

Legal Review of Online Gambling Crimes in Indonesia and its Impact on the Younger Generation

Putu Adinda Novianita Martha
Universitas Warmadewa, Indonesia
Email: adindamarthaa@gmail.com

Abstract

This research examines the growing issue of online gambling crimes in Indonesia and their disproportionate impact on the younger generation. The research problem centers on how technological advancements, coupled with weak law enforcement and socio-economic factors, have facilitated the spread of online gambling, particularly among minors. The objectives of this study are threefold: (1) to analyze the legal framework governing online gambling, (2) to identify the key factors driving youth participation, and (3) to evaluate the effectiveness of existing preventive measures. Using a normative legal research method, this study relies on primary legal sources, such as the ITE Law and Criminal Code, as well as secondary sources, including academic journals and government reports. A conceptual and legislative approach is employed to assess regulatory gaps and societal influences. The findings reveal that while Indonesia has established legal provisions to combat online gambling, enforcement remains inconsistent, and penalties lack deterrent power. Economic pressures, low legal awareness, and easy access to technology exacerbate the problem, leading to severe consequences such as financial loss, mental health issues, and secondary crimes. The study concludes with recommendations for strengthening law enforcement, enhancing digital literacy programs, and fostering multi-stakeholder collaboration to mitigate this crisis. These implications are critical for policymakers, educators, and families aiming to protect vulnerable youth from the dangers of online gambling.

Keywords: Online Gambling; *Smartphones*; Online Crime.

INTRODUCTION

The development of internet access and smartphone technology has revolutionized various aspects of life, offering both significant benefits and unintended negative consequences. One such consequence is the rise of online gambling, a crime that has increasingly entangled minors due to easy access and aggressive digital promotions. Previous research has explored this phenomenon from distinct perspectives. For instance, Ainaiya et al. (2024) analyzed policy decision-making in handling online gambling, highlighting gaps in enforcement despite existing legal frameworks. Meanwhile, Bakhtiar and Adilah (2024) examined the socio-economic factors driving online gambling but lacked a critical evaluation of how technological advancements exacerbate its spread among youth. This study bridges these gaps by integrating legal, technological, and socio-economic analyses to provide a comprehensive understanding of online gambling's impact on the younger generation.

There are many positive benefits from current technological advancements, but there are also significant negative consequences. Easy access to the internet via smartphones means both beneficial and detrimental content is readily available; for instance, online gambling has rapidly proliferated. Mobile betting transforms gambling into a continuous activity that permeates daily life, thereby accelerating disordered gambling and financial debts (Hing, 2023). Regulation challenges persist, as the virtual nature of online gambling makes it difficult for users to verify the legitimacy of platforms—fostering mistrust and increasing vulnerability to fraud (Gainsbury et al., 2013). Public health experts warn that the proliferation of commercial gambling via mobile phones poses an escalating global health crisis, with approximately 450

million individuals exposed to harmful consequences, including mental health disorders and financial ruin (Lancet Commission, 2024). Online gamblers exhibit significantly more psychological distress, including higher rates of depression, anxiety, and poor impulse control, relative to in-person gamblers (BirchesHealth, 2025). Among youth and students, higher digital accessibility strongly correlates with increased engagement in online gambling—indicating that nearly 43% of digitally connected students participated in online gambling, with active users nearly three times more likely to engage than peers with limited access (Saefullah & Vaidyanatahan, 2025). Engagement in online gambling communities is also linked to increased risk of gambling and gaming disorders at both individual and social levels (Vepsäläinen, 2024). Moreover, immersive mobile game mechanics like Gacha games can drive gambling-like behaviors, especially among vulnerable youth, highlighting the urgent need for regulatory safeguards in app design (Han, 2025).

Online gambling markedly differs from traditional gambling: it is accessed through sophisticated apps or websites and heavily promoted via mass media, unlike conventional gambling which occurs directly without electronic intermediaries (Ghelfi et al., 2024). The widespread ease of internet access, particularly through smartphones, has greatly facilitated the promotion of online gambling platforms and normalized their presence in society (Gainsbury et al., 2019). This accessibility fosters anonymity, convenience, and rapid engagement—factors strongly linked with increased rates of problem gambling compared to land-based gambling (Montes et al., 2017; Oh et al., 2023). Moreover, the immersive nature and constant availability of online platforms contribute to more frequent and higher-stakes gambling behavior, making it attractive to a broader audience (Griffiths, 2006; Ghelfi et al., 2024). These dynamics help explain why online gambling continues to be viewed as highly intriguing and potentially harmful, with financial stakes ranging from minimal to exorbitant amounts.

