



## **CHILD GROOMING CRIMINAL REGULATIONS IN THE NATIONAL CRIMINAL CODE**

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### **Abstract**

The development of information technology has transformed patterns of social interaction and digital communication, leading to the emergence of various forms of sexual crimes against children, one of which is child grooming. This crime is committed through a process of approaching, psychologically manipulating, and building trust with a child for sexual exploitation. This study aims to analyze the regulation of the criminal offense of child grooming under the national Criminal Code (KUHP) and to examine the limitations of its legal framework. This research is a normative legal study employing both statutory and conceptual approaches. The legal materials used consist of primary, secondary, and tertiary sources, which are analyzed qualitatively. The findings indicate that child grooming has not yet been explicitly regulated as a distinct criminal offense under the national Criminal Code. However, in substance, it has been implicitly accommodated through Article 417, which regulates acts of giving or promising gifts, abusing authority or influence, and deceiving a child for sexual purposes. The study also finds that this regulation remains limited because Article 417 is constructed as a material offense, does not fully address the characteristics of digital-based child grooming, and fails to accommodate the process of psychological manipulation at the initial stage before sexual exploitation occurs. Therefore, a more adaptive reform of criminal law is required to provide legal certainty regarding the criminal offense of child entrustment.

**Keywords:** *Child Grooming, National Criminal Code, Article 417, Criminal Offense, Child Protection*

### **INTRODUCTION**

The development of information technology as part of the current of globalization has placed Indonesia in the dynamics of increasingly rapid digital transformation. One indicator is seen in the increasing use of the internet across various age groups. Based on the latest survey by the Indonesian Internet Service Providers Association (APJII), the internet penetration rate for Generation Alpha (under 12 years) reached 79.73%, while Generation Z (12–27 years) reached 87.80% and became the largest group of internet users with a contribution of 34.4 % . <sup>1</sup>In line with this increase in digital activity, the risk of technology-based crime also increases. Data from the Southeast Asia Freedom of Expression Network (SAFEnet) shows that throughout 2025 there were 2,382 reports of online gender-based violence (KBGO) in Indonesia, an increase of around 25% compared to the previous year. From these reports, children under 18 years old were also victims in these cases . This phenomenon shows that the increase in children's activity in the digital space is followed by a greater potential for children to become victims of various forms of information technology-based crime . <sup>2</sup>Based on Article 1 Paragraph (2) of Law Number 35 of 2014 concerning Child Protection, all activities to guarantee and protect children along with their rights to live , grow, and participate

<sup>1</sup> Sarah Shabrina. "APJII Releases Latest 2025 Data: Internet Users in Indonesia Reach 299 Million." Te knologi.id, accessed on May 7, 2026.

<sup>2</sup> Akbar Ridwan . "There were 2.3 thousand cases of online gender violence in Indonesia throughout 2025." Databoks, accessed May 7, 2026 .

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optimally in accordance with human dignity and honor, and receive protection from violence and discrimination.<sup>3</sup> In a universal provision, Article 1 of the *Convention on the Rights of the Child* states that children are all people under the age of 18, unless otherwise specified by the law of a country. All children have the rights stated in this Convention.<sup>4</sup> Therefore, every child must receive adequate legal protection, especially when the child is in conflict with the law (*children in conflict with the law*). Children are seen as<sup>5</sup> legal subjects who have the right to receive special protection from the state, society, and parents.

In the midst of these developments, advances in information technology not only provide benefits in access to communication and information, but also give rise to various new forms of crime, which is increasingly complex and difficult to detect, namely the practice of *child grooming*.<sup>6</sup> Although the issue of protecting children from sexual exploitation has been a concern for the international community since the early 20th century, the regulation of *child grooming* as a separate crime has only recently developed in various national legal instruments in various countries. However, to date, only a handful of countries regulate *child grooming* as a separate crime. One country that has specifically regulated *child grooming* is the United Kingdom through the *Sexual Offences Act* 2003. These regulations demonstrate that several countries have viewed *child grooming* as a crime requiring early legal intervention, before violence or sexual exploitation of children occurs. This approach places prevention as a crucial component of legal protection for children. Statistical data showing an increase in cases of KBGO involving children confirms that the threat of *child grooming* to children is real and requires a more comprehensive legal response.

