflects a legal shift towards recognition of technology-based forms of non-physical violence. Although the criminal threat is still relatively mild (only 4 months in prison), this precedent is important because it recognizes the sexual dimension in a digital context as part of the crime of sexual violence.

Meanwhile, in the Decision of the Takengon Syar'iyah Court Number 9/JN/2023/MS.Tkn, the defendant was sentenced to 80 months in prison for the act of sexual abuse of children in elementary school. Although it does not occur in the context of live streaming or anonymous transactions, the relational pattern between the perpetrator (teacher) and the victim (student) shows the characteristics of grooming, namely a power relationship that is abused for sexual acts.<sup>45</sup> The Syar'iyah Court uses Article 47 of Qanun Jinayat, which does not specifically distinguish between online and offline actions, but can still accommodate the principle of child protection from all forms of abuse.

Decision Number 243 K/Pid.Sus/2020 involves the defendant Aman bin Kaderim, who was sentenced to 7 years in prison for committing repeated sexual violence within the domestic sphere. Although the digital element does not appear explicitly, the relevance of this precedent lies in the legal argument about criminal aggravation due to repeated acts and the existence of dominance relations.<sup>46</sup> In the context of online grooming, perpetrators often repeat acts of exploitation in the form of communication and video calls, and this pattern should also be accommodated as a ballast element in criminal law.

Decision Number 11/Pid.Sus/2014/PN.Sbs highlights incest cases between stepfathers and children, with criminal threats imposed based on Article 81 of the Child Protection Law. The victim experiences psychological pressure, unbalanced power relations, and threats that close the victim's space of resistance. From the perspective of online grooming, these patterns are identical, although the medium of crime is different.<sup>47</sup> Power relations, seduction, emotional manipulation, and sexual coercion are core components of grooming, which can occur in both physical and digital spaces.

Decision No. 222/Pid.B/2014/PN.Pbm, although qualified within the framework of domestic sexual violence, also describes a typical

<sup>44</sup> Directory of Decisions et al., "Decision No. 9/Pid.Sus/2024/PN Wgw," n.d.

<sup>45</sup> Directory of Judgments et al., "Decision No. 9/JN/2023/Ms.Tkn," n.d.

<sup>46</sup> Directory of Decisions et al., "Decision No. 243 K/Pid.Sus/2020," 2020.

<sup>47</sup> Demi Keadilan et al., "Decision No. 11/Pid.Sus/2014/PN.Sbs," n.d., 1–20.

mode of intimidation in grooming: the perpetrator scares the victim with a weapon and uses emotional relationships to control the victim's actions. In the digital context, this mode can be in the form of threats of spreading sexual content or psychological manipulation through pseudo-virtual relationships.<sup>48</sup> This precedent emphasizes the importance of including elements of psychological manipulation in the formulation of technology-based sexual grooming practices.

From the five rulings, it can be drawn a common thread that although there is no legal nomenclature that explicitly regulates online grooming, judicial practice has begun to accommodate relevant elements through various articles and legal instruments. Nevertheless, the absence of a specific classification leads to disparities in interpretation and disparities in sentencing. As a result, there is a substantive justice inequality, especially for child victims who experience non-physical sexual exploitation through digital media.

The existing juridical precedent shows the need for legal reform so that the online sexual grooming process can be subject to clear and fair sanctions. The absence of explicit articles makes the prosecutor's authority overlap between the Child Protection Law, the ITE Law, and the Pornography Law, thus causing a real disparity in punishment. For example, two similar cases can lead to a sentence of 2 years or 14 years simply because the prosecutor chooses a different article.<sup>49</sup> To close this gap, some legal reforms can be proposed.

First, the explicit criminalization of grooming. In the revision of the Child Protection Law or RKUHP, it is necessary to include a special article on child grooming, which criminalizes the act of persuading, deceiving, or intimidating children for sexual purposes. Article 419 of the Criminal Code Bill (c) which regulates "persuasion" to children, for example, can be used as the basis for a new legal model. Thus, the grooming perpetrator is punished based on the main element (persuasion) without having to wait for the act of physical violence to occur.

