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## The Effectiveness of Law Enforcement Against Online Gambling in the Digital Era in Medan City

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**Abstract:** This study aims to analyze the effectiveness of law enforcement against online gambling practices in the digital era, especially in Medan City, by reviewing the legal status of online gambling based on applicable laws and regulations, the impact of weak law enforcement, and efforts made by local law enforcement officers. The rampant cases of online gambling that are increasingly easily accessible through digital technology have caused social unrest as well as economic and moral losses in society. This study used a normative legal method with a legislative approach and literature study, and was supported by secondary data obtained through legal literature and official documents. The results of the study indicate that law enforcement in Medan City has not been running optimally because there are no regulations that specifically regulate online gambling, weak coordination between agencies, and a lack of supporting technological resources. Although enforcement efforts have been made by the police and related agencies, there are still many legal loopholes and technical limitations that are exploited by perpetrators to avoid legal entanglement. This study suggests the need for the formation of special regulations on online gambling, strengthening the digital capacity of law enforcement officers, and increasing public legal awareness as preventive measures in suppressing online gambling practices more effectively and sustainably. This research is relevant considering the importance of evaluating the extent to which positive law and law enforcement policies are capable of addressing the challenges of digital crimes, particularly online gambling.

**Keyword:** Effectiveness, Regulation, Law Enforcement, Online Gambling, Digital.

## INTRODUCTION

The rapid advancement of technology and information has significantly impacted various aspects of society, including the realm of crime. Crime is no longer limited to conventional forms but has expanded into the digital domain with more sophisticated and harder-to-detect methods. One increasingly prevalent type of crime in today's digital era is online gambling. This phenomenon has evolved into a form of cybercrime that not only causes economic losses but also damages societal morals and social order. Online gambling refers to

betting activities conducted via the internet, involving money or other economic values, and can be accessed freely by anyone. The widespread presence of online gambling in Indonesia, including in Medan City, poses a major challenge for the government and law enforcement authorities. Easy internet access, limited supervision, and the public's high interest in gaining quick profits have made online gambling increasingly difficult to control. Moreover, online gambling offenders are not only adults but also include children and teenagers who are still in the process of personal development. Under Indonesia's positive law, all forms of gambling are prohibited, as stipulated in Articles 303 and 303 bis of the Indonesian Criminal Code (KUHP). This prohibition is reinforced by Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE), as amended by Law No. 19 of 2016, which regulates the prohibition of using electronic systems for criminal activities, including gambling. However, despite the existence of a strong legal foundation, online gambling continues to occur openly and on a massive scale.

## METHOD

This study employs a legal research method with a normative juridical approach, which focuses on the examination of prevailing positive legal norms. It analyzes written legal provisions such as the Indonesian Criminal Code (KUHP), Law No. 11 of 2008 on Electronic Information and Transactions along with its amendments, as well as other relevant regulations related to online gambling practices. In addition, this research also has an empirical aspect, as it is not limited to the analysis of normative legal documents but also explores legal facts occurring in the field—particularly regarding the implementation of law enforcement against online gambling offenses in Belawan, Medan City. This combined normative and empirical approach aims to provide a comprehensive overview of the effectiveness and challenges in enforcing the law against the growing threat of digital crime.

## RESULTS AND DISCUSSION

### **The Legal Standing of Online Gambling in the Digital Era Based on Applicable Laws and Regulations**

#### **a. Articles and Laws on Online Gambling in the Digital Era According to the Applicable Legal Framework**

This prohibition is explicitly stated in several legal instruments, including Article 303(1) of the Indonesian Criminal Code (KUHP), which punishes anyone who facilitates or participates in gambling with up to ten years' imprisonment or a fine of up to twenty-five million rupiah. Additionally, Law No. 11 of 2008 on Electronic Information and Transactions (ITE), as amended by Law No. 19 of 2016, prohibits the distribution, transmission, or accessibility of electronic content containing gambling (Article 27(2)). These provisions affirm that online gambling constitutes a criminal offense. Supporting regulations, such as Government Regulation No. 71 of 2019 on Electronic Systems and Transactions, further empower authorities like the Ministry of Communication and Information Technology (Kominfo) to monitor and take action against such activities.

Online gambling is a form of criminal offense that, in practice, has been accommodated by various legal regulations in Indonesia, although there is not yet a single comprehensive law that explicitly defines the term "online gambling." However, general provisions prohibiting gambling are contained in the Indonesian Criminal Code (KUHP), particularly Articles 303 and 303 bis. These articles stipulate that anyone who intentionally offers or provides an opportunity for the public to gamble, or who deliberately participates in gambling operations, may be subject to imprisonment and/or fines. While these

provisions remain general and do not explicitly address digital aspects, they are often used as the legal basis for prosecuting online gambling offenders.

