

DIGITAL POLICING OF THE DIRECTORATE OF CYBER CRIME (DITTIPIIDSIBER) BARESKRIM POLRI IN HANDLING ONLINE GAMBLING AFTER THE NEW PENAL CODE

POLICIAMENTO DIGITAL DA DIRETORIA DE CRIMES CIBERNÉTICOS (DITTIPIIDSIBER) BARESKRIM POLRI NO TRATAMENTO DO JOGO ONLINE APÓS O NOVO CÓDIGO PENAL

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Abstract

This research aims to analyze the digital policing of the Directorate of Cyber Crime (Dittipidsiber) Bareskrim Polri in the handling of online gambling after the new Criminal Code. The focus of this research covers the development of rampant online gambling in Indonesia, the regulation of online gambling in the new Criminal Code, and the policing of the Dittipidsiber Bareskrim Polri regarding the handling of online gambling after the new Criminal Code. The paradigm of this research is the paradigm of constructivism. The research approach used by the author is a qualitative research approach. The method used by the researcher is a descriptive method of analysis. The results of the research show that 1) Online gambling is one form of law violation that needs to be eradicated. Driving factors can come from the individual himself or from the environment. Perception of the game, economic factors, and legal awareness are internal factors that encourage players to gamble online. Meanwhile, environmental factors and technological development are external factors driving online gambling; 2) in this online gambling arrangement, a mistake was found, namely the diction of "permission" in the Criminal Code. The regulation of online gambling in the Information Technology and Electronic Law is appropriate in it; 3) The policing of the Dittipidsiber Bareskrim Polri regarding the handling of online gambling has basically been implemented through preemptive, preventive, and repressive strategies. Dittipidsiber Bareskrim Polri in handling online gambling has

Resumo

Esta pesquisa tem como objetivo analisar o policiamento digital da Diretoria de Crimes Cibernéticos (Dittipidsiber) Bareskrim Polri no tratamento dos jogos de azar online após o novo Código Penal. O foco desta pesquisa abrange o desenvolvimento desenfreado dos jogos de azar online na Indonésia, a regulamentação dos jogos de azar online no novo Código Penal e o policiamento da Dittipidsiber Bareskrim Polri em relação ao tratamento dos jogos de azar online após o novo Código Penal. O paradigma desta pesquisa é o paradigma do construtivismo. A abordagem de pesquisa utilizada pelo autor é uma abordagem de pesquisa qualitativa. O método utilizado pelo pesquisador é um método descritivo de análise. Os resultados da pesquisa mostram que 1) O jogo online é uma forma de violação da lei que precisa ser erradicada. Os fatores determinantes podem vir do próprio indivíduo ou do ambiente. A percepção do jogo, os fatores econômicos e a consciência jurídica são fatores internos que incentivam os jogadores a jogar online. Enquanto isso, fatores ambientais e o desenvolvimento tecnológico são fatores externos que impulsionam o jogo online; 2) neste arranjo de jogo online, foi encontrado um erro, nomeadamente a dicção de "permissão" no Código Penal. A regulamentação do jogo online na Lei de Tecnologia da Informação e Eletrônica é apropriada nele; 3) O policiamento do Dittipidsiber Bareskrim Polri em relação ao tratamento do jogo online tem sido basicamente implementado através de estratégias preventivas, repressivas e de antecipação. A



also implemented communication, coordination and collaboration, both in the internal and external scope, although Dittipidsiber Bareskrim Polri still tends to put forward repressive strategies. After the New Criminal Code, effective law enforcement against online gambling requires a synergy between smart regulation, the use of technology, strong international cooperation, sustainable prevention efforts, and active support from the community.

Keywords: Policing. Digital. Handling. Online Gambling. Criminal Code. Dittipidsiber.

Dittipidsiber Bareskrim Polri no tratamento do jogo online também implementou comunicação, coordenação e colaboração, tanto no âmbito interno como externo, embora a Dittipidsiber Bareskrim Polri ainda tenda a apresentar estratégias repressivas. Após o Novo Código Penal, a aplicação eficaz da lei contra o jogo online requer uma sinergia entre regulamentação inteligente, uso de tecnologia, forte cooperação internacional, esforços de prevenção sustentáveis e apoio ativo da comunidade.

Palavras-chave: Policiamento. Digital. Tratamento. Jogos de Azar Online. Código Penal. Dittipidsiber.

1 INTRODUCTION

The development of the current strategic environment has changed rapidly and entered a new environment with increasing Volatility, Uncertainty, Complexity, and Ambiguity, known as the terminology VUCA. Volatility means changes in speed, number, and scope that cannot be predicted, Uncertainty means uncertainty, our inability to predict an issue can trap us in a world of uncertainty. Complexity means a complex situation or condition that ultimately gives rise to Ambiguity, where we have difficulty understanding the issue because there are many factors that enter into one issue. Difficulty in understanding the problem and the process of mitigating the factors that cause the problem creates a lot of information circulating, but its truth has not been proven.