In Indonesia, legal protection and criminal liability for children have been accommodated through various regulatory instruments, including the Law Number 35 of 2014 concerning Child Protection, Law Number 11 2008 Jo. Law Number 19 of 2016 concerning Electronic Information and Transactions (ITE Law) and Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence.<sup>7</sup> The presence of these various regulations normatively demonstrates the state's commitment to ensuring the protection of children from various forms of violence and sexual exploitation. In the Criminal Law Book National, Article 417 is one of the provisions related to the act of persuading children to commit indecent acts. However, the characteristics of *child grooming*, which develop through a process of approach, psychological manipulation, and the formation of emotional relationships, raise questions about whether the scope of the provisions in this article is sufficient to accommodate this form of crime.

On the other hand, the practice of *child grooming* develops through stages of psychological approaches, digital communication, and the formation of emotional relationships with children. This condition raises the need to examine whether the provisions in the National Criminal Code are able to address the characteristics of *child grooming* as a form of modern sexual crime. Although various laws and regulations have regulated the protection of children from violence and sexual exploitation, the development of the modus operandi of sexual crimes against children indicates the need for an evaluation of the provisions in the National Criminal Code.<sup>8</sup> This evaluation is important to assess the suitability of national criminal law regulations with the characteristics of *child grooming* as a form of modern sexual crime, considering that the National Criminal Code is the result of criminal law reforms that are expected to be able to respond to the development of various forms of crime.<sup>9</sup>

Based on the description, this research has novelty because it not only examines the existence of *child grooming regulations* in the National Criminal Code, but also analyzes the limitations of the construction of Article 417 as a normative basis used to accommodate *child grooming practices*. The analysis focuses on the suitability of the elements of Article 417 with the characteristics of *child grooming* that develop through psychological manipulation and digital communication, thus contributing to the development of studies regarding the adequacy of

<sup>3</sup> Muh. Farhan Muhsinulkhair FR et al., Multidimensional Legal Study: Overcoming the Challenges of Child Exploitation and Developing Adaptive Legal Solutions, *Amsir Litigation Journal*, Special Issue 2024: p. 9

<sup>4</sup> Lilis Suryani. "When the State Doesn't Uniformly Determine Who is Called a Child." Akar Berita.com, accessed July 7, 2026

<sup>5</sup> Trixie Fellicia Lubis, Muhammad Sabir Rahman, Ardiyanti Aris, Muh. Akbar Fhad Syahril, BT Implications of Diversion Failure on the Imposition of Prison Sentences and Job Training for Children (Case Study of Decision No. 1/Pid.Sus-Anak/2025/PN.PRE), *Jurnal Hukum*, Vol. 06, No. 06, 2026, pp. 1881-1882

<sup>6</sup> Lubis, A., Syujahadi, N., Raditya, D., & Ritonga, P. "Closing legal loopholes : the urgency of adding regulations on child grooming to the Child Protection Law." . *Journal Transformation of Mandalika*. Vol. 07, No. 1, 2026, pp. 30–41.

<sup>7</sup> Putri, KAMA, & Sugama, IDGD Legal Protection for Victims of Online Child Grooming in the Indonesian Criminal Justice System: An Analysis Based on Victimology Theory. *Jurnal Media Akademik (JMA)*, Vol. 3, No. 11, 2025, p. 3.

<sup>8</sup> Handoko, D., & Widowaty, Y. Analysis of legal protection for children as victims of sexual violence. *Media of Law and Sharia*, Vol. 4, No. 1, 2022, p. 17.

<sup>9</sup> Debby Syan Rahma Siwi, LRR Children's Understanding of Child Grooming Issues. *Undip Electronic Journal System (UEJS)*, Vol. 13, No. 1, 2025, p. 2.

