

PENEGAKAN HUKUM TERHADAP PELAKU TINDAK PIDANA PERJUDIAN ONLINE DI WILAYAH HUKUM KEPOLISIAN RESOR PELALAWAN

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ABSTRAK

Judi melalui internet (*internet gambling*) biasanya terjadi karena peletakan taruhan pada kegiatan olah raga atau kasino melalui internet. Pelaku judi *online* tersebut dapat dipidana berdasarkan Pasal 27 ayat (2) jo. Pasal 45 ayat (2) UU ITE. Rumusan masalah dalam tesis ini adalah bagaimana pengaturan hukum terhadap permainan judi di Indonesia, bagaimana penegakan hukum terhadap pelaku permainan judi di wilayah hukum Kepolisian Resor Pelalawan, bagaimana hambatan dalam penanggulangan permainan judi di wilayah hukum Kepolisian Resor Pelalawan.

Metode penelitian yang digunakan adalah deskriptif analisis yang mengarah pada penelitian hukum yuridis normatif dan yuridis empiris yakni penelitian yang dilakukan dengan cara mengacu pada norma-norma hukum yaitu meneliti terhadap bahan pustaka atau bahan sekunder dan penelitian lapangan.

Pengaturan tindak pidana perjudian *online* di Indonesia diatur di dalam UU ITE. Upaya penegakan hukum yang dilakukan oleh unit *Cyber Crime* Ditreskrimsus Kepolisian Daerah Riau terhadap pelaku tindak pidana judi *online* yang telah dilakukan Unit *Kepolisian Resor Pelalawan Pelalawan* masih menggunakan instrumen Pasal 303 KUHP daripada Pasal 27 ayat (2) Jo. Pasal 45 UU ITE.

Hasil pembahasan menyimpulkan bahwa hambatan dalam penanggulangan permainan judi di wilayah hukum Kepolisian Resor Pelalawan berdasarkan Pasal 45 UU ITE lebih rendah dari ancaman sanksi pidana dalam Pasal 303 KUHP. Upaya untuk mengatasi hambatan tersebut adalah penerapan KUHP dan UU ITE dalam perkara judi *online* harus mengedepankan asas *lex specialis derogat legi generalis*, mengadakan pelatihan bimbingan teknologi informasi.

Kata Kunci: Penegakan Hukum, Tindak Pidana, Judi Online.

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**LAW ENFORCEMENT AGAINST ONLINE GAMBLING CRIMINAL
PERPETRATORS IN THE JURISDICTION OF THE POLICE OF THE
PELALAWAN RESORT**

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ABSTRACT

Internet gambling usually occurs because of placing bets on sports or casino activities via the internet. Online gambling perpetrators can be punished based on Article 27 paragraph (2) in conjunction with Article 45 paragraph (2) of the ITE Law. The formulation of the problem in this thesis is how the legal regulations for gambling games in Indonesia, how the law is enforced against gambling perpetrators in the jurisdiction of the Pelalawan Resort Police, what are the obstacles in overcoming gambling games in the jurisdiction of the Pelalawan Resort Police. The research method used is descriptive analysis that leads to normative and empirical legal research, namely research conducted by referring to legal norms, namely researching library materials or secondary materials and field research.

Regulation of online gambling crimes in Indonesia is regulated in the ITE Law. Law enforcement efforts carried out by the Cyber Crime Unit of the Riau Regional Police's Criminal Investigation Directorate against perpetrators of online gambling crimes that have been carried out by the Pelalawan Police Resort Unit still use the instrument of Article 303 of the Criminal Code rather than Article 27 paragraph (2) Jo. Article 45 of the ITE Law.

*The results of the discussion concluded that the obstacles in overcoming gambling in the jurisdiction of the Pelalawan Police Resort based on Article 45 of the ITE Law are lower than the threat of criminal sanctions in Article 303 of the Criminal Code. Efforts to overcome these obstacles are the application of the Criminal Code and the ITE Law in online gambling cases must prioritize the principle of *lex specialis derogat legi generalis*, holding information technology guidance training.*

Keywords: Law Enforcement, Criminal Acts, Online Gambling

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