Currently, the challenges faced by an organization including the Indonesian National Police will be increasingly difficult with the presence of the technological and digital revolution, changes in the world's economic power map, and various global geopolitical dynamics. Technology and innovation have grown extraordinarily rapidly in the last 10-20 years. The rapid development of science and technology, especially in the field of communication and technology in the era of the industrial revolution 4.0 towards society 5.0, has changed most of the order of people's lives, thus having a significant influence on the political, economic, socio-cultural and domestic security situation. In addition to having a positive impact, these changes can also have a negative impact in the form of increasing threats and disturbances to public order with a more complex

spectrum, both in terms of type, quantity and quality. The development of science and technology in the era of the industrial revolution 4.0 towards society 5.0 is marked by the increasing number of internet users in Indonesia.

The survey by the Indonesian Internet Service Providers Association (APJII) shows that Indonesia's internet penetration rate reached 79.5% of the total population in early 2024. This number is equivalent to 221,563,479 people from Indonesia's total population of 278,696,200 people in 2023. The penetration rate in 2024 increased by 1.31% or 6 million users from the same period the previous year of 78.19% in 2023. Although it is a slight increase, Indonesia's internet penetration has actually consistently increased every year. Based on gender, the internet penetration rate is higher for men, at 87.6%. Contribution or use is 50.9%. Meanwhile, women's internet penetration is 85.5% and their contribution is 49.1%. Based on generation groups, millennials experience the highest internet penetration, at 93.17% in 2024. However, their contribution is 30.62%. The millennial contribution figure is still lower than that of Gen Z. In detail, Gen Z's internet penetration is 87.02% but its contribution is 34.40%. The rest are Gen X with a penetration of 83.69% and a contribution of 18.98%; baby boomers with a penetration of 60.52% and a contribution of 6.58%; post-gen Z with a penetration of 48.10% and a contribution of 9.17; and pre-boomers with a penetration of 32% and a contribution of 0.24% (databoks.katadata.co.id, 2024).

Rapid technological developments have both structural and cultural impacts on every aspect of life. Technology creates changes that force humans to adapt to the environment. The changes that exist can have good and bad impacts, one of the bad impacts with the existing convenience is the rise of online gambling. The digitalization that occurs makes it easy to access everything using a smartphone. This encourages an increase in online gambling players of all ages and regardless of gender.

Currently, the online gambling phenomenon is rampant. This is because the profits from the winnings are promised to be very large, and there is also the impact of the Covid-19 pandemic which affects people's habits of wanting to get money more easily by simply using gadgets. From data released by the Ministry of Communication and Information (Kominfo) Since 2020 to August 22, 2022, they have cut off access to 403,542 content in the digital space that has elements of gambling, including digital platform accounts and sites that share content related to gambling activities. From Kominfo data, calculated

before the Covid-19 from 2010 to the beginning of the emergence of Covid-19, only 28% were recorded as accessing online gambling via web searches on Google. Meanwhile, after Covid-19 until now, it has been recorded that there has been an increase of 29%, from the previous 28% to 57%. Of course, this is a very significant increase far between before and after Covid-19 (Ginting and Ginting, 2023).

In a press release delivered by the Chief of Police, General Listyo Sigit Prabowo, the National Police said that the National Police had enforced the law against online gambling cases. A total of 1,918 people were charged in connection with online gambling cases throughout 2024. Throughout 2024, the National Police had enforced the law against 4,926 gambling cases. Of that number, 3,526 cases or 71.58% of them had been resolved. This number increased by 1,007 cases or 39.97% compared to 2023 which was 2,519 cases. The Chief of Police said that from online gambling cases, the National Police had confiscated evidence ranging from building assets to tens of billions of rupiah. In addition, hundreds of thousands of online gambling sites were submitted to the relevant ministries for blocking (news.detik.com, 2024). Data sourced from the National Police Criminal Investigation Unit shows that the recapitulation of data on blocking applications related to Online Gambling for the period 2023 to 2024. January 2025 as many as 9851 Links/Urls (Bareskrim Polri, 2025).

To combat this increasing trend, the Republic of Indonesia Police established the Directorate of Cyber Crime (Dittipidsiber) under the Polri Bareskrim in 2017. However, currently Dittipidsiber focuses on the prosecution of cybercrime and lacks preventive measures. Currently, Dittipidsiber only relies on cyber crime reports, which results in a delayed response and allows cyber criminals to act unhindered (Suryadi, 2024). To overcome this, proactive measures are needed, especially in the field of digital policing in the prevention of online gambling after the new Criminal Code.

The existence of clear and comprehensive laws about online gambling can provide a strong legal basis for law enforcement. Regulations that are unclear or inadequate can make it difficult to punish perpetrators of online gambling crimes. Accurate and comprehensive legal regulations provide a strong legal basis, while adaptability to technological developments and online gambling trends is key in maintaining the relevance of regulations.

In this article it is discussed about the digital policing of the Directorate of Cyber Crime (Dittipidsiber) Bareskrim Polri in the handling of online gambling after the new Criminal Code. The main issues discussed are:

1. How online gambling is developing in Indonesia?
2. How to regulate online gambling in the new Criminal Code?
3. How to police Dittipidsiber Bareskrim Polri regarding the handling of online gambling after the new Criminal Code?