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national criminal law regulations. in accommodating the characteristics of *child grooming* as a form modern sexual crimes. This issue raises legal questions about the extent to which existing regulations are able to regulate *child grooming* and what limitations remain in those regulations. Therefore, this research is important to analyze the provisions of the crime of *child grooming* in the National Criminal Code and examine its limitations as evaluation material in the development of national criminal law .

## LITERATURE REVIEW

Legal protection for children is a fundamental principle in the Indonesian legal system. Children, as legal subjects who do not yet have the capacity to protect themselves optimally, have the right to receive protection from all forms of violence, exploitation, and abuse, as guaranteed in the 1945 Constitution of the Republic of Indonesia and various laws and regulations. According to Philipus M. Hadjon, legal protection consists of preventive legal protection and repressive legal protection. In line with this, the theory of criminal acts explains that an act can only be punished if it meets the elements of a crime that have been clearly formulated in legislation in accordance with the principle of legality. Therefore, the existence of criminal provisions must be able to accommodate the characteristics of acts that develop in society to create legal certainty and effective protection.

One form of sexual violence against children that has become increasingly prevalent with advances in information technology is *child grooming* . *Child grooming* is the process by which sexual predators groom their victims through various strategies. Based on this definition, it can be understood that the main characteristic of *child grooming* lies in the gradual process of psychological manipulation that precedes sexual exploitation. Perpetrators utilize their physical, emotional, or financial capabilities to build relationships and emotional bonds that manipulate, exploit, and even abuse children, both offline and online .<sup>10</sup> Thus, *child grooming* can be understood as a process used by predators to familiarize themselves with and prepare their targets through social media platforms. This practice deviates from social values and norms. The perpetrator's method relies not only on persuasion and seduction but can also employ intimidation tactics . separation of the victim from his social environment, even hidden threats. In In this process, the perpetrator slowly manipulates the victim's perception of power and affection. As a result, the victim can experience emotional confusion, difficulty recognizing they are being exploited, and even feel a sense of attachment to the perpetrator. Therefore, *child grooming* is a crime that occurs slowly, but has a long-term and profound impact on a child's psychological development .<sup>11</sup>

Studies on *child grooming* have been conducted by various researchers from various perspectives. Salamor et al.'s (2020) study examined *child grooming* as a form of sexual abuse against children through online gaming applications and explained that digital media is an effective means for perpetrators to build emotional closeness with victims. The study " *Grooming Offences Against Children in Indonesia*" explains that *child grooming* is a process of psychological manipulation carried out gradually until the victim is vulnerable to sexual exploitation. Meanwhile, several comparative studies show that countries such as the United Kingdom and Australia have criminalized *child grooming* as a separate crime to allow legal intervention from the victim's approach stage. These studies primarily discuss the characteristics of *child grooming* , child protection, the effectiveness of law enforcement, and comparisons of regulations across countries.

However, these studies have not specifically examined how *child grooming is regulated* in the National Criminal Code . This focus differentiates and contributes to the development of criminal law studies regarding the National Criminal Code's response to the development of digital-based sexual crimes.

## MET ODE

This research is a normative legal study, namely the study of legal materials in the form of legislation, literature, and doctrines related to the problem being studied. The methods used include a statutory regulatory approach ( *Statute Approach* ) to explore all regulations related to the legal issue. This approach is also used to identify normative gaps or limitations of legal regulations, as well as a conceptual approach ( *Conceptual Approach* ) to examine legal concepts, theories, and doctrines that develop in the literature and expert opinions. The sources of

<sup>10</sup>Rachmawati, I., Listyaningrum, I., Waysang, JM, Suratiningsih, D., & Sari, AR Education for children in an effort to prevent sexual crimes using the modus operandi of child grooming. *Reswara: Journal of Community Service* , Vol. 4 , No. 1, 2023, p. 333