Online gamblers are aggressively promoting through various social media platforms, such as Instagram and WhatsApp. By using an Instagram account and creating a tempting offer advertisement to attract public interest. This online gambler is very good at making these promotions so that they do not look like a gambling activity. rather, by offering to play in a game. They do not hesitate to approach potential players by sending text messages directly by inviting and providing attractive offers.

Unfortunately, this is done not only to adults, but also to many minors who are the target market. Because many teenagers currently already have access to the internet and smartphones. However, they do not yet have a mature understanding and vigilance against online crime that can occur. It is very easy to invite and influence these underage teenagers to participate in online gambling. With a little money, you can play the game, aka online gambling games.

The gambler will offer a win with a prize that amounts to more than the initial capital deposited by the player at the beginning of the game. It is common knowledge that gambling games on online websites have been regulated by the website managers in running the game. So that at the beginning of the game, they will give small victories so that the players feel profitable. That way, they will start offering to put up large capital to get bigger profits. That's where the perpetrators carried out their actions. However, these victims or online gambling players are not aware that they have started to become addicted even though they have lost a lot.

Because the desire to gamble is very large and has the thought of getting the capital back. They keep trying the game to win the prize. That's where a lot of crime happens, because these online gambling players are trying to get money to play. Not a few cases of theft, and crime in a family because the players are forcing to get a lot of money soon, only to gamble and lose the money. which then has an impact on the mental and physical health of the players. It is not uncommon for there to be cases of someone who destroys his life and even commits suicide because he is unable to face his life that is already messy due to online gambling.

Article 27 paragraph (2) of ITE Law Number 19 of 2016 Indonesia regulates online gambling. The government has a strong legal foundation to take preventive and repressive measures against online gamblers, backed by clear laws. To combat online gambling, the government has taken preventive measures such as blocking online gambling sites, monitoring suspicious financial transactions, and enforcing laws against online gamblers. Despite this, Indonesians can still access online gambling sites.

Furthermore, Rizki Nurdiansyah et al. (2024) investigated law enforcement effectiveness but omitted the role of digital literacy in prevention. By synthesizing these studies, this research not only critiques their limitations but also proposes actionable solutions, such as enhanced digital education and stricter regulatory measures. The objectives of this study are threefold: (1) to critically evaluate existing regulations and their enforcement, (2) to assess the socio-technological factors enabling youth involvement, and (3) to recommend holistic prevention strategies. The findings aim to inform policymakers, educators, and families, ultimately mitigating the societal harm caused by online gambling.

RESEARCH METHOD

In addressing the problems raised, this study used normative legal research. Normative legal research involves studying documents such as laws and regulations, court decisions, contracts, legal theories, and scholarly opinions. It is conducted by reviewing literature materials or secondary data. According to Peter Mahmud Marzuki, normative legal research, also called doctrinal law research, is the process of identifying rules, principles, or legal doctrines to resolve legal issues. Law is understood either as written norms (law in books) or as behavioral rules considered appropriate. The object of study focused on the system of legal norms, particularly rules related to specific legal events. This study employed two approaches:

1. The legislative approach, which examined relevant legal regulations.
2. The conceptual approach, which analyzed the concepts and legal values underlying the problem.

RESULTS AND DISCUSSION

Causes of the Online Gambling Phenomenon

Rapid technological advances are changing people's lifestyles. In addition to encouraging convenience in various fields positively, this convenience has a negative impact on people's lives, one of which is the ease of accessing the internet and also transacting using financial services technology makes online gambling spread so quickly. This is just one of the factors that drive online gambling, along with other factors that encourage online gambling.

- a. Economic factors, the high cost of a person's needs, especially if they support a family with inflation, are already a heavy thing if we depend on living with a salary amount that we also know is much below the average Regional Minimum Wage [UMR]. The existence of online gambling activities, and the pressure of economic needs. So people with dark eyes are immersed in unlawful activities and feel momentary pleasure. This is what can encourage someone to gamble online
- b. The factor of low legal awareness, those who are easily tempted by online gambling activities are people who are not aware, do not understand or forget that online gambling is also an illegal activity, which is regulated in the law which if violated can be subject to fines and even criminal sanctions.
- c. Environmental factors, a person can fall into online gambling activities can also occur due to the influence of the surrounding environment. It can come from outsiders and even from the family environment. With the introduction of online gambling by the people closest to you, a person is more easily influenced and follows it without thinking long. and not

considering the bad impact that can occur because you have seen others do online gambling without being constrained and instead make a profit.