2 DISCUSSION

2.1 The development of online gambling in Indonesia

Online gambling has become a growing phenomenon in Indonesia along with increasing access to the internet and advances in digital technology. In recent years, many online gambling sites have emerged and are easily accessible to various groups of people. gambling is often interpreted as a form of game that relies on luck, where participants rely on luck, and those who are unlucky must bear the loss by giving up the money they have bet (Nurdiana et al, 2022). Basically, online gambling is the same as other gambling because it contains elements of winning and losing and there is a value at stake, but if there is an internet network, they can play online gambling (Asriadi, 2021). This phenomenon raises serious concerns because of its negative impacts on various aspects of social, economic, and psychological life of society.

Many of them are often forced to borrow money from friends, family, or online lending services with high interest rates to support their gambling habits. As a result, the family's economic situation becomes unstable, with some respondents admitting that they have difficulty meeting basic needs such as food and children's education. Both directly and indirectly, gambling will continue to have negative impacts that are detrimental to life (Isnaini, 2017). This condition is exacerbated by the inability to save or plan long-term finances, which further threatens the welfare of the family.

Online gambling has become a serious problem in this digital era. Easy internet access and rapid technological developments have made online gambling increasingly rampant and difficult to eradicate. Currently, the role of the internet is increasingly

important in social, economic and political life in the global world. Every year the internet increasingly influences human life. It is undeniable that this technology has changed world civilization rapidly. The tendency of the internet has moved to become a basic need for everyone. Almost all of a person's needs can be met via the internet so that spending to be able to continue accessing the internet tends to be greater. Internet users around the world, both mobile and fixed, have continued to increase. Based on the report of the International Telecommunication Union (ITU), which is a United Nations (UN) agency, the number of internet users in the world in 2018 was 3.9 billion, exceeding half the world's population. Indonesia also experienced an increase in this number as shown in the following picture.

Figure 1

Internet Penetration Rate in Indonesia in 2024



Based on Figure 1 above, it shows that the number of people connected to the internet in 2024 is 221,563,479 people from a total population of 278,696,200 Indonesians in 2023. The internet penetration rate in Indonesia continues to increase to reach 79.50% in 2024. The development of online gambling cannot be separated from the increase in internet penetration in Indonesia, although there are several other factors, including the following:

2.2 Internal factors of online gambling actors

2.2.1 Economic factors

Economic factors are the main driving force in online gambling, with many economic problems, ranging from the difficulty of getting a job, rising food prices, inflation, and also below average salaries making it difficult for people to meet their needs. With the ease and sacrifice that is relatively small and produces quite a lot of money, this encourages online gambling actors.

2.2.2 Perception factors of gambling games

This factor is driven by the thought of the possibility of winning this game with great confidence. Basically, online gambling games for beginners will be given victory to continue playing, this makes people who play online gambling believe in the probability of winning and their luck every time they play. With the confidence and benefits obtained, it affects the player's perception that if they don't win in this game, they will win in the next game. This is what makes the perpetrator addicted and difficult to get out of this game.

2.2.3 Legal awareness factor

The public is not yet aware of the law regarding online gambling games. Many people do not know about online gambling regulations and consider it not something that violates the law. Even if they know about the regulations, they do not seem to be afraid of the punishment given, because the sanctions against perpetrators who only play online gambling are not severe and it is difficult to find evidence.

2.3 External factors

2.3.1 *Technological development*

The development of technology has indeed made it easier for perpetrators to access online gambling sites. Although many sites have been closed, bookies have not run out of ideas to open online gambling sites in various ways so as not to be detected by the authorities. In addition, the development of fintech ranging from e-wallets to mbanking makes it easier for online gambling players to transact online gambling. With the protection of transaction data in fintech, this has made it difficult for authorities to obtain evidence of online gambling transactions carried out by individuals.

2.3.2 *Environmental factors*

The environment influences how individuals make decisions and behave. Friendships or environments that involve a lot of online gambling encourage individuals to try gambling. The rise of promotions through mass media, even openly promoted by influencers by offering tempting benefits, is one of the problems that drives more and more gambling transactions.

The results of the study show that online gambling in Indonesia has a very detrimental impact on society. The negative impact of online gambling is not only felt by individuals, but also by families, communities, and the state. Online gambling addiction can cause financial problems, damage relationships, and even encourage someone to commit crimes. From the data obtained, it was found that many individuals involved in online gambling experienced a decline in household economic conditions. This happens because most of their income is used for gambling, which results in mounting debt and even personal bankruptcy. Online gambling is increasingly widespread today where the perpetrators carry out virtual gambling activities which are carried out through certain websites or applications that are connected to the internet network (Astuti, 2022).

In addition to handling public complaints, the Directorate of Digital Space Control collaborates with other Ministries, Institutions, Regional Work Units/Institutions in eradicating online gambling. The following is data on submissions from the police from

2020 to 2024.

Table 1

Handling of Online Gambling at the Criminal Investigation Unit of the Indonesian National Police, Regional Police, and Resort Police

**STATISTIK ADUAN INSTANSI KONTEN PERJUDIAN
BARESKRIM, POLDA DAN POLRES
PERIODE 2020-2024**

INSTANSI/TAHUN	2020	2021	2022	2023	2024	GRAND TOTAL
BARESKRIM	0	0	656	775	5751	7.182
POLDA	0	0	196	3	69.670	69.869
POLRES	0	0	0	6	11.414	11.420
GRAND TOTAL	0	0	852	784	86.835	88.471

Based on the table above, it is known that in the period from 2020 to 2024, online gambling cases have increased. However, this condition is not followed by optimal handling by the Directorate of Cyber Crime of the National Police Criminal Investigation Unit. In 2024 alone, there were 5,751 reports of online gambling from a total of 88,471 cases of online gambling crimes in Indonesia.