<sup>11</sup> Maulana & Ibrahim, M. Legal Protection for Child Grooming Victims: A Responsive Legal Approach in Indonesia . *Jurnal Hukum Lex Generalis* , Vol. 6 , No. 7 , 2025, p. 9

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legal materials in this study include primary, secondary, and tertiary materials<sup>12</sup>. Primary materials are in the form of regulations related to child protection, Information and Electronic Transactions, and crimes of sexual violence. Secondary materials include scientific journals, books, research results, and legal doctrines relevant to the research object. Tertiary materials are used as a complement to understand certain legal terms and concepts. The collection of legal materials is carried out through a literature study by examining legal sources and related literature, then classified based on sources related to the research problem.<sup>13</sup> The analysis of legal materials is carried out descriptively qualitatively through interpretation, systematic and conceptual review of the provisions of laws and regulations, by linking them to relevant legal doctrines and theories to identify the limitations of the regulation of the crime of *child grooming* in the National Criminal Code.

## RESULTS AND DISCUSSION

### Regulation of *Child Grooming* Crimes in the National Criminal Code

The evolution of crimes against morality in the modern era has given rise to a new, complex and unconventional modus operandi, namely the practice of *child grooming*. Referring to the study "*Grooming Offences Against Children in Indonesia*", *child grooming* is defined as a form of sexual crime against children that is carried out in stages through the formation of emotional relationships and psychological manipulation. This particular characteristic makes victims often unaware that they are being targeted for sexual exploitation, thus distinguishing it significantly from modern forms of sexual crime.<sup>14</sup>

In the context of positive criminal law, an act can be classified as a crime if it meets both subjective and objective elements. Doctrinally, the practice of *child grooming* can be analyzed based on the basic elements of a crime, which include the act (*actus reus*), legal subject, object, and element of fault (*mens rea*). Analysis of these elements is necessary to assess whether the characteristics of *child grooming* can be constructed as a crime in the Indonesian criminal law system. Regarding the act element, a series of actions in the form of approaches and manipulation aimed at building relationships with children are aimed at facilitating sexual acts. From the object element, the victim of this crime is a child who is legally under the age of majority. In the legal subject element, the perpetrator is any person who commits *child grooming*. Meanwhile, the element of fault indicates the perpetrator's intention in carrying out the act to achieve sexual goals against the child victim.<sup>15</sup>

Constitutionally, the state is obliged to guarantee the protection of children from all forms of violence and exploitation, as stated in Article 28B paragraph (2) of the 1945 Constitution. "Every child has the right to survive, grow and develop and has the right to protection from violence and discrimination." As a state based on law based on Article 1 paragraph (3) of the 1945 Constitution, "The State of Indonesia is a state of law", all actions and deeds of every member of society and state administrators must be based on law. In cases of cybercrime, entities involved in unlawful acts must certainly feel the consequences of the losses from their actions, and be responsible for the losses arising from their lack of caution. The implementation of legal rights and obligations always requires individuals to bear legal responsibility for their actions.<sup>16</sup>

Based on the Indonesian criminal law system, the Criminal Code (KUHP), which was updated through Law No. 1 of 2023, serves as *lex generalis* (general criminal law). According to Moeljatno, criminal law functions to determine prohibited acts and provide threats of sanctions for violators based on the principle of legality adopted by the Indonesian Criminal Code, which states that no act can be punished except as determined by law.<sup>17</sup> Criminalizing someone for an unlawful act they have committed must be truly proven through the determination of the elements or elements of the crime that have been formulated in each article in the legislation. The elements of crime in criminal law theory according to Van Hamel are divided into two parts, namely objective elements and subjective elements.

<sup>12</sup> Faculty of Law, Andi Sapada Institute. *Guidelines for Writing Theses and Conducting Final Exams for Undergraduate Programs*. Parepare: Andi Sapada Institute, 2024, p. 2

<sup>13</sup> Satory, A., Febrianty, Y., Astuti, WRB, & Pradana, AFK *Legal Research Methods* (First edition). Klaten: Tahta Media, 2024, p. 73

<sup>14</sup> Harefa, KG, & Dewanto, WA (2026). *Child Grooming as Sexual Violence in Indonesia*. *Journal of Social Sciences & Law*, Vol. 4, No. 1, 2026, p. 580-5.