Second, the addition of Online Special Crimes. The TPKS Law (No. 12/2022) has added strengthening sanctions if sexual crimes occur through electronic media. For example, article 15 paragraph (1) letters g and l of the TPKS Law stipulates an additional third of the punishment if sexual crimes against children are committed through

<sup>48</sup> Directory of Decisions et al., "Decision No. 222/Pid.Sus/2014/PN Pbm," 2014.

<sup>49</sup> Ariyanti, "Pembaharuan Hukum Pidana Di Indonesia Yang Berkeadilan Gender Dalam Ranah Kebijakan Formulasi, Aplikasi, Dan Eksekusi."

electronic media. This clause should also be applied to online grooming, so that perpetrators who use live streaming or video calls receive harsher punishments than conventional cases.

Third, Harmonization of the ITE Law and the Child Protection Law. It needs clarity on whether online grooming content is included in the distribution of child pornography in the ITE Law or included in the realm of sexual violence. One way is to add a paragraph to the ITE Law (such as Article 27 paragraph 4) which specifically regulates the content of grooming or sexual coercion of children. Thus, grooming cases are not only resolved based on the general article of pornography, but there are separate signs that refer to the typology of grooming.

Fourth, Anonymity Settings and Online Transactions. For cases of grooming based on live streaming or online platforms (including anonymous transactions such as payments through dark applications), vigilance regulations are required. For example, implementing know-your-customer (KYC) or identity tracking for users of children's streaming platforms, as well as cracking down on the use of anonymous electronic currencies for 'donations' that are actually child exploitation. Similarly, there should be regulations requiring platform providers to report alleged grooming, as they are required to report child pornography.

The above reforms are important so that grooming-based sexual crimes no longer escape the courts just because of regulatory loopholes. The overly broad distinction between online and offline cases should be narrowed so that the punishment truly reflects the severity of the action. At the same time, the new law must include technical elements of digital crime such as the use of electronic media so that law enforcement officials have a strong constitutional basis to dismantle grooming cases carried out in modern ways. Thus, it is hoped that future juridical precedents can provide a more real deterrent effect and maximum protection for children as victims.

## **D. Direction of Reformulation of Legal Policies in Preventing and Cracking Down on Online Sexual Grooming**

Digital transformation has given birth to new complexities in the world of crime, one of which is the emergence of online sexual grooming, which is a manipulative process carried out by perpetrators to gain the trust of children through electronic media to achieve sexual goals. This crime is not only criminal, but also

touches on psychosocial aspects, child protection, and weaknesses in national legal governance.<sup>50</sup> Unfortunately, until now Indonesia does not have a legal norm that explicitly regulates sexual grooming as a separate offense, especially in an online form that includes the anonymity of the perpetrator, live streaming, and digital transactions.

The legal framework that has been used to ensnare digital grooming perpetrators is still spread across various regulations such as Law Number 35 of 2014 concerning Child Protection, Law Number 19 of 2016 concerning Information and Electronic Transactions (ITE Law), and Law Number 12 of 2022 concerning the Crime of Sexual Violence (TPKS). However, these three laws have not fully answered the unique characteristics of online sexual grooming, namely: the existence of non-violent manipulative relationships, the use of the anonymity of the perpetrator's identity, and the involvement of digital transactions as a tool and incentive for crime.<sup>51</sup>

For example, Article 81 and Article 82 of the Child Protection Law do regulate the coercion and sexual exploitation of children, but do not contain elements of persuasion or repeated communication as part of the grooming mode.<sup>52</sup> On the other hand, the TPKS Law only accommodates electronic-based harassment, but it has not defined the specific stages of grooming, so that manipulation processes that do not involve direct physical exploitation are

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<sup>50</sup> Veleshnja and Hoxha, "Analyzing Online Sexual Grooming of Minors and the Case of the Albanian Criminal Framework"; Ringenberg et al., "A Scoping Review of Child Grooming Strategies: Pre- and Post-Internet"; Reeves and Crowther, "Teacher Feedback on the Use of Innovative Social Media Simulations to Enhance Critical Thinking in Young People on Radicalisation, Extremism, Sexual Exploitation and Grooming"; Ali, Haykal, and Youssef, "Child Sexual Abuse and the Internet—A Systematic Review"; Kaviani Johnson, "Grooming and Child Sexual Abuse in Organizational Settings and an Expanded Role for International Human Rights Law."