Figure 1

Data on Handling of Complaints from Online Gambling Content Agencies at the Directorate of Cyber Crimes at the National Police Criminal Investigation Unit

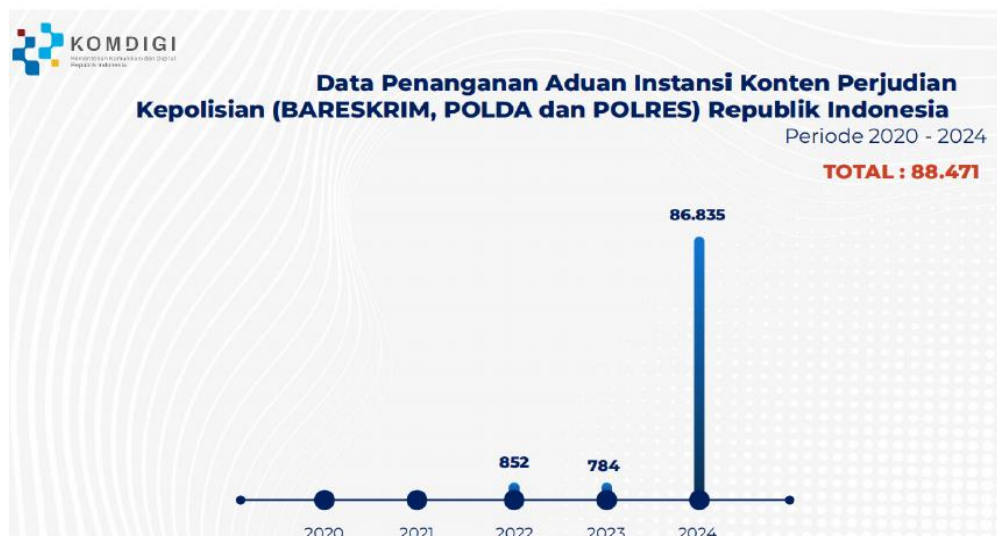


Figure 2

Data on Handling of Complaints from Online Gambling Content Agencies at the Directorate of Cyber Crimes at the National Police Criminal Investigation Unit



In addition, the number of reports of online gambling cases to the Directorate of Cyber Crimes of the Indonesian National Police Criminal Investigation Unit is not comparable to the number of requests to block links/URLs.

Table 2

Handling of Online Gambling at the Directorate of Cyber Crimes of the Indonesian National Police Criminal Investigation Unit

No.	Year	Number of Link/Url Block Submissions
1.	2023	1370 Link/Url
2.	2024	7719 Link/Url
3.	January 2025	762 Link/Url
	Amount	9851 Link/Url

Based on the table above, it is known that in the period from 2023 to January 2025, 9851 Links/Urls were proposed for blocking, with details in 2023 as many as 1370 Links/Urls, in 2024 as many as 7719 Links/Urls and in January 2025 as many as 762 Links/Urls.

Based on research findings, it is known that there are several types of online gambling games, including the following:

2.4 Online slots

- Why it's popular: Easy to play, attractive appearance, and often offers big

jackpots.

- How to play: Players only need to spin the reels and hope to get the right combination of symbols.
- Variants: There are many variants of online slots, from classic slots to video slots with interesting themes such as movies, music, or popular culture.

2.5 Online poker

- Why it's popular: Combines elements of luck and strategy.
- How to play: Players bet on the cards they are dealt and try to have the best card combination.
- Variants: There are many variants of poker, such as Texas Hold'em, Omaha, and Stud Poker.

2.6 Online lottery

- Why it's popular: Simple game with a chance of winning that is considered quite large.
- How to play: Players guess the numbers that will come out in a particular draw.
- Variants: There are various types of lottery, such as 2D, 3D, 4D, and free plug lottery.

2.7 Online casino

- Why it's popular: Offers an authentic casino atmosphere online.
- How to play: Just like in a brick-and-mortar casino, players can play a variety of games such as roulette, blackjack, baccarat, and craps.
- Variants: Each casino game has different variants and rules.

The line between online gambling and online gaming can be blurred, especially with the introduction of in-app purchases. The line between online gambling and online gaming is indeed increasingly blurred with the development of technology and innovation in the gaming industry. Therefore, it is important for all of us, including players,

developers, and regulators, to continue to monitor these developments and ensure that the games we play remain entertaining and not exploitative. Strict legal sanctions do not seem to be able to provide a deterrent effect for perpetrators of online gambling crimes. Criminal liability is based on errors, both intentional (Opzet) and negligence (culpa). Criminal liability is defined as a psychological state so that a criminal provision is applied from a general and personal perspective. A person who violates the law must be held criminally responsible. Gambling is a behavior that violates criminal law. The Criminal Code (KUHP) has regulated it regarding criminal liability for gambling in Article 303 and Article 303 bis. This article explains the criminal law regulations and the definition of gambling itself, which is an activity that has been regulated and prohibited by law and perpetrators who gamble will be subject to criminal sanctions.

