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| RESEARCH ARTICLE

## Cyber Child Grooming on Social Media: Understanding the Factors and Finding the Modus Operandi

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| ABSTRACT

As technology advances, it gives rise to various modes of child sexual abuse. Forms of sexual abuse of children through technology can be categorized into several categories, including obscenity, approaching for sexual purposes, sexual chat, sexual extortion, and online sexual harassment. The purpose of this study was to identify the factors causing the occurrence of cyber child grooming crimes against children as well as the modus operandi of perpetrators in cyber child grooming crimes against children. The empirical normative technique is a type of research used by the author. The primary data source in this study is interview data obtained directly at the Bantul Class IIB Detention Centre. This study employs sociological and legal approach methods such as conceptual approaches, statutory approaches, and case-based approaches. Interviews with cyber child grooming offenders and data analysis using qualitative data analysis are among the methods used to collect data. Factors causing criminals to commit cyber child grooming crimes are obtaining sexual perpetrator satisfaction, environmental influences and the perpetrator's mindset, a low level of knowledge and understanding of social media use, opportunity, and the economy. The modus operandi of cyber child grooming includes ease of accessibility, relationship building, manipulation, sexual content, and risk management. Prisoner institutions, such as detention centres or prisons, are expected to always provide personality coaching (such as daily recitations, Qur'an reading, ablution procedures, and proper prayers) and independence coaching (such as skills education programs and job guidance) to cyber child grooming offenders so that the perpetrators do not commit their crimes again in the future.

| KEYWORDS

Cyber grooming; casual factor; modus operandi.

| ARTICLE INFORMATION

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### 1. Introduction

Interconnection networking, or internet, is a computer network that is interconnected via a TCP/IP system (Transmission Control Protocol or Internet Protocol Suite) and becomes a form of interactive conversation media and information available to all internet users worldwide<sup>1</sup>. The emergence of the internet allows individuals around the world to interact freely by utilizing information and communication platforms in cyberspace, and the public is also able to exchange information, entertainment, and even education<sup>2</sup>. As a result, changes in the cultural, economic, and social components of society occur rapidly<sup>3</sup>.

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<sup>1</sup> Andy Krisianto, *INTERNET UNTUK PEMULA* (Jakarta: PT Elex Media Komputindo, 2014).

<sup>2</sup> Umaimah Wahid, "PERUBAHAN POLITIK DAN SOSIAL BUDAYA MASYARAKAT GAMPONG ACEH DI ERA INTERNET-NEW MEDIA," *Jurnal Communicate* 1, no. 1 (2015): 13–24.

<sup>3</sup> Anita Septiani Rosana, "KEMAJUAN TEKNOLOGI INFORMASI DAN KOMUNIKASI DALAM INDUSTRI MEDIA DI INDONESIA," *Gema Eksos* 5, no. 2 (2010): 146–148, <https://www.neliti.com/id/publications/218225/kemajuan-teknologi-informasi-dan-komunikasi-dalam-industri-media-di-indonesia>.

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Technological developments that are in line with the development of science can have an influence on human life<sup>4</sup>. There are many changes that make our daily lives easier as a result of these technological developments. The development of the internet has resulted in a new form of communication in society. The development of the internet presents various types of communication media that aim to make it easier for people to interact. As technology advances, people increasingly rely on the internet to communicate with each other. The internet is a technology that is often used by the public; this use can present various types of new social interactions, which is what makes social media appear in society. Social media is the most widely used means of communication among internet users in everyday life. WhatsApp, Twitter, Facebook, Instagram, and others are the leading social media platforms today. The outbreak of this media site makes it easy for everyone to access, so its users have increased year by year<sup>5</sup>. Aristotle stated that "Poverty gave rise to crime and rebellion. The great evil is not committed to obtaining what is necessary for life, but for luxury"<sup>6</sup>. Crime is one of the unavoidable realities of life and requires special care because it contributes to the overall discontent in people's lives. Crime continues to be influenced by various elements in people's lives, including political, economic, social, and cultural aspects<sup>7</sup>. Crime will continue to develop in many ways, and even the equipment needed to commit crimes is getting more and more sophisticated, so crime will continue to disturb society<sup>8</sup>. Every crime has a detrimental nature, so it can cause each society to have its own way of preventing crime from occurring<sup>9</sup>.

