

# **Implementation of The Service Standards of the Village / Village Model Free Pornography Child in Indonesia at The Office of the Ministry of Woman's Empowerment and Child Protection of the Republic Indonesia**

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## **Abstract**

Implementation of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia using the concept of Van Horn and Van Meter (1975). This study used descriptive qualitative method.

The results of this study are: Implementation of the regulation of the minister of women's empowerment and child protection of the Republic of Indonesia No. 8 of 2020 concerning service standards for children who are victims or perpetrators of pornography. repeatedly stressed the importance of protecting children from the dangers of pornography. The form of protection is not only assistance on the use of gadgets and the internet by parents, but also anticipatory efforts so that children do not become victims of online sexual exploitation and Realization of Gender Equality, Protection of Women and Children as well as improvement of Family Welfare for officials and the public.

Increasing institutional capacity in the field of women, children and family welfare development (capacity building); Women's Empowerment and Child Protection, namely: The realization of quality, independent and personality Indonesian women and children. Building a working network in the Development of Women's Empowerment, Children and Family Welfare (networking building); Increasing Public Awareness in the Development of Women's Empowerment, Children and Family Welfare (public awareness).

**Keywords:** policy implementation, service standards, child protection, pornography.

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## 1. Introduction

Indonesia did not have an anticipatory concept 50 years ago, that changes in science and technology will develop so fast as it is today and bring new impacts and behaviors to society, especially children. At home, at school, everywhere, children are so dependent on gadgets and the internet that the dangers of pornography threaten them. Indonesia has a pornography emergency. Minister Yohana explained that globally, the trend of children becoming victims of pornography continues to increase significantly. Data from The NCMEC CyberTipline mentions more than 7.5 million reports of child sexual exploitation in the last 20 years and has increased rapidly in the last five years (<https://www.kemenpppa.go.id/index.php/page/read/29/2301/waspada-pornografi-bagi-anak-kemen-pppa-lakukan-tindakan-antisipatif> accessed on 15 June 2021).

Assistant Deputy for Child Protection from Violence and Exploitation, Valentina Gintings highlighted the rampant cases of violence against children that occurred during the pandemic. "Based on the PPA Symphony data, from January 1 to June 19, 2020 there have been 3,087 cases of violence against children, including 852 physical violence, 768 psychological, and 1,848 cases of sexual violence, this figure is quite high. Therefore, in facing this new normal, we must ensure that this number does not increase again by taking preventive measures that refer to the protocol for handling child victims of violence in the Covid-19 pandemic situation

(<https://www.kemenpppa.go.id/index.php/page/read/29/2738/angka-kekerasan-terhadap-anak-tinggi-di-masa-pandemi-kemen-pppa-sosialisasikan-protokol-perlindungan-anak> accessed on 15 June 2021).

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### II. Theories

#### A. Implementation Policy

The policy implementation approach model formulated by Van Meter and Van Horn is called the A Model of the Policy Implementation (1975). This implementation process is an abstraction or the performance of a policy embodiment which is basically deliberately done to achieve a high policy implementation performance that takes place in the relationship of various variables. This model presupposes that policy implementation runs linearly from political decisions, as well as the implementation and performance of public policies. This model explains that policy performance is influenced by several interrelated variables, these variables are:

1. Policy standards and objectives- /- measures and policy objectives
2. Resources
3. Characteristics of the implementing organization
4. The attitude of the implementers
5. Communication between related organizations and implementation activities
6. Social, economic and political environment

Van Horn and Van Meter (1975) affect the rate of the successful implementation of the policy. The disposition for Edward III (1980:53) is defined as the tendency, desire or agreement of the executive to implement the policy. If you want to have a policy implemented effectively and efficiently, the executors should not only know what to do and have the willingness to carry out that policy, but they also have to have the will to implement the policy Meter & Horn (1975:472) state that there are three kinds of response elements that can affect the desire and willingness to implement a policy. These elements include, among others, the knowledge (cognitive), and deep understanding (comprehension and understanding) of the policy; their responses whether accept, reject or neutral (acceptance, neutrality, and rejection); and the intensity of the policy. An understanding of the general intent of the standards and policy objectives is important because after all, a successful policy implementation can fail when the executors (Officials) are not fully aware of the standards and policy goals. Directions disposition of the implementers of the policy goals and standards is also a crucial thing.

