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FULFILLMENT OF THE STATE'S CONSTITUTIONAL OBLIGATIONS TO CHILDREN IN THE CRIME OF CHILD GROOMING ON SOCIAL MEDIA

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Abstrack

The development of social media has opened new spaces for children to interact, but it has also increased the risk of digital-based sexual crimes, including child grooming. Child grooming involves a gradual process of manipulation, persuasion, emotional approach, and psychological control of children for sexual purposes. The novelty of this research lies in the analysis of child grooming not only as a digital-based sexual crime problem, but also as a measure of fulfilling the state's constitutional obligation to ensure child protection. This study aims to analyze the legal arfrangements for the protection of children from child grooming, the form of legal protection for children who are victims of the use of social media, and the fulfillment of the state's constitutional obligations in child protection. The method used is normative legal research with a statutory approach, a conceptual approach, and a case approach, through a qualitative analysis of primary, secondary, and tertiary legal materials. The results show that Indonesian law provides several legal bases relevant to conduct associated with child grooming through the Child Protection Law, the Electronic Information and Transactions Law, the Sexual Violence Crime Law, and the Criminal Code. However, child grooming has not yet been expressly formulated as a stand-alone criminal offence. The fulfillment of the state's constitutional obligations therefore requires stronger legal regulation, victim protection and recovery, child-sensitive law enforcement, digital literacy, institutional coordination, and supervision of the digital environment to ensure more effective child protection in the digital space. so that child protection in the digital space can run more effectively.

INTRODUCTION

The development of information and communication technology in the last decade has caused significant changes in the pattern of life, especially in the way humans interact, as well as obtaining information and building social relationships. Social media is one of the most widely used digital spaces because it provides ease of communication without space and time limits. The presence of social media not only provides benefits in the educational, economic, and social fields, but also presents various legal risks, especially for children as a group that is still in the stage of physical, psychological, and social development (Putri & Sugama, 2025).

Children are legal subjects who have constitutional rights to survival, growth, and development, as well as protection from violence and discrimination (Said et al., 2025). This constitutional guarantee places an obligation on the state to establish and implement measures to protect and fulfill children's rights. The state's obligations are not limited to establishing legal norms, but also include prevention, law enforcement, protection, and recovery for child victims. In the context of the development of the digital space, these obligations are becoming increasingly important because children not only face risks in the real world, but also in cyberspace.

Social media has become a space for interaction that is very close to the lives of children and adolescents. The use of digital devices from an early age causes children to be more active in building communication, seeking entertainment, and forming social relationships through digital platforms (Pebriani & Darmiyanti, 2024). This condition is not always balanced with digital literacy, family supervision, and children's understanding of the limits of safe interaction. This vulnerability opens up opportunities for digital-based sexual crimes, one of which is the practice of child grooming, which is a manipulation process carried out by perpetrators to build trust and emotional closeness with children before leading to sexual exploitation. The Ministry of PPPA also emphasized that grooming is a sexually manipulative act carried out by adults against potential victims of children.

Child grooming has different characteristics from conventional forms of sexual violence because it is carried out gradually, secretly, and often begins with a seemingly normal relationship. Perpetrators can use attention, gifts, intensive communication, persuasion, threats, or identity disguise to gain the trust of children (Zahirah et al., 2025). Once an emotional connection is formed, the perpetrator may ask for private images or videos, direct the conversation to sexual matters, perform blackmail, or encourage the child to perform certain actions that are detrimental to him. The relationship between children and adults in the practice of child grooming cannot be seen as an equal relationship because there is an imbalance of power and manipulation that makes it difficult for children to give consent freely.

This condition also occurs in Indonesia as the use of the internet and social media by children increases. Children's use of the internet is no longer limited to educational interests, but also includes entertainment, online games, personal communication, and virtual friendships. The low public understanding of the risks of digital crime, limited parental supervision, and lack of education about cybersecurity make children increasingly vulnerable to becoming victims. Children often don't realize that seemingly familiar

conversations can be part of the perpetrator's strategy to carry out sexual exploitation online (Zahirah et al., 2025). Logos et al. (2026) found that nearly 66% of 304 surveyed Australian children had encountered grooming-related communication from strangers online, highlighting the widespread exposure of minors to manipulative digital interactions.

Legal arrangements for the protection of children from child grooming in Indonesia can basically be found in several laws and regulations, although the term child grooming has not been explicitly regulated in a specific regulation. This protection can be linked to the Child Protection Law, the Sexual Violence Crime Law, the Electronic Information and Transaction Law, as well as criminal provisions in the Criminal Code. These various legal instruments can be used to ensnare acts of persuading, manipulating, threatening, deceiving, or exploiting children through electronic media. Previous research has also shown that although the terminology of child grooming has not been explicitly mentioned, elements of its act have been spread in a number of regulations that can be the basis for prevention, law enforcement, and child protection.

The main problem in protecting children from child grooming lies not only in the existence of legal norms, but also in the effectiveness of the implementation of state obligations in the digital space. Law enforcement against technology-based sexual crimes still faces obstacles in the form of limited early detection, difficulties in electronic proof, low courage for victims to report, limited understanding of the authorities of digital crime modes, and lack of optimal coordination between child protection institutions, law enforcement officials, electronic system operators, families, and the community. This situation shows that there is a gap between the constitutional guarantee of child protection and the reality of the legal protection received by child grooming victims.

This is as stated by Salsabila Amilda, Yasmin Luthfiah Sutari, Muhammad Arief Aqil Audi, Annisa Hafizhah, and Rosmalinda in their research entitled “Perlindungan Hukum Terhadap Anak Korban Child Grooming Akibat Keingintahuan yang Salah dalam Penggunaan Media Sosial” in Cendekia Journal: Journal of Law, Social and Humanities. The study examines the effectiveness of the Child Protection Law and the Electronic Information and Transaction Law in handling child grooming cases, as well as the obstacles to legal implementation in providing protection for child victims (Amilda et al., 2025). The study did not specifically address the fulfillment of the state's constitutional obligation to protect children from child grooming on social media.

