

Efforts to Prevent Children From Accessing Adult Sites From Internet Sources Based on the Perspective of Child Legal Protection

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Abstract: A number of legal facts about cases of children who committed crimes like murder, sodomy against his friends, and several other crimes they shouldn't have known about. Of the many cases of crimes committed by minors, the majority are known to be the impact of online games and internet sites that contain pornography. This writing aims to find out facts about how far criminal cases have taken root in children in the State of Indonesia. In addition, this writing also aims to find out whether the Law in Indonesia has provided legal protection for children from becoming victims of pornography crimes. Therefore, knowledge of child protection laws is very important to learn. As educators, both parents and teachers are strongly encouraged to broaden their horizons about how concerned about natural phenomena related to crime cases that can be committed by minors caused by online sites that contain pornography.

Keywords: prevent children, internet sources, child legal protection

1. INTRODUCTION

In the last decade, there have been many criminal cases such as robbery, hijacking, rape, and even murder that occurred in Indonesia, the perpetrators are under 18 years old. Even though at that age, they still have an obligation to go to school. Of course, sad when they imagine the feelings of their parents when they find out that their children have committed crimes at a young age. Today's young children born in the midst of technological development (digital native). Not surprisingly, minors are familiar with gadgets and cyberspace. No doubt, the development of the internet world also brings a positive side. But the negative side, a lot of influence exerted on the young generation of the internet, one of which is crime in cyberspace.

The background of writing this article is originated from a story that was read by the author on one of the online news sites. The news revealed cases of sexual crimes committed by minors. Call it "DS", "DS" became victims of sexual misconduct carried out by six people who are minors, aged 6 to 11 years. The alleged perpetrators have the initials V (8), VK (6), W (10), R (11), G (6), and R (9). The sexual crime case was revealed after the victim's family reported it to the local police. The case was handled by the Bogor Polres Women's and Children's Protection Unit. This case was justified by the Head of West Java

Police Public Relations Commissioner Suprpto Day. Chairperson of the National Commission for Child Protection (Komnas PA) Arist Merdeka Sirait considers this to be one of the cases which should not be underestimated in its handling, because it concerns children. The Chairperson of the Fulfillment of the Rights of the Child of the Indonesian Child Protection Agency (LPAI) Reza Indragiri assesses that special measures need to be taken against these actors. According to him, the boys who became the perpetrators, besides being convicted also needed to be rehabilitated. He also revealed, from the results of research conducted, he found a link between children's behavior with the material witnessed in technology. Because most likely, for children of that age, it was felt that they did not really understand what they were doing was normal or immoral. It is likely that these children are trying to duplicate it in their real life after they have obtained material with a spectacle through an online site.

The legal facts above prove that children in Indonesia have been able to keep abreast of the times, so there is a need for regulation of legal protection for children so as not to be affected by the crime of pornography. Seeing the impact that occurs, then what must be analyzed in relation to the legal protection of children as victims and perpetrators of pornographic crimes that occur due to the

use of internet sites and online games is an analysis of regulatory aspects through existing laws in Indonesia and their benefits in protection legal child as a victim / offender of a pornography crime through internet sites and online games.

It is important to realize that cases of sexual violence against children with increasing cases of pornography, especially through the internet and social media. Freedom and ease of accessing the internet support the increase in cases of sexual violence against children. In 2012, Yayasan Kita and Buah Hati conducted a survey in 2012 and found that 76% of children in grades 4 through 6 in primary school in Jadobetabek had seen pornographic content. Most of the children download porn content from their own home or not accidentally, while others download porn content from their own home by accident, while others download porn content from internet cafes, mobile phones or from friends (Anwar, 2014).

There are big problems concerning social, psychological, and moral aspects as a result of pedophilia cases, especially in children as victims. Effects of sexual violence on children include depression (Rossa, et al, 1999), post-traumatic stress disorder, anxiety, the tendency to become further victims in adulthood (Meesman, 2000), and physical injury to children among other problems. Specifically, sexual harassment by family members as a form of incest can produce more serious effects and long-term psychological trauma, especially in cases of parental incest (Christine, 1988).

Sexual violence tends to have a traumatic impact on both children and adults, but these cases are often not revealed due to denial of sexual violence. We can see in a number of cases that child victims tend to cover up their events with a variety of reasons including shame or fear of the perpetrator. There is a tendency for negative emotions to arise due to sexual violence such as helpless and tortured conditions when revealing incidents of sexual harassment even in some cases physical impacts such as shaking, muscle spasms, and headaches are found in victims of sexual violence.