<sup>15</sup> Febiana, A. *Law Enforcement Against the Crime of Child Grooming in the Depok Area from the Perspective of Positive Criminal Law and Islamic Criminal Law*, (Undergraduate thesis, Syarif Hidayatullah State Islamic University Jakarta), 2024, p. 20

<sup>16</sup> Musfala Yudha et al., "Legal Protection for Victims of Deepfake Use in Pornography Crimes," *Indonesian Journal of Sharia and Law*, Vol. 2, No. 1, 2025, p. 32

<sup>17</sup> Herman, B., & Rasyid, MFF *Criminal law policy in Indonesia* (IR Saputra, Ed.) (First edition). Makassar: Mitra Ilmu, 2024, p. 67

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This means that the objective element is an element that exists outside the perpetrator of the crime, which is related to the circumstances of the actions that the perpetrator must carry out, while the subjective element is an element that exists within the perpetrator of the crime. Therefore, the National Criminal Code is the main starting point for analyzing the extent to which codified criminal law is able to accommodate this new crime phenomenon. Judging from its normative regulations, the term *child grooming* has not been explicitly formulated in Law Number 1 of 2023 concerning the Criminal Code. The absence of this term is a logical consequence of the adoption of the principle of legality which requires the formulation of crimes in writing and clearly ( *lex scripta and lex certa* ). However, substantially there are provisions that have similar characteristics to the practice of *child grooming*, namely through Article 417 of Law No. 1 of 2023. This provision stipulates that anyone who gives/promises gifts, abuses authority, or misleads to encourage a child to commit indecent acts or allows himself to be molested, is subject to a maximum of 9 years imprisonment.

An analysis of the elements of the crime ( *bestandeelen* ) in Article 417 of the National Criminal Code is crucial. These elements include:

1. Legal Subject Element: represented by the phrase "Every Person", referring to the individual legal subject (*natuurlijke persoon*) who is capable of being criminally responsible, in this case the perpetrator or groomer;
2. Element of Action (objective): accommodated through the phrase "abusing authority" or "misleading to mobilize", very relevant to grooming patterns that utilize power relations or emotional deception;
3. Object Element: Explicitly targets "children" who are not legally adults;
4. The element of fault (subjective) shows that there was intent (*dolus*) on the part of the perpetrator who had specific sexual intentions and goals towards the child victim.

An analysis of the elements of Article 417 of the National Criminal Code shows that these provisions are related to the characteristics of *child grooming practices*. The element of "giving or promising gifts" reflects the perpetrator's efforts to build emotional closeness and gain the child's trust through the provision of rewards or attention. The element of "abusing authority" describes the existence of a power relationship that is used by the perpetrator to influence or control the victim. Furthermore, the phrase "misleading to move the child" indicates the existence of manipulative actions that are the main characteristic of *child grooming*, namely influencing the child psychologically to be willing to fulfill the perpetrator's sexual desires. Thus, although the term *child grooming* is not explicitly mentioned in the National Criminal Code, the substance of the act has been implicitly regulated through the elements contained in Article 417.

Article 417 of the National Criminal Code shows that lawmakers have essentially accommodated some of the characteristics of *child grooming*. However, this regulation is still implicit because it does not make the process of psychological approach and manipulation as the core of the act that can be punished independently. The regulation is still placed as part of the crime of morality and has not been constructed as a stand-alone crime. Therefore, Article 417 can be seen as the most relevant normative basis for accommodating the practice of *child grooming* in the Indonesian criminal law system.

