



Legal Protection of Minors Who Did the Dissemination of Immoral Videos on Social Media

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Abstract

Legal protection of children refers to all actions that ensure and safeguard children and their rights so that they can live, grow, develop, and engage maximally in line with human dignity and honour, as well as get protection from violence and discrimination within legal laws. In Indonesia, the proportion ranges from 22 to 100%, indicating that the aforementioned conditions occur often. As a result, researchers are interested in performing this study utilising normative research methodologies. Legal protection for minors who distribute pornographic videos on social media, choosing to release minors, is regulated by Law No. 23 of 2002 concerning Child Protection, Article 16 (1) Every child has the right to receive protection from being the target of abuse, torture, or inhumane punishment, (2) Every child has the right to obtain freedom in accordance with the law, and (3) Arrest, detention, or incarceration of a child must be carried out in accordance with relevant legislation and only as a last option. And advocate LPKA in the form of independence coaching, which includes instruction for foster children in skills that may be developed after the foster time ends, such as sewing. Meanwhile, personality development is moral development, with the goal of providing foster children with an understanding of social norms as well as an understanding of themselves so that they can accept responsibility for all actions they take and refrain from repeating illegal actions. Suggestions in this protection are expected to be safeguarded by anybody, regardless of circumstance, and the local government needs to get to the field to inspect the status of special child development institutions so that any deficiencies may be corrected quickly, allowing development to proceed correctly.

Keywords: Children, Immorality, Law, Media, Protection

1. INTRODUCTION

Anyone can be protected what when threatened by a crime or committing an offense unintentionally in the sense of not understanding that the offense should not be committed regardless of age and gender. Protection can be applied in any case including legal, according to some experts the following legal definitions:

a. Satjipto Rahardjo

The law is the work of man in the form of norms containing instructions for behavior. Law is a reflection of the will of man about how society should be built and where it should be directed.

b. J.C.T Simorangkir and Woerjono Sastropramto

Laws are regulations that are forced to be made by official bodies that have the authority, that determine human behavior in the community, violation of tafi regulations resulted in the taking of punitive action.

c. Sudikno Mertokusumo

Laws are provisions or guidelines on what should be done. In essence, the rule of law is the formulation of opinions or views about how a person should behave. As a rule of law guidelines are general and passive.

d. Soedjono Dirdjosisworo

Law is a social phenomenon, it must develop in human life together. He performed in harmonizing the meeting between the needs and interests of citizens, both appropriate and competitive. The law in Indonesia aims to provide protection or often referred to as legal protection in accordance with the rules of Pancasila. The definition of legal protection is divided into 2 namely:

a) Definition of Legal Protection in General

Understanding of legal protection in general is a protection given to legal subjects in the form of legal instruments both preventive and repressive.

b) Definition Of Legal Protection According To Experts

Legal protection based on the opinions of experts are as follows: 1. Legal protection is an effort to protect the interests of a person by allocating a human right of power to him to act in the framework of his interests. 2. Legal protection is the protection of dignity and dignity, as well as the recognition of human rights owned by subjects of law based on the legal provisions of arbitrariness.

The protection of the law can be applied to anyone, including children, children are the next generation of the nation who have a great responsibility to achieve the ideals of the nation. Children by definition. Inside. Article. 1. Numbers. 1. Law. No. 35. Year. 2014 on Child Protection explains that “a child is a person who is not yet 18 years old and is even still in the womb”. According to the Great Indonesian dictionary (KBBI), children are the mandate and gift of God Almighty who has dignity and dignity as a whole human being. So if combined into one between protection, law and children or child legal protection are all activities to ensure and protect children and their rights in order to live, grow, develop, and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination in accordance with legal provisions. The purpose of legal protection of children has been described in Law No. 23 of 2002 on Child Protection, which states “in order for every child to be able to assume these responsibilities [ensuring the continuity of the existence of the nation and state in the future], children need to get the

widest opportunity to grow and develop optimally, both physically, mentally and socially and, it is necessary to make efforts to protect and to realize the welfare of children by providing guarantees for the fulfillment of their rights and treatment without discrimination.” The legal protection of children is a special law because it regulates certain acts or applies to certain people that cannot be done by others other than certain people. So it requires special requirements in the legal protection of children, namely:

- (1) Legal protection can be applied from a zygote-shaped child or still in the womb until the age of 18, the rest of the children have entered the adult category.
- (2) The legal protection of children must be juridical, which includes: protection in the field of Public Law and in the field of civil law.
- (3) Legal protection of children must be non-juridical, including: protection in the social sector, health sector, education sector.

