

# Research Horizon

ISSN: 2808-0696 (p), 2807-9531 (e)

## Research Horizon

Volume: 05  
Issue: 06  
Year: 2025  
Page: 2935-2944

## Citation:

Haribowo, J., Sudirman, A. S., Kartiyoso, A. G., & Mursito. (2025). Tackling online gambling through criminal law: Law enforcement strategies against cybercrime in Indonesia. *Research Horizon*, 5(6), 2935-2944.

## Article History:

Received: October 7, 2025  
Revised: November 13, 2025  
Accepted: December 17, 2025  
Online since: December 31, 2025

## Tackling Online Gambling through Criminal Law: Law Enforcement Strategies Against Cybercrime in Indonesia

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## Abstract

This article discusses the handling of online gambling as a cybercrime in Indonesia, focusing on the legal framework, law enforcement challenges, and strategies for increasing effectiveness. The research methodology uses a normative-juridical approach with descriptive analysis, combining legislative and conceptual approaches to evaluate the Criminal Code (KUHP), the Electronic Information and Transactions (ITE Law), and related regulations. The results show that Articles 303 and 303 bis of the Criminal Code and Article 27 paragraph (2) of the Electronic Information and Transactions (ITE) Law provide the legal basis for prosecuting perpetrators through criminal sanctions, website blocking, and asset confiscation. However, law enforcement faces multidimensional obstacles, including technical (perpetrator anonymity, foreign servers, encryption, VPNs), structural (suboptimal inter-agency coordination), legal (regulatory gaps), and social (low public legal awareness and online promotion). An effective law enforcement strategy requires a holistic approach, including increasing the technological capacity of authorities, international cooperation, regulatory harmonization, the establishment of cross-agency task forces, proactive digital monitoring, public education, and the application of restorative justice principles through the use of confiscated assets for rehabilitation and education programs. This strategic integration is expected to suppress online gambling practices, mitigate socio-economic impacts, and strengthen the rule of law in the digital age

## Keywords

Cybercrime, Indonesia, Law Enforcement, Legal Strategy, Online Gambling.

## 1. Introduction

The development of information and communication technology in the digital era has transformed the social, economic, and moral landscape of global society, including in Indonesia. One negative impact of this progress is the emergence of online gambling, a form of increasingly widespread cybercrime. Online gambling not only violates legal norms but also undermines social order, causes economic losses, and raises significant moral issues (Awaeh, 2017; Handayani et al., 2025). This phenomenon is exacerbated by the cross-border, anonymous, and difficult-to-trace nature of online activity, making law enforcement against online gambling a complex challenge (Hermawan et al., 2024; Fadhli, 2024). In Indonesia, online gambling is regulated through several regulations, such as Articles 303 and 303 bis of the Criminal Code (*Kitab Undang-Undang Pidana/KUHP*), Article 27 paragraph (2) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions (*Undang-Undang Informasi dan Transaksi Elektronik/ITE Law*), and regulations related to the eradication of cybercrime by the Indonesian National Police and the Attorney General's Office (Sa'diyah et al., 2022; Reandi & Simangunsong, 2024). Furthermore, Indonesia is also bound by international commitments through the United Nations Convention on Transnational Organized Crime (2000) and the Budapest Convention on Cybercrime (2001), which emphasize the importance of cross-border cooperation in addressing cybercrime (Damayana & Kurniawan, 2024; Judijanto, 2025).

Despite the existing legal framework, law enforcement against online gambling still faces various obstacles. Limited digital forensic capacity, lack of inter-agency coordination, and low public legal literacy are major obstacles (Kesuma, 2023; Nurdiansyah et al., 2024; Juhara et al., 2025). Furthermore, the transnational nature of online gambling, which often involves overseas servers and the use of technologies such as Virtual Private Networks (VPNs), complicates law enforcement efforts (Rahmat et al., 2023; Kia et al., 2025). From a sociological perspective, high public participation in online gambling is influenced by economic factors, such as the desire for instant wealth, as well as low awareness of legal and social risks (Aprilia & Umar, 2024; Gustina et al., 2025). Therefore, a holistic law enforcement strategy is needed, including penal and non-penal approaches, such as public education and increasing the capacity of law enforcement officers (Fhatihah et al., 2025; Alfiana & Young, 2025).