Individuals of all ages, including children, make extensive use of social media. Many children are not fully aware of the benefits and disadvantages of using social media<sup>10</sup>. Children will be freer to use social media as a means to make friends or get to know someone whose origins are unknown due to a lack of education and guidance under the influence of social media to use social media as a means to make friends or get to know someone whose origins are unknown due to a lack of education and guidance under the influence of social media. As a result, children are more vulnerable to cybercrime on social media. Nowadays, sex offenders have also exploited social media to commit their crimes<sup>11</sup>. Sexual crimes against children through social media can occur in a real public space<sup>12</sup>. Sexual crimes include more than just acts of rape and physical violence committed by the perpetrator; the existence of other acts and approaches to unwanted sex-related behaviour are also classified as sexual crimes<sup>13</sup>. Sexual harassment is an emergency problem currently faced by humans due to technological advances. Sexual harassment is defined as sexually charged behaviour that is unwelcome by the object of the behaviour or an invitation to engage in verbal or physical sexual activity in a public place. Women and children are individuals who are seen as weak and, therefore, more vulnerable to sexual abuse. Due to Indonesia's weak legal system, there is a flourishing and diverse mode of child sexual abuse. Perpetrators use technological advances as a means to communicate and connect with children, as well as display and distribute the content of a sexual nature. Not only that but sexual abuse of children can also be carried out by requesting photos or voice recordings of children that contain pornographic content<sup>14</sup>.

Forms of sexual abuse of children through internet technology can be categorized into several categories, including obscenity, approaching for sexual purposes, sexual chat, sexual extortion, and online sexual harassment. This form of sexual crime against children occurs almost all over the world, so it has a special urgency to be overcome so that children are not harmed physically,

<sup>4</sup> Muhamad Ngafifi, "KEMAJUAN TEKNOLOGI DAN POLA HIDUP MANUSIA DALAM PERSPEKTIF SOSIAL BUDAYA," *Jurnal Pembangunan Pendidikan: Fondasi dan Aplikasi* 2 (2014).

<sup>5</sup> Fitriani Yuni, "ANALISIS PEMANFAATAN BERBAGAI MEDIA SOSIAL SEBAGAI SARANA PENYEBARAN INFORMASI BAGI MASYARAKAT," *Paradigma - Jurnal Komputer dan Informatika* 19, no. 2 (2017): 152, <http://ejournal.bsi.ac.id/ejurnal/index.php/paradigma/article/view/2120>.

<sup>6</sup> Anang Priyanto, "KRIMINOLOGI DAN KENAKALAN REMAJA" (Jakarta: Universitas Terbuka Repository, 2015), accessed June 8, 2022, <http://repository.ut.ac.id/4193/1/PKNI4209-M1.pdf>.

<sup>7</sup> Findita Reksoprodjo, "NEWSMAKING CRIMINOLOGI DAN KEJAHATAN TERKAIT CORONA DI INDONESIA," *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 9, no. 6 (2022): 2070–2078, <http://jurnal.um-tapsel.ac.id/index.php/nusantara/article/view/6631/4388>.

<sup>8</sup> Raodia Raodia, "PENGARUH PERKEMBANGAN TEKNOLOGI TERHADAP TERJADINYA KEJAHATAN MAYANTARA (CYBERCRIME)," *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah dan Hukum* 6, no. 2 (2019): 39.

<sup>9</sup> Aniza Nugraha, "PERAN PENYIDIK POLRI DALAM MENANGANI TINDAK PIDANA PENCABULAN TERHADAP ANAK DIBAWAH UMUR DI WILAYAH HUKUM POLRESTABES BANDUNG" (Universitas Langlangbuana, 2020).

<sup>10</sup> Wardina Khairani, "PERAN ORANGTUA TERHADAP PENGGUNAAN MEDIA INTERNET DALAM PERILAKU KEAGAMAAN ANAK (STUDI PADA KELUARGA MUSLIM DI KELURAHAN BANDAR JAYA BARAT KECAMATAN TERBANGGI BESAR)," *Skripsi* (2019): 69.

<sup>11</sup> Nur Hayati, "MEDIA SOSIAL DAN KEKERASAN BERBASIS GENDER ONLINE SELAMAN PANDEMI COVID-19," *HUMAYA: Jurnal Hukum, Humaniora, Masyarakat, dan Budaya* 1, no. 1 (2021): 43–52.

<sup>12</sup> Noviana Ivo, "KEKERASAN SEKSUAL TERHADAP ANAK: DAMPAK DAN PENANGANANNYA CHILD SEXUAL ABUSE: IMPACT AND HENDLING," *Sosio Informa* 01, no. 200 (2015): 13–28.

<sup>13</sup> Ananda Lukitasari, "TINJAUAN KRIMINOLOGIS TERHADAP CHILD GROOMING DALAM KEJAHATAN SEKSUAL DI MEDIA SOSIAL (STUDI KASUS DI KEPOLISIAN RESORT MALANG KOTA)" (Universitas Muhammadiyah Malang, 2020), accessed June 17, 2022, <https://eprints.umm.ac.id/61963/>.