When all the requirements have been met, then the legal protection of children can be implemented properly, the implementation of child protection can be applied or implemented in any case such as children who do not understand how to use social media properly so as to spread immorality. Nowadays, the era is getting wider since the presence of the internet or the Internet (Inter-Network) is a set of computer networks connecting websites/sites of academics, governments, businesses, organizations, and individuals. The Internet provides access to telecommunications services and information resources for millions of users around the world. Its services include direct communication(email, chat), discussion (Usenet news, email, mailing list), distributed information sources(WWW, Gopher), remote login and file traffic (Telnet, FTP) and others. The networks forming the Internet operate on a set of standard protocols(rules) used to connect computer networks and route traffic through the network. This protocol (rule) specifies the permissible data formats, error handling (error handling), traffic messages, as well as other various communication standards. The standard protocol(rule) on the Internet is known by the common designation Transmission Control Protocol or Internet Protocol (TCP / IP). These protocols (rules) can work on different types of computers, regardless of the hardware or operating system used. This is what makes anyone able to access the internet such as social media, including minors, because minors cannot think about the bad effects of using social media. Social media or social media is a multimedia platform designed to support users in businesses and organizations. Social Media can also be described as online media that can improve social relationships between users.

Social Media is mainly used by the general public to interact, collaborate, share information, and build virtual social relationships connected to the internet. According to the Social Media Statistics survey of the *Asosiasi Penyelenggara Jasa Internet Indonesia (APJII)*, 2016, 129.3 million visitors shared information at a rate of 97.5% and 125.5 million transactions were made at a rate of 94.6 to 10,000. Social media classifications include:

a) Online journal (blog)

Blog is a social media that allows users to upload their daily activities, comment and share with each other, both other web links, information and so on. At first the blog is a form of personal site that contains a collection of links to other sites that are considered interesting and updated every day. In the next development, blogs are many journals (personal daily writings) of media owners and there is a comment field that can be filled in by users. Mechanically, this type of social media can be divided into two, namely the category of personal homepage, that is, the owner uses his own domain name such as .com atau.net and the second by using the failure of free weblog page providers, such as wordpress or blogspot.

b) Media Sharing (Media Sharing)

Media sharing sites are types of social media that facilitate users to share media, ranging from documents (files), videos, audio, images, and so on. Examples of these media are: Youtube, Flickr, Photo-bucket, or snapfish.

c) Social Signs (Social Bookmarking)

Social bookmarks are social media that work to organize, store, manage, and search for certain information or news online. Some popular social bookmarking sites are delicious.com, stumbleUpon.com, digg.com, reddit.com, and for in Indonesia there LintasMe.

d) Shared Content Media or Wiki

Social Media is a site whose content is the result of collaboration from its users. Similar to dictionaries or encyclopedias, wikis present users with notions, histories to book references or links about a single word. In practice, these explanations are done by visitors, meaning there is collaboration or cooperation from all visitors to fill in the content on this site.

e) Social Networking Media (Social Networking)

Social media is the most popular medium. This Media is a biased means used by users to make social relationships, including the consequences or effects of these social relationships in the virtual world. The main character of social networking sites is that each user forms a network of friends, both to users who already know and the possibility of meeting each other in the real world (offline) maupu form a new network of friends. Examples of widely used social networks are facebook and LinkedIn.

f) Simple Online Journal or Microblog (Micro-Blogging)