Article 303 of the Criminal Code explains:

- a. Gambling is subject to a maximum prison sentence of ten years or a maximum fine of Rp. 25,000,000 in the law for anyone who is not entitled, translated as follows: Demanding a livelihood by intentionally organizing or providing an opportunity to gamble, or intentionally interfering in a company related to gambling.
- b. Intentionally organizing or providing an opportunity to gamble to the public, or intentionally interfering in a company to take advantage of that opportunity, whether there is an agreement or any way to take advantage of that opportunity.
- c. Gambling as a hobby 1) If a person is guilty of committing a crime in his position, he can be dismissed from his position. 2) The term "gambling" refers to any game, where the chances of winning depend largely on luck and if those chances increase due to the skills and habits of the player. In addition, betting on the results of a race or other game that is not carried out by those who participate in the race or play is also considered to be gambling.

Article 303 bis of the Criminal Code explains that the threat of a maximum prison sentence of four years or a fine of ten million rupiah is given to anyone involved in gambling activities that violate the provisions of Article 303. For those involved in gambling activities in public places, open roadsides, or places that are accessible to the general public without official permission, a maximum prison sentence of eight years or a maximum fine of fifteen million rupiah can be imposed if the violation is committed

within a period of less than two years since the criminal penalty for the violation was announced. Criminal liability in Indonesia is divided into individual and participation liability, as well as corporate liability. Articles 303 and 303 bis of the Criminal Code explain two different types of criminal liability, namely individual and participation liability, as well as corporate liability. "Whoever" in the context of Articles 303 and 303 bis of the Criminal Code refers to legal subjects, both individuals and corporations, who have rights, wills, or act in unlawful acts.

Meanwhile, online gambling is regulated in Law No. 19 of 2016 concerning Electronic Information and Transactions (UU ITE) on the amendment to Law No. 11 of 2008 concerning the ITE Law. Online gambling is an illegal act because it violates applicable norms and regulations. The ITE Law stipulates several legal provisions related to online gambling crimes, including:

- 1) Article 27 paragraph (2) of the ITE Law explains the prohibition rules for individuals to carry out actions that contain elements of gambling, including activities related to online gambling that can result in losses for other parties.
- 2) Article 45 paragraph (1) of the Electronic Information and Transactions Law (ITE Law) emphasizes that any individual who carries out actions that violate the provisions contained in the ITE Law may be subject to criminal sanctions in the form of imprisonment and/or fines.

This sanction also applies to perpetrators of crimes in the context of online gambling that violate the provisions of the ITE Law. In addition, the ITE Law also regulates the obligations of electronic system organizers to prevent illegal access and activities in electronic transactions, including online gambling. Article 18 paragraph (2) of the ITE Law stipulates that the organizers of the system must take technical and/or non-technical steps to prevent and delete information that is prohibited by law. The criminal threat to perpetrators of online gambling crimes is regulated in several articles of the ITE Law, such as Article 27 paragraph (2), which states that distributing, transmitting, or creating electronic information or documents containing elements of gambling can be subject to a maximum prison sentence of 6 years and/or a maximum fine of IDR 1 billion. In practice, these criminal sanctions can vary depending on the case and the level of violation that occurs. However, these sanctions are expected to provide a preventive and deterrent effect for perpetrators and prevent illegal activities in electronic

transactions, including online gambling.

3 ONLINE GAMBLING ARRANGEMENTS IN THE NEW CRIMINAL CODE

In the latest Indonesian Criminal Code, it is a criminal law regulation that is certainly new or has changed from the previous Dutch regulation issued by the government. This new Criminal Code can cover various aspects of law, such as new regulations or changes that have been issued by the government to regulate criminal acts related to criminal crimes, especially in gambling crimes. This gambling is written in Articles 426 and 427 of the Criminal Code, Chapter 15, Part Eight, Gambling. The analysis conducted by the author states that in Article 426, especially in paragraph 1, there are differences related to imprisonment and fines. The imprisonment in this paragraph has been reduced from a maximum of ten years to a maximum of nine years. For fines, there has also been a change to be greater, from previously a maximum fine of twenty-five million rupiah to a maximum fine according to category VI in Article 79 of the new Criminal Code, which is two billion rupiah. In paragraph 1, points one to two, there is a difference from before, namely the removal of the phrase "intentionally" in it. The author means that in this new Criminal Code if someone intentionally or unintentionally carries out activities offering or giving opportunities will be caught in the crime of gambling and for the third point it is still the same as before. For the second paragraph in this new Criminal Code has the same purpose as before, namely the revocation of the right to practice a profession. The difference is only related to the use of the phrase livelihood and profession which both have the same meaning, namely work. According to the author, that in Article 427 of the new Criminal Code there is a difference with the previous Criminal Code regulations, namely in the imprisonment and fines. The difference in the previous imprisonment was a maximum of four years, while in the new Criminal Code the maximum imprisonment is three years, here there is a decrease in the maximum imprisonment and the difference in the fine which was previously a maximum of ten million rupiah, while in the new Criminal Code it is large, namely a maximum fine of category III according to Article 79 of the new Criminal Code, amounting to fifty million rupiah. The author examines that in the new Criminal Code, especially in Article 426 and Article 427, there is the most striking difference, namely fines and imprisonment. For the

new Criminal Code, there are major changes to fines and there is a reduction in imprisonment. Another difference is also found in the phrase "general" which can be found in the old Criminal Code, in the new Criminal Code there is no such phrase. So according to the author, gambling that is carried out anywhere remains a crime regardless of whether it is carried out in a public place or on the side of the road or even the general public as written in the old Criminal Code.