Furthermore, in the context of information technology, Law No. 11 of 2008 on Electronic Information and Transactions (ITE), as amended by Law No. 19 of 2016, specifically Article 27 paragraph (2), states that any person is prohibited from intentionally and without authority distributing, transmitting, and/or making accessible electronic information with gambling content. This article is highly relevant to online gambling, as it covers actions conducted via the internet, including digital platforms and applications. Law enforcement frequently uses this provision to prosecute individuals who organize, distribute, or facilitate access to online gambling services.

Additionally, Law No. 8 of 2010 on the Prevention and Eradication of Money Laundering Crimes (TPPU) serves as a complementary legal instrument in combating online gambling, as such activities often involve illegal financial transactions that may be used for money laundering. In certain cases, law enforcement may trace the flow of funds from online gambling activities and classify them as money laundering offenses.

Moreover, Ministerial Regulation of Communication and Informatics No. 5 of 2020 on Private Electronic System Operators, along with its derivative regulations, provides the government with a legal basis to block access to gambling websites or applications deemed harmful to public order and legal norms. In practice, the Ministry of Communication and Information Technology (Kominfo) actively cuts off access to thousands of online gambling sites annually as part of its administrative authority to control negative digital content.

Nevertheless, the absence of a dedicated law specifically governing online gambling creates significant legal gaps that hinder enforcement efforts. ( Juhara, N. F., Amalia, M., & Mulyana, 2025 )

#### **b. The Legal Status of Online Gambling in the Digital Era Based on the Applicable Laws and Regulations**

The legal position of online gambling within the Indonesian legal system is essentially classified as a criminal act and is explicitly prohibited under various positive legal instruments. Although the term “online gambling” is not specifically mentioned in the existing regulations, such activities still fall within the scope of legal prohibition based on a systematic interpretation of the provisions in the Indonesian Criminal Code (KUHP) and Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law).

Under the KUHP, gambling activities—including those conducted online—are regarded as unlawful acts as stipulated in Articles 303 and 303 bis, which prohibit organizing any form of gambling without authorization from the competent authorities. This means that even if gambling is conducted online and technology-based, the substance of the act still meets the elements of gambling, which involves betting with the expectation of gaining profit from an uncertain outcome.

Therefore, from a legal standpoint, online gambling can be qualified as a violation of conventional criminal law norms currently in force. (Rizki, 2021)

Online gambling is a form of cybercrime that is explicitly prohibited under Indonesia’s legal system. According to the Indonesian Criminal Code (KUHP), gambling is categorized as a criminal offense as stipulated in Articles 303 and 303 bis, which impose imprisonment and/or fines for anyone who intentionally organizes or facilitates gambling activities, whether openly or covertly.

Since the KUHP was formulated in a conventional era, the regulation of online gambling is further reinforced through Law No. 11 of 2008 on Electronic Information and Transactions

(ITE Law), as amended by Law No. 19 of 2016. Article 27 paragraph (2) of the ITE Law prohibits the transmission or accessibility of electronic content with gambling elements, while Article 45 paragraph (2) stipulates a maximum penalty of six years' imprisonment and/or a fine of up to one billion rupiah.

Law enforcement is further supported by Government Regulation No. 71 of 2019 concerning Electronic System and Transaction Operators, which obliges electronic system providers to prevent misuse of their platforms, including the dissemination of gambling content, and to take down such content when violations are found.

In addition to these national laws, the Ministry of Communication and Information Technology (Kominfo) plays a crucial role in combating online gambling by exercising its authority to block access to gambling websites and apps. This authority is backed by ministerial regulations that provide the legal basis for administrative actions to ensure a safe digital environment.

Meanwhile, the Indonesian National Police, through its Cyber Crime Directorate, conducts investigations and works in coordination with institutions such as the Financial Services Authority (OJK), Bank Indonesia, and internet service providers (ISPs) to trace financial flows and expose gambling networks.

However, Indonesia still lacks a specific law that comprehensively governs online gambling. As a result, law enforcement continues to rely on interpretive approaches based on existing legal provisions, particularly the KUHP and the ITE Law. This creates legal gaps, especially in classifying offenders' roles, addressing cross-border jurisdiction, and providing remedies for affected parties.

In conclusion, while the legal status of online gambling in Indonesia falls under a clear prohibition, its implementation faces challenges due to the rapid pace of technological development. Stronger and more specific regulatory frameworks are needed, alongside inter-agency cooperation and engagement with digital service providers, to ensure effective, efficient law enforcement and enhanced public protection.

### **c. Strategies of Law Enforcement Authorities in Addressing the Rise of Online Gambling in Medan City**

The development of information and communication technology in the digital era has introduced new challenges in law enforcement, including the rise of cybercrimes such as online gambling, which is becoming increasingly widespread in society. Medan City, as one of the major cities in Indonesia, is not immune to the covert yet systematic practice of online gambling. Law enforcement officers, particularly the Indonesian National Police (Polri), play a crucial role in combating this criminal activity. The police efforts to eradicate online gambling in Medan include repressive actions, preventive measures, and inter-agency coordination initiatives.