Unlike online journals (blogs), microblogging is a type of social media that facilitates users to write and publish their activities and / or opinions. The most widely used example of microblogging is Twitter. Accessing social media above can be easily done because age can be manipulated at the time of registration and there has been no appointment of valid evidence that the age of the user over 18 years that makes it easy to manipulate. The easiest social media for sharing documents in the form of images, videos, links, and files is social networking media and simple online journals or micro-blogging. For children under the age of 18 years often share immoral videos that are adult videos or images that move and duration where this immoral video can be shared on any platform or social media, especially the two social media that I explained earlier. This certainly violates Indonesian Law No. 19 of 2016 concerning amendments to Law No. 11 of 2008 concerning information and Electronic Transactions Article 27 paragraph 1 discusses someone who deliberately spreads, sends, or makes unauthorized and accessible online content that violates the norms of decency. Although there are rules, there are still many who violate them, this is shown in both the world such as America, asia such as Australia, Indonesia and Indonesian provinces such as the South Sumatra region, the percentage of cases of underage children who share immoral videos on social media reaches 22-100 %. It is also indicated by the presence of examples of fixed law cases of court decisions as follows:

Court Decision Number : 68/P i d / 2 0 1 1 / PT .Bdg the defendant on behalf of REZA RIZALDI aka REJOY aka JOY Bin DODY IMAM SANTOSO age 17 years was proven to spread immoral videos on social media whatsapp, with tools and evidence in the form of hard disks containing immoral videos, laptops used to duplicate and distribute immoral videos on social media such as facebook, youTube, and others because the

evidence is still stored in history, plus there are witnesses who saw the incident present at the trial. Then, the judge gave a punishment in the form of Law No. 11 of 2008 on information and Electronic Transactions Article 45 which reads a minimum fine of Rp 1,000,000,000 or a maximum prison sentence of 6 years.

However, the judge changed the sentence by lifting the criminal sentence to no punishment because the defendant was a minor. As the rule of Law Under Law No. 23 of 2002 on Child Protection Article 16 (1) every child is entitled to protection from the target of persecution, torture, or the imposition of inhuman punishment. (2) every child has the right to freedom in accordance with the law. (3) the arrest, detention or imprisonment of a child shall only be carried out in accordance with applicable law and may only be carried out as a last resort. Then the judge gave a recommendation for the child to do coaching at the *Lembaga Pembinaan Khusus Anak* (LPKA) in the province where the child lives, namely Bandung as a form of protection for the child. Thus, researchers are interested in discussing related legal protection against minors who spread immoral videos on social Media.

2. RESEARCH METHODOLOGY

Methodology is a method or technique that is arranged regularly used by a researcher to collect data/information in conducting research tailored to the subject/object under study. While research is a series of scientific activities in order to solve a problem. So research is part of the problem solving effort. The function of research is to find explanations and answers to problems and provide alternatives to the possibilities that can be used for problem solving. Explanations and answers to the problem can be abstract and general as well as in basic research (basic research) and can also be very concrete and specific as is usually found in Applied Research (applied research). If, combined into one, research methodology is a science that studies how to make a true scientific research. In general, the research methodology is divided into two yaitu:

(a) Quantitative Research Methodology

Quantitative research methodology, as stated by Sugiyono can be interpreted as a research methodology based on the philosophy of positivism, used to research on specific populations/samples, sampling techniques are generally carried out randomly,

data collection using research instruments, quantitative/statistical data analysis with the aim of testing hypotheses that have been established.

(b) Qualitative Research Methodology

Qualitative research methodology is a research that emphasizes its analysis on the process of deductive and inductive inference and on the analysis of the dynamics of the relationship between the observed phenomena, using logic. Qualitative research methodology is more widely used in research that relies on theoretical, such as legal qualitative research methodology legal qualitative research methodology is divided into 3 qualitative legal research methodologies, namely:

1) Empirical Qualitative Legal Research Methodology

Empirical law research is the study of unwritten positive laws regarding the behavior of members of society in social relationships. Empirical legal research reveals the living law of society through the actions of society. The focus of his research leads to empirical / sociology (law as human interaction), social theory of sociological Law (primary data), qualitative analysis, research steps Problems-Theory-Methods-Data-Analysis-Conclusion.