The increasing number of cases of sexual violence against children has become a phenomenon in itself and has attracted the attention of many. Cases of sexual violence are even more complex ranging from the causes of the perpetrators to the consequences caused to the victim. As for the provisions concerning aspects of child protection in this case from the crime of pornography are law number 23 of 2002 concerning child protection, law number 44 of 2008 concerning pornography, law number 11 of 2008 concerning information and electronic transactions, and Republic of Indonesia Minister of Communication and Information Regulation number 19 of 2014 concerning handling negative internet sites.

Although there are already laws and regulations that govern, but in this case, there are problems spreading pornography through internet sites and online games that have a negative impact on children. The problem is related

to the age limit for using online games and internet sites for children that have not been regulated in Indonesian laws and regulations. The use of the age limit for children is for parents and the government so as to avoid the use of the internet that is not suitable for the age of the child and provide sexual education according to the age of the child.

The legal issues used in this case consist of: does the regulation of legislation in Indonesia provide legal protection for children not to become victims of criminal acts of pornography? internet sites and online games in the future?

2. SEXUAL VIOLENCE AGAINST CHILDREN

The term violence against children (child abuse) began to be known from the medical world in 1946 (Kurniawati, 2013). Abuse usually translated as violence, torture, or mistreatment wrong, improper behavior that results physical, psychological harm or harm, or financially, whether experienced by an individual or group. Child abuse is an injurious act which is physically and emotionally repetitive towards children through the urge of desire, punishment uncontrolled bodies, degradation, and permanent scorn or sexual assault and neglect (neglectful) so that the child lost the opportunity to develop its unique potential as a human being optimally (Cameron in Scientific, 2009). Available four types of violence against children viz physical violence, sexual violence, violence emotional, and neglect. Child exploitation or employ minors to commercial goals by ruling out physical, mental and social development of children is another type of violence against children (Salmiah, 2009).

Violence against children can occur due to many factors, both stand alone or a combination of several factors. According to Gelles Richard J (1982), the factors that cause violence against children are: (1) inheritance of intergenerational violence that is when a person experiences violence in his childhood, tend to be the perpetrators of violence; (2) social stress includes unemployment, illness, poor housing conditions, people with disabilities, and death of family members; (3) social isolation and lower community involvement; and (4) family structure, for example single parents are more likely to commit acts of violence than whole families (Kurniawati, 2013).

Prone to sexual assault (Terry Lawson, 2008), which is every act in the form coercion, coercion sexual relations in an unnatural way and not like, forced sexual relations with others for commercial or purposes specific goals (Huraerah, 2008). Violence sexual acts can be oral-genital acts, genital-genital, rectal-genital, hand-genital, hand-rectal, hand-breast, exposure sexual anatomy, forced viewing, and showing pornography. Sexual violence (Tobach, 2008) is usually accompanied by psychological or physical pressure (Kurniawati, 2013). Rape is a type of

violence specific sex, that is sexual penetration without permission or by force, accompanied by physical violence (Kurniawati, 2013).

Sexual violence against children will have an adverse effect or effect on the child as a victim. Most rape victims experience psychological disorder called post-traumatic stress disorder (PTSD) whose symptoms are intense fear, high anxiety, and emotional out-of-toilet (Kurniawati, 2013). Victims who experience violence need one to three years to be open to others. Finkelhor and Browne (Kurniawati, 2013) initiated four types of effects of trauma due to sexual violence, namely:

- a. **Betrayal.** Trust is the main basis for victims of sexual violence. As an individual child, trust in parents and that belief is understood and understood. However, children's trust and parental authority are things that threaten the child.
- b. **Traumatic Sexualization.** Russel (in Tower, 2002) found that women who experience sexual violence tend to reject sexual relations, and consequently become victims of sexual violence in the household. Finkelhor notes that victims prefer same-sex partners because they think men cannot be trusted.
- c. **Powerlessness.** Fear penetrates the victim's life. Nightmares, phobias, and anxiety experienced by victims are accompanied by pain. Feelings of helplessness cause the individual to feel weak. The victim feels she is unable and less effective at work. Some victims also felt pain in his body. Conversely, other victims have excessive intensity and encouragement in themselves.
- d. **Stigmatization.** Victims of sexual violence feel guilty, ashamed, have a bad self-image. Guilt and shame are formed due to helplessness and feel that they do not have the power to control themselves. Victims often feel different from others, and some victims are angry at their bodies due to the persecution they endured. Other victims use drugs and alcohol to punish their bodies, blunt their senses, or try to avoid the memory of the incident.

The emergence of sexual violence against children, making it a national disaster that must be handled by all elements of government in Indonesia both regional and central government. As a national disaster, all aspects of government must pay serious attention in handling sexual violence against children.