The novelty of this research lies in the analysis of child grooming on social media as a legal issue that is not only related to digital-based sexual violence, but also directly related to the fulfillment of children's constitutional rights. but also directly related to the fulfillment of children's constitutional rights. This research places the state as the main actor that is obliged to provide clear legal arrangements, effective legal protection, adequate prevention mechanisms, responsive law enforcement, and remedies oriented to the best interests of children. This study is important because the protection of children in the digital space is not enough only from the criminal aspect, but must also be assessed from the extent to which the state carries out its constitutional obligations

The purpose of this study is to analyze the legal arrangements in the protection of children from child grooming on social media, examine the form of legal protection for child grooming victims due to the use of social media, and analyze the form of fulfillment of the state's constitutional obligations in protecting children against the crime of child grooming. This research is expected to contribute to the development of child protection laws, strengthening digital-based sexual crime prevention policies, and increasing awareness of the state, society, family, and the role of electronic system operators in creating a safe digital environment for children.

METHOD

This study employs a normative legal research methodology using the statutory approach, the conceptual approach, and the case approach. The statutory approach involves analyzing relevant regulations, such as the Child Protection Act, the Sexual Violence Crimes Act, the Electronic Information and Transactions Act, and the Criminal Code. The conceptual approach is used to examine the concepts of child grooming, child protection, and the state's constitutional obligations toward children. The case approach is applied to selected court decisions based on their relevance to sexual offenses against children involving digital communication, interactions via social media, or the use of electronic evidence. The rulings were obtained from the Supreme Court Rulings Directory and verified based on case numbers, case facts, applicable legal provisions, and the judges' reasoning. The analysis focused on the nature of the interaction between the perpetrator and the child, the use of media or electronic evidence, the applicable legal provisions, and the judges' reasoning in determining criminal liability. These rulings are presented as illustrative case studies, not as legal precedents establishing "child grooming" as a standalone criminal offence. The case analysis is used to demonstrate the application and limitations of existing legal protections and to support discussions regarding the state's fulfillment of its constitutional obligation to protect children in the digital space (Muhaimin, 2020).

RESULT AND DISCUSSION

Legal Arrangements in the Protection of Children from Child Grooming

The increase in the disclosure of child sexual exploitation cases in Indonesia raises serious concerns in the public, especially parents, about the crime mode of child grooming, even though Indonesia already has a number of legal regulations related to this criminal act, such as the Child Protection Law, Article 27 paragraph (1) of Law No. 19 of 2016 concerning Information and Electronic Transactions (ITE Law), and the Sexual Violence Crime Law (TPKS Law), there is no rule that specifically regulates child grooming specifically (Putri & Sugama, 2025). This condition results in unclarity in law enforcement against perpetrators and difficulties for law enforcement officials in classifying grooming crimes appropriately.

The disclosure of cases of sexual exploitation of children in the digital space shows that child grooming has become a serious mode of crime in the development of Indonesian criminal law (Salamor et al., 2020). This crime does not always begin with physical violence, but begins with the process of building closeness, trust, and emotional dependence between the perpetrator and the child. Perpetrators usually use social media, instant messaging

applications, and online games, or other digital platforms to approach children slowly. This pattern makes child grooming difficult to recognize because the initial communication between the perpetrator and the child often appears to be an ordinary conversation. The Ministry of PPPA also views child grooming as a form of sexual manipulation of children that can occur through digital spaces, including online games and social media.

The legal arrangements in Indonesia have not placed child grooming as a stand-alone criminal act. The term child grooming has not been expressly formulated in the Child Protection Law, the ITE Law, the Criminal Code, and the TPKS Law (Syabilla, 2024). This condition causes law enforcement officials to have to use articles that are general, such as obscene acts against children, sexual intercourse with children, sexual exploitation, or the dissemination of content with moral content. As a result, law enforcement is easier to carry out if the perpetrator's actions have caused the final consequences in the form of obscenity, sexual intercourse, or the dissemination of sexual content. The initial stages of persuasion, deception, intensive communication, attention, and psychological manipulation have not been fully achieved clearly by criminal norms.

The protection of children has a strong constitutional basis in Article 28B paragraph (2) of the 1945 Constitution. This provision affirms that every child has the right to survive, grow, and develop and has the right to be protected from violence and discrimination (Nurlia & Priyana, 2022). The rights of the child in the constitution create an obligation for the state to establish clear legal norms, provide effective protection, carry out prevention, and ensure recovery for child victims. State obligations are not enough to be interpreted as the obligation to make laws, but also include the state's ability to adapt the law to the development of crime modes, including digital-based sexual crimes.

Law Number 35 of 2014 concerning Child Protection is the main instrument in providing legal protection for children. This law emphasizes the need to impose criminal sanctions and fines for perpetrators of crimes against children, while encouraging physical, psychological, and social recovery for the child victims. Article 76E of the Child Protection Law prohibits anyone from committing violence, threats of violence, coercion, deception, a series of lies, or persuading a child to commit or allow an obscene act to be committed. The elements of "deception", "series of lies", and "persuading children" are closely related to child grooming, because the perpetrator usually uses a subtle approach to control the child's psychological state before committing sexual exploitation.

The weakness of the Child Protection Law lies in the absence of a formulation that specifically regulates the grooming process as an act that can be punished from the preparation stage. Article 76E and Article 82 are easier to apply when there is an obscene act or a real sexual act. In fact, in child grooming, the danger to children has arisen since the perpetrator begins to build manipulative communication, ask for confidentiality, make the child feel dependent, or direct the conversation to sexual matters (Amilda et al., 2025). This void makes the law more likely to work after the victim has suffered more serious harm, rather than when the first signs of exploitation are recognizable.