2) Normative Qualitative Legal Research Methodology

Legal research that examines written law from various aspects, namely aspects of theory, history, philosophy, comparison, structure and composition, scope and material, consistency, general explanation and article by Article, formality and binding force of an act, and legal language used, but does not examine applied aspects or implementation. Especially in this study with the theme of legal protection of minors who disseminate immoral videos on social Media using normative qualitative research methodology focusing on (research on legal principles, research on legal Systematics, research on the level of legal synchronization, research on legal history, and research on Comparative Law). Data in the form of secondary data such as:

- (a) Law No. 23 Of 2002 On Child Protection (Statute Book Of The Republic Of Indonesia Of 2002 No. 109).
- (b) Law No. 35 Of 2014 On Amendments To Law No. 23 Of 2002 On Child Protection (Statute Book Of The Republic Of Indonesia Of 2014 No. 297).

- (c) Indonesian Law No. 19 Of 2016 On Amendments To Law No. 11 Of 2008 On Information And Electronic Transactions (Supplement To The State Gazette Of The Republic Of Indonesia Of 2016 No. 4843).

Synchronized with primary data such as legal dictionaries, court decisions related to cases, journals, and research-related literature to obtain the determination of criteria, identification, collection of norms, organizing the collected norms.

2. DISCUSSION

Legal Protection Against Minors Who Spread Immoral Videos On Social Media

Legal protection of children can be interpreted as an effort to protect the law against various freedoms and fundamental rights of children (fundamental rights and freedoms of children) as well as various interests related to the welfare of children. In Indonesia the law governing children has existed since 1925 during the Dutch colonial period, with the birth of Staatsblaad 1925 No. 647 Juncto ordinance 1949 No. 9 which provides for the restriction of child and female Labour. It was followed in 1926 by the birth of Staatsblaad 1926 No. 87 on restrictions on children and young people working aboard ships. Furthermore, on March 8, 1942, the Criminal Law Code was born, which was enacted into force on February 26, 1946. In some articles of the criminal code regulates children, namely articles 45,46, and 47 which provide protection against children who commit child crimes as perpetrators otherwise in articles 290, 292 provide protection against children by aggravating penalties or qualifying certain actions as criminal acts if committed against children, whereas these actions will not be categorized as criminal acts if committed against adult children as victims. Continued in 1948 with the birth of Law No. 12 of 1948 on labor issues prohibiting children from doing work. On July 23, 1979, law No. 4 of 1979 on Child Welfare and then followed on February 29, 1988 with the birth of Implementing Regulation No.2 of 1988 on child welfare efforts. Internationally on November 20, 1989, the United Nations Convention was born. yang. in. ratification. by. Indonesia. with. Presidential Decree No. 36 of 1990 where through this convention every state is obliged to guarantee the rights of children. In 1948 with the passing of Law No. 12 in 1948 children were expressly forbidden to work. In Law No. 13 of 2003 on employment explained that the age of workers is a minimum of 15 years and a maximum of 55 years. But in reality many children are forced to work for economic reasons in Indonesia. To address the problem, the government issued Permenaker No.1 of 1987 on children forced

to work. Children who are forced to work are required to have written permission from their parents to work 4 hours a day, with the same wage as those who do not work at night, and in places that are dangerous to their health. This is completely contrary to law No.12 of 1948 jo Law No. 13 of 2003. In 1974, several articles on children were regulated, such as the marriageable age for men was 19 nineteen years and for women 16 sixteen years. But in practice, this is much violated by the holding of customary or belief marriages, so the age problem is not noticed.

Coupled with some specific regions, marriage is rarely recorded making its own problems in determining the status of a child. According to Article 8 of Law No. 39 of 1999 on Human Rights, the protection, promotion, enforcement and fulfillment of Human Rights is the responsibility of the government as well as the community. The government has issued various legislations and ratified various convention, like convention rights son, Convention on the elimination of all forms of discrimination against women and others, but has not been supported by a strong shared commitment to implement these instruments. Therefore, with the principle of the best interest of the child is a principle that prioritizes interests son. Indonesia selaku country yang ratify. Of course, the CRC must comply with the principles and provisions in setting policies in order to protect the rights of children. Indonesia's involvement as one of the countries ratify CRC is form attention seriously. Indonesia for children. A very close link between the interests of children and the principle of the best interest of the child, is that every regulation and policy made is always guided by the principle of the best interest of the child. In addition, the Indonesian government has expressed its commitment to the declaration of A World Fit for Children (WFC) in the 27th United Nations General Assembly Special Session on Children in 2001. Thus Indonesia is expected to develop a national program for children. There are 4 main areas that receive special attention in the WFC declaration, namely the promotion of healthy lives (promoting healthy lives), providing quality education (providing quality education), protection against abuse (abuse), exploitation and violence (protecting against abuse, exploitation and violence) and combating HIV/AIDS (combating HIV/AIDS). The implementation of this program is a national Program for Indonesian children (PNBAI), as evidence of these movements carried out for the sake of legal certainty and upholding the value of justice, especially in children. As an effort to strengthen the law on child protection, the government then implemented Law No. 23 of 2002 on Child Protection. The law was