<sup>51</sup> Ali, Haykal, and Youssef, "Child Sexual Abuse and the Internet A Systematic Review"; Arifin and Rahman, "Dinamika Kejahatan Dunia Maya Mengenai Online Child Sexual Exploitation Di Tengah Pandemi Covid-19"; Miguel Arias Cerón, Leonor Buendía Eisman, and Francisco Fernández Palomares, "Grooming, Cyberbullying y Sexting En Estudiantes En Chile Según Sexo y Tipo de Administración Escolar," *Revista Chilena de Pediatría* 89, no. ahead (2018): 0–0, <https://doi.org/10.4067/S0370-41062018005000201>.

<sup>52</sup> Hana Marselia Sihombing et al., "PENERAPAN HUKUMAN MATI PADA TERSANGKA YANG MEMILIKI PENYIMPANGAN SEKSUAL PADA ANAK DI BAWAH UMUR," *Jurnal Darma Agung* 30, no. 2 (July 14, 2022): 1, <https://doi.org/10.46930/ojsuda.v30i2.1570>; August Thiary, "Perlindungan Anak Di Bawah Umur Dalam Perspektif Hak Asasi Manusia," *Nomos: Jurnal Penelitian Ilmu Hukum* 2, no. 2 (March 28, 2022): 53–59, <https://doi.org/10.56393/nomos.v1i8.909>.



difficult to criminalize. Meanwhile, the ITE Law focuses more on the distribution of immoral content and not on the motives and relationships of the perpetrators before the crime occurred.<sup>53</sup> This causes law enforcement to tend to rely on the final outcome of the crime, not on the process or initial intention of the perpetrator.

In practice, online sexual grooming perpetrators utilize various digital communication platforms such as social media, video call applications, anonymous forums, and donation-based live streaming services. Modes that are often used include seduction, gift-giving, and solicitation to engage in sexual behavior that is recorded or broadcast live.<sup>54</sup> Anonymous financial transactions through digital wallets, cryptocurrencies, or the "gift" feature on streaming platforms complicate the tracking of the identity and purpose of the fund transfer.

This situation shows that Indonesia's positive law has not been able to integrate cross-sectoral approaches: child protection, cyber

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<sup>53</sup> Fauziah Viviana, *Pelecehan Seksual Online Di Media Sosial Whatsapp Sebagai Bentuk Kekerasan Berbasis Gender Online (KBGO)*, *Scientific Journal of Informatics*, vol. 24, 2023; Helen Intania and Wahyu Satria WPW, "Analisis Penanganan Kekerasan Seksual Berbasis Online Dalam Konstruksi Hukum Di Indonesia," *LITERATUS* 4, no. 2 (October 3, 2022): 410–17, <https://doi.org/10.37010/lit.v4i2.729>; Rahmawati et al., "Analisis Terhadap Tindak Kekerasan Berbasis Gender Online Berbentuk Ancaman Penyebaran Konten Intim Non Consensual," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 1, no. 4 (December 15, 2023): 795–805, <https://doi.org/10.62976/ijjel.v1i4.221>; M. Chaerul Risa, "Perlindungan Hukum Terhadap Korban Tindak Pidana Kekerasan Seksual Dalam Lingkungan Pendidikan," *Jurnal Ilmu Hukum Tambun Bungai* 11, no. 1 (2022); Sihombing et al., "PENERAPAN HUKUMAN MATI PADA TERSANGKA YANG MEMILIKI PENYIMPANGAN SEKSUAL PADA ANAK DI BAWAH UMUR."