The ITE Law also has an important role in child grooming cases carried out through social media. Article 27 paragraph (1) of the ITE Law regulates the prohibition of

distribution, transmission, or making accessible electronic information that contains moral violations. The relevance of this provision can be seen when the perpetrator requests, sends, stores, or distributes child sexual photos and videos. The second amendment through Law Number 1 of 2024 shows that the regulation of digital space continues to undergo adjustments to maintain a clean, healthy, ethical, productive, and equitable digital space (Andaru, 2021).

The limitations of the ITE Law appear to be in the focus of its regulation which focuses more on electronic content, not on the pattern of manipulative relationships between perpetrators and children. The perpetrator's actions in the form of identity disguise, seduction, intensive communication, or the giving of gifts do not necessarily directly meet the elements of immoral content distribution. Sihombing et al. (2025) further identify offender anonymity and anonymous electronic transactions on live-streaming platforms as additional challenges to the effective prosecution of online child grooming. This situation creates a blank space when digital communication does not contain child pornography, but already shows the intention of sexual exploitation. The focus of the ITE Law, which rests on the content of electronic information, makes the grooming process as a psychological act difficult to read as a criminal act independently.38

The TPKS Law is an important progress because the law no longer only views sexual violence as a physical act. Law Number 12 of 2022 emphasizes that the previous regulation is still not optimal in terms of prevention, protection, access to justice, and recovery of victims of sexual violence. The TPKS Law also provides a basis for the protection and recovery of victims, including the right to handling, protection, and recovery as stipulated in Articles 67 to 71. In the context of child grooming, this provision is important because child victims often experience psychological pressure, fear, guilt, the threat of spreading personal content, and social trauma that requires comprehensive recovery.

The absence of the term child grooming in the TPKS Law remains a problem. The TPKS Law does not expressly regulate child grooming as an independent criminal offence; its use as a basis for criminal liability depends on whether the specific conduct involved fulfills the elements of an offense regulated under the Law. At the same time, the TPKS Law provides a legal basis for the protection, handling, recovery of victims of sexual violence, but its application still depends on the interpretation of law enforcement officials (Pratama et al., 2022). Different interpretations can cause uncertainty in practice, especially when the perpetrator has not made physical contact with the victim. This position shows that the Indonesian legal system still needs a stricter formulation of child grooming as a process of manipulating children for sexual purposes.

The Criminal Code can also still be used in cases of sexual violence against children, especially provisions regarding molestation and sexual intercourse with children. Articles in the Criminal Code have a function as a basis for criminalization of acts that have clearly attacked the morality or sexual integrity of children. Its limitation lies in its lack of design to address gradual and hidden patterns of digital crime. Child grooming does not always immediately appear as obscenity, as the perpetrator may start with a casual conversation,

build closeness, and then direct the child to sexual acts. Such a pattern requires more specific arrangements and does not rely solely on conventional criminal articles.

South Jakarta District Court Decision Number 392/Pid.Sus/2021/PN JKT.SEL illustrates the limitations of legal protection for children in cases involving digital sexual conduct. This case shows that legal protection for child victims in the digital environment may still depend heavily on the availability of electronic evidence establishing an applicable offence. However, the legal construction applied in the case did not specifically address the initial process of approaching, persuasion, and emotional manipulation that characterizes child grooming. In this case, the defendant Wawan Gunawan was declared legally and convincingly proven to have committed the crime of distributing, transmitting, or making accessible electronic information and/or electronic documents that have content that violates morality. The defendant was sentenced to 1 year and 10 months of imprisonment and a fine of Rp200,000,000, with 3 months of imprisonment in lieu of the fine. The verdict also contained evidence in the form of a flash drive containing photos and videos, screenshots of WhatsApp conversations, and mobile phones that were confiscated to be destroyed.

The defendant was convicted under the applicable legal provisions concerning electronic information and documents containing content violating morality. Therefore, this case is not presented as judicial recognition of child grooming as an independent criminal offence, but as an illustration of conduct that may resemble grooming and was addressed under the existing legal framework. This case is important to illustrate how digital platforms may serve as an initial means for perpetrators to approach children. The legal construction applied in the case rested on the ITE Law because the conduct involved electronic information containing immoral content. The case demonstrates that existing law may be applied where electronic evidence establishes the elements of an applicable offence, but it does not directly criminalize the process of approaching and manipulating a child for sexual purposes as an independent offence of grooming.

The latest case at the East Jakarta District Court in 2026 shows that the term child grooming is beginning to be known in the practice of handling child sexual violence cases. The East Jakarta District Court sentenced the defendant to 8 years and 6 months in prison and a fine of Rp1,000,000,000.00 against the defendant in a case of sexual violence with the mode of child grooming. The news also emphasized a shift in the pattern of sexual violence against children, from physical attacks to psychological manipulation through social media. This case is important as an example that the court begins to deal with the mode of child grooming, even though the basis for the crime must still be linked to the existing criminal provisions. Jurisprudential material in cases of sexual violence against children shows that the postulates of "consensuality", courtship, or promise to marry the victim do not remove the criminal responsibility of the perpetrator. Writings published through the media of the Supreme Court emphasized that a review of a number of Supreme Court decisions shows a consistent attitude: the consent of the child cannot be equated with the consent of an adult in a case of sexual violence. This principle is very important to read child grooming, because the perpetrator often builds a narrative that the child agrees to the

relationship. Consent born of manipulation, emotional dependence, age differences, and power relations cannot be viewed as free consent.

The Supreme Court Decision Number 1114 K/Pid.Sus/2011 is one of the important jurisprudential materials. In the case, the Supreme Court rejected the consideration that the defendant would marry the victim as a reason to reduce the crime. These considerations are considered irrelevant because the defendant knows that the victim is still a child. The Supreme Court Decision Number 2337 K/Pid.Sus/2016 also rejects the argument that the defendant and the victim are dating, because the facts of the case show that there are actions that lead to sexual intercourse with children. The Supreme Court's Decision Number 812 K/Pid.Sus/2012 rejects the reason for consensual relationships, especially when there are lies and persuasions against child victims.