passed by President Megawati Sukarnoputri. Article 81 paragraph 1 of the law provides for a maximum prison sentence of 15 years and a minimum of three years, as well as a maximum fine of IDR 300 million for perpetrators of sexual violence against children. But the law and the threat of sanctions do not necessarily reduce the level of cases of violence against children. Data from the Indonesian Child Protection Commission in 2014 showed an increase in violations of children's rights throughout 2011 to 2013. From about 500 cases in 2010, it increased to 1,500 cases of violation of children's rights in 2013. Of these 1,500 cases, 525 were cases of sexual violence against children. In 2010, for example, in Magelang and Indramayu, there was a case of sodomy with seven children as victims. These cases and a series of other cases of sexual violence against children made the government set Law No. 35 of 2014 as an amendment to Law No. 2 of 2002 on Child Protection. Law No. 2 of 2002 contains several changes to the previous rules, one of which is the affirmation and addition of sanctions for perpetrators of sexual crimes against children. Article 81 of the law states, the perpetrators can be subject to imprisonment of a maximum of five years and a maximum fine of Rp5 billion. This law also emphasizes the punishment for perpetrators of sexual crimes who are parents, guardians, caregivers, educators, or educators. For them, a penalty is imposed with an addition of one third of the original sentence. Law No. 2 of 2002 also accommodates the affirmation of legal protection for children with disabilities. Although there is reinforcement from the law, there is no significant impact caused. Sexual violence against children is still rampant. Not long ago there was a rape of a junior high school student by 14 youths in Bengkulu. The student died horribly. He intercepted 14 drunk youths, raped them, and murdered them on April 2. Tragically, the case prompted spontaneous solidarity actions in various cities. The government was also encouraged to severely punish the rapists of the students. This is a starting point for the government to review the Child Protection Law. The government then proposed changes to the law by implementing a number of additional penalties for perpetrators of sexual crimes against children. President Jokowi also signed a government regulation in lieu of Law No. 1 of 2016 on the Second Amendment To Law No. 23 of 2002 on Child Protection. This Perppu adds traces of the history of the formation of the rule of law on child protection in Indonesia which contains the weighting of penalties for child rapists, ranging from imprisonment for a minimum of 10 years and a maximum of 20 years, life imprisonment, the death penalty, to additional penalties such as chemical castration, identity disclosure, and the installation of

electronic detection devices or chips on perpetrators of sexual violence against children. However, Law No. 23 of 2002 on Child Protection was revised to abolish child criminal penalties if the child is still in the womb or fetus until the age of 18 years. As described in Law No. 23 of 2002 on Child Protection Article 1 Paragraph 1 legal protection of children applies from someone who is not yet 18 (eighteen) years old, including children who are still in the womb..

Legal protection of children aims in accordance with Law No. 23 of 2002 on Child Protection Article 3 Child Protection aims to ensure the fulfillment of children's rights in order to live, grow, develop, and participate optimally in accordance with human dignity and dignity, as well as protection from violence and discrimination, for the realization of quality, noble, and prosperous Indonesian children. From the above purpose illustrates that the legal protection of children is important to be applied including in the case of dissemination of immoral videos on social media, immoral videos are pornography has a scope that includes images, sketches, illustrations, photographs, writings, Sounds, Sounds, moving images, animations, cartoons, conversations, gestures, or other forms of messages through various forms of mediacommunication, public performances, and social media that contain obscenity or sexual exploitation that violates the norms of morality in society. As the definition of immoral video can be analyzed that immoral video as a sexual activity basic needs in the human rights aspect in the review of the criminal law has the potential criminogen decency crime. In the context of criminal law deviant sexual activity is a limitation as a prohibited act based on the provisions of law and legislation including as a form of crime pornography. In the sense that immoral videos are not a public spectacle, they should not be widely disseminated. The dissemination of immoral video usually through social media, social media or social media is one of the trends based on Information Technology (IT) in the Information Age or Digital Era. Social Media is a group of Internet-based applications that are built on the ideological and technological foundations of Web 2.0, and that enable the creation, exchange and dissemination of User-Generated Content. The dissemination of immoral content or videos through social media can be done because of the lack of supervision from the Ministry of communication and information from the ease of manipulating age during registration, and the uneven blocking of porn sites in social media. The Ministry of communication and information should be able to validate personal data by sending personal data online through social media that is intended at the time of regulation with a system like this, there is no age