According to the author, both the old and new Criminal Codes have not been effective in responding to online gambling activities that are currently rampant, because the Criminal Code does not specifically explain online gambling activities and is more specific in offline or direct gambling. The new Criminal Code should include elements of criminal activities that occur in the digital world, especially in gambling. Although the new Criminal Code does not directly discuss online gambling, it should include elements of digital crime because a law will always follow the times or in other words, the law always follows guidelines for changes that occur in the social sphere of society (Tony Yuri, 2019:34). In the regulation of online gambling in Indonesia in Articles 303 and 303bis of the Criminal Code, Articles 426 and 427 of Law Number 1 of 2023 concerning the Criminal Code, according to the author, there is a diction that makes it odd, namely the diction "permission". This diction is indeed not in accordance with Government Regulation Number 9 of 1981 in Article 2 which does not grant permission for the implementation of any form of gambling. Indeed, if viewed hierarchically, this Government Regulation is below the Law and is automatically null and void by law. This oddity makes the author think that if the Government Regulation was made by the Government, why does the Criminal Code allow gambling if there is permission from the ruler? Here the ruler is the Government. This oddity should be given more attention by the government or legislative body that together makes the rules. The intent and purpose of the diction "permission" should be made clearer.

4 POLICE OF THE CYBER CRIME DIRECTORATE OF THE INDONESIAN NATIONAL POLICE CRIMINAL INVESTIGATION UNIT ON HANDLING ONLINE GAMBLING AFTER THE NEW CRIMINAL CODE

Online gambling in Indonesia is a complex phenomenon that involves various

aspects of people's lives. From a political perspective, online gambling is often a heated debate between those who are pro and those who are against legalization. Those who are pro argue that legalization can increase state revenue through taxes and create new jobs. However, those who are against argue that legalization will damage the moral and social values of society. Economically, online gambling can have both positive and negative impacts. On the one hand, this industry can be a source of significant state revenue. However, on the other hand, online gambling can also cause financial problems for individuals and families, as well as increase crimes such as money laundering. From a social perspective, online gambling can damage family relationships, trigger social conflict, and increase crime rates. Online gambling addiction can cause someone to neglect their family and social responsibilities. In addition, online gambling can also be a means for criminal groups to carry out illegal acts such as fraud and extortion.

The culture of Indonesian society that upholds religious and moral values is also an important consideration in discussing the issue of online gambling. Many parties argue that online gambling is contrary to religious values and can damage the morals of the younger generation. Finally, from a security perspective, online gambling can be a threat to national security. Online gambling sites are often used as a means to commit fraud, money laundering, and other illegal activities. In addition, online gambling can also be a means for foreign countries to intervene and sabotage Indonesia. Thus, online gambling in Indonesia is a multidimensional problem that requires comprehensive handling. The government needs to conduct an in-depth study and involve various related parties to formulate appropriate policies to address this problem. The policy must consider political, economic, social, cultural, and security aspects in a balanced manner.

There needs to be a solution so that the level of accessibility of online gambling and its transactions decreases because the impact is not only on the individual himself but also on the environment. One preventive effort is the need for socialization regarding the dangers of online gambling. Based on data from PPATK that 2.1 million people out of 2.7 million Indonesians involved in online gambling are housewives and students, this shows that online gambling no longer looks at age. The role of socialization is important especially for students so that they know the dangers of online gambling and also build awareness of the laws governing online gambling. Socialization can form a mindset that something instant and easy does not give good results, one of which is online gambling.

Based on the results of research on the policing of the Cyber Crime Directorate of the Indonesian National Police Criminal Investigation Unit regarding handling online gambling, it can be explained through George R. Terry's management theory, as follows:

4.1 Planning

In the context of police activities carried out by the Cyber Crime Directorate of the National Police Criminal Investigation Unit in handling online gambling in Indonesia, the planning that has been carried out includes several important aspects that are interrelated. This planning is designed to tackle the problem of online gambling comprehensively and effectively, as follows:

4.2 Situational analysis

The Cyber Crime Directorate conducts an in-depth analysis of online gambling trends and modes of operation, including identifying the platforms used, the perpetrators' networks, and payment methods. This analysis involves collecting intelligence data, public reports, and cyber patrols. Situational analysis is an important foundation in planning to handle online gambling. The Cyber Crime Directorate not only collects data passively, but also actively carries out various analytical efforts, including:

1) Network mapping

Identifying the organizational structure of the online gambling network, from operators, bookies, agents to players. This includes identifying relationships between individuals, cash flows, and operational locations.

2) Analysis of modus operandi

Understand how online gambling actors work, including the platforms used (websites, applications, social media), types of games offered, financial transaction methods (bank transfers, w-wallets, cryptocurrencies) and promotional methods used.

3) Trend analysis

Monitor the development of online gambling trends, such as the emergence of new games, changes in payment methods and the use of new technologies to avoid

detection.

4) Vulnerability analysis

Identify areas or regions that are vulnerable to online gambling practices, both geographically and based on certain community groups.