<sup>14</sup> Atha Sani, "DAMPAK KEMAJUAN TEKNOLOGI KOMUNIKASI TERHADAP MENINGKATNYA PELECEHAN SEKSUAL PEREMPUAN," *Lontar Merah* 4, no. 1 (2021): 328–337, <https://jom.untidar.ac.id/index.php/lontarmerah/article/view/1702>.

mentally, and morally from an early age<sup>15</sup>. In July 2019, one case of sexual crime became public, namely the criminal act of cyber child grooming via social media. The case started with a teacher who reported to the police that his social media accounts were forged. The perpetrator, with the initials TR, took and used a photo of one of the teachers on the Instagram account, then created a new account in the name of the teacher. Perpetrators with the initials TR follow or follow several children's Instagram accounts after creating fake accounts so that those children become followers or followers of TR's fake accounts. TR then began asking for lewd photos and videos of his victims via WhatsApp. The results of the search conducted by the Police Headquarters showed 1,300 photos and videos of naked children obtained by perpetrators with the initials TR on their social media accounts. This act of cyber child grooming occurred while TR was still serving a 2-year confinement period from a verdict of 7 years and 6 months in the Surabaya regional prison in a case of molesting a minor. Before TR began his confinement period, he had also committed obscenity against his neighbours. According to police, the perpetrator with the initials TR committed cyber child grooming using a cell phone<sup>16</sup>.

The existence of cyber child grooming committed by perpetrators with the initials TR raises a sense of concern for victims, especially children, who are the main targets of sex offenders. Based on this description, it can be seen that to review cases of cyber child grooming crimes on social media, special attention is needed for law enforcement and the general public to find out and identify the factors causing perpetrators to commit cyber child grooming crimes and the modus operandi of perpetrators in committing cyber child grooming crimes. Hence, this present study aims to analyse factors that cause the perpetrator to commit a cyber child grooming crime and the modus operandi of the cyber child grooming crime committed by the perpetrator. The study contributes to the comprehensive understanding of cybercrime and can be used as one of the ways to prevent such crime.

## **2. Literature Review**

Opportunity, the environment, or the economy are factors that lead to crime. Criminals today have the ability to commit their crimes using existing technology as it evolves. There is no denying that technology seems to act as an intermediary medium between the perpetrator and the victim<sup>17</sup>. Cyber child grooming occurs because of a factor that affects unlawful acts. This crime does not exist in isolation, but its causes can be influenced by factors such as a lack of understanding of social media use, favourable conditions, individual opportunities, and economic pressure. The existence of these factors can influence a person to behave defiantly and commit a criminal act of cyber child grooming.

Social media is considered a technology that is easily accessible to everyone and anywhere. This leads perpetrators to believe that social media is a free tool that can be used for anything<sup>18</sup>. Moreover, the person who grows and develops in an environment that provides an understanding of the internet from the negative side have a negative mindset as well. The negative side can be in the form of watching porn videos on websites. This freedom in the use of social media and a negative mindset have resulted in perpetrators committing criminal acts of cyber child grooming children.

The perpetrator interacts with the victim on social media during the criminal act of cyber child grooming committed by the perpetrator. This can result in the relationship between the perpetrator and the victim being quite influential in the smooth running of the crime. Perpetrators use social media to commit their crimes because the identity of the perpetrator on social media is very difficult to recognize, so the perpetrator has the opportunity to commit a criminal act of cyber child grooming against the victim. The opportunity in cyber child grooming crimes can also come from the victim; it can be seen from the victim himself because of the absence of alertness and lack of supervision of people around, and also because of the victim's behaviour that encourages the perpetrators to commit their crimes<sup>19</sup>. Perpetrators can commit cyber child grooming because they get learning materials from the surrounding environment, such as perpetrators who constantly watch porn videos on websites. The perpetrator studies sexual science in his environment, which he manifests into the real world by committing criminal acts of cyber child grooming, such as enjoying photos or videos sent by his victims for the satisfaction of his sexuality<sup>20</sup>. The low economic level of the perpetrator also

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<sup>15</sup> Anna Salamor, "CHILD GROOMING SEBAGAI BENTUK PELECEHAN SEKSUAL ANAK MELALUI APLIKASI PERMAINAN DARING," *SASI* 26, no. 4 (December 2020).

<sup>16</sup> Ahmad Wahid, "WASPADA GROOMING! NAPI DI SURABAYA CABULI 50 LEBIH ANAK VIA MEDSOS," last modified July 22, 2019, accessed June 22, 2022, <https://news.detik.com/berita/d-4634768/waspada-grooming-napi-di-surabaya-cabuli-50-lebih-anak-via-medsos>.

