

Handling of Government Officials in Online Gambling Cases

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ABSTRACT: This study aims to analyze the handling of government officials in online gambling cases. The study was conducted in Sleman Regency. The method used was empirical legal research. The study found that based on available data, there have been a number of online gambling cases in Sleman Regency, but no government officials in this regency have been found to be involved. There was a case of a government employee being arrested in Sleman Regency, who was a central government employee and had been prosecuted. One of the difficulties in uncovering online gambling cases is that transactions are conducted online between individuals, which are difficult for other parties to detect. Within the community, government employees are an educated group who, in addition to having good economic capabilities and a high level of intellectuality, are actually vulnerable to the temptation of online gambling because the devices that can be used are readily available and they have the intelligence to avoid the possibility of being caught doing such acts. The government prefers to use a preventive approach by providing guidance so that government officials stay away from and are not involved in online gambling.

KEYWORDS: Government officials, online gambling, handling, training

I. INTRODUCTION

Online gambling has a number of negative impacts, including disrupting mental health, worsening family finances, triggering criminal acts, damaging relationships with others, and increasing the risk of suicide. Gambling often causes problems within families. A person who gambles often neglects their duties and responsibilities. Money that should be used for important and productive things within the family is set aside for gambling bets. Therefore, it is not uncommon for the negative effects of gambling to be borne by the family concerned.

Online gambling can involve anyone, including government officials. Government employees play an important role in society. They are not only expected to be good and useful servants to the community, but also to be role models and pioneers of goodness for the community. There are many developments in society that government employees are expected to influence, including those that are considered negative, such as online gambling.

Regulations on online gambling can be found in both the old and new Criminal Code, the Electronic Information and Transactions Law, and if it is carried out by government officials, it will certainly also be linked to the Civil Service Law and its derivatives. The government, through the President, issued Presidential Decree No. 21 of 2024 on the Task Force for the Eradication of Online Gambling, and the Minister of State Apparatus Empowerment and Bureaucratic Reform also issued Circular Letter No. 5 of 2024 on the Prevention and Handling of Online Gambling Activities within Government Agencies.

Addressing online gambling involving government officials is an urgent matter. This must be handled in accordance with applicable regulations. At the local level, handling can be done through cooperation between officials in the local government who are involved. It is possible that there may be difficulties in finding evidence of gambling by the officials handling the case. However, can't such things be tracked through digital records? Whether this is done properly or not, of course, also depends on the authorities in charge of the matter. On the other hand, if this issue is left unaddressed, it will have more serious and negative consequences. Especially if it is true that civil servants are gambling and no appropriate action is taken, this may be considered normal and set a bad example for educated members of society who are equipped with authority.

The issue of handling government officials involved in online gambling is certainly also a problem in the regions. One of the local governments facing this problem is the Sleman Regency Government. Based on data obtained from the Sleman Regency BKPP, there are 9,496 civil servants registered in Sleman Regency. Among them, there is certainly the possibility of involvement in online gambling.

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II. RESEARCH PROBLEM

Based on the previous description, the issues that need to be focused on are: Does online gambling in society involve government officials? What are the obstacles faced by government officials in handling gambling cases, and what efforts have been made to address this? How are these cases handled, and what considerations are used as the basis for handling these cases before and after the issuance of Circular Letter of the Minister of State Apparatus Empowerment and Bureaucratic Reform Number 5 of 2024?

III. RESEARCH METHOD

This study uses empirical legal research methodology (Irwansyah, 2021:181) which examines the handling of online gambling issues based on legislation in relation to its implementation. The study uses a statute approach and a case approach.

IV. RESULT AND DISCUSSION

Legal Basis

The handling of gambling involving government officials can be based on regulations concerning gambling and the legal basis governing government officials. There are several regulations governing gambling in Indonesia, as stipulated in Articles 303 and 303 bis of the old Criminal Code or Articles 426 and 427 of Law Number 1 of 2023 concerning the new Criminal Code, which will come into effect 3 years after the date of its enactment, namely in 2026. Article 303 paragraph (1) of the Criminal Code relates to gambling businesses. All of this relates to gambling activities carried out without an official license. In other words, this article refers to organizers of gambling activities carried out without a license. The provisions in Article 303 bis of the Criminal Code regulate those who take the opportunity to gamble, which is held in violation of the provisions of Article 303, and who participate in gambling games held on public roads or on the side of the road or in places that can be accessed by the general public. The exception to this provision is if there is a permit from the competent authority to hold the event.