In the Indonesian context, numerous studies have examined online gambling from a criminal law perspective, but research gaps remain that need to be addressed. Most studies focus on analyzing existing regulations, such as KUHP and ITE Law, as well as technical challenges in law enforcement. However, they rarely explore restorative justice-based approaches or prevention strategies that actively involve the community (Awaeh, 2017; Wirawan & Wahyudi, 2022; Adlina, 2025). Furthermore, previous research tends to be limited to normative legal analysis without integrating in-depth empirical approaches to understand the social and cultural factors driving the rise of online gambling (Hasan et al., 2023; Jendraningrat, 2021). Inter-agency coordination and international cooperation are also less comprehensively discussed, despite their crucial importance given the transnational nature of cybercrime (Azis et al., 2025; Dewi & Arsawati, 2025).

This research aims to fill this gap by comprehensively analyzing the criminal law framework, identifying law enforcement challenges, and proposing strategies based on cross-sector collaboration and public education to improve the effectiveness of eradicating online gambling in Indonesia. Based on this background, this article formulates several research questions, namely how the Indonesian criminal law framework regulates and handles online gambling as a form of cybercrime, what are challenges and obstacles are faced by law enforcement officers in tackling online

gambling, and what strategies can be implemented to improve the effectiveness of law enforcement against online gambling in Indonesia.

## **2. Methods**

This study applies a normative-juridical approach combined with descriptive analysis to examine the handling of online gambling as a form of cybercrime in Indonesia. The normative-juridical approach is used because the research focuses on existing legal norms as reflected in statutory regulations and legal doctrines, with the aim of understanding how positive law regulates and responds to online gambling activities. Descriptive analysis is employed to systematically describe, interpret, and assess applicable legal provisions as well as current law enforcement practices. Through this method, the study also identifies challenges and obstacles encountered in the enforcement process, along with strategies that may be developed to enhance its effectiveness.

The research incorporates two main approaches. First, a statutory approach is conducted by examining the Indonesian Criminal Code (KUHP), the Law on Electronic Information and Transactions (ITE Law), and other regulations related to cybercrime. This approach seeks to provide a comprehensive understanding of the legal framework governing online gambling, including the formulation of criminal acts, the imposition of criminal sanctions, and the authority of law enforcement agencies. By analyzing these legal instruments, the study evaluates the extent to which existing regulations are capable of addressing the evolving nature of online gambling as a cybercrime.

Second, a conceptual approach is used to explore the concept of cybercrime, the characteristics of online gambling, and the principles of effective law enforcement. This approach provides a theoretical foundation for the analysis, ensuring that the discussion of online gambling is not limited to a purely normative perspective but is also supported by relevant legal concepts. Research data are obtained from legal documents, academic literature, and publications related to cyber law enforcement practices. All collected data are analyzed using descriptive techniques to achieve a systematic understanding of the regulatory framework, the challenges faced by law enforcement authorities, and the strategies that can be implemented to improve the effectiveness of law enforcement against online gambling in Indonesia.

## **3. Results and Discussion**

### **3.1. Criminal Legal Framework for Online Gambling**

Online gambling constitutes a form of cybercrime because it relies on digital technology and internet networks to conduct gambling activities, including betting, digital financial transactions, and interactions among actors through websites, mobile applications, and social media platforms. Its anonymous and transnational nature distinguishes online gambling from conventional gambling. Within Indonesian criminal law, the regulation and handling of online gambling are based on a legal framework that integrates conventional criminal norms with cyber law provisions (Purwadi et al., 2025).