- d. Technological factors, almost every individual today must have a smartphone. It is very easy to access online gambling sites with just a smartphone and an internet connection. So as to facilitate the unlawful actions that will be carried out, namely online gambling. With just a little explanation then a person already understands how to play on online sites and slowly subconsciously starts to get addicted.

The impact that occurs from addiction in playing online gambling often causes many other crimes that can occur. For example, when you want to play but the money used has run out. So, it is not uncommon for someone to be willing or unconsciously want to get money in an easy but inappropriate way such as stealing from family members, committing fraud, borrowing a fantastic amount of money but not having the ability to return it, loss of sense of responsibility, and honesty, lying to the family and even committing physical and mental violence. All of the above mentioned are the negative impacts that often occur carried out by online gamblers. Therefore, online gambling activities are very dangerous for yourself and those around you.

Current Regulations, Especially Related to Online Gambling, Against Technological Developments and Ever-Changing Patterns of Cybercrime

To provide a deterrent effect, the government has set a clear regulation, namely criminal penalties for online gambling perpetrators regulated in article 27 paragraph (2) which states "that any person who deliberately and without the right distributes and/or transmits / or makes accessible electronic information and/or electronic documents that have gambling content can be criminalized". Article 45 Paragraph (1) also states that every person who meets the elements as referred to in Article 27 Paragraph (1), Paragraph (2), Paragraph (3), Paragraph (4) can be sentenced to a maximum of 6 years in prison and/or a maximum fine of Rp. 1,000,000,000.00 (One Billion Rupiah).

It is possible that the two articles in the ITE Law will apply to issues related to online gambling that uses technology. However, both articles do not provide for minimum sentencing limits; They only set the maximum penalty limit. While legal gambling is not punishable, illegal gambling is only punishable. As stipulated in Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, the police have the authority to enforce the law. Article 13 of the Law states that the police have the main task of maintaining public order and security, providing services, protection, and protection to the community.

In addition, the police also have the authority to become investigators as stipulated in Article 15 and Article 16 of Law Number 2 of 2002 and in the Criminal Procedure Code regulated in Articles 5 to 7 of the Criminal Procedure Code. Doing law enforcement is like drawing a straight line between two points. The principle of individuality drives the main goal of law enforcement to achieve legal certainty, which strengthens individual freedom and the power of the state to control justice. In such situations, individuals can avoid the principle of legality because of their identity or uniqueness, just as the state can take away the rights of others based on the principle of legal equality.

Law enforcement is basically part of criminal policy that is inseparable from social policy. The criminal justice system then implements the policy and has several functional dimensions. On the one hand, crime prevention systems serve as social tools to regulate and control crime at a certain level. On the other hand, the criminal justice system also serves as a secondary deterrent, or secondary deterrent, with the aim of reducing the rate of crimes committed by convicted offenders. The social conditions that favor online gambling both directly and indirectly are one of the many factors that determine how conducive online gambling is. For

this reason, it is necessary to make preventive efforts by eliminating factors and situations that can encourage criminal acts, especially gambling on the internet.

The phenomenon of online gambling is growing rapidly along with technological advances that make it easier to access the internet and financial transactions. This convenience not only has a positive impact but is also negatively utilized by some people. One of the main drivers of the rise of online gambling is economic factors, where the high cost of living and low income, especially below the Regional Minimum Wage (UMR), make some people look for shortcuts to get quick profits. In addition, low legal awareness is also an important factor, because many people are not aware that online gambling is an illegal activity that can be subject to criminal sanctions or fines. The surrounding environment, including the influence of friends or family, also increases the chances of a person falling into this activity. The technology factor also plays a big role, because almost everyone has a smartphone and internet access which makes online gambling more accessible and learnable. The impact of online gambling addiction is very detrimental, such as the occurrence of other crimes in the form of theft, fraud, large debts, loss of sense of responsibility, lying to family, and even physical and mental violence. Therefore, online gambling is a serious threat to individuals and society.