<sup>17</sup> Dedi Siregar, "PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN KEJAHATAN GROOMING" (Surabaya, 2021), accessed August 31, 2022, <http://jurnal.untag-sby.ac.id/index.php/semnasuntag/article/view/4888>.

<sup>18</sup> Anjeli Holivia, "CHILD CYBER GROOMING SEBAGAI BENTUK MODUS BARU CYBER SPACE CRIME," *Bhirawa Law Journal* 2, no. 1 (May 31, 2021): 1–13, accessed August 31, 2022, <https://jurnal.unmer.ac.id/index.php/blj/article/view/5847>.

<sup>19</sup> Anisa, "TINJAUAN KRIMINOLOGIS TENTANG KEJAHATAN PENCURIAN DENGAN KEKERASAN DI JALAN RAYA (PEMBEGALAN) (Suatu Penelitian Di Wilayah Kota Banda Aceh)," *Jurnal Ilmiah Mahasiswa Bidang Hukum Pidana* 4, no. 4 (November 2020).

<sup>20</sup> Eva Nurlia, "PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN CHILD GROOMING TERHADAP ANAK KORBAN CHILD GROOMING DI MEDIA SOSIAL DAN UPAYA PENANGGULANGANNYA," *JUSTITIA: Jurnal Ilmu Hukum dan Humaniora* 9, no. 6 (July 14, 2022): 3043–3050, accessed August 31, 2022, <http://jurnal.um-tapsel.ac.id/index.php/Justitia/article/view/7179>.

affects a person's behaviour and way of earning more. A person who experiences difficulties in his economic field will experience disturbances in his mind and trigger severe stress that makes the person do something that cannot be controlled by himself<sup>21</sup>.

### 3. Methodology

This study employed empirical legal that mainly focused on positive legal provisions and written documents in real terms to legal events that occur in society<sup>22</sup>. This research will give rise to two stages of research. The first stage discusses legal products in society that are the object of research. The second stage is to examine concrete events that occur in society to achieve research objectives. The subjects in this study were the perpetrators of cyber child grooming crimes and Mr Joko Sulistiyo, S.H., as the Head of the Sub-Division of Detention Services, Bantul Class IIB Detention Centre, which is located at Guwosari St., Pajangan, Bantul District, Bantul Regency, Yogyakarta Special Region 5575. The object of research that the author examined was the modus operandi of cyber child grooming offenders on social media from a criminological perspective. The research that the author conducted was located at Bantul Class IIB Detention Centre, which is located at Guwosari St., Pajangan, Kec. Bantul, Bantul Regency, Yogyakarta Special Region 55751.

The primary data source is a data source obtained directly from the primary source by the author. The primary data source used by the author was obtained by conducting interviews with cyber child grooming perpetrators and police or wardens at the Bantul Class IIB Detention Centre located at Guwosari St., Pajangan, Kec. Bantul, Bantul Regency, Yogyakarta Special Region 55751. Secondary data sources that researchers use are books, journals, and theses that have a relationship with the author's research object. The primary legal materials used as legal material in this study include the 1945 Constitution, the Criminal Code, Law No. 35 of 2014 concerning child protection, Law No. 19 of 2016 concerning electronic information and transactions, and Court Decision No. 100 / Pid. Sus / 2022 / Pn btl., books, journals, scientific papers, and articles from the internet related to it are used as secondary legal material by the author, while the Big Dictionary Indonesian is one of the tertiary legal materials used by the author in this study.

The approach methods used by the author include a sociological-juridical approach, a conceptual approach, a statutory approach, and a case approach. The sociological-juridical approach is a legal approach technique that has the aim of obtaining legal information empirically from its object directly<sup>23</sup>. The sociological-juridical approach emphasizes research that aims to obtain legal knowledge by tracing directly to its object, namely to find out the effectiveness of Law No. 35 of 2014 concerning child protection and Law No. 19 of 2016 concerning information and electronic transactions. The conceptual approach is a technique for approaching legal science that moves away from the ideology and opinions of jurists that have emerged<sup>24</sup>. The conceptual approach method is used to comprehend the concepts relevant to the appropriateness of naming in law that is inherent in the underlying legal principles. A conceptual approach is used to review Law No. 35 of 2014 on Child Protection and Law No. 19 of 2016 on Electronic Information and Transactions. The statutory approach is a way of approaching law that involves reviewing all laws and regulations relating to the legal issue under discussion<sup>25</sup>. The statutory approach is used to explore more deeply the regulation of the concept of guidelines for prosecuting cases of cyber child grooming offenders under Law No. 35 of 2014 concerning child protection and Law No. 19 of 2016 concerning electronic information and transactions. The case approach is a method that studies the application of legal norms or principles in legal practice, especially in cases that have been decided, as can be observed in jurisprudence for cases that are the subject of research<sup>26</sup>. The case approach, in this case, is used to find and explore cyber child grooming crimes in Bantul Class IIB Detention Centre in order to carry out an analysis process until conclusions are reached regarding the relationship with the effectiveness of Law No. 35 of 2014 concerning child protection and Law No. 19 of 2016 concerning information and electronic transactions against perpetrators of cyber child grooming crimes.