Regulations regarding online gambling are not only contained in the old and new Criminal Code. They are also regulated in Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law), which was last amended by Law Number 1 of 2024. Specifically, the legal rules on online gambling are set out in Article 27(2) of the ITE Law, which states that any person who intentionally and without authorization distributes and/or transmits and/or makes accessible electronic information or documents containing gambling content is committing a prohibited act.

In Law Number 1 of 2023 concerning the Criminal Code on online gambling, this is also regulated in Article 45 paragraph (3). Law No. 1 of 2024 stipulates that any person who intentionally and without authorization distributes, transmits, and/or makes accessible electronic information and/or electronic documents containing gambling content shall be punished by imprisonment for a maximum of 10 years and/or a fine of up to Rp10 billion.

Given the importance of addressing the issue of online gambling, in June 2024 the President issued Presidential Decree No. 21 of 2024 on the Task Force for the Eradication of Online Gambling.

If a civil servant is involved in gambling, they are in violation of the provisions of Law No. 20 of 2023 on Civil Servants. This law stipulates that Civil Servants must uphold the basic values of ASN and the code of ethics/code of conduct in carrying out their profession. Gambling is contrary to the basic values of accountability, integrity, loyalty, and professionalism. If they gamble, they are committing an Civil Servants disciplinary violation. This is a consequence of unlawful acts, as gambling is a criminal offense. Article 53(2) of Law No. 20 of 2023 serves as the basis for disciplinary action against ASN involved in gambling. Civil Servants detained for criminal cases must be temporarily suspended. Civil Servants who are suspects or defendants in criminal cases may be subject to disciplinary proceedings.

Several cases of online gambling

In terms of geography, Sleman Regency is part of the Special Region of Yogyakarta Province. Some information related to online gambling shows that the Criminal Investigation Directorate of the Yogyakarta Regional Police successfully uncovered online dice gambling by arresting seven perpetrators in two different locations. The disclosure of this case began with routine cyber patrols conducted by the Yogyakarta Regional Police. The seven suspects were arrested at two different crime scenes. From this disclosure, seven suspects were named at two different crime scenes. The suspects who were arrested consisted of three people, who were residents of Gunungkidul Regency, Special Region of Yogyakarta. Meanwhile, the other four suspects were from Pati Regency, Central Java. The perpetrators' modus operandi was to broadcast live dice gambling via the social media platform TikTok (polda.diy, 2025).

Previously, in November 2024, an employee of Komdigi (Ministry of Communication and Digital Affairs) who was suspected of being involved in online gambling was arrested in the Sleman district (tribunnews.com, 2025). The suspect, whose initials are A alias M, is a fugitive in a network of online gambling cases involving employees of the Ministry of Communication and Digital Affairs. Suspect A, alias M, played an important role in collecting online gambling sites, receiving money deposits from site owners, and verifying that these sites were not blocked by the Ministry of Communication and Information Technology's system. With this arrest, the total number of suspects in this case has increased to 23, 10 of whom are employees of the Ministry of Communication

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and Information Technology and the rest are civilians (bbc.com, 2025).

In another case, it was revealed that due to an addiction to online gambling, the head of a branch of a labor service provider in the Gamping area of Sleman was arrested by the police after it was discovered that he had embezzled company funds amounting to Rp83.9 million. The suspect, identified as RR (30), is alleged to have used the proceeds of his crime to cover his daily expenses while maintaining his long-standing habit of playing online gambling (detik.com, 2025).

The latest information states that Kapanewon Sleman held a Kapanewon Leadership Coordination Forum (Forkopimkap) meeting on Thursday (11/12/2025) at Siti Hinggil Puri Mataram. The meeting, attended by the District Head, Police Chief, Military Commander, members of the Regional Parliament, and all village heads, discussed year-end preparedness while addressing critical issues threatening social stability and regional security. One of the most highlighted findings was the alleged involvement of social assistance recipients in illegal activities. The Sleman District Head reported findings of data on recipients of the Family Hope Program (PKH) and District Social Welfare Workers who were suspected of being involved in online gambling. The number is very large, reaching approximately one thousand people. This finding indirectly highlights the effectiveness of social assistance distribution and the negative impact of rampant online gambling at the grassroots level. Rasyid emphasized the importance of accelerating the activation of Digital Identity Cards (IKD) as part of strengthening population administration services (Analisa Publik, 2025).