5) Use of technology

Utilize data analysis technology (big data analytics) and artificial intelligence to process the data collected and identify relevant patterns.

4.3 Target determination

Based on the situation analysis, the Directorate of Cyber Crime of the National Police Criminal Investigation Unit sets operational targets, both individual targets (main perpetrators, bookies) and network targets (websites, bank accounts). Target priority determination is based on several factors, such as the level of losses incurred, operational scale and potential impact on the wider network.

4.4 Preparation of operational plan

The operational plan is prepared in detail, including objectives, targets, personnel involved, budget, implementation schedule, and enforcement methods. This plan also includes anticipation of potential obstacles and risks.

4.5 Cross-agency coordination

Planning also involves coordination with related agencies, such as PPATK, Komdigi, AGO, financial service providers, other agencies, and international cooperation through police-to-police mechanisms and mutual legal assistance (MLA) for cases involving international networks. Coordination between the Criminal Investigation Unit of the Indonesian National Police with related ministries/agencies, both domestically and abroad, is a crucial aspect in handling online gambling which often involves cross-border networks. This coordination aims to maximize the effectiveness of enforcement, break the chain of crime, and recover state losses. The following are details of the coordination

carried out:

1) Domestic Coordination

a) Coordinating Ministry for Political and Security Affairs (Kemenkopolkam), including:

- (1) Formulation of national policies related to the eradication of online gambling.
- (2) Coordination between KA/LA in implementing policies
- (3) Monitoring and evaluation of policy implementation
- (4) Handling strategic issues related to online gambling that require cross-sectoral coordination

b) Ministry of Communication and Digital (Komdigi), including:

- (1) Blocking sites and applications.
- (2) Enforcement of the ITE Law.
- (3) Provision of data and information.
- (4) Socialization and education.

c) National Cyber and Crypto Agency (BSSN), including:

- (1) Detection and prevention of cyber attacks.
- (2) Digital Forensic Analysis.
- (3) Increasing HR capacity.

d) Attorney General's Office, including:

- (1) Transfer of case files.
- (2) Coordination of prosecution.
- (3) Confiscation of assets.

e) Ministry of Immigration, including preventing online gambling perpetrators from fleeing abroad and

supervision of foreign nationals involved in online gambling networks in Indonesia.

f) PPATK, includes:

- (1) Exchange of Suspicious Financial Transaction information.
- (2) Joint analysis.
- (3) Freezing of accounts.

g) BI, includes:

- (1) Supervision of payment systems.
- (2) Prevention of money laundering.

h) OJK, includes:

- (1) Supervision of financial institutions.
- (2) Implementation of the principle of knowing the user (KYC).
- 2) Coordination Abroad (International Cooperation)

Considering that online gambling often involves international networks, coordination with law enforcement in other countries is very important. This coordination is carried out through several mechanisms, including MLA, Interpol, Police-to-Police-Cooperation, and so on.

With careful planning and effective coordination, the Directorate of Cyber Crimes of the Criminal Investigation Unit of the Indonesian National Police can increase the effectiveness of law enforcement and eradication of online gambling in Indonesia.

4.6 Organization

Coordination between the Cyber Crime Directorate of the National Police Criminal Investigation Unit and the KA/LA, both domestically and abroad, is a crucial aspect in handling online gambling involving cross-border networks.

4.7 Implementation

The implementation stage is the core of online gambling action, where the plans that have been prepared are realized in real action.

a. Evidence Collection

Including digital and non-digital evidence through confiscation and evidence handling chains.

b. Action and arrest

Including direct arrests, raids, and cyber operations. Arrests are carried out by following applicable procedures while paying attention to human rights and ensuring the safety of perpetrators and officers.

c. Asset Seizure

Including movable and immovable assets. Asset confiscation is carried out with a confiscation order from the court and in coordination with related agencies, such

as the PPATK and the Attorney General's Office.

d. Website blocking

Blocking of websites and social media accounts is done to prevent the spread and access to online gambling platforms. Dittipidsiber Bareskrim Polri collaborates with Komdigi to carry out the blocking.

e. Investigation and dossier preparation

After the arrest, the team conducts an in-depth investigation to uncover the network and modus operandi of online gambling. The investigation process includes examining suspects, examining witnesses, and collecting evidence.

f. International cooperation

In cases involving international networks, Dittipidsiber collaborates with police forces in other countries through the MLA mechanism and coordination with Interpol.

g. Socialization and education

In addition to taking action, Dittipidsiber also conducts socialization and education to the public about the dangers of online gambling and how to avoid it. This activity can be carried out through social media campaigns, seminars and workshops, and cooperation with the mass media. With these comprehensive and coordinated steps, the Directorate of Cyber Crime of the National Police Criminal Investigation Unit is trying to eradicate online gambling effectively and provide protection to the community.

The Directorate of Cyber Crime of the National Police Criminal Investigation Unit is aware of the importance of the role of the community, especially netizens, in efforts to prevent and eradicate online gambling. Eradicating netizens is an integral part of the communication and education strategy carried out. Empowering netizens to educate the public about the dangers of online gambling carried out by the Directorate of Cyber Crime of the National Police Criminal Investigation Unit includes campaigns and socialization through social media, partnership programs with online communities, providing information on online resources, empowerment in preventing hoaxes and disinformation, and award and appreciation programs.