3. CHILDREN'S LAW PROTECTION

Understanding of children in Indonesia can be seen from various laws and regulations in force. The understanding of children in article 1 paragraph (1) of Law number 35 of 2014 concerning amendments to Law number 23 of 2002 concerning Child Protection is. Every human being not yet 18 years old, including those still in the womb. Then in article 1 number 5 of Law number 39

of 1999 concerning Human Rights, children are. Every human being who is 18 years old and not married, and who is still in the womb.

The 1945 Constitution also regulates the protection of children against the use of online sites and games regulated in article 28 letter B paragraph 2 Every child has the right to survival, growth and development and has the right to protection from violence and discrimination. In addition, article 28 letter C paragraph 1 also regulates the right of parents to obtain information relating to the use of sites and online games that read, "Everyone has the right to develop themselves through meeting their basic needs, the right to education and to benefit from science and technology, arts and culture, for the sake of improving the quality of life and for the welfare of humanity". Then in Article 31 paragraph 5 "The government is obliged to advance science and technology by supporting the high values of religion and national unity for the advancement of civilization and the welfare of humanity".

Another understanding of children is in article 1 number 4 of Law number 44 of 2008 concerning Pornography, "Children are every human being who is not yet 18 years old". In article 4 of Law number 12 of 2006 concerning citizenship, "Indonesian citizens are children born outside the legal marriages of a foreign mother who is recognized by a father as her child and that recognition was done before the child was 18 (eighteen) years of age or not yet married". Whereas according to Law number 21 of 2007 concerning Eradication of Trafficking in Persons in article 1 number 5 it is regulated that a child is "Someone who is 18 years old, including children who are still in the womb".

Regarding child protection relating to the child's right to use technology and information contained in the 1945 constitution also regulates the use of online sites and games regulated in article 28 letter B paragraph 2 which reads "every child has the right to survival, growth and development. and are entitled to protection from violence and discrimination". Then in article 31 paragraph 5 the government is obliged to advance science and technology by supporting the high values of religion and national unity for the advancement of civilization and the welfare of humanity. In contrast to the concept in the law, according to customary law a person is said to be immature is when a person is not married and has not been separated from the responsibilities of parents. The first child protection carried out by the government in legal settings is policy making. All policies must be approved. Related to the formulation policy that is made is legal protection for children in this journal who request protection from acts of pornography through online sites and games.

4. INTERNET DEFINITION IN LAW OF REGULATION

After that the next discussion is to know the definition of the internet in the legislation implicitly can be

seen in Article 1 number 1 of law number 11 of 2008 concerning information and electronic transactions that contain electronic information is one or a collection of electronic data, but not limited to text, voice, images, maps, designs, photographs, electronic data interchange (EDI), electronic mail, telegram, telex, telecopy or the like, letters, signs, numbers, access codes, symbols, or processed perforations that have meaning or can be understood by people who are able to understand it. Then Article 1 number 2 of law number 11 of 2008 concerning information and electronic transactions containing the provisions of electronic transactions is a legal act carried out using computers, computer networks, and / or other electronic media.

The concept of the crime of pornography in the world of internet and online games can be found in the legislation. An explanation of the elements of pornography can be seen in Article 1 paragraph 1 of law number 48 of 2008 concerning pornography, namely: (1) pictures, sketches, illustrations, photographs, writing, sound, moving pictures, animations, cartoons, conversations, gestures, or other forms of messages; (2) through various forms of communication media and or public performances; and (3) the contents of which contain sexual obscenity or exploitation that violates the norms of decency in society.

Regarding the prohibition regarding the crime of pornography itself is contained in Article 4 paragraphs 1 and 2 of Law number 48 of 2008 concerning pornography which reads as follows: For everyone to produce, make, multiply, duplicate, distribute, broadcast, import, export, offer, trade, rent, or provide pornography that explicitly includes sexual encounters, including sexual abuse, sexual violence, masturbation or masturbation, nudity or an impressive display of nudity, genitals, or child pornography.

Regarding what is meant by impressing nudity is a condition of someone who uses body coverings, but still reveals genitals explicitly, then in paragraph 2 it reads as follows, "Everyone is prohibited from providing pornographic services whose contents explicitly present nudity or an appearance that impresses nudity, explicitly presents the genitals, exploits or exhibits sexual activity, offers or advertises, directly or indirectly, sexual service". In law number 48 of 2008 concerning pornography regulates the prohibition of acts of pornography for everyone in this case is not the same as the concept of people in the criminal law.