Repressive efforts are carried out through direct action against perpetrators and organizers of online gambling. The Medan City Police actively conduct raids on houses or locations used as operational centers for online gambling, and arrest suspects based on public reports and cyber patrol findings. In several cases, the Medan Metropolitan Police (Polrestabes Medan) has successfully uncovered large-scale online gambling networks operated professionally using foreign servers. Law enforcement is carried out based on Article 303 of the Indonesian Criminal Code (KUHP) concerning gambling and Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law).

However, repressive efforts alone are not sufficient to completely eradicate online gambling. Therefore, law enforcement officials also implement preventive measures, such as legal education for the public—particularly the younger generation, who are considered vulnerable to online gambling exposure. The police collaborate with schools, educational

institutions, and community leaders to provide education about the dangers of online gambling and the legal consequences that perpetrators may face. These outreach programs aim to foster legal awareness among the public and to prevent the emergence of intent to engage in gambling activities.

In addition to repressive and preventive approaches, the Medan Police also utilize cyber patrol systems that leverage digital technology. The Cyber Crime Unit of Polrestabes Medan regularly monitors suspicious activities on social media, messaging apps, and gambling websites. This cyber patrol allows officers to detect illegal gambling sites early and take prompt action to block access, in coordination with the Ministry of Communication and Information Technology (Kominfo). The use of technology is key in addressing transnational crimes that are difficult to trace through conventional methods.

Other law enforcement agencies such as the Public Prosecutor's Office (Kejaksaan) also play a strategic role in combating online gambling. As the *dominus litis*, the Prosecutor's Office is responsible for prosecuting gambling offenders professionally and based on strong evidence. Public prosecutors draft indictments and charges in accordance with applicable legal provisions and ensure that perpetrators receive proportional sanctions that serve as a deterrent. In several court rulings, maximum penalties have been imposed on individuals found guilty of operating within organized online gambling networks.

Efforts to eradicate online gambling are also supported by academia and civil society organizations. Several universities in Medan actively hold seminars and public discussions on the dangers of online gambling and the role of the community in supporting law enforcement agencies. Public awareness serves as a key force in creating a gambling-free environment, and communities are encouraged to actively report suspicious activities to the authorities.

On the other hand, there is a pressing need for regulatory reforms that are more adaptive to the advancement of information technology. Criminal law that still relies on Article 303 of the Indonesian Penal Code (KUHP) is considered insufficient to address the increasingly complex *modus operandi* of online gambling. Therefore, legal reform is required—either through the revision of the KUHP or the strengthening of the Electronic Information and Transactions Law (ITE Law)—to specifically regulate online gambling crimes, including provisions on site blocking, digital tracing, and specific criminal sanctions.

The police have also proposed the establishment of Cyber Divisions in every Regional Police Office (Polda) to accelerate the handling of digital crime cases. In Medan, the need for such a specialized unit is increasingly urgent, given the high number of public reports related to online gambling. With a dedicated division, case handling can be more focused and professional—an essential response to the evolving nature of cybercrime.

It is undeniable that the success of law enforcement in combating online gambling heavily relies on the effectiveness of tracing financial flows used in gambling operations. Therefore, the involvement of the Financial Transaction Reports and Analysis Center (PPATK) is crucial in assisting law enforcement agencies in identifying suspicious financial networks. In Medan, cooperation with PPATK has begun to yield positive results, with the discovery of several accounts used to receive gambling funds.

It is also important to note that social rehabilitation for online gambling offenders must be part of long-term mitigation strategies. Many individuals become involved due to addiction or economic pressure, making purely repressive legal approaches potentially counterproductive. Development of rehabilitation and support programs is necessary to prevent recidivism. Local governments can play a role by providing job training or alternative economic assistance.



The police in Medan also recognize the need for involvement from religious and community leaders in spreading moral messages. Religious values that reject gambling practices must be reinforced as part of a cultural approach. Religious activities addressing the dangers of online gambling can serve as an effective means to reduce public interest in such activities. This demonstrates that crime prevention cannot rely solely on formal law, but also requires moral and social strength.

In conclusion, the efforts of the police and law enforcement institutions in combating online gambling in Medan are on the right track, but require further strengthening in terms of technology, inter-agency coordination, and community empowerment. Seriousness in legal enforcement must be accompanied by strategic and sustainable measures to address the complexity of this digital crime. With strong synergy among all stakeholders, the goal of creating a society free from online gambling can be achieved.