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### **B. Service Standards of the Village / Village Model Free Pornography Child in Indonesia**

According to the provisions in the convention on cybercrime, pornography is included in computer crimes related to content. The definition of pornography in the convention is child pornography via computer. The definition of a child in this convention is a person who has not reached the age of 18 years. Countries that are parties to the convention and non-participants of the convention that do not stipulate the size of the child's age in national laws and regulations as referred to in this convention, are expected to set the maximum age limit for children not less than 16 years.

According to Widodo (2013: 91 - 92) pornographic acts include producing activities with the aim of distributing through a computer system, offering through a computer system, distributing or sending through a computer system, accessing through a computer system, possessing it in a computer system or in computer data storage media. In the provisions of the convention it is explained that the definition of child pornography includes the activity of displaying sexual scenes that directly involve children

Service Standards are guidelines used in providing initial treatment, guidance, assistance, and recovery to children who are victims or perpetrators of pornography. Pornography is pictures, sketches, illustrations, photographs, writings, sounds, sounds, moving pictures, animations, cartoons, conversations, gestures, or other forms of messages through various forms of communication media and/or public performances, which contain obscenity or exploitation.

Sexual behavior that violates the norms of decency in society. Child is someone who is not yet 18 (eighteen) years old. Children who become victims of pornography are children who experience trauma or suffering as a result of pornographic crimes. Children who become perpetrators of pornography are children who commit crimes of pornography.

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Coaching is a series of activities to shape and improve the identity of Children Who Become Victims of Pornography or Children Who Become Perpetrators of Pornography in a better direction so that Children can grow and develop in a healthy and natural manner both physically, mentally, mentally and spiritually intelligence. Mentoring is an effort or process that is intended to empower children who become victims of pornography or children who become perpetrators of pornography so that they can overcome their own problems. Recovery is all efforts to restore physical, mental, and social conditions so that Children Who Become Victims of Pornography or Children Who Become Perpetrators of Pornography can grow and develop naturally. Social Institutions are social welfare institutions as referred to in the laws and regulations concerning social welfare.

Educational Institutions are educational units as referred to in the laws and regulations concerning the national education system and Religious Institutions are non-governmental organizations with a national vision which are formed based on the same religion by Indonesian citizens voluntarily, are legal entities, and have been registered with the local government and are not party wing organizations political (<https://peraturan.go.id/common/dokumen/bn/2020/bn1426-2020.pdf> accessed on 15 June 2021).

according to Sri Mulyanti (2013; 7) Educating children is the same as taking care of tree trunks, when the tree is still small it will be easier to form the trunk or branches of the tree according to our expectations. On the other hand, if the tree has grown large and the trunk is hard, it will be more difficult to straighten it or shape it according to expectations. Sometimes instead of being straight, the trunk of the tree that is already large may even become broken. Such is the complexity of caring for, raising and caring for children so as not to make a wrong step in the association. Naively, lately we often find the phenomenon of children who are wrong in socializing towards free sex, even sharing or exchanging sexy personal photos.

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As a result, the photo is then disseminated by friends or irresponsible adults so that they position the child as the object in the photo as a child as a victim. A child with a sexy pose in a photo that is commercialized and disseminated to cyberspace or the internet can be categorized as a child as a victim of pornography. Pornographic photos and/or videos are usually strong evidence that child abuse has occurred. The number of child pornography images on the internet is enormous. This is because the internet allows unlimited duplicating of images and makes sending them easy. The Internet has turned the collection of child pornography into a huge home industry. Pornography involving children constitutes exploitation and abuse of violence against pornographic objects, and even against children who are forced or seduced to view them. Based on the context of the child protection law no. 23 of 2002 and Government Regulation (PP) No. 40 Years Concerning the Guidance, Assistance, and Recovery of Child Victims and Perpetrators of Pornography, categorized as children as referred to above are children aged from the womb to the child before the age of 18 years. Although it is known that not a few government and non-government institutions have played an active role in assisting Indonesian children who are victims or perpetrators of crimes, including victims of pornography. However, legal protection for child victims of pornography does not seem to have received serious attention although it actually depends on how a country finds leaders who care about children.