<sup>54</sup> Febriyana and Gusnita, "Child Grooming Approach Model of Offenders toward Children on Social Media"; Holivia and Suratman, "Child Cyber Grooming Sebagai Bentuk Modus Baru Cyber Space Crimes"; Dewi Anggraeny et al., "Cyber Child Grooming on Social Media: Understanding the Factors and Finding the Modus Operandi"; Helen C. Whittle, Catherine E. Hamilton-Giachritsis, and Anthony R. Beech, "A Comparison of Victim and Offender Perspectives of Grooming and Sexual Abuse," *Deviant Behavior* 36, no. 7 (July 3, 2015): 539–64, <https://doi.org/10.1080/01639625.2014.944074>; Susan Giles et al., "Estimating the Economic Burden Attributable to Online Only Child Sexual Abuse Offenders: Implications for Police Strategy," *Frontiers in Psychology* 14 (January 4, 2024), <https://doi.org/10.3389/fpsyg.2023.1285132>; Nicole Van Zyl, "In No Certain Terms: The Court's Inconsistent Approach to the Role of Sexual Grooming When Sentencing Cases of the Rape of Children under 16.," *South African Crime Quarterly*, no. 65 (September 30, 2018): 43–53, <https://doi.org/10.17159/2413-3108/2018/v0n65a4473>; Ferreira, Martins, and Goncalves, "Online Sexual Grooming: A Cross-Cultural Perspective on Online Child Grooming Victimization."

enforcement, and supervision of digital financial activities. Therefore, the direction of legal policy reformulation must be able to present a legal regime that is responsive to the dynamics of digital crimes based on grooming and sexual exploitation of children.

The reformulation of legal policy in this case must contain two main dimensions: strengthening the substance of legal norms, and strengthening the enforcement institutional system. The most crucial step is to recognize online sexual grooming as a separate form of crime in the Indonesian criminal law system.<sup>55</sup> The normative formulation of grooming should include the following elements:

- a) Repeated acts of persuasion, seduction, persuasion or manipulative communication aimed at gaining the trust of the child;
- b) The purpose of sexual exploitation, both in physical and digital form (such as requesting images or videos, invitations to sexual live streaming, and so on);
- c) The use of electronic means, digital media, or online networks in conducting such communication.

The formulation can be included in the Draft Criminal Code (RKUHP) or revised in the Child Protection Law. For reference, model legislation such as the Sexual Offences Act 2003 in the UK has strictly regulated grooming, including threats of punishment tailored

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<sup>55</sup> Lin, Young, and Guarino, "Mother-Daughter Sexual Abuse: An Exploratory Study of the Experiences of Survivors of MDSA Using Reddit"; Kerryann Walsh et al., "Sexual Abuse Prevention Education in Australian Primary Schools: A National Survey of Programs," *Journal of Interpersonal Violence* 34, no. 20 (October 5, 2019): 4328–51, <https://doi.org/10.1177/0886260519869246>; Molly R. Wolf, Doyle K. Pruitt, and Tracy Leet, "Lessons Learned: Creation and Testing of a New Instrument ( Sex Offenders Grooming Assessment ) for Measuring Sex Offenders' Perceptions of Their Grooming Behaviors," *Journal of Child Sexual Abuse* 30, no. 7 (October 3, 2021): 785–805, <https://doi.org/10.1080/10538712.2021.1970681>; Kim-Kwang Raymond Choo, "Responding to Online Child Sexual Grooming: An Industry Perspective," *Trends and Issues in Crime and Criminal Justice*, no. 379 (2009); Karen Harrison, "'Grooming' and the Sexual Abuse of Children, Institutional, Internet and Familial Dimensions," *Journal of Sexual Aggression* 21, no. 1 (January 2, 2015): 117–19, <https://doi.org/10.1080/13552600.2014.998488>; Anne-Marie McAlinden, "Grooming" and the Sexual Abuse of Children, *Grooming" and the Sexual Abuse of Children: Institutional, Internet, and Familial Dimensions* (Oxford University Press, 2012), <https://doi.org/10.1093/acprof:oso/9780199583720.001.0001>; David Shannon, "Online Sexual Grooming in Sweden Online and Offline Sex Offences against Children as Described in Swedish Police Data," *Journal of Scandinavian Studies in Criminology and Crime Prevention* 9, no. 2 (December 2008): 160–80, <https://doi.org/10.1080/14043850802450120>.

to the stage of the crime.<sup>56</sup>

In addition to making grooming an independent offense, the reformulation needs to include provisions for the imposition of punishment if grooming is carried out:

- a) For children under 15 years old;
- b) Through online media that is anonymous or open-platform (public live streaming);
- c) Using digital transactions or directing victims to economic exploitation.

This deterrence clause can strengthen the deterrent effect and reflect the social danger of this crime. The TPKS Law has actually regulated the charge for electronic-based sexual violence, but has not explicitly included grooming and anonymous transactions as substantive aspects of the indictment.