4.8 Supervision

The control carried out by the leadership of the Directorate of Cyber Crime is not only reactive (after the operation is complete), but also proactive (during the operation) to ensure the smoothness and effectiveness of the action, including supervision and monitoring, evaluation, reporting, internal supervision. With strong control and effective leadership, the Directorate of Cyber Crime of the Indonesian National Police Criminal Investigation Unit can increase success in eradicating online gambling and protecting the public from its negative impacts.

The main element of Polmas is prioritizing prevention efforts. In implementing the Dittipidsiber Bareskrim Polri policing of online gambling, Dittipidsiber Bareskrim Polri has basically implemented tertiary prevention. Online gambling crimes have occurred, not never before or will occur. Therefore, the prevention theory that must be used is the tertiary prevention theory. Tertiary prevention is related to real lawbreakers and focuses on preventing the crime from spreading to other victims. Therefore, most of the tertiary prevention relies on the work of the criminal justice system. The activities of arrest, detention, imprisonment, treatment and rehabilitation are all included in the field of tertiary prevention (Steven P.Lab, 2006: 32). Dittipidsiber Bareskrim Polri carries out law enforcement efforts by taking action against perpetrators of online gambling crimes. Law enforcement efforts carried out by investigators of Dittipidsiber Bareskrim Polri must of course coordinate with the CJS (criminal justice system) so that the legal efforts implemented can be maximized. Legal efforts can be initiated by arresting the main perpetrators, then developing arrests of other perpetrators who have supporting roles. All evidence of the means used must be confiscated for destruction, this is done to reduce the possibility that the means will be used again by the perpetrator after the perpetrator has finished serving his sentence. After all the perpetrators and evidence of the means can be confiscated by investigators, the next step is to detain the perpetrators. After the administrative files are complete, the perpetrators and evidence of the means are handed over to the public prosecutor to carry out the next legal process. After the Directorate of Cyber Crimes of the National Police Criminal Investigation Unit can sterilize the crime from potential victims, it takes turns with the Subdit Bin Polmas to carry out prevention efforts for the community. Prevention efforts are carried out by carrying out an intensive

communication process between officers and the community. However, with the development of information technology today, it is necessary to realize that the presence of the police does not have to be physically next to the community, considering the limited personnel. However, the police can accompany the community, supervise the community, provide awareness to the community when the community is in cyberspace through social media.

Effective law enforcement against online gambling after the new Criminal Code requires synergy between smart regulation, utilization of technology, strong international cooperation, ongoing prevention efforts, and active support from the community. Only with a comprehensive holistic approach can the community engage their role in creating a safe, fair, and free online environment from online gambling crimes. In helping to enforce the law against online gambling crimes, we must understand the regulations related to online gambling in our region. Knowing these rules can help prevent the spread of online gambling. Then if we know or suspect illegal online gambling activities, do not hesitate to report them to the authorities. Providing accurate information can support law enforcement and prevention efforts.

5 CONCLUSION

Online gambling is a form of legal violation that needs to be eradicated. Technological developments are indeed the main factor in the proliferation of online gambling, but there are many factors that encourage someone to gamble online. Driving factors can come from the individual themselves or from the environment. Perception of the game, economic factors, and legal awareness are internal factors that encourage perpetrators to gamble online. Meanwhile, environmental factors and technological developments are external factors that encourage online gambling. Legal sanctions that are expected to provide a preventive and deterrent effect for perpetrators and prevent illegal activities in electronic transactions, but have not been able to provide the expected results. In fact, online gambling is increasingly rampant in Indonesia.

In the regulation of online gambling in Indonesia in Articles 303 and 303bis of the Criminal Code, Articles 426 and 427 of Law Number 1 of 2023 concerning the Criminal Code, according to the author, there is a diction that creates oddities, namely the diction

"permission". This diction is indeed not in accordance with Government Regulation Number 9 of 1981 in Article 2 which does not grant permission for the implementation of any form of gambling. Indeed, if viewed hierarchically, this Government Regulation is below the Law and is automatically null and void by law. This oddity makes the author think that if the Government Regulation was made by the Government, but why does the Criminal Code allow gambling if there is permission from the ruler. Here the ruler is the Government. This oddity should be given more attention by the government or legislative body that together makes the rules. The intent and purpose of the diction "permission" should be made clearer.

The Cyber Crime Directorate of the National Police Criminal Investigation Unit of the National Police in handling online gambling has basically been implemented through preemptive, preventive, and repressive strategies. The Cyber Crime Directorate of the National Police Criminal Investigation Unit in handling online gambling has also implemented communication, coordination, and collaboration, both internally and externally, although the Cyber Crime Directorate of the National Police Criminal Investigation Unit still tends to prioritize repressive strategies. The Cyber Crime Directorate of the National Police Criminal Investigation Unit as the executor of the repressive function is also required to conduct an analysis of online gambling in Indonesia. The results of this analysis are input to the Subdit Bin Polmas to be processed again into information that is easily understood by the community and of course useful for the community so that the community is more vigilant and does not get caught up in online gambling.

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Authors' Contribution

All authors contributed equally to the development of this article.

Data availability

All datasets relevant to this study's findings are fully available within the article.

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