According to Ahmad Kamil (2008: 23), child protection can be interpreted as efforts to maintain, guarantee or safeguard the possibilities that can bring harm to children. Protection of children as victims of criminal acts in the form of direct victim protection in the form of providing compensation by the perpetrator of the crime to the victim, which is referred to as "restitution"; and compensation provided by the state to victims as suspects, defendants, convicts or other parties who receive treatment/action based on regulations.

According to Barda Nawawi Arief (2007: 6), the notion of "victim protection" can be seen from two meanings, namely: 1. can be interpreted as legal protection not to become a victim of a crime" (meaning protection of human rights or for one's legal interests); 2. can be interpreted as "protection to obtain legal guarantees/compensation for the suffering/loss of people who have become victims of non-crime" (Identical to victim compensation). The form of compensation can be in the form of restoration of good name (rehabilitation), restoration of equanimity (among other things, by forgiveness), giving compensation (restitution, compensation, social welfare insurance/compensation), and so on.

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According to Dikdik M Arief Mansur and Elisatris Gultom (2006: 162) The concept of victim protection so far is seen as a legal right in essence is part of the problem of protecting human rights, so that basically the concept of human rights can be viewed as a legal right. The concept of human rights is seen as a legal right, so it has two normative consequences, namely: 1. the obligation for the person in charge (the party who is burdened with the obligation) to respect/not violate rights or fulfill claims arising from rights. 2. reparations if these obligations are violated/not fulfilled by referring to the implementation of the protection of the rights of victims of crime as a result of the violation of the human rights concerned.

According to Roeslan Saleh (1987:39) a person who has committed an act will be subject to criminal liability if: 1. The existence of an unlawful act, namely a psychological attitude of the perpetrator related to his behavior, namely: a. on purpose b. Careless or negligent attitude 2. There is no justification or reason that eliminates criminal liability for the maker. A person can be accounted for for his actions or actions if there is an element of error, is able to take responsibility, has intentional or omission in connection with a criminal act and there is no reason for a criminal offence. These four elements are a unity that cannot be separated. One element depends on the other, in the sense that there is an order, and the latter depends on the first. The formulation of criminal liability is not in the Criminal Code and has been based on theories in criminal law. In the 2004 Criminal Code Concept, criminal liability is formulated in Article 34 which reads: "Criminal responsibility is the passing of objective reproaches that exist in a criminal act and subjectively to a person who meets the requirements to be punished for his actions. There is no criminal if there is no mistake is the principle of criminal responsibility. Therefore, in the case of a person who commits an act as has been threatened, it depends on whether in committing this act he has a fault.

According to the National Coalition for Commercial Sexual Exploitation of children in Indonesia (2008; 8) in terms of relation to children as victims of pornography as a form of violence against children, there are several factors that make children victims of pornography, namely:

- a. The poverty factor causes children to need more income to meet their own needs.
- b. The factor of lack of parental supervision that makes children feel less cared for makes children seek peace outside and lack of moral guidance from parents makes children less aware of religious morals.
- c. The factor of a broken family (Broken Home) children who become depressed because they do not understand what divorce is, make children ashamed, afraid and do not know to face life in the future.

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- d. Psychologically immature family factors, ignorance of educating children, children born out of wedlock.
- e. The neglected child factor makes children lack knowledge and knowledge to equip themselves with bad and good things.
- f. The factor is that the number of tourists who visit tourism areas who have a disease background likes children to have sex.
- g. Bad environmental factors make it easy for children to follow and imitate bad things.
- h. Poverty, unemployment, illiteracy, lack of adequate housing and incompatible education and training systems.
- i. Increase the number of people who have no prospects due to the process of social integration, as well as worsening social inequalities.
- j. Loosening social and family ties.
- k. Difficult conditions/conditions for people immigrating to other Cities or Countries.
- l. The destruction or destruction of indigenous cultural identities, along with the existence of racism and discrimination, causes losses/weaknesses in the social, welfare and work environment.
- m. The decline or decline in the urban environment which encourages an increase in crime and reduced services for neighborhood/neighborhood facilities.
- n. Difficulties for people in modern society to integrate properly in their community environment, family environment, place of work or school environment.
- o. Abuse of alcohol, drugs and others whose use is also expanded due to the factors mentioned above.
- p. Widespread organized crime activity, particularly drug trafficking and the containment of stolen goods.
- q. Encouragements about ideas and attitudes that lead to acts of violence, inequality or intolerance.
- r. Factors left by girlfriend after her virginity was taken. Factors being invited by friends, lack of educational opportunities, and no job opportunities.