manipulation of course the Ministry of communication and information maintains the security of validation of personal data of social media users, if users are under 18, not only videos but images and immoral sounds can be closed or blocked. Dissemination of immoral videos dissemination of immoral videos on social media is usually done on social media such as:

a) Social Networking Media (Social Networking)

Social media is the most popular medium. This Media is a biased means used by users to make social relationships, including the consequences or effects of these social relationships in the virtual world. The main character of social networking sites is that each user forms a network of friends, both to users who already know and the possibility of meeting each other in the real world (offline) maupu form a new network of friends. Examples of widely used social networks are facebook and LinkedIn.

b) Simple Online Journal or Microblog (Micro-Blogging)

Unlike online journals (blogs), microblogging is a type of social media that facilitates users to write and publish their activities and / or opinions. The most widely used example of microblogging is Twitter. The distribution of immoral videos through social media was more on Facebook, WhatsApp and Youtube with 244,738 complaints. Even though there have been legal regulations related to the Prohibition of the spread of immoral videos on social media as described below “Indonesian Law Number 19 of 2016 concerning amendments to Law Number 11 of 2008 concerning information and Electronic Transactions Article 27 paragraph 1 discusses someone who deliberately spreads, sends, or makes unauthorized and accessible online content that contains content that violates the norms of decency”. However, there are still many who violate the percentage of crossing immoral videos through social media both in the world such as America, asia such as Australia reaching 22-100 %. The spread of immoral content is increasingly prevalent in indonesia. Quoting from Kompas.com, records of the Ministry of communication and information during 2019, there were about 431,065 negatively charged contents that had been received by the Ministry of Media and information (Kominfo) either through mail or the complaint portal. More than 50% of this figure is pornographic content with a total of 244,738 content, while in the Indonesian province of South Sumatra there are more around 245 cases where the perpetrators are on average

children under 18 years old. Also evidenced by the court's decision of the Supreme Court as:

Court Decision Number : 68/P i d / 2 0 1 1 / PT .Bdg the defendant on behalf of REZA RIZALDI aka REJOY aka JOY Bin DODY IMAM SANTOSO age 17 years was proven to spread immoral videos on social media whatsapp, with tools and evidence in the form of hard disks containing immoral videos, laptops used to duplicate and distribute immoral videos on social media such as facebook, youTube, and others because the evidence is still stored in history, plus there are witnesses who saw the incident present at the trial. Thus, this case violates:

- 1) Indonesian Law No. 19 of 2016 on amendments to Law No. 11 of 2008 on Electronic Information and transactions Article 27 paragraph 1 discusses a person who deliberately disseminates, sends, or makes unauthorized and accessible online content that contains content that violates the norms of decency. So, subject to criminal charges how much:
- 2) Then, the judge gave a punishment in the form of Indonesian Law Number 19 of 2016 concerning amendments to Law Number 11 of 2008 concerning information and Electronic Transactions Article 45 which reads a minimum fine of Rp 1,000,000,000 or a maximum prison sentence of 6 years.