Police views on the handling of government officials involved in online gambling

Akbar (2025) from the Sleman Resort Police stated that civil servants in the Sleman Regency Government who are involved in online gambling are considered to have committed an act that violates the law, particularly criminal law. Therefore, he disagrees with this phenomenon, which also damages the moral integrity of government institutions as implementers and servants of the community. To date, no Sleman Regency government officials have been recorded by the police as being involved in online gambling. There have also been no indications pointing to online gambling activities. To the best of his knowledge, no civil servants of the Sleman Regency Government are involved in online gambling. If it is true and can be proven that civil servants of the Sleman Regency Government are involved in online gambling, the Sleman Police will not hesitate to enforce the law, because such acts are clearly criminal offenses prohibited by law. Some time ago, a civil servant from Komdigi was a suspect in an online gambling case and was arrested in Sleman. The Sleman Police were not involved in handling this case, as it was handled by the Criminal Investigation Agency of the Indonesian National Police.

Prior to the issuance of the Circular Letter of the Minister of Administrative Reform, the basis we used for handling cases was the Criminal Code and the Criminal Procedure Code. Following the issuance of Circular Letter of the Minister of Administrative Reform No. 5 of 2024, we will handle cases in accordance with the Criminal Code and the Criminal Procedure Code that are in force, integrating the provisions specifically regulated for the handling of civil servants involved in online gambling. In handling online gambling cases, it is more appropriate to emphasize an administrative law approach, "restorative justice," or to be firm in applying criminal law, depending on the actual case. In handling online gambling cases, there must be clear and relevant indicators for civil servants involved. For example, civil servants involved in online gambling but not playing it extensively can still be tolerated for Restorative Justice with certain conditions that will change their bad behavior. However, civil servants who are already addicted or even involved in the process of facilitating online gambling must be punished.

Civil Service, Education, and Training Agency

The source's view on online gambling among civil servants in the Sleman Regency Government: Online gambling is currently rampant in society, not only among civil servants. Even children are involved in online gambling. This situation is certainly very worrying and concerning for everyone. Diverse backgrounds, including education, economy, family, and others, are among the causes.

These conditions ultimately lead people to get caught up in online gambling without realizing the serious consequences that can result. Monitoring all Sleman Regency employees to determine whether or not they are involved in online gambling is certainly not an easy task. The institution cannot monitor them or their digital activities 24 hours a day. It is also not difficult for people to create accounts outside of institutional needs. A single device can be used for multiple accounts. So, what can we do to be vigilant about this?

Regarding Sleman Regency civil servants, out of more than 9,000 employees, it cannot be said that there is a possibility of involvement or that 100% of them are not involved or implicated, either consciously or unconsciously. What can be done is to anticipate that no Sleman Regency employees are involved in online gambling. One way to do this is by holding a socialization event on online gambling awareness among civil servants, which is broadcast live on Sleman TV. On that occasion, BKPP collaborated with CPMH UGM (Center for Public Mental Health, Gadjah Mada University) as a unit in the Faculty of Psychology at UGM to discuss the mental dangers of online gambling, IT experts and UII, as well as OJK. The local government also opened a counseling service with psychologists who are not Sleman Regency Government employees, with the aim of providing more objective and confidential solutions to mental health issues. Our counseling service is integrated into the <https://sso.slemankab.go.id/main.php> application so that it can be accessed by all Sleman Regency Government employees who

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need it. Additionally, the Sleman Report Service, managed by the Sleman Regency Government's Communication and Information Technology Department, has been established to receive various complaints, reports, suggestions, and feedback from the public. These measures are being taken to anticipate and address online gambling among civil servants in the Sleman Regency Government. To date, no civil servants in the Sleman Regency Government have been involved in online gambling cases. Hopefully, there will be none. Disciplinary actions have been taken based on reports, data findings, and public complaints, and so far, there have been no cases related to online gambling. If any civil servant is involved in an online gambling case, it will be handled in accordance with their status as a Sleman Regency Government employee under the provisions of the Civil Service Discipline Regulation (Government Regulation No. 94 of 2021) on Civil Service Discipline and the Sleman Regency Regulation No. 77 of 2023 on Discipline for Public Service Contract Employees (PPPK) of Sleman Regency. If any civil servants are involved in online gambling cases, they are not employees of the Sleman Regency Government but rather central government employees. Since they are not employees of the Sleman Regional Government, the Sleman Regional Government is not involved in handling this case. Criminal law is not within the jurisdiction of the regional government. If any government employees are involved, the relevant employees will be dealt with administratively in accordance with their status as employees of the Sleman Regency Government in relation to the disciplinary violations committed by the civil servants in question (Government Regulation No. 94 of 2021 concerning Civil Servant Discipline and Sleman Regency Regulation No. 77 of 2023).