Based on the discussion, it can be concluded that the regulation of *child grooming* in the National Criminal Code has not been explicitly formulated as a separate crime. However, the substance of the practice of *child grooming* has been implicitly accommodated through Article 417, which regulates the act of giving or promising gifts, abusing authority, and misleading children to commit indecent acts or allow themselves to be molested. Thus, the regulation of *child grooming* in the National Criminal Code is carried out through an interpretation of the provisions on criminal acts of morality, especially Article 417, which substantially corresponds to the characteristics of the practice of *child grooming* even though it has not been formulated as a separate crime.

### **Child Grooming Regulations in the National Criminal Code**

Regulations regarding *child grooming* in the Indonesian legal system have not been specifically formulated as a separate crime. This limitation can be seen in the construction of Article 417 of the National Criminal Code, the relevant provision to accommodate the practice of *child grooming*. This article is constructed as a material offense (*result-oriented*), so that criminal penalties can only be imposed if there has been a consequence in the form of "committing an indecent act or allowing oneself to be molested." This condition indicates that the orientation of the regulations in the National Criminal Code still places consequences as the primary basis for punishment. In fact, the main characteristic of *child grooming* lies in the process of psychological manipulation carried out gradually to build trust and emotional dependence on the child before sexual exploitation occurs. Most criminal provisions related to sexual violence still rely on physical evidence or a direct relationship between the perpetrator and the victim.

The regulatory orientation, which still emphasizes the consequences, means that criminal law has limited scope for intervention in perpetrators' actions that are still at the stage of approaching, communicating,

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psychologically manipulating, or isolating victims through digital media. In the practice of *child grooming*, these actions are an integral part of the sexual exploitation process, not merely preliminary actions with no legal significance. As a result, legal protection for children is less than optimal, because the country does not have the space yet adequate intervention at the initial stage of approaching the perpetrator. This condition shows that an overly repressive legal orientation has not been fully able to address the characteristics of digital-based sexual crimes that develop in secret. Furthermore, the objective element is formulated as "abusing authority arising from the relationship." Doctrinally, this element emphasizes the existence of a clear power imbalance. This relationship is characterized by a clear hierarchy, as seen in the relationship between teachers and students, religious figures and their followers, and parents and children. Meanwhile, in the practice of digital-based *child grooming*, perpetrators generally conceal their true identities by posing as peers, online partners, or other individuals who gain the victim's trust through electronic media (*catfishing*).<sup>18</sup> Due to the rigidity of this article in the National Criminal Code, acts of digital psychological manipulation carried out by disguised strangers are very difficult to prove legally.

This problem is further strengthened by the application of the principle of legality as stipulated in Article 1 paragraph (1) of the Criminal Code. Based on criminal law doctrine, the perpetrator's actions that still include establishing manipulative communication, seducing victims through electronic media, or inviting children to meet with sexual motives are still categorized as *voorbereidingshandeling* (preparatory actions), so they cannot be seen as *begin van uitvoering* (beginning of the implementation) of a crime. Consequently, law enforcement officers have limited room to take action even though there are strong indications of a process of manipulation leading to sexual exploitation of children. This condition shows that the application of the principle of legality provides legal certainty, but at the same time limits the criminalization of actions that are still in the preparatory stage if they have not been explicitly formulated in the law. Situation demonstrates a gap between the development of modern sexual crime methods and the construction of criminal norms that are still oriented towards conventional crime patterns. This gap is even more apparent when compared with regulations in several other countries. has regulates the crime more explicitly. Putri and Sugama (2025) show that the UK, through *Section 15A of the Sexual Offences Act 2003*, stipulates that establishing communication or a relationship with a child under the age of 16 through online media for sexual purposes is a criminal offense punishable by a maximum prison sentence of 10 years. Meanwhile, in Australia, *Criminal Code Act 1995*, in particular at 474.27A, criminalizes *online grooming* with the intent to sexually exploit a child with a penalty of up to 15 years in prison.