However, because the defendant is still under 18 years of age or underage, the judge mitigates the punishment by removing the criminal penalty by replacing it with coaching at a special children's coaching institution or LPKA which later the task of the LPKA is to provide coaching provided by the Special Children's coaching institution (LPKA) in the form of independence and personality, as well as making handicrafts from used goods with detailed explanations as follows:

A) Early Stage Construction

The initial stage of coaching starts from the moment the new child is accepted into LPKA until 1/3 of the criminal period or the time limit determined based on the Litmas results from Bapas. The initial coaching phase begins with a registration process consisting of acceptance, registration and placement activities as well as an introduction to the environment. In the initial stage of the construction process is carried out the following steps :

1) Community Research

Social Research is mandatory for each child. Community Research in LPKA is conducted by Community Advisor (PK) Bapas. Community Research is a process of collecting data and information that includes the results of profiling and assessment conducted by assessors. The results of Community Research are recommendations for guidance or treatment for children while in LPKA which are then submitted to the head of LPKA. The results of Community Research are also submitted to Guardians / caregivers to be studied in preparation for the TPP session.

2) Assessment

Assessment in LPKA conducted by assessors. The results of the assessment in the form of recommendations were submitted to the head of LPKA to be submitted to community mentors as an integral part of the Litmas document. The results of the assessment were also submitted to the Correctional caregivers to be studied in preparation for the TPP session.

3) Program Planning

a) the head of LPKA is obliged to ask Litmas to community mentors through the head of Bapas. B) based on the results of the assessment and Litmas, Lpka officers and community mentors together make program Planning which is then submitted to the head of LPKA to be discussed in the TPP session. c) the TPP meeting will decide based on Litmas recommendations on matters including classification plans, placement plans, and guidance program plans to be given to children. D) the preparation of the program plan must take into account the priority needs of the child. If the child based on the results of the needs assessment and approval is recommended to participate in educational activities and skills development then: 1) can be given both, 2) one of them is selected based on the priority of the child. E) children must be sought and ensured to receive educational programs by taking into account the willingness and ability of children to follow the program. If the child does not have an interest in the educational program, the child must be directed to the independence development program. F) program Planning in it must include the objectives to be achieved, the type of program and activities, the needs of the program in accordance with the child and the timing of the implementation of the program.

4) Court *Tim Pengamatan Masyarakat* (Court TPP)

One of the tasks of TPP in LPKA is to give advice and consideration to the head of LPKA regarding the form and program for children. In doing this task, TPP has the function to conduct TPP hearings. Recommendations from program planning that have been made previously must be taken into consideration by TPP to decide the right program for children.

5) Classification (placement and intensity of surveillance)

For the purpose of providing the next coaching program, when the observation period and the introduction of the environment has reached 1 (one) month, the child must be moved into their respective rooms. The placement of children as referred to must pay attention to the Litmas recommendations which include the results of risk and needs assessment, age classification, gender, detention status, criminal acts, length of detention, repetition of criminal acts and citizenship.

6) Preparation For The Implementation Of The Construction Program

Based on the results of the TPP session decision that has been approved by the head of LPKA, the coaching program for children is implemented. The things that need to be considered in preparation for the implementation of the coaching program in LPKA are budget readiness, availability of children who will follow the coaching program, readiness of correctional officers and instructors who have met the competencies and qualifications, the place for the implementation of coaching and the schedule for the implementation of the coaching program.

7) Implementation Of The Construction Program

The implementation of the coaching program can be given to each child according to needs. Child Development Program consists of Personality Development, Skills Development and education

- a) Personality development consists of spiritual development activities, legal awareness, physical, national and state awareness character development and other activities.
- b) Skill development consists of agricultural development activities, animal husbandry, carpentry, Arts and Information Technology (IT), and other activities.
- c) Children's Education held in LPKA consists of Formal and Non-Formal Education. Formal education consists of compulsory education 9 years/

elementary, junior high and high school, while Non-Formal Education includes pursuing Package A for elementary school level, Package B for junior high school level and Package C for high school level.

8) Reporting Of Development Program Results

LPKA officers are obliged to report on the construction program that has been implemented. This report contains the realization of the implementation of the coaching program based on existing facts. The report was submitted to the head of the LPKA and passed on to community mentors for the benefit of the development program.

9) Evaluation Of Coaching Programs

LPKA officers are required to monitor and evaluate the coaching program to determine the effectiveness of the implementation of the program on the development of children's behavior. The results of monitoring and evaluation are contained in the program implementation evaluation report. The report referred to is a compilation of records of the implementation of each program and the results of its evaluation made by the person in charge of each month.