## **The Impact Of Weak Law Enforcement On The Widespread Practice Of Online Gambling In The Digital Era Within Society**

### **a. Legal Framework on the Proliferation of Online Gambling in the Digital Era within Society**

The development of information and communication technology has brought significant changes to various aspects of human life, including the fields of entertainment and gambling. In the past, gambling was carried out conventionally in specific locations such as casinos, gambling houses, or hidden venues. Today, however, gambling has transformed into an online format that can be easily accessed by anyone, anytime, and anywhere. This phenomenon poses a serious challenge for a legal state like Indonesia, which explicitly prohibits all forms of gambling under its prevailing legal norms. Online gambling, as a form of cybercrime, has rapidly expanded alongside the increasing use of the internet and digital devices among the public, leading to social unrest, economic disparities, and moral degradation—especially among teenagers and younger generations.

Indonesia, from a normative standpoint, has regulated the prohibition of gambling in the Criminal Code (KUHP) through Articles 303 and 303 bis, which stipulate that any person who organizes or provides facilities for gambling may be subject to criminal sanctions. However, these provisions remain general in nature and have yet to accommodate technological developments such as online gambling. Therefore, lawmakers responded by incorporating the prohibition of online gambling into Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law), particularly Article 27 paragraph (2), which states that the distribution, transmission, and/or access to electronic information containing gambling content constitutes a criminal offense. This provision was further strengthened through the amendment under Law Number 19 of 2016, which emphasizes the importance of law enforcement against illegal activities carried out via the internet.

The absence of technical regulations and standardized procedures for handling online gambling has further worsened the situation. Some law enforcement officers remain confused about which legal provisions to apply—whether to use the Criminal Code (KUHP), the Electronic Information and Transactions Law (ITE Law), or even the Anti-Money Laundering Law when suspicious financial transactions are found. This has resulted in inconsistencies in legal proceedings, ultimately affecting public trust in law enforcement authorities. On the other hand, the limited human and technological resources within the police and prosecutor's offices also pose significant obstacles to combating online gambling. Furthermore, Law Number 2 of 2002 on the Police emphasizes that the main duties of the police include law enforcement, protection, guidance, and service to the community. However, in the context of online gambling, many public reports are not followed up seriously. This shows that law enforcement officers tend to be reactive rather

than proactive in preventing and addressing online gambling practices. Moreover, there are allegations of involvement by certain rogue officers in protecting or even participating in online gambling networks, which further complicates efforts to eradicate this crime in a comprehensive and decisive manner.

The government also needs to revise and update regulations related to cybercrime, particularly those concerning online gambling. One effort could involve proposing a Draft Law on Cybercrime (Cyber Crime Act) that specifically regulates various forms of digital crimes, including online gambling. This law could include provisions on the definition of online gambling, its various forms, criminal sanctions, procedures for evidence collection, involvement of internet service providers and digital platforms, as well as mechanisms for blocking and reporting. With such legislation, law enforcement officials would have a strong, clear, and operational legal basis to handle online gambling cases professionally.

It is also important to integrate the banking system and financial services in efforts to eradicate online gambling. Bank Indonesia and the Financial Services Authority (OJK) must cooperate with law enforcement agencies to trace suspicious transactions, freeze accounts used for gambling activities, and impose sanctions on financial institutions that are either involved or negligent in their supervisory responsibilities.

Protection of children and adolescents must also be a top priority in tackling online gambling. The government should tighten internet access through parental supervision, the use of parental control features, as well as school and university policies that instill digital awareness in students. Children and teenagers must be educated about the risks and consequences of gambling—legally, economically, and psychologically. Without such preventive measures, the younger generation will become easy targets for online gambling operators who continue to develop misleading marketing and promotional strategies.

Overall, it must be understood that the widespread practice of online gambling in the digital era not only reflects weaknesses in the legal system but also highlights the lack of social control and low levels of digital literacy among the public. Therefore, solving this issue requires a collaborative approach—not solely relying on law enforcement, but also involving all stakeholders, including the government, civil society, academia, and the private sector. Effective law enforcement can only be achieved when all parties share the same commitment to protecting society from the threats posed by digital crimes such as online gambling. (Purwati, Endang, 2021).

#### **b. Legal Certainty Regarding the Rising Practice of Online Gambling in the Digital Era Within Society**

Legal certainty is one of the fundamental principles in the Indonesian legal system, ensuring that every citizen receives protection of their rights fairly and proportionally in accordance with applicable laws. In the context of the increasing prevalence of online gambling in the digital era, legal certainty becomes a critical issue, considering the absence of specific regulations that govern the forms, methods, and legal consequences of gambling based on information technology. This lack of legal clarity not only creates confusion among the public but also weakens the reach and effectiveness of law enforcement against cybercrimes, including online gambling.

In Indonesia's positive legal system, gambling is regulated under the Criminal Code (KUHP), particularly in Articles 303 and 303 bis, which criminalize all forms of gambling. However, these provisions do not yet accommodate the advancements in information technology that allow gambling to be conducted online. The provisions in the Criminal Code tend to focus on conventional gambling, such as gambling conducted physically and directly, whereas online gambling operates through applications, websites, and electronic transactions that are not easily traceable using traditional legal approaches.