The data collection method in this study used a literature review by taking data from criminal law books. The author also conducts literature studies using data from law articles, legal journals, legal expert opinions, and related laws. Field studies are data

<sup>21</sup> Darin Arif Mu'alifin, "PERLINDUNGAN HUKUM TERHADAP ANAK DI BAWAH UMUR YANG MENJADI KORBAN TINDAK PIDANA PENCABULAN," *MIZAN, Jurnal Ilmu Hukum* 8, no. 1 (June 24, 2019): 10–11.

<sup>22</sup> Yati Nurhayati, Ifrani Ifrani, and M. Yasir Said, "METODOLOGI NORMATIF DAN EMPIRIS DALAM PERSPEKTIF ILMU HUKUM," *Jurnal Penegakan Hukum Indonesia* 2, no. 1 (2021): 1–20.

<sup>23</sup> Andri Winjaya Laksana, "TINJAUAN HUKUM PEMIDANAAN TERHADAP PELAKU PENYALAHGUNA NARKOTIKA DENGAN SISTEM REHABILITASI," *Jurnal Pembaharuan Hukum* 2, no. 1 (2016): 74.

<sup>24</sup> Mohammad Kamil Ardiansyah, "PEMBARUAN HUKUM OLEH MAHKAMAH AGUNG DALAM MENGISI KEKOSONGAN HUKUM ACARA PERDATA DI INDONESIA," *Jurnal Ilmiah Kebijakan Hukum* 14, no. 2 (2020): 361.

<sup>25</sup> Abdul Basyir, "PENTINGNYA NASKAH AKADEMIK DALAM PEMBENTUKAN PERATURAN PERUNDANG-UNDANGAN UNTUK MEWUJUDKAN HUKUM ASPIRATIF DAN RESPONSIF," *Jurnal IUS* 2, no. 5 (2014): 285–306, <https://jurnalius.ac.id/ojs/index.php/jurnalIUS/article/download/171/147>.

<sup>26</sup> Ni Putu Era Daniati, Dewa Gede Sudika Mangku, and Putu Rai Yuliantini, "STATUS HUKUM TENTARA BAYARAN DALAM SENGKETA BERSENJATA DITINJAU DARI HUKUM HUMANITER INTERNASIONAL," *Jurnal Komunitas Yustisia Universitas Pendidikan Ganesha Program* 3, no. 3 (2020): 283–294.

collections obtained by the author from the field where the research has been carried out. The field study method in this study was obtained through interviews and observation of other supporting documents. The data analysis method that the author uses is qualitative data analysis, meaning that the data obtained by the author will be researched and studied to obtain an overview of the topic or situation being studied. The author draws conclusions with deductive techniques, meaning drawing a conclusion from the existing problem by applying basic principles of a general nature to a special one.

#### **4. Results and Discussion**

##### **4.1. Casual Factor for the Occurrence of Cyber Child Grooming Against Children**

Based on interviews conducted by the author with cyber child grooming offenders with the initials H in the Bantul Class IIB Detention Centre, there are several factors that cause perpetrators to commit cyber child grooming crimes against children on social media (interview on August 24, 2022). The first deals with getting sexual offender satisfaction. The perpetrator, with the initials H, expressed satisfaction with the crimes he had committed. In fact, perpetrators with the initial H often commit cyber child grooming crimes against their victims repeatedly. This factor explains that the perpetrator commits a criminal act of cyber-child grooming because of a desire that cannot be fulfilled, thus venting emotionally on the victim's child to get something desired. This factor shows that the perpetrator feels that he is the "owner" of the victim's body and that he has the right to do anything, including obtain sexual gratification through photos or videos containing sexual content from the victim.

It was also found that the environment has influenced perpetrators to commit crimes. The perpetrator of the cyber child grooming crime stated that he was satisfied with his deeds. This indicates that the perpetrator's living environment often has negative aspects, which causes the perpetrator to have a negative mindset as well. In addition, the low knowledge of social media use was another factor causing the occurrence of the crime. The perpetrator commits cyber-child grooming crimes starting from mid-2020 to May 2021. The perpetrator stated that he was unaware of any punishment or other consequences for his actions. A low understanding of the use of social media is one of the reasons that perpetrators of cyber-child grooming crimes commit their crimes on social media. The low knowledge and understanding of using social media are what causes the lack of attitudes and behavior possessed by its users. In fact, social media has many roles that can improve a person's life, but if there are individuals who cannot use it properly, technology will become a means of supporting crime.