Pornography is prohibited in the use of the internet; it can be seen from the prohibition in Article 27 paragraph 1 of invitation number 11 of 2008 concerning information and electronic transactions that mention the prohibition of matters that contain elements of violating decency. Then before the existence of law number 11 of 2008 concerning information and electronic transactions, criminal acts of decency are contained in the criminal law book.

5. EFFORTS OF PREVENT SEXUAL VIOLENCE IN CHILDREN

Preventive models are more difficult to apply to stress disorders post-trauma, one of which is trauma caused by sexual violence in the past children. Prevention efforts can be started by collecting data from one of the survivors of sexual violence is about methods identify the offender as soon as possible before the offender attacks.

In Indonesia several efforts to prevent sexual violence against children being widely voiced by KPAI or the Indonesian Child Protection Committee. Form KPAI's concern is carried out through various campaigns on children's rights, outreach about the impact of sexual violence and punishment on perpetrators sexual violence and various training for parents and teachers on detection early indications of acts of sexual violence that may be experienced by children (www.kompas.com, 2014). In addition, the Indonesian Children's Prosperity Foundation, organization non-profits who care about the protection and welfare of children, too raise funds for the benefit of the therapy of children who are victims of violence sexual relations (www.ysaindonesia.org, 2014).

To respond to various complaints related to violence against children, the Commission National Child Protection conducts various activities, including advocacy, advocating and assisting cases of violations of children's rights, therapy for victim's violence, campaign road shows, socialization of several Child Protection Acts schools, universities, and government institutions, both at the central, provincial and Regency / City. In handling the case of the National Commission for Children to collaborate referral to several government institutions, Non-Governmental Organizations, universities high, private and caring individuals, both in terms of victims of violence, neglect, natural disasters and cases of Children Needing Special Protection others (peluk.komnasp.or.id, 2014).

Abroad as in the United States, efforts to prevent sexual violence in children has been done for a long time, namely since the 1970s but began emerged in the last decade. Two sexual violence prevention programs the most prominent children in the United States are The Catholic Church and Boy Scouts of America (Bagley & King, 2004). Violence prevention program sexual should be able to modify the individual and the environment, have multicomponent implementation and coordinated efforts systematic.

6. TEACHING PERSONAL SAFETY SKILLS

Personal safety skills are personal safety skills a set of skills that need to be mastered by children in order to maintain safety and avoid acts of sexual violence (Bagley and King, 2004). Personal safety skills consist of three known skill components with the slogan 3 R namely:

- a. Recognize, namely the child's ability to recognize the characteristics of potential people committing sexual violence (predators). In this recognize component, child taught to recognize personal body parts that should not be touched just anyone, and how to say no when someone else make unsafe touch (unsafe touch), told to open clothes or showing private body parts, telling children to see body parts the offender personally and display sexual content. Child given awareness of personal rights to his body, and how they are may determine who may or may not touch a part his body, especially sensitive or very personal ones. Therefore, children are expected to be able to distinguish perpetrators of acts of sexual violence than other people who communicate or make physical contact with it.
- b. Resist, which is the child's ability to survive treatment or action sexual violence, for example shouting for help, telling others that the person holding her is not her father or mother, and etc. In this resist component children are taught to identify a number of actions he can take when dealing with perpetrators sexual assault or when in a situation that allows it the occurrence of acts of sexual violence. Children are taught to be able to ignore seduction and persuasion from people who have the potential to commit sexual violence, say "No!" or "Stop!" loudly and firmly to people who are try to commit sexual violence against them, commit counter measures such as hitting, biting, kicking at the offender sexual assault, running away from the perpetrators of sexual violence and shouting ask for help from people around.
- c. Report, namely the child's ability to report unpleasant behavior sexually received from adults, be open to parents so that their parents can monitor the condition of the child. On the child report component is taught to be able to be open to action sexual assault he received, and was able to report the offender to adults or other institutions that are interested and trusted by children to help him.

7. SOME THINGS TO LOOK FOR IN PERSONAL SAFETY TEACHING

Personal safety skills include a set of skills that children need to master to protect themselves from danger victimization by predatory adults. Sexual violence against children by people adulthood is one of the main dangers which, although very threatening child safety, but many professionals consider the community to care about children overreact to the threat in the right way potential to cause harm to children (Bagley & King, 2004).

So far, in an effort to prevent sexual violence that is nature educational, children are not only taught how to stay alert to people strangers through films, diagrams, games, and messages from teachers at school, but children are also

made to feel responsible for protecting themselves itself from predators.