The important value of the jurisprudential material lies in the principle that children are in a vulnerable position and cannot be burdened with responsibility for the sexual relationships established by adults. The jurisprudence reinforces a child-centered approach to law enforcement by emphasizing that a child's apparent consent cannot automatically be treated as free consent where manipulation, deception, emotional dependence, age differences, or unequal power relations are involved. This principle is particularly relevant to child grooming, in which perpetrators may gradually establish trust and influence over children through communication and psychological manipulation. Therefore, children should not be blamed for engaging in communication with perpetrators when such communication is formed through an unequal and manipulative relationship. Legal protection for child grooming victims in the digital environment must consequently place the child's vulnerability and best interests at the center of law enforcement and victim protection.

The fulfillment of the state's constitutional obligation to protect children from child grooming must be viewed comprehensively through several dimensions, including regulation, victim protection and recovery, law enforcement, prevention, institutional capacity, digital supervision, and international cooperation. These dimensions reflect how the state carries out its constitutional mandate, especially as stipulated in Article 28B paragraph (2) of the 1945 Constitution which affirms the right of children to be protected from violence and discrimination. In this context, child grooming is a form of digital-based violence that has a serious impact on children's psychological development, so the state has full responsibility to prevent and deal with it effectively.

Strengthening regulations is a very important first step in improving the protection of children from child grooming. The state needs to formulate rules that specifically regulate child grooming as a stand-alone criminal offence, so that law enforcement no longer depends solely on the interpretation of general provisions. The formulation of the criminal act needs to include elements of communication with children, the use of deception or a series of lies, abuse of power relations, emotional manipulation, the use of electronic media, and the purpose of sexual exploitation. Certainty of norms will provide a stronger basis for law enforcement officials to crack down on perpetrators from the early stages, as well as provide more real protection for child victims. Harmonization between various laws and

regulations is also needed so that there is no overlap or legal vacuum in case handling (Pratama et al., 2022).

Responsive law demands that regulations not only function as a means of enforcement, but also as an instrument of prevention against potential losses arising from manipulative actions such as grooming. Indonesia's current legal system does not fully reflect these needs. The ITE Law still focuses on electronic content that violates morality, while the Child Protection Law and the TPKS Law are easier to apply if sexual acts or sexual violence have occurred (Haryanto & Harefa, 2022). This blank space leads to nonpornographic digital communications, but contains sexual exploitation intent, yet to have a strong legal construction.

Comparisons with the UK show that child grooming can be regulated as a criminal offence that reaches the preparatory stage. The Sexual Offences Act 2003, through Section 15, regulates meeting a child following sexual grooming. Under this provision, a person aged 18 or over may be held criminally liable where, after having met or communicated with a child under 16 on at least one previous occasion, the person intentionally meets the child or travels with the intention of meeting the child, while intending to commit a relevant sexual offence during or after the meeting. The offender must also not reasonably believe that the child is 16 or over. The provision therefore requires a combination of prior communication or meeting, subsequent meeting-related conduct, the protected age of the child, and the intention to commit a relevant sexual offence. The previous communication may occur through any means, including electronic communication.

This provision demonstrates that criminal liability may arise before the intended substantive sexual offence is completed. However, Section 15 does not criminalize every form of communication between an adult and a child. The existence of communication alone is insufficient; the statutory elements concerning the subsequent meeting or travel and the intention to commit a relevant sexual offence must also be established. Accordingly, the precise point at which criminal liability arises under Section 15 is when the statutory requirements are fulfilled, even though the intended sexual offence has not yet been completed.

The UK framework also provides a separate legal basis for addressing sexual communication with children. This is relevant to online-only grooming because criminal liability for grooming-related communication should not necessarily depend on an actual physical meeting. In contrast to Section 15, which is directed toward conduct involving a meeting or travel with the requisite sexual intent, sexual communication with a child may be addressed through other provisions of the UK legal framework. This demonstrates a broader approach in which different stages and forms of grooming-related conduct may be subject to criminal regulation.

Compared with the UK, Indonesian law does not expressly regulate child grooming as an independent criminal offence. Conduct associated with grooming must therefore be assessed under existing criminal provisions according to whether the particular conduct fulfills the elements of an offence regulated under Indonesian law. This creates a distinction between the two legal frameworks. The UK expressly identifies certain preparatory conduct

involving communication, meeting-related conduct, age, and sexual intent as an offence, whereas Indonesian law currently relies on existing offences whose elements must be established based on the specific conduct and available evidence. From an evidentiary perspective, the UK model requires proof of the statutory elements, including the defendant's age, the child's age, prior communication or meeting, subsequent conduct directed toward meeting the child, and the defendant's intention to commit a relevant sexual offence. Evidence may include electronic communications, records of interactions, arrangements to meet, and other circumstances demonstrating the required intention. In the Indonesian context, electronic communications and other digital evidence may similarly be relevant where they establish the elements of an existing offence, but such evidence does not by itself create an independent offence of child grooming.

The UK model therefore provides a comparative reference for Indonesia in considering the criminalization of preparatory conduct directed toward the sexual exploitation of children. Elements such as the protected age, prohibited conduct, communication, sexual intent, and the point at which criminal liability arises could be considered in developing a specific Indonesian provision on child grooming. However, the UK model should not be transplanted in its entirety because it operates within a different criminal-law framework and system of sexual offences. Yazid et al. (2026) emphasize that the expansion of criminal liability must be accompanied by constitutional safeguards to preserve legal certainty and prevent disproportionate restrictions on individual rights. Any reform in Indonesia would need to adapt these elements to the Indonesian criminal-law system and clarify their relationship with existing offences, evidentiary rules, and the protection of children in the digital environment. The comparison therefore supports the need for clearer regulation of grooming-related conduct in Indonesia while recognizing the differences between the two legal systems.