10) Supervision Of Child Development Programs

Supervision of the coaching program is carried out by Guardians/caregivers, direct superior officials at LPKA and community mentors.

B) Advanced Level Construction

Things that need to be considered in the construction of advanced levels such as :

- 1) Advanced coaching stages are calculated from $\frac{1}{3}$ to $\frac{1}{2}$ of the criminal period.
- 2) The calculation of $\frac{1}{2}$ penal term is given as long as the child is still under 18 years of age.
- 3) In the event that has not reached $\frac{1}{3}$ of the criminal period but based on the results of PK supervision and Social Research children have shown changes in behavior, students can be given assimilation.
- 4) Further development and assimilation is carried out through activities to integrate children with families, communities and other environments outside LPKA.
- 5) Assimilation consists of inner assimilation and outer assimilation. Internal assimilation is a program that involves the community from outside to carry out

activities within the LPKA. Outside assimilation is to mix children by doing activities with the community outside LPKA.

- 6) If assimilation is provided in the form of job training, its duration should not exceed 3 hours per day.
- 7) The process of implementing the advanced coaching phase, starting with conducting Litmas, and evaluating the implementation of the initial coaching program, then preparing advanced program planning, preparing the implementation of advanced programs (types of programs that are given and can be assimilated) and finally preparing evaluations for advanced programs.
- 8) Litmas and assessment implementation mechanism, advanced program planning, advanced program implementation and advanced program evaluation refers to the guidelines for the preparation of litmas and Assessment, program Planning, program Implementation and program Evaluation at the advanced coaching stage by considering the type and form and purpose of the final stage program.

C) Final Stage Construction

Things that need to be considered in the final stage of construction such as :

- 1) Matters that need to be considered in the final stage of coaching such as final stage coaching is calculated from 1/2 to freely serve a sentence.
- 2) The final stage of construction is carried out by handing over the child to the Bapas.
- 3) If the child meets the requirements for reintegration, then further guidance (guidance) is submitted to Bapas, if the child does not meet the requirements for reintegration, the final guidance is carried out at LPKA.
- 4) The implementation process of the final coaching phase consists of Litmas activities, by reassessing based on the evaluation of the advanced stage, then preparing the final stage program planning, preparing the implementation of the final stage program (the type of program that is given and can be given reintegration) and finally preparing the evaluation for the advanced program.
- 5) Litmas implementation mechanism and Assessment, program Planning, final development phase, program implementation and program evaluation the final development phase refers to the recommendations of litmas, program planning, program implementation and Program Evaluation at the final stage of development.

And personality development is character-based development, the goal is to provide an understanding of social norms and understanding of oneself in order to be able to take responsibility for all actions taken and not repeat unlawful acts. Suggestions in this protection are expected to be protected by anyone regardless of anything, and local governments must go to the field to check the state of children's special coaching institutions so that anything that is lacking is immediately addressed so that coaching can be realized properly. The existence of a prison count in LPKA means that children will not be subject to criminal charges but there is still a criminal count as a deadline for coaching in LPKA.

CONCLUSION

Legal protection against minors who spread immoral videos on social media freeing minors if they violate the law because they do not understand the wrong actions committed has been regulated in Law Number 23 of 2002 concerning child protection Article 16 (1) every child has the right to protection from targets of persecution, torture, or inhuman punishment. (2) every child has the right to freedom in accordance with the law. (3) the arrest, detention or imprisonment of a child shall only be carried out in accordance with applicable law and may only be carried out as a last resort. And recommend to the children's Special Development Institute (LPKA), the guidance provided by the children's Special Development Institute (LPKA) in the form of independence and Personality Development. Fostering independence includes training to fostered children to provide skills that can be developed after completing the fostered period such as training in farming, sewing, and making handicrafts from used goods. While Personality Development is character-based development, the goal is to provide an understanding of social norms and understanding of oneself in order to be able to be responsible for all acts committed and not repeat unlawful acts. Suggestions in this protection are expected to be protected by anyone regardless of anything, and local governments should take the field to check the state of children's special coaching institutions so that anything that is lacking is immediately addressed so that coaching can be realized properly.

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