Legal reformulation must include a tech-governance approach. Digital platforms such as social media, video streaming apps, and e-wallet services should be required to:

- a) Implement an automated detection policy against suspicious conversations or activities (such as the use of grooming terms or explicit solicitations against children);
- b) Report suspicious activity to legal authorities or child protection agencies;
- c) Provide a dedicated reporting pathway for children and parents;
- d) Ensure that the KYC (Know Your Customer) system is enforced for users of transaction or streaming services that involve donations.

The responsibility of this platform can be outlined in the form of a Government Regulation or Presidential Regulation that is administratively binding, with administrative and civil sanctions if negligent.

One of the main problems in dealing with online sexual grooming is the overlapping jurisdiction between criminal provisions, information technology, and financial regulation. For this reason, it is necessary to harmonize between:

- a) the Criminal Code and the Criminal Code Bill (for grooming offenses);
- b) the TPKS Law and the Child Protection Law (for child

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<sup>56</sup> Arthur and Down, "Preventing the Criminalisation of Children Who Have Been Victims of Group-Based Sexual Exploitation Involving Grooming Tactics—Understanding Child Sexual Exploitation as Enslavement"; CRAVEN, BROWN, and GILCHRIST, "Current Responses to Sexual Grooming: Implication for Prevention."

- victims and aspects of sexual violence);
- c) the ITE Law and the Cyber Security Bill (for digital facilities aspects);
- d) Money Laundering Law and Bank Indonesia/OJK rules (for anonymous transactions and financing of sexual exploitation).

Coordination between institutions such as Kominfo, OJK, Police, BSSN, and KPAI must be strengthened with an integrated framework through the National Action Plan for the Prevention of Online Child Sexual Exploitation.

Community-based prevention strategies are an important element in the framework of legal policy reformulation aimed at tackling the crime of online sexual grooming. These efforts emphasize that a repressive approach through law enforcement will not be effective without being balanced with social capacity building at the grassroots level.<sup>57</sup> In this case, the government needs to develop a digital literacy education program that targets children, parents, and educators so that they understand the risks, modes, and mitigating steps against the threat of online grooming. Educational materials should include understanding the perpetrator's manipulative patterns, how to recognize the signs of grooming in cyberspace, and safe incident reporting mechanisms.

As part of preventive measures, the topic of child protection in the digital space should also be integrated into the curriculum of character education and counseling guidance in schools. This approach aims to build critical awareness and digital resilience in children from an early age.<sup>58</sup> On the other hand, the government

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<sup>57</sup> Viviana, *Pelecehan Seksual Online Di Media Sosial Whatsapp Sebagai Bentuk Kekerasan Berbasis Gender Online (KBGO)*; Dyah Ambarwati, "PENGEMBANGAN STRATEGI PENCEGAHAN KEKERASAN SEKSUAL PADA ANAK MELALU PENDEKATAN KESEHATAN MASYARAKAT," *Marwah: Jurnal Perempuan, Agama Dan Jender* 20, no. 2 (December 31, 2021): 186, <https://doi.org/10.24014/marwah.v20i2.11351>; Rudi Haryadi, Istiana Heriani, and Sanjaya Sanjaya, "Bimbingan Teknis Strategi Pencegahan Dan Penanggulangan Kekerasan Seksual Di Sekolah Bagi Guru BK," *Bubungan Tinggi: Jurnal Pengabdian Masyarakat* 6, no. 1 (February 6, 2024): 138, <https://doi.org/10.20527/btjpm.v6i1.10153>; Listyaningsih Listyaningsih and Gandung Ismanto, "Strategi Pencegahan Kekerasan Seksual Terhadap Anak Berbasis Masyarakat Di Wilayah Pesisir Kabupaten Serang," *JIPAGS (Journal of Indonesian Public Administration and Governance Studies)* 6, no. 1 (January 31, 2022), <https://doi.org/10.31506/jipags.v6i1.13072>.