The lack of clear legal provisions governing online gambling has also created a gap between legal norms and actual practices on the ground. Law enforcement officers, for instance, often face difficulties in identifying the main perpetrators behind online gambling operations, as many gambling websites are hosted on foreign servers or employ encryption technologies that hinder traceability. This situation leads to inconsistent law enforcement and creates legal uncertainty among the public regarding the boundaries of their online activities—particularly in cases that fall into the grey area between online gaming and gambling.

The absence of specific legal provisions also contributes to the slow response of the legal system in addressing continuously evolving criminal methods. Online gambling is no longer limited to traditional websites; it now utilizes mobile applications, social media platforms, and payment gateway systems that are difficult to detect. Without adaptive and responsive regulations, the law becomes irrelevant to the dynamics of digital crime, thereby failing to fulfill its function as a tool for social control and legal certainty. To achieve legal certainty, it is necessary to synchronize the various laws and regulations related to gambling, electronic information, and economic crimes.

To address these issues, a strong political will from the government is required to accelerate the legislative process of a Draft Law (RUU) that specifically regulates online gambling. This draft law should include clear definitions, types of prohibited online gambling, tracking mechanisms, forms of sanctions, and procedures for cooperation with internet service providers and financial institutions. With such specific regulations in place, legal certainty regarding online gambling can be enforced more systematically and structurally.

In addition, the Supreme Court (Mahkamah Agung) could issue a Circular Letter or Technical Guidelines for judges in handling online gambling cases, to avoid excessive disparities in rulings and to provide uniform normative guidance. This step is essential to ensure that law enforcement in courts remains oriented toward the principle of justice and does not lead to multiple interpretations that may undermine the overall integrity of the legal system.

Legal certainty can also be strengthened by establishing a national database system for online gambling-related criminal offenses. Through this database, law enforcement agencies can access case histories, operational methods, and individuals previously involved, thereby enabling more efficient case handling and preventing duplication. This system would also be useful in identifying organized crime networks operating across different regions using the same digital platforms.

It is also crucial for the government to cooperate with Internet Service Providers (ISPs) and social media platforms to block access to online gambling websites or applications proven to violate the law. However, such measures must be carried out transparently and accountably, with a clear legal basis and legitimate procedures, to avoid infringing on citizens' right to internet freedom. With a selective blocking policy grounded in legal provisions, the law can be enforced without compromising the constitutional rights of the public.

Comprehensive and continuous legal education for the public is also an essential strategy in realizing legal certainty. Many members of the public are unaware that online gambling constitutes a criminal offense, or do not understand that activities involving chips, coins, or money-prize games fall under the category of gambling. Therefore, the government must collaborate with religious leaders, community figures, and educational institutions to disseminate legal information in a clear and accessible manner.

From an academic perspective, in-depth legal studies are needed to differentiate between legal online games and illegal online gambling. This distinction is crucial to ensure



that newly formulated regulations do not inadvertently criminalize legitimate creative and digital industries. A comprehensive analysis of the elements of gaming, betting, and economic gain must be conducted to avoid misinterpretation in the application of law.

Philosophically, legal certainty in the context of online gambling is part of a broader effort to achieve social order and to protect society from the harmful impacts of digital crimes.

### **c. Strict Sanctions Against Online Gambling Practices in the Digital Era Amid Society**

The enforcement of strict legal sanctions against online gambling practices in the digital era is urgently needed, given the increasing number of cases and the widespread social impact of such illegal activities. Online gambling not only undermines household economic foundations but also draws society—especially the younger generation—into a cycle of crime and addiction. Therefore, the imposition of firm sanctions is not merely a reaction by the state, but rather a systematic effort to protect public morality and the integrity of the law in the digital age.

Meanwhile, Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law), as amended by Law Number 19 of 2016, prohibits gambling-related content as stipulated in Article 27 paragraph (2). Violations of this provision are subject to a maximum prison sentence of six years and/or a fine of up to one billion rupiah. While these sanctions are relevant, in practice they have yet to serve as an effective deterrent due to suboptimal enforcement. Many online gambling offenders receive only light criminal sentences or are merely subjected to administrative fines. This creates the impression that the state is not serious in addressing online gambling offenses. The lack of firmness in imposing sanctions also opens up space for gambling operators to continue recruiting players by exploiting legal loopholes and weak digital oversight. As a result, online gambling activities continue to grow and increasingly target broader segments of society. (Berutu, S. P. 2022)

A comprehensive crackdown on the entire ecosystem of gambling is necessary to break the chain of increasingly complex and organized digital crime. In several developed countries, online gambling practices are subject to layered criminal sanctions, including asset forfeiture, account freezing, and internet access blocking. Indonesia should adopt a similar approach by integrating a robust cyber law enforcement system that involves financial authorities, telecommunications regulators, and law enforcement agencies in a coordinated manner. Without strong inter-agency coordination, legal sanctions will fail to produce a significant deterrent effect.