The perpetrator, with the initials H, who committed the cyber child grooming crime, resides in Makassar City, South Sulawesi Province, while the two victims live in Bantul City, Yogyakarta Special Region Province. Based on these facts, it shows that the perpetrator has never met the victim in person; on the other hand, the perpetrator has been in contact with the victim for approximately 1 year. The relationship built by the perpetrator with his victim is used by the perpetrator to commit a criminal act of cyber child grooming. The close relationship between the perpetrator and the victim is quite influential in the occurrence of cyber child grooming crimes because when the perpetrator exploits the victim's innocence, weaknesses, shortcomings, and mistakes directly, the victim quickly believes in the perpetrator's persuasion. As a result, the perpetrator of the crime is inspired to commit the criminal act of cyber child grooming because he gets the opportunity to do so.

The perpetrator of the cyber child grooming crime, with the initials H, also stated that the profit obtained by the perpetrator from the two victims was approximately Rp. 6,000,000.00, of which the money was used for his living needs. In fact, the perpetrator has worked in a restaurant and earns a salary of approximately Rp. 1,800,000 every month. The perpetrator's initial H extortion of his two victims in the criminal act of cyber child grooming was caused by the perpetrator's bad habits and desire for increased income through shortcuts. This economic factor is also caused by the perpetrator's association, which demands more than his ability to fulfill.

Based on the data above, the NKK Theory (intention combined with opportunity, then crime occurs) can be applied to this cyber child grooming crime. According to the NKK theory, crime exists when there is an intention from the perpetrator and an opportunity for the perpetrator to carry out his evil intentions. According to this theory, the occurrence of crime is due to the combination of intention and opportunity. This theory explains that even if there is an intention on the part of the perpetrator but no opportunity to support the evil intentions of the perpetrator, it is unlikely that a crime will occur. On the other hand, even though there is an opportunity but no intention from the perpetrator, it is also impossible for a crime to occur<sup>27</sup>. Perpetrators can commit cyber child grooming crimes because of their intention and the opportunity to commit their crimes through social media. Starting from the perpetrator's negative mindset, the perpetrator must find a way to satisfy his lust, which is then manifested in the real world by committing a criminal act of cyber child grooming on social media. The perpetrator uses various threats in defending his victim to continue to send photos and videos of sex activities belonging to the victim; this indicates that the

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<sup>27</sup> Regi Meidiyanto, "TINJAUAN KRIMINOLOGI MENGENAI PERKELAHIAN ANTAR KELOMPOK DIKALANGAN REMAJA DI KOTA PALU," *Legal Opinion* 3, no. 6 (2015): 145400, accessed August 31, 2022, <https://www.neliti.com/publications/145400/>.

perpetrator has an intention of committing his crime. Based on this, the perpetrator continues to fulfill his lust by sending photos and videos of sex activities belonging to the victim.

#### **4.2. Finding the Modus Operandi**

The criminal act of cyber child grooming, which is an illegal act, is certainly preceded by a modus operandi. The modus operandi plays an important role in the investigation and investigation process, allowing law enforcement officials to understand how the perpetrator committed the crime and re-enact the perpetrator's crime. The modus operandi of the criminal act of the perpetrator of the crime can also be used by the court to determine the presence or absence of the perpetrator's relationship with the victim. Based on the author's interview with one of the cyber child grooming perpetrators with the initials H at the Bantul Class IIB Detention Centre (interview on August 24, 2022), there were modus operandi of cyber child grooming crimes on social media. The ease of accessibility became the first modus operandi for this crime. The modus operandi of ease of accessibility is the ease of access for the perpetrator to interact with the victim, which means that the perpetrator can connect with the victim via the internet without meeting in person and that the perpetrator does not need to reveal his true identity. The ease of access owned by the perpetrator can make it easier for the perpetrator to take information or data belonging to the victim or even control the victim only through cellphones or other gadgets.

The modus operandi of the ease of accessibility of cyber child grooming crimes begins with the perpetrator, with the initials H, using a fake Instagram account named "nadia354" through her cellphone and then sending random friendships. Furthermore, the perpetrator sent a message via Instagram direct message to the victim, who was the first victim's child, who was still around 14 years old. The modus operandi of the ease of accessibility of the criminal act of cyber-child grooming to the next child victim is that the perpetrator, with the initials H, asks for the children's phone number from the friend of the first victim's child on the grounds that the perpetrator wants to get acquainted with the friends of the first victim's child. The perpetrator, who had obtained the children's phone numbers from the first victim's childhood friend, immediately sent a random message via Whatsapp to one of the first victim's children's friends, where the victim was the second victim's child, who was around 13 years old.