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Based on the existing data, the criteria for children who become victims of pornography can be seen from their behavior and attitudes in carrying out life. There are changes that occur. Children who become victims of pornography are not only children from poor families, there are many supporting factors. Not only girls are victims but boys can also become victims of pornography. Child victims of pornography will become children of sexual victims. Children who are victims of child pornography who are involved in sexual activities that are on video or so for sexual purposes Among the aspects of child pornography that are considered a crime are possession of storage, sale, distribution, export, import, desire to distribute, desire to show or encourage violence against children, providing, or providing assistance or support for these activities mentioned. Some jurisdictions consider the presence or absence of payment as an important element, while others do not. Several countries have enacted laws on the internet, which relate to child pornography.

According to ECPAT Protecting Internet Children (2000; 24) Child pornography has a long term impact on the children involved. Regardless of whether the person who created the pornography is brought to justice, once the pornographic image has become public property, it is likely that the image will continue to be disseminated and this will affect the child's life forever. Child pornography can also be used as a tool to reduce a child's embarrassment and, by showing another child pornographic poses, stimulate the child to agree to do the same. There is a strong relationship between simply possessing child pornography and committing violence against children, most people possessing child pornography in fact also commit sexual violence against children. Legal Protection for Child Victims of Pornography In Law Number 11 of 2012 concerning the Juvenile Criminal Justice System in Article 1 states that: "The juvenile criminal justice system is the entire process of resolving cases of children who are in conflict with the law, starting from the investigation stage, up to the stage of mentoring after serving a crime" Law No. 11 of 2012 concerning the Juvenile Criminal Justice System in Article 2 of the Juvenile Criminal Justice System is implemented based on the principles: a. Protection b. Justice c. Non-discrimination d. Best interests of children e. Respect for Child's opinion f. Child survival and development g. Children's coaching and mentoring h. Proportional i. Deprivation of liberty and punishment as a last resort, and j. Avoidance of retaliation. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System in Article 3 "Every child in the criminal justice process has the right to: a. Treated humanely by paying attention to the needs according to their age b. Separated from adults c. Obtain legal and other assistance effectively d. Doing recreational activities e. Free from torture, punishment or other cruel, inhuman, and degrading treatment f. Not sentenced to death or

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life imprisonment g. Not arrested, detained, or imprisoned, except as a last resort and for the shortest time h. Obtaining justice before a juvenile court that is objective, impartial, and in a trial that is closed to the public i. Unpublished identity j. Get assistance from parents/guardians and people trusted by the child k. Get social advocacy l. Getting a private life m. Gaining accessibility, especially for children with disabilities n. Getting an education o. Obtaining health services p. Obtain other rights in accordance with the provisions of the legislation.

### III. Methodology

Qualitative research is a means for exploring and understanding the meaning individuals or groups ascribe to a social or human problem. The process of research involves emerging questions and procedures. Data typically collected in the participant's setting. data analysis inductively building from particulars to general themes. and the researcher making interpretations of the meaning of the data. The final written report has a flexible structure. Those who engage in this form of inquiry support a way of looking at research that honors an inductive style, a focus on individual meaning. and the importance of rendering the complexity of a situation[Creswell. 2013].

#### Informants

1. Staff of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia.
2. Staff of the Ministry of Communication and Information of the Republic of Indonesia.

#### **IV. Research Results, And Research Discussion**

##### **1. Implementation of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia**

Implementation of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia uses the basis of the regulation of the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia Number 8 of 2020 concerning service standards for children who are victims of pornography or behavior and using the concept of Van Horn and Van Meter (1975). that policy implementation is influenced by six variables, namely: standards and policy objectives / measures and policy objectives, resources, characteristics of implementing organizations, attitudes of implementers, communication between related organizations and implementation activities.