The primary legal basis for addressing online gambling is found in the Indonesian Criminal Code (*Kitab Undang-Undang Hukum Pidana/KUHP*), particularly Articles 303 and 303 bis. Article 303 prohibits the organization of gambling and imposes a maximum penalty of ten years' imprisonment and a fine on individuals who organize, facilitate, or participate in gambling activities. Article 303 bis further extends liability to parties who actively promote or operate gambling for the benefit of others. Although the KUHP was enacted prior to the digital era, its provisions apply to all forms of gambling and are therefore used to prosecute online gambling

activities, especially those involving platform provision and betting transactions (Hermawan et al., 2024; Firmansyah, 2025).

In addition to the KUHP, Law Number 11 of 2008 on Electronic Information and Transactions, as amended by Law Number 19 of 2016 (ITE Law), constitutes the principal regulation governing the digital aspects of online gambling. Article 27 paragraph (2) of the ITE Law explicitly prohibits the distribution, transmission, or making accessible of gambling-related content through electronic media. This provision expands the scope of criminal law by addressing digital conduct that is not explicitly regulated in the KUHP (Sa'diyah et al., 2022; Adlina, 2025).

The ITE Law also establishes extraterritorial jurisdiction. Article 2 paragraph (1) provides that acts committed within Indonesian territory or producing legal consequences within Indonesia may be subject to criminal sanctions, even if the perpetrators are located abroad. This rule is particularly relevant to online gambling operations that use foreign servers or are managed by foreign operators, enabling Indonesian criminal law to be applied to transnational practices (Reandi & Simangunsong, 2024; Handayani et al., 2025).

Administrative enforcement measures also form part of the criminal law framework, especially through website blocking and asset seizure. Website blocking is carried out by the Ministry of Communication and Information Technology (*Kementerian Komunikasi dan Teknologi Informasi/Kominfo*) under the authority of the ITE Law, allowing access to illegal online gambling sites to be restricted or terminated. These administrative actions are closely linked to criminal enforcement, as blocked websites function as instruments for violations of the KUHP and the ITE Law (Fadhli, 2024; Nurdiansyah et al., 2024).

Asset confiscation further strengthens the enforcement framework. Article 38 of the ITE Law authorizes the seizure of both digital and conventional assets used to support illegal activities. In practice, confiscated assets may include bank accounts, electronic devices, and property associated with online gambling operations. Such measures complement criminal sanctions under the KUHP and the ITE Law by ensuring that illicit profits can be lawfully recovered (Dewi & Arsawati, 2025; Juhara et al., 2025).

The Indonesian criminal law framework also reflects a dual normative structure between the KUHP and the ITE Law. The KUHP regulates gambling in general terms without distinguishing between media or technology, while the ITE Law emphasizes digital aspects, particularly electronic content distribution. This distinction results in different regulatory focuses: the KUHP prioritizes the core gambling act with relatively severe penalties, whereas the ITE Law addresses digital dissemination with different sanction thresholds (Awaeh, 2017; Oktariani et al., 2023; Azis et al., 2025).

Differences in criminal sanctions further illustrate this duality. Article 303 of the KUHP carries a maximum penalty of ten years' imprisonment, while Article 27 paragraph (2) of the ITE Law provides a maximum penalty of six years' imprisonment. These differences reflect the respective objectives of each regulation, with the KUHP designed for general gambling enforcement and the ITE Law focusing on digital content regulation. Nevertheless, both provisions operate complementarily to address gambling activities conducted offline and online (Wirawan & Wahyudi, 2022; Reandi & Simangunsong, 2024).

Thus, Indonesia's criminal law framework for online gambling consists of three interrelated components. First, the KUHP provides the normative foundation by defining gambling, establishing prohibitions, and prescribing criminal sanctions. Second, the ITE Law introduces a digital dimension, covering electronic content distribution, platform provision, and extraterritorial jurisdiction. Third, administrative measures such as website blocking and asset seizure complement criminal provisions by supporting preventive and repressive enforcement. Together,

these elements form a comprehensive legal framework for addressing online gambling in Indonesia (Hermawan et al., 2024; Fadhli, 2024; Dewi & Arsawati, 2025; Firmansyah, 2025).