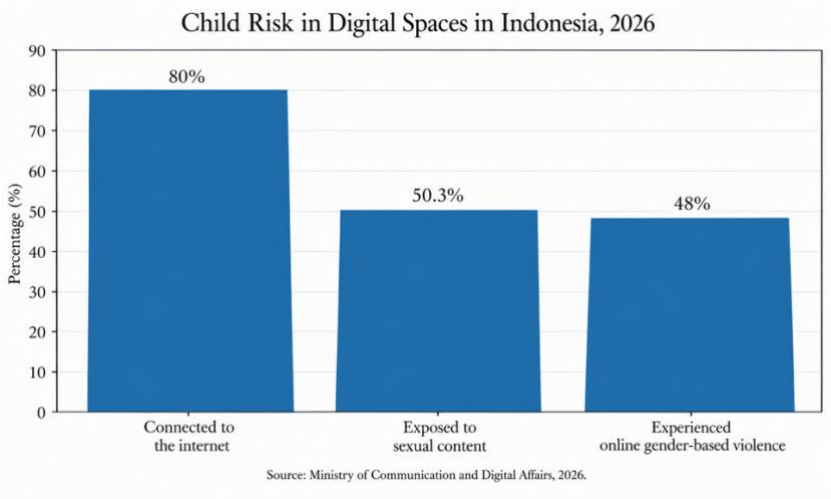
The legal framework for protecting children from child grooming in Indonesia still shows a gap between child protection norms and the development of digital crime. Existing laws provide a basis for addressing sexual exploitation, sexual violence, and electronic content involving children, but they do not specifically regulate the gradual process of approaching, persuading, and manipulating children for sexual purposes. Therefore, the existing framework remains limited in addressing grooming at its early stage before it develops into a completed sexual offence. This gap indicates the need for a more specific and child-sensitive legal framework that can provide preventive protection and effective legal responses to grooming-related conduct in the digital environment.

Legal Protection for Child Grooming Victims Due to Social Media Use

The crime of child grooming is a form of sexual crime that occurs in the digital realm that puts children as the main victims. This crime does not always begin with physical violence, but through a manipulation process that is carried out gradually to build trust, emotional closeness, and the victim's dependence on the perpetrator (Suendra & Mulyawati, 2020). The Ministry of PPPA explained that grooming is a process of adult sexual manipulation of potential victims of child age, which often makes it difficult for

children to refuse because they have previously considered the perpetrator as a trusted person (Nuroniyah, 2022). This understanding is important because the victim of child grooming cannot be positioned as a party who freely agrees to the relationship with the perpetrator, because the relationship is formed through deception, age inequality, and psychological mastery.

fThe vulnerability of children in the digital environment can also be seen from the increasing exposure to various online risks. Data from the Ministry of Communication and Digital Affairs in 2026 shows that 80% of children are connected to the internet, while 50.3% have been exposed to sexual content through social media and 48% have experienced online gender-based violence. These figures indicate that social media and other digital platforms have become environments in which children are increasingly exposed to risks of sexual exploitation and manipulation. This condition is relevant to the phenomenon of child grooming because perpetrators can use digital platforms to establish contact, gain children's trust, and gradually manipulate them toward sexual exploitation.



The characteristics of child grooming are different from conventional sexual crimes because perpetrators use social media as a space for approach. Instant messaging applications, online games, digital forums, and social media platforms provide opportunities for perpetrators to disguise their identities, pretend to be the same age as the victim, and build personal communication without parental supervision. The stages of child grooming generally start from the process of approaching, building trust, isolating the victim from the nearest environment, to sexual exploitation. Children who are still in the stage of psychological development are more easily influenced by attention, praise, gifts, or promises given by the perpetrator. The stages in child grooming include the process of approaching, building trust (trust building), victim isolation, to the exploitation stage (Sari & Astuti, 2026).

Legal protection for child grooming victims must be understood as protections that are preventive, repressive, and rehabilitative. Preventive protection is directed to prevent children from becoming victims through digital literacy, family supervision, school education, and strengthening the responsibility of digital platforms. Repressive protection is carried out through law enforcement against perpetrators based on applicable criminal

provisions. Rehabilitative protection is provided through physical, psychological, social, and identity protection of the victim. The Child Protection Law emphasizes that child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally, as well as obtain protection from violence and discrimination.

Constitutional protection for children comes from Article 28B paragraph (2) of the 1945 Constitution which affirms that every child has the right to survive, grow, and develop and has the right to be protected from violence and discrimination. This provision is the basis that the state must not only be present after the child becomes a victim, but also must build a legal system that is able to prevent the occurrence of digital-based sexual violence. Protection of child grooming victims is not enough only in the form of criminalizing the perpetrator, because the impact experienced by victims often includes psychological trauma, guilt, emotional dependence, fear of the perpetrator's threats, and obstacles in building social relationships in the future. Gámez-Guadix et al. (2023) demonstrate that persistent online grooming victimization is associated with heightened shame, guilt, depression, and anxiety among adolescents. Komnas Perempuan also emphasized that child grooming occurs in unequal power relations, through emotional manipulation and normalization of sexual behavior towards children.

Law Number 35 of 2014 concerning Child Protection is the main basis for providing legal protection for child grooming victims. Article 76E prohibits anyone from committing violence, threats of violence, coercion, deception, a series of lies, or persuading a child to commit or allow an obscene act. Article 76I also prohibits everyone from placing, permitting, doing, ordering to do, or participating in economic and/or sexual exploitation of children. This provision is relevant to child grooming because the perpetrator usually uses persuasion, deception, a series of lies, and manipulation to direct the child to sexual acts. The amendment to the Child Protection Law also emphasizes the need to impose criminal sanctions and fines for perpetrators of crimes against children, while encouraging physical, psychological, and social recovery for child victims.