Regulations in both countries demonstrate a more preventative legal approach to addressing sexual crimes against children in the digital space. Criminalization is not only aimed at sexual exploitation, but also the communication process, approach, and psychological manipulation carried out by the perpetrator from the initial stage. In contrast, the provisions in the National Criminal Code are still oriented towards the consequences of indecent acts as stipulated in Article 417, so that the process of *child grooming*, which is still in the approach stage, cannot yet be fully covered by criminal law. This comparison shows that the provisions in the National Criminal Code still have normative limitations in anticipating the development of increasingly complex digital-based *child grooming practices*. Comparison with countries such as Australia and England show that Indonesian criminal law is currently still reactive (waiting for victims to fall), while international law has moved in a proactive and preventative direction through the doctrine of formal offenses (*inchoate crimes*), which can cut off the perpetrator's malicious intent from the digital upstream. This comparison demonstrates that criminalizing the early stages of *child grooming* is not a new concept in modern criminal law. Rather, this approach has evolved into a criminal law policy aimed at providing space for early intervention against potential child sexual exploitation. Therefore, this comparison serves as an important reference in evaluating the adequacy of *child grooming regulations* in the National Criminal Code. This comparison is not intended to directly adopt the legal systems of other countries, but rather to demonstrate that criminalizing the early stages of *child grooming* is a criminal law policy that has developed in various countries.

Based on the research results, the limited regulation of *child grooming* in the National Criminal Code stems from the absence of explicit criminalization of the psychological manipulation process before exploitation occurs. sexual. The absence of explicit regulations regarding child grooming as a separate crime has the potential to create challenges in the evidentiary process, because law enforcement officers must construct the perpetrator's actions into existing criminal provisions, while the main characteristics of child grooming have not been formulated as elements of the crime explicitly. The construction of Article 417 as a material crime, the application of the principle of legality, and the lack of adaptation of the elements of the crime to digital crime modes mean that criminal law is unable to cover all the characteristics of *child grooming*. Therefore, an update to criminal law policy is needed so that regulations regarding *child grooming* can provide legal certainty and more effective protection for children in the

<sup>18</sup> Putri & Sugama, op. cit., p. 7

digital age.

## CONCLUSION

Based on the research results, it can be concluded that the regulation of *child grooming* in the National Criminal Code has not been explicitly formulated as a separate crime. However, substantially the characteristics of *child grooming* have been implicitly accommodated through Article 417 of the National Criminal Code, particularly through the elements of giving or promising gifts, abusing authority, and misleading children for sexual purposes. This indicates that the practice of *child grooming* can be reached through interpretation of the provisions of criminal acts against morality, although there is no formulation of the offense specifically regulating such acts. This study also shows that the regulation of *child grooming* in the National Criminal Code still has limitations. The construction of Article 417 as a material offense causes punishment to be oriented towards the emergence of consequences in the form of obscene acts, so it is unable to cover the process of psychological manipulation, gradual approaches, and digital communication that are the main characteristics of *child grooming*. Furthermore, the application of the principle of legality causes the perpetrator's actions that are still in the preparation or approach stage cannot be qualified as a crime if they do not meet the elements of the offense formulated in the law. This condition shows that the limitations of the regulation of *child grooming* lie not only in the lack of explicit regulations, but also in the construction of norms that are not fully able to accommodate the development of digital-based sexual crime modes. Therefore, a more adaptive criminal law reform is needed, including the formulation of *child grooming* as a separate crime. This regulation is expected to address the psychological manipulation process from the earliest stages before sexual exploitation occurs, thereby providing legal certainty and improving the prevention of sexual crimes against children in the digital age.

## SUGGESTION

Based on research results, it is recommended that lawmakers consider formulating *child grooming* as a separate crime in the Indonesian criminal law system. These regulations need to be clearly formulated, accommodating the characteristics of *child grooming*, particularly the approach, communication, and psychological manipulation processes that occur before the sexual exploitation of children occurs. Thus, criminal law should not only function repressively after the consequences occur, but also fulfill a preventive function by providing an adequate legal basis for law enforcement to intervene at an early stage and provide legal certainty and more effective protection for children.

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