<sup>58</sup> Itoh Masitoh Masitoh et al., "PENCEGAHAN KEKERASAN SEKSUAL REMAJA PADA MODEL PEMBELAJARAN Fiqih KONTEKSTUAL: Penelitian Di MTs Al-Fathaniyah Serang, Banten," *Geneologi PAI: Jurnal Pendidikan Agama Islam* 9, no. 1 (June 7, 2022): 85–96, <https://doi.org/10.32678/geneologipai.v9i1.5517>;



together with mass media and digital platforms can develop a national-scale public campaign with a strong, humanist, and data-based narrative, in order to shape public opinions and collective attitudes towards the dangers of online grooming. A systematically and sustainably constructed public narrative can play a significant role in shaping a communal child protection culture.

Furthermore, the involvement of non-governmental institutions and local communities is an important prerequisite in creating a social ecosystem that is responsive and adaptive to this phenomenon. The role of civil society organizations can be directed to monitoring children's digital environments, providing community-based reporting channels, and psychosocial assistance for victims of online grooming. Communities can also establish advocacy centers and *safe spaces* for children and families to submit complaints without fear or stigma. With multi-stakeholder synergy between countries, communities, and digital platforms, online sexual grooming prevention will run more effectively as part of a comprehensive child protection strategy in the digital era.

## Conclusion

The results of this study show that the phenomenon of child sexual grooming through live streaming is a form of cybercrime that is increasingly complex along with the development of communication technology. The perpetrator's communication pattern is manipulative, interactive, and uses digital anonymity to ensnare victims, thus creating new challenges in law detection and enforcement. The cross-border characteristics and involvement of anonymous digital transactions reinforce children's vulnerability to technology-based sexual exploitation. An analysis of the national legal framework shows a significant regulatory gap. Existing

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Murfiah Dewi Wulandari et al., "Pemberdayaan Guru Dalam Program Pendidikan Seks Terintegrasi Kurikulum Sekolah Dasar," *Abdi Psikonomi*, December 31, 2021, 135–42, <https://doi.org/10.23917/psikonomi.v2i4.448>; Wahyu Hartini, Happy Hayati, and Nani Nurhaeni, "Edukasi Pencegahan Kekerasan Seksual Berpengaruh Terhadap Persepsi Anak Prasekolah Di Kabupaten Cirebon," *Jurnal Akper Buntet: Jurnal Ilmiah Akper Buntet Pesantren Cirebon* 5, no. 1 (January 25, 2021): 48–53, <https://doi.org/10.58370/jab.v5i1.68>; Juan Maulana Alfredo, Xavier Nugraha, and Dita Elvia Kusuma Putri, "Islamic Sex Education Program: Transformasi Pendidikan Pesantren Guna Mencegah Terjadinya Kekerasan Seksual Di Kalangan Santri," *Mizan: Journal of Islamic Law* 6, no. 1 (April 17, 2022): 119, <https://doi.org/10.32507/mizan.v6i1.1197>; Tetti Solehati et al., "Intervensi Pencegahan Kekerasan Seksual Pada Remaja: Literature Review," *Holistik Jurnal Kesehatan* 17, no. 6 (October 11, 2023): 522–37, <https://doi.org/10.33024/hjk.v17i6.12630>.

regulations still focus on child pornography and physical exploitation, without accommodating a fluid, cross-jurisdictional virtual dimension. Juridical precedents also show inuniform application of the law, with the main obstacles in proving the identity of the perpetrator and the limitations of the recognition of digital evidence. This condition underscores the urgency of updating regulations to be more adaptive to the dynamics of cybercrime.

Thus, handling child sexual grooming through live streaming requires a reformulation of legal policies that place digital grooming as a special offense, strengthen international cooperation, and integrate technology in law detection and enforcement. Without these comprehensive measures, children will remain vulnerable to increasingly sophisticated forms of digital-based sexual exploitation. This study recommends three main things. First, legislators need to reform the criminal law by regulating digital grooming as a stand-alone criminal act, including strict regulation of anonymous transactions that have the potential to be used for sexual exploitation. Second, a cross-border and cross-sectoral cooperation mechanism involving law enforcement officials, financial institutions, and digital service providers is needed to strengthen cross-jurisdictional detection and investigation. Third, further research needs to be directed at the development of collaborative models between law, technology, and digital education to build a more comprehensive prevention system while protecting vulnerable groups, especially children.

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