By integrating conventional criminal norms with cyber regulations and administrative instruments, the Indonesian criminal law system provides a formal and comprehensive basis for prosecuting online gambling. The KUHP governs the core gambling offense, the ITE Law accommodates the specific characteristics of digital technology, and administrative measures enhance enforcement effectiveness. This integrated framework ensures that online gambling activities remain subject to criminal liability under Indonesian law in the digital era (Sa'diyah et al., 2022; Reandi & Simangunsong, 2024; Juhara et al., 2025; Firmansyah, 2025).

### **3.2. Challenges and Obstacles to Law Enforcement**

Law enforcement against online gambling faces complex technical, structural, legal, and social challenges. One of the main obstacles is the anonymity of perpetrators and the use of overseas servers. Many online gambling operators rely on encryption technologies, foreign servers, VPNs, and cross-border digital payment systems, making it difficult for law enforcement authorities to trace, identify, and prosecute offenders within national jurisdiction. This situation weakens the deterrent effect of criminal sanctions, as perpetrators can operate from jurisdictions that are legally difficult to reach by Indonesian authorities (Rahmat et al., 2023; Hermawan et al., 2024; Reandi & Simangunsong, 2024; Handayani et al., 2025; Kia et al., 2025).

Technical challenges are further compounded by the limited capacity of law enforcement officers in handling rapidly evolving cybercrime technologies and increasingly sophisticated modus operandi. Many investigators still face gaps in expertise related to digital surveillance, monitoring online financial transactions, and collecting and analyzing electronic evidence that meets evidentiary standards in court. Limited digital forensic skills, insufficient budgets, and inadequate technological infrastructure, such as advanced cyber-monitoring tools, slow down investigations and reduce the effectiveness of prosecutions (Kesuma, 2023; Oktariani et al., 2023; Fhatihah et al., 2025; Dewi & Arsawati, 2025; Abrori et al., 2025; Gustina et al., 2025). These limitations are also evident at the regional level, as illustrated by the Tangerang City Metro Police, where shortages in human resources and technology hinder effective cyber patrols (Alfiana & Young, 2025).

Structural obstacles arise from suboptimal inter-agency coordination. Law enforcement against online gambling involves multiple institutions, including the police, the Prosecutor's Office, Kominfo, the Financial Transaction Reports and Analysis Center (*Pusat Pelaporan dan Analisis Transaksi Keuangan/PPATK*), and the National Cyber and Crypto Agency (*Badan Siber dan Sandi Negara/BSSN*). Differences in institutional procedures, priorities, and capacities often result in weak synchronization. For example, the blocking of online gambling websites by Kominfo is not always followed by swift criminal enforcement, allowing perpetrators to quickly establish new platforms. In addition, the absence of standardized procedures for handling electronic evidence across agencies further complicates enforcement efforts (Nurdiansyah et al., 2024; Fadhli, 2024; Adlina, 2025; Juhara et al., 2025; Handayani et al., 2025). Consequently, several studies recommend the establishment of a special task force to strengthen cross-agency coordination (Kasim, 2024; Dinda, 2024).

From a social perspective, low levels of legal awareness and digital literacy among the public significantly contribute to the persistence of online gambling. Many individuals, particularly younger generations, become involved due to economic pressures, curiosity, and the influence of aggressive online promotions on social media platforms. Online gambling is often perceived as a form of harmless entertainment, without sufficient awareness of its negative impacts on family

finances, mental health, productivity, and the potential to trigger broader social problems and secondary crimes (Hasan et al., 2023; Aprilia & Umar, 2024; Juhara et al., 2025). Public apathy and reluctance to report online gambling activities also hinder early detection by authorities (Sa'diyah et al., 2022; Oktariani et al., 2023). Despite the blocking of more than 1.3 million pieces of online gambling content between October 2024 and May 2025, the practice continues due to high public demand (Kontan.co.id, 2025).