The next stage is the modus operandi of building relationships. This modus operandi is a way for the perpetrator to build a relationship with his victim by changing his behaviour and communication style to make the victim feel comfortable talking to him. Another purpose of this modus operandi is to keep the identity of the perpetrator hidden from others when committing cyber-child grooming crimes, especially since the perpetrator usually asks the victim to keep their relationship secret. The perpetrator with the initial H approached the first victim's child around mid-2020. Initially, the first victim's child received a direct message via Instagram from the perpetrator, in which the perpetrator invited the first victim's child to make friends. The perpetrator, in communicating through his direct message, admitted that the perpetrator was still in school in Makassar. The perpetrator and the first victim's child are getting closer and often communicate through Instagram, so the perpetrator invites the first victim's child to chat via WhatsApp. The modus operandi of the perpetrator in establishing a criminal relationship of cyber child grooming with the second victim's child is that initially, the perpetrator sends random WhatsApp messages to the victim's child after getting the child's phone number from the friend of the first victim's child. The perpetrator then invited her to get acquainted with the second victim's child through his chat, and the perpetrator admitted that the phone number of the second victim's child had been in his cell phone contact for a long time, especially since the perpetrator admitted that he was still in junior high school.

The next modus operandi is a means or technique of manipulation used by the perpetrator to develop his power and control over the victim and the victim's dependence on the perpetrator. The way the perpetrator manipulates the victim can take the form of giving praise so that the victim feels special, or the perpetrator can control the victim by threatening him so that the victim feels afraid of the perpetrator and does not dare to report it. Initially, the perpetrator with the initial H sent a photo of the male pubic to the first victim's child, and then the perpetrator threatened the first victim's child that the perpetrator would distribute screenshots of the chat to the friends of the first victim's child so that the friends of the first victim's child thought that the first victim's child liked to look at the boy's. The perpetrator's threat causes the child of the first victim to be afraid of being shunned by his peers because he is thought to have seen the perpetrator, and in the end, the child of the first victim fulfills the perpetrator's wishes. The manipulation carried out by the perpetrator with the initial H against the second victim's child is that initially, the perpetrator sends a Whatsapp chat directly to the second victim's child that contains a threat that the perpetrator will edit the profile photo of the second victim's child and use it as slanderous material and then spread it to friends and school teachers, whom the second victim's child recognizes as being shunned by his peers and school teachers. The threat from the perpetrator makes the second victim's child feel afraid of the perpetrator's threat so that the second victim's child fulfills the perpetrator's wishes.

The next modus operandi is sexual content. This modus operandi is a way for the perpetrator to have sexual relations with his victims through social media, with the aim of determining when and how sexuality is carried out. The perpetrator can have sexual

intercourse by doing things like talking dirty, persuading the victim to send pornographic images, or performing acts related to pornographic things.

The perpetrator with the initial H was in contact with the first victim's child for approximately 3 months. When the perpetrator and the child of the first victim began to become close and communicate frequently, the perpetrator suddenly sent a photo of the male pubic to the child of the first victim. The perpetrator, after submitting the photo, then asked the first victim's child, "Kamu suka kayak gini ga?" and the first victim's child replied, "Tidak". The sending of photos by the perpetrator made the first victim's child feel annoyed and block the perpetrator's phone number. The perpetrator then sent a WhatsApp chat using another phone number to the first victim's child, and the perpetrator threatened the first victim's child with a screenshot chat showing that the first victim's child liked to look at the boy's. The threat that has been given by the perpetrator makes the child of the first victim feel afraid of being shunned and having no friends because he is considered to have seen the perpetrators. The feeling of fear experienced by the first victim's child against the threat of the perpetrator, the first victim's child finally sends photos and/or videos of the breasts and vagina belonging to the first victim's child. The perpetrator, with the initials H, once told the first victim's child to make a video of the first victim's child playing with her hands and a cucumber. The perpetrator, in committing the criminal act of cyber child grooming, received nude photos and videos containing the child sex activities of the first victim more than 20 times. In fact, the perpetrator has also scheduled the first victim's child to make videos of sex activities on certain days.