The imposition of sanctions must also consider rehabilitative aspects, particularly for players or gamblers who are merely victims exploited by the online gambling system. Many of these individuals are ordinary citizens lured by promises of rewards and easy access, thus requiring a more humane legal approach. Nevertheless, such an approach must not undermine the principles of justice and legal certainty, which must always be upheld. (Adnan, M. A. 2019)

Therefore, administrative sanctions must be accompanied by an automated monitoring system based on artificial intelligence. It is also essential to impose ethical sanctions on state officials who are involved in or provide protection for online gambling practices. There have been numerous cases where certain law enforcement officers act as protectors or even benefit from such illegal activities. The enforcement of ethical codes and the punishment of abuses of authority are crucial components of a comprehensive strategy to eradicate online gambling.

In its implementation, both criminal and administrative sanctions must adhere to the principles of proportionality and effectiveness. Punishments that are too lenient fail to provide a deterrent effect, whereas excessively harsh penalties without a strong legal basis

may violate the principle of justice. Therefore, sentencing guidelines are necessary to consider various factors, including the offender's background, degree of involvement, and the extent of social harm caused.

Thus, the state not only imposes criminal penalties but can also confiscate assets acquired through illegal means. As a form of commitment to law enforcement, legal sanctions against online gambling should also be incorporated into the National Action Plan for the Prevention of Cybercrime. This would demonstrate that the government is taking the dangers of online gambling seriously and has made law enforcement a national priority. The formulation of such policies must involve academics, law enforcement officials, and civil society to ensure that the sanctions imposed are truly effective and well-targeted.

## **Efforts and Effectiveness of Law Enforcement Against Online Gambling Practices in the Digital Era in Medan City**

### **a. The Effectiveness of Law Enforcement Against Online Gambling Practices in the Digital Era in Medan City**

The effectiveness of law enforcement against online gambling practices in Medan City has not yet shown optimal results. This can be seen from both empirical data and the growing phenomenon in society, where online gambling remains easily accessible and the number of users continues to increase over time. Although law enforcement agencies have taken various actions, many cases have only targeted low-level perpetrators or users, while the intellectual actors operating the websites from abroad remain untouched.

Another factor affecting the low effectiveness of law enforcement is the lack of digital forensic technology, insufficient specialized training for officers in handling cybercrime, and weak coordination among law enforcement institutions. Furthermore, the absence of specific regulations governing online gambling makes it difficult for authorities to establish a solid legal basis for prosecution.

Most law enforcement efforts still rely on provisions in the Criminal Code (KUHP) or the Electronic Information and Transactions Law (ITE Law), both of which have limited scope and are open to multiple interpretations. The lack of deterrent effect on offenders further worsens the situation, as the punishments imposed are often not severe enough, making offenders and the public feel that there is no serious threat associated with the activity.

Law enforcement against online gambling practices in Medan City reflects a considerable effort by the authorities, yet its effectiveness has not reached an optimal level. This is evident from the ongoing prevalence of online gambling activities, which remain easily accessible to the public, including younger age groups. The North Sumatra Regional Police, particularly through the Medan Metropolitan Police (Polrestabes Medan), regularly conducts operations to uncover online gambling cases by arresting perpetrators and seizing evidence such as electronic devices and digital transaction documents.

However, the main obstacle in law enforcement is the complexity of technology used by online gambling operators, such as hidden applications, Virtual Private Networks (VPNs), and difficult-to-trace payment systems. Additionally, weak coordination between institutions—such as the police, the Ministry of Communication and Information (Kominfo), and financial institutions—hinders comprehensive handling, especially in disrupting the financial networks that sustain online gambling operations.

The absence of specific legal instruments that comprehensively regulate online gambling also forces law enforcement officers to rely on interpretations of general criminal provisions and articles under the Electronic Information and Transactions Law (ITE Law), which often do not reflect the contextual needs of addressing modern forms of digital gambling.

On the other hand, social factors such as low digital literacy and the lack of public awareness regarding the dangers of online gambling also contribute to the high number of users and perpetrators involved. In this context, the effectiveness of law enforcement is not only measured by the frequency of raids or arrests, but also by the legal system's ability to prevent crime through proper regulation, public legal education, and integrated digital surveillance.

#### **b. Law Enforcement Against Online Gambling Practices in the Digital Era in Medan City**

Law enforcement against online gambling practices in Medan City is a collective responsibility involving various institutions, including the police, prosecutors, and the judiciary. In practice, however, law enforcement still faces major challenges, both normatively and technically. From a normative perspective, the absence of a specific and comprehensive law that explicitly regulates online gambling forces law enforcement officers to improvise by using existing provisions in the Indonesian Criminal Code (KUHP) and the Electronic Information and Transactions (ITE) Law. This limitation narrows the scope for legal action and opens legal loopholes that can be exploited by the offenders' legal defense.