The ITE Law can be relevant in cases of child grooming carried out through social media, particularly when the perpetrator's conduct involves electronic information or documents containing content that violates morality. Under Article 27 paragraph (1) of Law Number 1 of 2024 on the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, a person is prohibited from intentionally distributing, transmitting, and/or making accessible Electronic Information and/or Electronic Documents containing content that violates morality for public access. The explanation of Article 27 paragraph (1) clarifies that content that violates morality refers to acts involving the display of nudity, genitalia, and sexual activities that are contrary to the values prevailing in society at the place and time the act is committed. (Wahyuda & Tarigan, 2025).

In the context of child grooming, this provision may become relevant where the grooming process involves the distribution, transmission, or making accessible of electronic information or documents containing such prohibited content. However, sexual

communication should not automatically be equated with the offence under Article 27 paragraph (1). Likewise, solicitation or manipulation of a child, requests for sexual material, or attempts to establish a sexual relationship do not, by themselves, necessarily fulfill the elements of Article 27 paragraph (1). The application of this provision depends on the nature of the electronic content, the manner in which it is distributed, transmitted, or made accessible, and the fulfillment of the statutory elements.

Therefore, a distinction must be made between sexual or obscene electronic content and grooming behaviour that consists primarily of communication, solicitation, manipulation, or psychological control. Where grooming does not yet involve electronic information or documents containing content within the scope of "violating morality" under Article 27 paragraph (1), the provision does not independently criminalize the grooming process. Electronic communications may nevertheless constitute relevant evidence when they establish the elements of another applicable offence. Accordingly, the second amendment through Law Number 1 of 2024 updates the regulation of electronic information and transactions, but it does not expressly formulate child grooming as a separate criminal offence.

The Sexual Violence Crime Law provides a broader basis for the protection of child victims because it regulates the prevention, handling, protection, and recovery of victims. Law Number 12 of 2022 emphasizes that the previous regulation has not been optimal in preventing and handling sexual violence, and has not fully met the needs of victims' rights. The TPKS Law regulates victims' rights to handling, protection, and recovery, including legal assistance, health services, psychological rehabilitation, protection from threats, and social recovery. This arrangement is important for child grooming victims because the victim not only suffers losses due to sexual acts, but also due to the process of emotional manipulation that makes the victim feel afraid, ashamed, and reluctant to report the events they experienced.

Proving in child grooming cases is a challenge because the interaction between the perpetrator and the victim often takes place in a private digital space. Evidence can be screenshots of conversations, video call recordings, message history, photos, videos, social media accounts, email addresses, or electronic devices used by the perpetrator. Difficulties arise when the initial conversation is not overtly sexual, but already shows a pattern of approach, persuasion, and psychological mastery of the child. Actors can also delete conversations, use fake accounts, use pseudonyms, or move communications to apps that are more difficult to monitor. This condition requires law enforcement officials to have digital forensic skills and a child protection perspective so that they not only see the final event, but also read the series of manipulations carried out by the perpetrators.

Takengon District Court Decision Number 130/Pid.Sus/2018/PN Tkn also shows that legal protection for child victims can be provided through the Child Protection Law, especially when the perpetrator's actions have reached the stage of sexual violence. In this case, the defendant was found guilty of committing a criminal act with violence to force a child to have sexual intercourse, and was sentenced by the court. The relevance of this ruling lies in the court's approach to viewing children as victims who require legal

protection, rather than as parties who can be blamed. The weakness is that the criminal construction still rests on the final result in the form of sexual intercourse or violence, rather than on the grooming stage as the initial process that allows exploitation to occur.

Kuningan District Court Decision Number 133/Pid.Sus/2019/PN Kng has also been examined in research on criminal liability for child grooming perpetrators. Dian Fadhillah's research noted that the case placed the perpetrator under Article 81 paragraph (2) jo. paragraph (3) of the Child Protection Law jo. Article 64 paragraph (1) of the Criminal Code. This ruling shows that law enforcement officials still use provisions concerning sexual intercourse or child molestation to process perpetrators, even though the relationship between the perpetrator and the victim may previously involve patterns of persuasion, manipulation, and emotional control. The analysis of this decision indicates that legal protection for child grooming victims is still indirect because positive law has not provided specific norms that recognize the grooming process as a stand-alone criminal offence.

The jurisprudence reinforces the principle that children's apparent consent in relationships with adults must be assessed in light of their vulnerability and the circumstances in which the relationship was formed. This principle is relevant to child grooming because manipulation, persuasion, emotional dependence, age differences, and unequal power relations may affect the voluntariness of the child's participation. The rules of these rulings can be used as a basis for the argument that the child victim of child grooming should not be blamed for his involvement in communication with the perpetrator, because the communication is formed through an unequal manipulative process.

Legal protection for child grooming victims due to the use of social media must be directed at victim-centered protection. Child victims need to obtain identity protection, legal assistance, psychological assistance, recovery services, and guarantees so that personal content related to them is not disseminated again. KPAI also emphasized that the issue of child grooming must be addressed from the perspective of children's rights, including avoiding sensationalism, not blaming the victim, and not revealing the identity of the child. This principle is important because child victims often experience multiple layers of suffering, both from the actions of the perpetrator and from social stigma after the case is revealed.

Legal protection through social media also requires the responsibility of electronic system operators (Gill & Harrison, 2015). Digital platforms need to have reporting mechanisms that are easily accessible to children, a detection system for risky accounts, restrictions on content that leads to child sexual exploitation, and quick cooperation with law enforcement officials. Child protection cannot only be the responsibility of parents or law enforcement officials, because child grooming perpetrators often take advantage of the weaknesses of digital systems to approach victims in a hidden manner (Haikal, 2024). The Ministry of PPPA also emphasized that the practice of child grooming is increasingly occurring in the digital space through social media, online games, and communication platforms, so stronger supervision is needed from parents, teachers, families, and the community, as well as increasing children's digital literacy

Legal protection for children who are victims of child grooming as a result of the use of social media is not fully optimal because legal arrangements are still spread across various laws. The Child Protection Law can be used to crack down on persuasion, deception, obscenity, sexual intercourse, and sexual exploitation of children. The ITE Law can be used if there is electronic content that contains moral content (Sari & Astuti, 2026). The TPKS Law can be used to strengthen the protection, handling, and recovery of victims. The main weakness still lies in the absence of specific regulations that recognize child grooming as an independent criminal offence. As a result, legal protection for victims often only works when the perpetrator's actions have caused real sexual consequences, while the stage of approach and psychological manipulation cannot be directly charged as child grooming.