The regulations that regulate online gambling today, especially through the ITE Law Article 27 Paragraph (2) and Article 45 Paragraph (1), provide a criminal threat of up to 6 years in prison and a maximum fine of IDR 1 billion for perpetrators who distribute or provide access to content containing gambling. However, this rule has not set minimum penalty limits, so its application depends on the consideration of law enforcement officials. Law enforcement against online gambling is under the authority of the police, in accordance with Law Number 2 of 2002, which is tasked with maintaining order, conducting investigations, and investigations in accordance with the provisions of the Criminal Code. Law enforcement is seen as part of criminal policy and social policy that serves to control crime, including as a secondary deterrent for convicted offenders. Given the development of technology and increasingly complex patterns of cybercrime, the prevention of online gambling not only relies on the law but also needs to be balanced with efforts to eliminate the social factors that favor the occurrence of these crimes.

CONCLUSION

The rapid expansion of online gambling in Indonesia, driven by technological advances and socio-economic pressures, significantly threatens the younger generation, who represent a large portion of users. Although laws like the ITE Law provide a regulatory framework, enforcement is inconsistent, sentencing is often inadequate, and preventive efforts such as digital literacy programs remain underdeveloped. The problem is compounded by the normalization of gambling through social media and easy payment methods, leading to addiction, financial losses, mental health issues, and wider economic instability. Effective mitigation requires a comprehensive strategy integrating stricter law enforcement, public education campaigns, active roles for financial institutions in monitoring suspicious transactions, and the blocking of gambling content by tech companies. Collaboration among government, educators, families, and industry stakeholders is essential to protect youth from exploitation and gambling addiction. Future research should explore innovative digital literacy curricula tailored for young populations and evaluate the impact of coordinated multi-sector interventions on reducing online gambling prevalence and harm among Indonesian youth. This approach will support evidence-based policy and program development to more effectively address this escalating social issue.

REFERENCE

- Ainaiya, N., Siffy, A. H. S., & Fitrie, R. A. (2024). View of policy decision-making analysis in handling online gambling. *Execution: Journal of Law and State Administration*, 2(2), 505–518.
- Bakhtiar, S. H., & Adilah, A. N. (2024). View of the online gambling phenomenon: Factors, impacts, responsibilities hukum. *INNOVATIVE: Journal of Social Science Research*, 4(3).
- BirchesHealth. (2025, May 23). Online gambling more addictive than in person? Study says yes. *Birch Health Insights*.
- Gainsbury, S., Parke, J., & Suhonen, N. (2013). Consumer attitudes towards Internet gambling: Perceptions of responsible gambling policies, consumer protection, and regulation of online gambling sites. *Computers in Human Behavior*.
- Gainsbury, S. M., Russell, A., Wood, R., Hing, N., & Blaszczynski, A. (2019). Isolating the impact of specific gambling activities and modes of access on gambling problems. *BMC Public Health*, 19, 1234.
- Ghelfi, M., et al. (2024). A systematic review of risk and health outcomes in online versus offline gambling. *Journal of Gambling Studies*.
- Griffiths, M. D. (2006). Internet gambling: An overview of psychosocial impacts. *Gaming Research & Review Journal*, 8(1), 1–12.
- Han, J. W. (2025). Effects of mobile Gacha games on gambling behavior and psychological health. *arXiv*.
- Hing, N. (2023). Situational features of smartphone betting are linked to disordered gambling. *Journal of Addiction Medicine*.
- Lancet Commission. (2024, October 24). Gambling poses huge global threat to public health, experts warn. *The Guardian*.
- Montes, K. S., et al. (2017). Differences in gambling behavior between online and non-online student gamblers. *Journal of Gambling Studies*, 33(2), 593–607.
- Oh, Y., et al. (2023). Core symptoms of adolescents' online and offline gambling and their psychosocial implications. *Psychiatry Investigation*, 20(3), 157–165.
- Rizki Nurdiansyah, Mugni, & Lailiyah, M. R. (2024). The effectiveness of law enforcement against online gambling crimes. *Federalism: Journal of Legal and Communication Studies*, 1(3), 219–238. <https://doi.org/10.62383/federalisme.v1i3.79>
- Saefullah, R., & Vaidyanatahan, S. (2025). The impact of ease of digital access on the increase in online gambling cases among students. *International Journal of Ethno-Sciences and Education*, 5(2), 37–45.
- Vepsäläinen, J. (2024). Online communities as a risk factor for gambling and gaming problems. *Journal of Behavioral Addictions*.
- Wikipedia contributors. (2025). *Online gambling*. In Wikipedia. Retrieved [date], from https://en.wikipedia.org/wiki/Online_gambling