The social, economic and political environment in the Implementation of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia uses the basis of the regulation of the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia was successful because the the for the community and the implementer knew what to do, where policy objectives and targets had to be transmitted to the target group, reducing distortions in implementation and repeatedly stressed the importance of protecting children from the dangers of pornography. The form of protection is not only assistance on the use of gadgets and the internet by parents, but also anticipatory efforts so that children do not become victims of online sexual exploitation and Realization of Gender Equality, Protection of Women and Children as well as improvement of Family Welfare for officials and the public.

Increasing institutional capacity in the field of women, children and family welfare development (capacity building); Women's Empowerment and Child Protection, namely: The realization of quality, independent and personality Indonesian women and children. Building a working network in the Development of Women's Empowerment, Children and Family Welfare (networking building); Increasing Public Awareness in the Development of Women's Empowerment, Children and Family Welfare (public awareness).

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### **2. Obstacles have been faced in implementing of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia**

Obstacles have been faced in implementing of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia an integrated service center for women and children victims of violence, although in its development not all of them are running optimally in fulfilling the rights of victims due to constraints on policy and budget support from the local government, but also coordination problems with law enforcement officials and other relevant agencies.

So, services for women victims of violence, according to what is needed, usually include counseling services, assistance or venting, legal assistance if the victim wants to process her case in litigation, or medical services which usually include emergency medical services. Each of these services is managed by different parties, including women's organizations (eg women's crisis centres), non-governmental institutions (eg legal aid agencies) and the government such as women's empowerment agencies (eg P2TP2A), the police (eg RPK) and houses. sick (eg PPT). Services are held following the availability of expertise, human resources and existing facilities.

If you don't feel capable of serving because of limited manpower, facilities or funds, you usually look for other acquaintances and refer them there. The referral process is carried out on the basis of trust or good relations between several people among these institutions. Due to these limitations, service agencies are often unable to adequately meet the needs of victims as needed.

Especially if the victim's residence is too far away to be able to access the service location. Law enforcement officers as holders of public authorities in a country have an obligation to make laws regarding good law enforcement, carry out law enforcement properly, create security and public order for everyone in this region. However, this obligation must be carried out with respect, fulfillment and protection of human rights, especially women's rights. The existing service room in the police is limited to complaints of criminal acts regulated in the Cyberpronography Law.

With the existence of a special service room, witnesses and victims can provide information in a comfortable, calm, intact and not humiliated in front of other people. In general, the increase in the number of service units for women and children has not been followed by an increase in service quality. Service provider staff in these units are “gender insensitive”, and have not been provided with adequate capacity building training. Many of these service institutions do not yet have adequate and representative facilities, especially shelters for victims. Service units that already exist are sometimes not followed by a vigorous campaign. Institutions do need to be strengthened, but at the same time, education and socialization or campaigns to combat violence against women must also be carried out.

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### **3. The efforts made in implementing of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia**

The efforts made in implementing of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia The Integrated Service Center for the Empowerment of Women and Children, hereinafter referred to as P2TP2A, is an integrated service center in efforts to empower women in various fields of development, as well as the protection of women and children from various types of discrimination and acts of violence, including trafficking in persons, established by the government or based on the community. , and can be in the form of: a referral center, a business consultation center, a reproductive health consultation center, a legal consultation center, an integrated crisis center (PKT), an integrated service center (PPT), a trauma recovery center (trauma center), a women's crisis management center (women crisis). center), training center, science and technology information center (PIPTEK), safe house (shelter), halfway house, or other forms.

### **V. Conclusion**

Implementation of the Service Standards of the Village / Village Model Free Pornography Child in Indonesia at the Office of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia uses the basis of the regulation of the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia Number 8 of 2020 concerning service standards for children who are victims of pornography or behavior and using the concept of Van Horn and Van Meter (1975). that policy implementation is influenced by six variables, namely: standards and policy objectives / measures and policy objectives, resources, characteristics of implementing organizations, attitudes of implementers, communication between related organizations and implementation activities.

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