The modus operandi of sexual content carried out by the perpetrator with the initial H against the second victim's child is that at first, the second victim's child receives WhatsApp messages from the perpetrator because, at that time, the second victim's child did not know the perpetrator, so the second victim's child blocked the perpetrator's phone number. The perpetrator then sent a WhatsApp chat using another phone number to the second victim's child, and the perpetrator threatened the second victim's child with the threat that the screenshot of the second victim's child's profile picture would be edited and used as slanderous material and then spread to friends and school teachers known to the second victim's child so that the second victim's child would be shunned by people he recognized. The perpetrator threatened the second victim's child with the aim of having the second victim's child send photos and videos containing the sex activities of the second victim's child to the perpetrator. The threat given by the perpetrator made the second victim's child send a video containing sex activities to the perpetrator. The perpetrator communicated with the second victim's child for approximately 1 month, and the perpetrator received a video containing sex activities from the second victim's child once. The perpetrator once told the second victim's child to make a video in which the second victim's child inserted a finger into her vagina, but the second victim's child did not want to do this and blocked both perpetrators' phone numbers.

Risk management is the last modus operandi, in which it is a process of assessing the risks of the perpetrator in making risky decisions on the plans he does for his victims. Risk management is carried out before and when the perpetrator commits a criminal act of cyber child grooming against his victims. This risk management can be seen from various perspectives, such as individual victims, aspects related to the internet and the victim's environment. The forms of risk management made by perpetrators in committing cyber child grooming crimes include: a) Perpetrators act in various ways so that they are not easily tracked or recognized by others on the internet or social media. For example, perpetrators use several gadgets, have different IP addresses, and use various other methods; b) Perpetrators tend to choose to connect with victims through cell phones or computers rather than meeting the victim in person in public spaces; or c) The perpetrator meets the victim in a location far from the victim's environment.

The perpetrator with the initial H threatened the first victim's child that the perpetrator would share a screenshot chat showing that the first victim's child liked to look at the male pubic when the first victim's child would not send photos of his breasts to the perpetrator. A few days later, the perpetrator still did the same thing, namely asking for photos and/or videos of the first victim's child sex activities with the same threat. The actions taken by the perpetrator were carried out repeatedly; moreover, the perpetrator also asked for a sum of money and credit whose nominal could reach Rp. 100,000.00 to Rp. 500,000.00 for the first victim's child. The perpetrator also threatened the first victim's child with the threat that the perpetrator would distribute photos and videos of the first victim's child if the first victim's child did not send money or credit to the perpetrator. The threat that has been given by the perpetrator makes the first victim's child feel afraid that the first victim's child can send money and credit to the perpetrator, who can sometimes send as much as three times a week. The total amount of money that has been sent by the first victim's child to the perpetrator through the OVO application or in the form of credit is approximately Rp. 5,000,000.00.

The modus operandi of risk management carried out by the perpetrator with the initial H to the second victim's child is that the perpetrator threatens the second victim's child that the perpetrator will edit the profile photo of the second victim's child to be used as slanderous material and then spread it to friends and people known by the second victim's child if the second victim's child does not fulfill the perpetrator's wishes, namely sending photos and/or videos of the second victim's child sex activities. The threat from the perpetrator made the second victim's child feel afraid of being shunned by his friends; therefore, the second victim's child fulfilled the perpetrator's wishes. The perpetrator had also asked the second victim's child for some money with the same threat. The total amount of money that has been sent by the second victim's child to the perpetrator is approximately Rp

1,000,000.00. The perpetrator, with the initials H, committed a cyber child grooming crime against the first victim's child and the second victim's child, receiving a total of approximately Rp. 6,000,000.00, both in the form of OVO balance and credit

## 5. Conclusion

Factors causing perpetrators with the initial H to commit cyber child grooming crimes include factors for obtaining sexual offender satisfaction, factors of environmental influence on the perpetrator's mindset, factors of low knowledge and understanding of social media use, opportunity factors, and economic factors. The criminal act of cyber child grooming is certainly preceded by the modus operandi, so the modus operandi of the criminal act of cyber child grooming carried out by the perpetrator with the initial H includes the modus operandi of ease of accessibility, the modus operandi of building relationships, the modus operandi of manipulation, the modus operandi of sexual content, and the modus operandi of risk management. The criminal act of cyber child grooming committed by the perpetrator with the initial H is an act of sexual violence because this criminal act is a behaviour carried out by targeting sexuality with elements of coercion and threats. This results in the criminal act of cyber child grooming, which can be integrated into various relevant sexual violence laws against children, including Article 82 paragraph (1) of Jo, Article 76E of Law No. 35 of 2014 concerning child protection, Article 88 of Jo, Article 76I of Law No. 35 of 2014 concerning child protection, Article 52 paragraph (1) of Jo, Article 45 paragraph (1) of Jo, and Article 27 paragraph (1) of Law No. 19 of 2016 concerning information and electronic transactions.

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