Experts argue that it is very unlikely that children aged 3-6 years to successfully break free from situations or perpetrators of sexual violence. When a child becomes a victim of sexual assault and finds that he is not having control of the situation, feeling guilty will add to the wound psychological child (Beaty, 1996: 21). That is because the child feels that he has been taught what must be done to avoid the perpetrator or a situation of sexual violence, but the child cannot do that and prevent sexual violence from occurring, as a result the child begins to believe that the sexual violence, she experienced was due to her own mistakes.

Other consequences that may occur due to over-reaction of certain parties in teaches children the skills to avoid perpetrators and violent situations Sexual is a situation where children have difficulty building trust with people another adult. Children who are merely taught to avoid people Foreign adults tend to be afraid of adults who don't he knew, ran away from new teachers at school, refused to be examined by paramedics, some are even scared when their parents tell the child to undress for the benefit of treatment or for bathing.

Child caregivers also sometimes feel scared when carrying children to clean themselves in the bathroom (can be because the child wet the bed or because falling on the ground), and the child reports to his parents that he has been touched in the forbidden area by the caregiver. Most male caregivers are vulnerable this kind of indictment, as a result many male caregivers quit their jobs or reluctant to register for work as a caregiver or early childhood teacher. This matter leading to a lack of male role models in education and care institutions early childhood, even though the existence of male role models is very important to support the process of education and care of early childhood.

By considering various facts and possibilities that will occur related to efforts to prevent sexual violence against children, the teaching process personal safety skills should be done without instilling fear baseless in children. Because, fear not only impedes the process learning, but also makes children more vulnerable to victimization. Keep in mind that the majority of cases of violence against children occur at home, and 85% of perpetrators violence against children is a person who is known by the child himself (Hull, 1986; in Beaty, 1996).

Therefore, in teaching personal safety skills to children, teachers, people parents or other counselors must use common sense in helping children to learn not to be invited to go somewhere by strangers and so that refuse a ride from a stranger. Children need to be taught that they are not all adults are dangerous, there are special characteristics of those who intend evil. And not everyone who touches a restricted area has evil intentions, some do intend to clean up dirt, for example caregivers or teachers at school, and also provide treatment such as a doctor or

nurse. In teaching personal safety skills, children need to be encouraged to: (1) talk in adults who are trusted when they feel uncomfortable; (2) leave with adults who are known or who are trusted either when walking or by car; (3) ask trusted adults when they are not sure will be how to do something. Teaching personal safety skills must also use a positive approach where children learn to feel comfortable with himself and the people around him.

Early childhood education institutions can also post bulletin boards and special notification that children are not permitted to leave school or child care with people other than parents or known daily caregivers by staff or teachers in these early childhood education institutions. If there are people which forces the child to bring home from the institution, then the staff or teacher can contact the child's parents to clarify them, if the parents cannot contacted contact the child protection agency for advice on what is should be done. Children are the responsibility of the teacher and staff to adults in charge of caring for the child comes to pick him up.

Teachers and parents can be involved in sensitive discussions related to the issue of violence in children and their prevention and treatment efforts. Discussion can also be done by inviting psychologists or doctors who can contribute science. Through appropriate personal safety skills teaching patterns, you can prevent children from becoming a paranoid generation who keep their distance from one each other or from adults, who consider action on the basis of caring, affection and touch as a threatening thing. By because it requires the ability of qualified teaching staff to teach personal safety skills, do not let the message delivered be a message make children live in fear of being victims of sexual violence.

8. CONCLUSION

Indonesia already has arrangements regarding legal protection for children related to the use of internet sites and online games. The regulation has been stated in the existing laws and regulations in Indonesia, but in this case, there are still shortcomings, namely regarding age restrictions on children in the use of internet sites and online games, so that there is a spread of pornographic crime that is soft pornography that is not in accordance with age of the child.

Shortcomings in the protection of children as victims of pornography, there is a need for age restrictions. This is done by categorizing the age of the child as stated in the legislation by explaining the age classification criteria. Then a special body is formed which has the authority to supervise and assess which sites or online games are allowed for certain ages of children.

By considering the negative impact of acts of sexual violence in children, especially with regard to physical and psychological development of children, then handling efforts both preventive and interventive are needed. personal safety skills or skills in children. Evaluation of the

program prevention of sexual violence based on teaching personal safety skills shows that both school-age and pre-school children demonstrate increased knowledge and skills in keeping yourself safe acts of sexual assault.

After participating in classes that teach personal safety skills, children show increased ability in: (a) regarding situations that are potentially abusive, (b) resist the temptation or persuasion of predators, (c) report the situation abusive, (d) blaming the offender not himself, and (e) reporting feelings positive about the body and genital organs (Kenny & Wurtele, 2009; Wurtele & Owens, 1997; in Brown-Goodyear, 2012).

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