From a technical standpoint, many online gambling operators employ sophisticated digital security systems, including VPNs, foreign-based domains, and untraceable payment methods. Regional law enforcement agencies, including those in Medan, often lack the advanced resources and technology necessary to penetrate these systems effectively. Furthermore, the law enforcement process remains highly centralized at the national level, making regional responses slow and reactive.

Despite these challenges, law enforcement officers in Medan have shown initiative by conducting cyber patrols and raids on local gambling agents, and by collaborating with community groups to identify and report online gambling activities. Ideally, law enforcement should not only target individual users but also dismantle the broader ecosystem supporting online gambling. This includes cracking down on platform providers, social media promoters, and payment networks. Without a systematic and integrated approach, law enforcement efforts will remain symbolic and fail to address the root causes of the problem.

Law enforcement against online gambling practices in Medan City demonstrates that law enforcement authorities have made efforts to carry out their duties in accordance with prevailing laws and regulations, although various obstacles remain in its implementation. The widespread nature of internet-based gambling activities, which are disseminated through websites, mobile applications, and social media platforms, poses a significant challenge due to their cross-border characteristics and difficulty of traceability.

The police, as the front line of enforcement, have undertaken several measures, including investigation, direct field operations, and cooperation with the Ministry of Communication and Information Technology to block identified gambling sites. However, these sites often reappear using different domains and servers, rendering such blocking efforts ineffective in creating a deterrent effect.

Law enforcement also faces evidentiary challenges, as perpetrators typically use false identities, anonymous networks such as VPNs, and bank accounts not registered in their own names. Furthermore, the absence of a specific law that comprehensively regulates online gambling has led law enforcement officers to rely on general provisions within the Indonesian Penal Code (KUHP) and the Electronic Information and Transactions (ITE) Law, which are often insufficient to address the evolving modes of digital crime.

In several cases, arrested offenders have only received light criminal sanctions or even avoided legal consequences altogether due to a lack of evidence or legal loopholes.

This situation reflects that law enforcement efforts in addressing online gambling in Medan City remain reactive and are not yet based on a systematic and integrated approach

### **c. Regulation of Online Gambling Criminal Acts from the Perspective of National Law**

Online gambling as a criminal offense represents a form of crime that has evolved alongside the advancement of information and communication technology, posing a serious challenge to Indonesia's national legal system. In the context of criminal law, gambling has long been classified as a prohibited act due to its potential to undermine morality, disrupt public order, and bring negative economic and social consequences to society. However, with the emergence of digital or online gambling, this type of crime has shifted from its conventional form to a technology-based offense with broader reach and a higher degree of difficulty in detection and enforcement.

Within the national legal system, criminal acts of gambling are generally regulated under the Indonesian Penal Code (KUHP), particularly in Articles 303 and 303 bis. These articles impose criminal sanctions on anyone who offers or provides the opportunity to engage in gambling, as well as on those who participate in gambling activities. However, these provisions still refer to conventional forms of gambling and do not take into account the evolution of crimes committed through digital media. As a result, there exists a legal vacuum in specifically prosecuting online gambling offenders, particularly in dealing with new methods that utilize encryption systems, digital wallets, and international internet networks.

Article 27 paragraph (2) of the Electronic Information and Transactions Law (ITE Law) stipulates that any person is prohibited from distributing or making accessible any electronic documents containing gambling content. Although this provision provides a legal basis for prosecuting online gambling offenses, its legal interpretation remains limited and requires complex evidentiary processes, particularly when dealing with cross-border transactions and network systems.(Puspita, Sari.2021)

The status of online gambling as a criminal offense within the national legal system is also closely related to the principle of *lex specialis derogat legi generali*, whereby the Electronic Information and Transactions Law (ITE Law), as a special regulation, can override the provisions of the Criminal Code (KUHP) if the same act is more specifically regulated therein. However, in practice, law enforcement authorities often combine both legal provisions to construct charges against perpetrators.

The absence of specific regulations focusing on digital-based gambling has led to inconsistencies in the legal handling of such cases. Judges, prosecutors, and investigators often face difficulties in determining the most appropriate legal provisions to apply, as there is no clear legal distinction between conventional gambling and online gambling. As a result, law enforcement against online gambling offenses tends to appear sporadic and has not been effective in creating a deterrent effect for either perpetrators or providers of gambling platforms.

Online gambling also possesses a transnational dimension, where perpetrators, servers, and transactions may be dispersed across multiple countries. This requires the national legal system to establish an international cooperation framework involving extradition, cross-border account freezing, and removal of foreign-hosted websites. Unfortunately, Indonesia has yet to develop a robust legal infrastructure to effectively address such global crimes. Bilateral agreements and international cooperation—both technical and legal—are crucial, but remain suboptimal.