A form of fulfilling the state's constitutional obligation in protecting children against the crime of child grooming

The state has a constitutional obligation to guarantee the protection of children as part of the fulfillment of human rights. The position of children as vulnerable legal subjects demands stronger protection from the state, especially when children are faced with sexual crimes that occur in the digital realm such as child grooming. Article 28B paragraph (2) of the 1945 Constitution affirms that every child has the right to survive, grow, and develop, and has the right to be protected from violence and discrimination. This provision is the basis that child protection is not only the responsibility of the family, but also the obligation of the state that must be realized through regulations, policies, law enforcement, and victim recovery (Nurlia & Priyana, 2022). The Child Protection Law also affirms that the state guarantees the welfare of citizens, including the protection of children's rights as part of human rights.

Article 28D paragraph (1) of the 1945 Constitution provides an additional basis that everyone has the right to fair legal recognition, guarantee, protection, and certainty. This provision has an important meaning in child grooming cases, because child victims have the right to legal protection that is not only formal, but also effective in practice. It is not enough for the state to provide laws, but it must ensure that those rules can be used to prevent, identify, act on, and recover victims of child grooming. This obligation is increasingly important because child grooming is carried out in a secret, gradual, and often packaged in the form of an emotional relationship between the perpetrator and the child.

The first form of fulfilling the state's constitutional obligations is the establishment and strengthening of child protection regulations. Law Number 35 of 2014 concerning Child Protection is the main instrument because it contains a prohibition against violence, threats of violence, deception, a series of lies, persuasion, and sexual exploitation of children. Article 59 also affirms the obligation of governments, local governments, and other state institutions to provide special protection to children in certain situations, including children who are victims of sexual crimes (Suendra & Mulyawati, 2020). This arrangement is relevant to child grooming because the perpetrator's actions are generally

carried out through persuasion, manipulation, lies, and psychological control of the child before leading to sexual exploitation.

The weakness of fulfilling state regulatory obligations lies in the lack of special regulations regarding child grooming as a stand-alone criminal act. The existing norms are still spread in the Child Protection Law, the ITE Law, the TPKS Law, and the Criminal Code. This situation causes law enforcement to often rely on the end result, such as obscene acts, intercourse, sexual exploitation, or the dissemination of immoral content. The initial process of approaching, intensive communication, identity disguise, attention, persuasion, and emotional manipulation has not yet fully had a firm criminal construction. This gap shows that the fulfillment of the state's constitutional obligations still needs to be strengthened through legal reforms that are more responsive to the development of digital crime.

The second form is the fulfillment of state obligations through the protection and recovery of victims. The TPKS Law provides an important basis because it not only emphasizes the criminalization of perpetrators, but also the prevention, handling, protection, and restoration of victims' rights. Law Number 12 of 2022 states that the previous regulation of sexual violence has not been optimal in providing prevention, protection, access to justice, and victim recovery. The main materials of the TPKS Law include the prevention of all forms of sexual violence, handling, protection, restoration of victims' rights, coordination of central and regional governments, international cooperation, and community involvement.

Protection for child grooming victims must include legal assistance, psychological assistance, identity protection, securing electronic evidence, removal or termination of access to content that is detrimental to the victim, and social rehabilitation. The Ministry of PPPA in the case of alleged child grooming through online games stated that it was difficult for child victims to refuse because they previously felt that the perpetrator was a trusted person and had a special relationship. The statement shows that the victim of child grooming should not be positioned as the guilty party, because the relationship formed is the result of adult sexual manipulation of children.

The third form involves law enforcement agencies fulfilling their obligations from the perspective of the child. They must recognise that child grooming is a series of actions rather than a single event. Evidence in such cases often comprises screenshots of conversations, chat histories, video call recordings, social media accounts, mobile phones, email addresses and other digital devices (Syabilla, 2024). Taking a child-perspective approach to law enforcement requires expertise in digital forensics, sensitivity to victims' trauma and an awareness that children may not always be able to provide detailed accounts of their experiences. The state's obligation in law enforcement is not only to impose sanctions on perpetrators, but also to ensure that the judicial process does not further traumatise victims (Syabilla, 2024).

Takengon District Court Decision Number 130/Pid.Sus/2018/PN Tkn demonstrates the state's fulfillment of its protection obligations through the criminalization of perpetrators of sexual violence against children. The ruling, read on January 10, 2019, affirms the

position of children as victims who require legal protection. However, the legal protection provided still focuses on sexual acts that have already occurred and has not specifically reached the initial grooming process involving persuasion and manipulation.

This ruling shows that the state already has an instrument to take action against the perpetrators, but the regulation still does not directly mention child grooming as an independent offense. This situation strengthens the argument that the fulfillment of the state's constitutional obligations is not enough if it only relies on articles on sexual intercourse, molestation, or sexual exploitation of children.

These jurisprudential rules are important in child grooming cases because the perpetrator often builds a pretext that the child consents to the communication or relationship that occurs. Children's consent in relationships formed through deception, persuasion, emotional dependence, age differences, and power relations cannot be seen as free consent (Yani & Marzuki, 2019). The state, through law enforcement officials and judges, is obliged to place children as victims of manipulative processes, not as parties who are responsible. This principle is part of fulfilling constitutional obligations because child protection must prioritize the best interests of children and prevent victims from experiencing social criminalization.