The economic impact of online gambling is equally substantial. Data from PPATK indicate that online gambling transactions reached approximately IDR 6.2 trillion in the first quarter of 2025 alone, with potential national economic losses estimated to reach IDR 1,000 trillion by the end of 2025 if effective intervention is not implemented (Damayana & Kurniawan, 2024). These losses affect not only individuals but also undermine household financial stability and broader socio-economic resilience (Firmansyah, 2025). Therefore, preventive measures such as public education and digital literacy campaigns are essential to reducing public participation in online gambling (Abrori et al., 2025).

Thus, the challenges of enforcing laws against online gambling are multidimensional, encompassing technological, institutional, legal, and social dimensions. Addressing these challenges requires an integrated strategy that includes enhancing technological and human resource capacities of law enforcement agencies, harmonizing regulations and enforcement procedures, strengthening inter-agency coordination, and expanding international cooperation to address the transnational nature of cybercrime. In addition, non-penal approaches, such as community-based education, risk awareness campaigns, and digital media monitoring, must be reinforced as part of a comprehensive preventive strategy. Such a holistic approach is expected to improve the effectiveness of law enforcement, protect society from the harmful impacts of online gambling, and reduce the significant social and economic losses associated with this activity (Nurdiansyah et al., 2024; Judijanto, 2025).

### 3.3. Effective Law Enforcement Strategy

Enhancing the effectiveness of law enforcement against online gambling requires a comprehensive strategy that integrates technological capacity, legal coordination, public education, and continuous monitoring. This holistic approach is essential due to the complex modus operandi of online gambling, which relies on anonymity, overseas servers, and cross-border digital transactions. Consequently, law enforcement must remain adaptive to the evolving dynamics of cybercrime (Nurdiansyah et al., 2024; Firmansyah, 2025).

First, strengthening the technological and human resource capacity of law enforcement agencies is a primary priority. Officers must be equipped with digital monitoring tools, cyber forensics software, and online transaction analysis systems, supported by intensive training to trace perpetrators using encryption and VPNs and to collect legally valid electronic evidence (Hermawan et al., 2024; Handayani et al., 2025). The use of transaction-tracking technologies by PPATK and the establishment of specialized cyber units, such as at the Sorong City Police, have proven effective and should be expanded nationally (Oktariani et al., 2023; Juhara et al., 2025; Kia et al., 2025; Abrori et al., 2025).

Second, international cooperation is crucial because many online gambling operators operate outside Indonesia's jurisdiction. Utilizing the Budapest Convention on Cybercrime enables cross-border data exchange, coordinated investigations, and extradition processes (Nurdiansyah et al., 2024; Reandi & Simangunsong, 2024). In addition, bilateral agreements, ASEAN cooperation, and collaboration with international financial institutions are necessary to disrupt cross-border gambling-related financial flows (Kasim 2024; Fadhli, 2024; Handayani et al., 2025).

Third, public education and legal outreach function as effective preventive measures. Enhancing digital literacy and legal awareness through programs such as “Polres Goes to School” and national campaigns like “Judi Pasti Rugi” has reduced youth participation in online gambling (Aprilia & Umar, 2024; Abrori et al., 2025; Juhara et al., 2025). These initiatives emphasize the severe economic impact, with potential national losses reaching IDR 1,000 trillion by 2025, as well as social consequences such as addiction and family conflict (Sa’diyah et al., 2022; Damayana & Kurniawan, 2024). Public participation in reporting illegal activities must also be encouraged to overcome societal apathy (Oktariani et al., 2023).