From a national legal perspective, it is essential to formulate new legal regulations that are more responsive to the development of technology-based crimes, including online gambling. The Draft Criminal Code (RKUHP) currently under deliberation should provide

clear and firm legal norms regarding digital offenses. Additionally, there should be a specialized institution or task force within the law enforcement structure dedicated to combating cybercrime, in order to ensure that online gambling can be eradicated effectively and professionally.

Taking all of the above into account, it can be concluded that the legal status of online gambling within the national legal system remains weak and undefined. Despite efforts to classify it as a crime, weak regulations, limited law enforcement capabilities, and suboptimal inter-agency coordination have left online gambling in a vulnerable position, largely untouched by the law. A systemic, comprehensive, and adaptive legal reform is urgently needed to enable the national legal system to effectively respond to the growing threat of online gambling in the digital era.

Gambling practices, including those conducted online, are prohibited under various regulations such as the Indonesian Criminal Code (Articles 303 and 303 bis), Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law), and its implementing regulations. (Wijayanti, Rina, 2019)

Therefore, addressing online gambling cannot rely solely on domestic legal approaches; it must also be supported by international legal policies, strengthened cross-border cooperation, and the establishment of a national cyber task force with adequate technological capacity and legal authority to coordinate with international institutions. Without these measures, the national legal system will continuously lag behind in responding to the rapidly evolving dynamics of transnational digital crimes.

In addition to regulatory limitations, other challenges arise from institutional aspects and the capacity of law enforcement agencies in handling cybercrime. Law enforcement officials, such as the police and public prosecutors, continue to face obstacles in terms of human resources that are specifically trained in digital forensics and cybercrime. The uneven distribution of information technology facilities and the lack of coordination between law enforcement agencies and other institutions such as the Ministry of Communication and Information Technology (Kominfo), the Financial Services Authority (OJK), and Bank Indonesia also hinder the prompt and effective enforcement of the law. At the local level, such as in the city of Medan, constraints in budget, technological equipment, and limited training for personnel pose additional barriers in combating increasingly sophisticated and concealed forms of online gambling. On the other hand, public legal awareness remains low, with some segments of society even engaging in online gambling due to economic motives or a lack of information regarding its legal consequences.

The absence of a criminal procedural law that comprehensively regulates the mechanisms for handling digital crimes further complicates law enforcement efforts. The seizure of electronic evidence, the collection of digital data, and the processing of information through social media or online platforms often raise debates regarding the validity and legality of investigative procedures. On the other hand, the influence of globalization and open internet access enables gambling websites or applications to continue emerging, often using hidden patterns that are difficult to detect through conventional surveillance systems. This situation demands a comprehensive reform of national legislation that is responsive to contemporary developments—whether through revisions to the Criminal Code (KUHP), the enactment of a specific law on cybercrime, or the strengthening of law enforcement capacity and international cooperation.

## CONCLUSION

Based on the research findings, online gambling in the digital era has significantly increased in Medan City, driven by advancements in information technology and internet access. Although it is regulated under the Criminal Code (KUHP), the Electronic Information



and Transactions Law (ITE Law), and related government regulations, these legal instruments do not specifically address the evolving forms and methods of online gambling, making effective law enforcement difficult.

Weak enforcement is caused by limited public awareness, lack of specific regulations, insufficient digital evidence, and inadequate human and technological resources. Law enforcement efforts remain suboptimal due to legal gaps, weak institutional coordination, limited technical capacity, and the transnational, anonymous nature of online gambling.

Despite measures such as arrests, website blocking, and evidence seizure, these actions have not addressed the root causes. According to Soerjono Soekanto's theory, effective law enforcement depends on legal substance, law enforcement officers, infrastructure, and community participation—all of which remain inadequate in this context. Therefore, a comprehensive reform involving legal, technical, and institutional improvements is urgently needed to combat online gambling effectively and ensure legal protection for society.

## REFERENCE

- Adnan, Muhammad Ali. Reformasi Penegakan Hukum di Indonesia: Perspektif Sosio- Legal. Yogyakarta: Genta Publishing, 2019.
- Berutu, S. P. (2022). *Penegakan Hukum Siber di Indonesia*. Medan: Pustaka Hukum Digital.
- Juhara, N. F., Amalia, M., dan Mulyana, A. "Efektivitas Penegakan Hukum terhadap Judi Online di Indonesia: Analisis Yuridis dan Sosiologis." *Journal of Contemporary Law Studies*, Vol. 2, No. 2, 2025.
- Purwati, Endang. *Penegakan Hukum Siber: Perspektif Yuridis Normatif*. Jakarta: Rajagrafindo Persada, 2021.
- Puspita, Sari. *Dampak Judi Online pada Masyarakat Kota Besar*. Medan: Lembaga Studi Sosial, 2021.
- Rizki. *Regulasi dan Pengawasan Aktivitas Digital*. Jakarta: Gramedia, 2022.
- Wijayanti, Rina. *Perkembangan Judi Online dan Regulasi Hukum di Indonesia*. Yogyakarta: Graha Ilmu, 2019.