The fourth form is the fulfillment of state obligations through prevention and digital literacy. Child grooming cannot be overcome through criminalization alone, because this criminal process often takes place before the family, school, or authorities realize it. The state needs to strengthen children's digital literacy, education on cyberspace security, training for teachers and parents, and public campaigns on grooming signs (Holivia & Suratman, 2021). KPAI emphasizes the importance of education, strengthening child protection services, not blaming victims, and prohibiting revealing children's identities in the issue of child grooming. This approach suggests that child protection must be done from the prevention stage, not just after the case goes to court.

The fifth form is the fulfillment of state obligations through strengthening the capacity of the apparatus and coordination between institutions. Presidential Regulation Number 9 of 2024 concerning the Implementation of Education and Training for the Prevention and Handling of Sexual Violence Crimes is one of the important instruments because it regulates education and training for the prevention and handling of TPKS. This regulation shows that the state is beginning to build institutional capacity in dealing with sexual violence in a more structured manner. Hasrul et al. (2026) emphasize the importance of consultative central–regional partnerships and interoperable public services in strengthening accountable digital governance, providing a relevant framework for interinstitutional child protection. This need is particularly relevant to child grooming, because law enforcement officials, victim companions, health workers, psychologists, and social workers must understand patterns of digital manipulation, electronic evidence, and child trauma handling.

The sixth form is the fulfillment of state obligations through the supervision of the digital space and the responsibility of electronic system operators. Social media is a space that perpetrators often use to approach children because perpetrators can use fake

accounts, disguise their age, pretend to be peers, and move conversations to private spaces. At the constitutional level, Article 28B paragraph (2) of the 1945 Constitution establishes the State's obligation to protect children from violence and discrimination. This obligation is implemented through statutory and regulatory frameworks concerning child protection and the operation of electronic systems. Law Number 35 of 2014 concerning Child Protection provides a legal basis for the State's responsibility to provide special protection to children, including children who are sexually exploited and children who are victims of sexual crimes. In the digital context, Government Regulation Number 17 of 2025 concerning the Governance of Electronic System Operators in Child Protection establishes a framework for the operation and supervision of electronic system operators in protecting children. This framework is further implemented through Minister of Communication and Digital Regulation Number 9 of 2026, which regulates, among other matters, child-user verification, child protection design, risk assessment, child accounts, and social networking and media services.

Within this existing framework, the State's role is not limited to the formulation of regulations but also includes the supervision and implementation of measures aimed at protecting children in the digital environment. Additional measures, such as providing reporting mechanisms that are easily accessible to children, strengthening mechanisms for the removal or restriction of child sexual exploitation content, limiting accounts or features that may pose risks to children, and cooperating with law enforcement authorities in safeguarding and securing electronic evidence, may be proposed as policy and regulatory reforms to strengthen the existing framework. These measures should not be understood as specific obligations that arise directly from Article 28B paragraph (2), but as proposed measures to strengthen the implementation of the State's obligation to protect children in the digital environment. Such measures are particularly relevant to child grooming because perpetrators may use digital platforms to establish contact with children before the conduct develops into a completed sexual offence. Strengthening the supervision and responsibilities of electronic system operators may therefore complement criminal-law enforcement by supporting earlier identification, reporting, intervention, and protection of children. The seventh form is the fulfillment of state obligations through international cooperation. Child grooming crimes on social media can involve cross-border perpetrators, servers outside Indonesian jurisdiction, foreign platforms, and rapid digital data transfers (Holivia & Suratman, 2021). The TPKS Law has placed international cooperation as part of the regulatory material so that efforts to prevent and handle victim

s of sexual violence can run effectively. Such cooperation is important for perpetrator tracking, electronic data requests, content removal, and victim protection when crimes have a transnational dimension.

The fulfillment of the state's constitutional obligation to protect children from child grooming must ultimately be measured by the state's ability to close the gap between legal norms and their implementation. The existing legal framework provides a basis for protecting children from sexual violence and exploitation, but it has not fully addressed the gradual, manipulative, and digital nature of child grooming. The analysis of relevant cases

and jurisprudence demonstrates that existing legal provisions can be applied to conduct associated with grooming, particularly when the conduct has developed into a recognized sexual offence. However, the early stages of approaching, persuading, and manipulating children remain insufficiently addressed as an independent criminal process. Therefore, legal reform is needed to strengthen protection through more specific regulation of child grooming, effective digital law enforcement, victim protection and recovery, digital literacy, platform supervision, and continuous coordination among relevant institutions.

CONCLUSION

Protection of children from child grooming practices on social media is legally regulated through the 1945 Constitution of the Republic of Indonesia, the Child Protection Law, the Electronic Information and Transactions Law, the Law on Sexual Violence, and the Criminal Code. However, legal protection for child grooming victims still relies on general provisions governing sexual exploitation or violence, while the stages of manipulation, persuasion, emotional approaches, and psychological control that characterize child grooming have not been specifically regulated as a separate criminal offence. Analysis of court decisions indicates that children must be positioned as victims in need of legal protection, so that consent given in relationships established through grooming cannot automatically be considered free and valid consent. From a constitutional perspective, the State has fulfilled its obligation to protect children through the establishment of various legal instruments and child protection policies. However, the fulfillment of this constitutional obligation has not been fully optimized due to persistent gaps in the legal framework governing child grooming, particularly regarding its manipulative, gradual, and digital nature on social media. Therefore, the State needs to strengthen regulations concerning child grooming, increase digital law enforcement capacity, expand victim protection and recovery mechanisms, strengthen digital literacy, and enhance the supervision of electronic system operators in accordance with the existing regulatory framework. Additional regulatory and policy measures concerning social media platforms may also be developed to strengthen the protection of children from grooming-related risks and support the fulfillment of children's constitutional rights to protection, security, and optimal growth and development in the digital environment. The limitation of this study lies in its normative approach. Therefore, further research is needed to empirically examine the effectiveness of the implementation of legal protection, law enforcement, and State policies in addressing child grooming on social media.

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