Fourth, regulatory harmonization and inter-agency coordination are essential for effective enforcement. Discrepancies between KUHP and ITE Law, particularly regarding criminal sanctions, create legal uncertainty and weaken enforcement efforts (Wirawan & Wahyudi, 2022, Adlina, 2025; Azis et al., 2025; Firmansyah, 2025). Regulatory reform and the establishment of a national task force involving the National Police, the Attorney General’s Office, Kominfo, PPATK, and BSSN are necessary to enhance coordination, especially following the blocking of 1.3 million gambling-related digital contents between 2024 and 2025 (Dinda, 2024; Fadhli, 2024; Gustina et al., 2025).

Fifth, adopting a restorative justice approach and utilizing confiscated assets can strengthen law enforcement outcomes. Funds seized from online gambling activities, totaling IDR 6.2 trillion in the first quarter of 2025, may be allocated to victim rehabilitation and public education programs, thereby mitigating social and economic harm (Damayana & Kurniawan, 2024; Budiarta, 2024). Standardizing electronic evidence procedures is also necessary to expedite judicial processes and enhance deterrence (Nurdiansyah et al., 2024; Fhatihah et al., 2025).

Sixth, proactive monitoring and enforcement of digital platforms must be intensified. The use of artificial intelligence for real-time detection of online gambling content and the strengthening of cyber patrols are essential preventive tools (Setiawan et al., 2023; Kesuma, 2023; Alfiana & Young, 2025). Law enforcement against online gambling promotion, including endorsement activities, must be strictly implemented in accordance with Article 45 paragraph (2) of the ITE Law, supported by close cooperation with digital platforms (Jendraningrat, 2021; Kurniawan, 2024).

Thus, integrating technological capacity building, international cooperation, public education, regulatory harmonization, restorative justice, and digital platform monitoring is key to developing an adaptive and effective law enforcement framework. This strategy not only targets perpetrators but also promotes prevention, protects society, and supports socio-economic stability in the digital era (Judijanto, 2025; Hasan et al., 2023).

#### **4. Conclusion**

This study concludes that online gambling constitutes a form of cybercrime that requires adaptive and integrated law enforcement. The Indonesian criminal law framework, as reflected in Articles 303 and 303 bis of the Criminal Code (KUHP) and Article 27 paragraph (2) of the Electronic Information and Transactions Law (ITE Law), provides an adequate normative basis for addressing online gambling through criminal sanctions as well as administrative measures such as website blocking and asset confiscation. Accordingly, the research objective of examining the legal framework and enforcement practices related to online gambling in Indonesia has been fulfilled.

The main findings indicate that, despite the availability of legal instruments, the effectiveness of law enforcement remains constrained by several challenges. These include limited technological capacity and digital forensic expertise among law enforcement agencies, weak inter-agency coordination, and social factors such as low

public legal awareness and the widespread promotion of online gambling. As a result, enforcement efforts have not yet produced optimal deterrent effects.

The implications of this study highlight the necessity of a holistic enforcement approach that integrates technological capacity building, strengthened inter-agency coordination, international cooperation, and continuous public education. The adoption of restorative justice principles, particularly through the allocation of confiscated assets for rehabilitation and educational programs, may also enhance the social impact of law enforcement and mitigate the broader socio-economic consequences of online gambling. Based on these findings, it is recommended that policymakers prioritize regulatory harmonization and the establishment of more integrated enforcement mechanisms. For future research and publications, empirical studies assessing the effectiveness of sanctions, technological tools, and inter-agency cooperation in combating online gambling are strongly encouraged to further inform legal reform and policy development in the digital era.

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### ***Acknowledgment***

We gratefully acknowledge the contributions of individuals who supported the completion of this article.

### ***Funding Information***

This research did not receive any funding.

### ***Conflict of Interest Statement***

The authors declare that there is no conflict of interest.

### ***Ethical Approval and Originality Statement***

Ethical approval was obtained for this study. The manuscript represents original work and has not been previously published, nor is it under consideration by another journal.

### ***Data Disclosure Statement***

The data that support the findings of this study are available from the corresponding author upon reasonable request.



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