Court's View

Regarding the handling of civil servants involved in online gambling in Sleman Regency, the court informed that after careful examination of the criminal case register of the Sleman District Court, there has never been a record of civil servants being charged with online gambling in the jurisdiction of the Sleman District Court.

The process of handling criminal cases in district courts is a follow-up to the previous process carried out by the police. In this case, the court is the institution that follows up on legal proceedings at the police. If the police never handle gambling cases committed by government officials, then the court will certainly not handle the continuation of such cases.

Obstacles In Tackling Online Gambling

There are various obstacles in enforcing the law against online gambling. A number of studies have examined these obstacles. Pede, A., Kadir, H. (2024) identify three factors that hinder the enforcement of online gambling laws: limited human resources, lack of supporting infrastructure, and low community participation.

In another study by Husain, W. R. A.-F., Husain. (2024), which examined the issue of enforcement against online gambling, it was stated that there are a number of obstacles. Based on the principle of territoriality as stipulated in Article 2 of the Criminal Code, Indonesian criminal law applies to every criminal act committed within the jurisdiction of Indonesia. In the context of online gambling, gambling activities are often carried out through platforms located in other countries. Indonesian legal jurisdiction is limited in covering activities that occur abroad. The fact that online gamblers are physically located in Indonesia but use encryption technology and servers spread across various countries is one of the major challenges in law enforcement.

The issues that hinder law enforcement against online gambling are indeed diverse. According to Afriansyah & Fahmi (2025), the obstacles in handling online gambling are due to limited support for digital forensics technology, low active participation from the community, and legal loopholes in handling gambling based on game applications. Wahyudi, T. & Alfons Zakaria (2015) mention that obstacles in handling online gambling are due to a lack of public awareness to cooperate with the police in uncovering gambling crimes.

Kesuma, R. D. & UKM Excellent Academic Community (2023) state that obstacles in handling online gambling include lengthy processing times, high costs, and complicated procedures. Law enforcement agencies themselves also often encounter obstacles in enforcing the law. For example, the criminal investigation unit of the Police (Laia, E:2025) has difficulty handling online gambling issues due to the lack of information from the Ministry of Communication and Information Technology in providing data to investigators for the disclosure and eradication of online gambling platform providers and gamblers through online sites, as well as the delay of the Ministry of Communication and Information Technology in blocking online sites that contain gambling content. Cooperation between relevant agencies is important to support the handling of online gambling cases. A similar view was also expressed by Wiguna GE. & Natsir, NI (2025). Muslinda et al. (2024) mentioned that there are obstacles in terms of legal substance, where existing regulations are not specific in regulating online gambling, thus potentially causing legal uncertainty and disparities in law enforcement. On the legal structure side, there are limitations in the capacity of law enforcement officials to understand cybercrime and digital technology, which hinders the effectiveness of law enforcement against online gambling crimes. On the legal culture side, public awareness of the prohibition of online gambling is still low.

Wijaya NFA (2024) notes that obstacles in law enforcement against online gambling include three things, namely: rapid technological advances, where gambling operators continue to adapt to technological advances to avoid detection and legal action; regulatory limitations in enforcement that still need to be strengthened; and low public awareness. Fadhli, M (2024) mentions that there are two major obstacles in dealing with online gambling. First and foremost is the cross-border nature of online gambling. Many online gambling sites are operated from abroad, limiting Indonesia's jurisdiction in pursuing and prosecuting perpetrators

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outside the country. Additionally, online gambling perpetrators often use advanced technology to conceal their identities. Second, the limited resources and technological equipment available to law enforcement agencies also pose a serious obstacle to law enforcement.

Luntungan, BL, & Sahid, M. (2024), mention that there are six obstacles in tackling online gambling. First is the obstacle of law enforcement/human resources, second is the obstacle of facilities and infrastructure, third is the difficulty of gathering evidence and arresting perpetrators, fourth is the obstacle of public awareness, fifth is the obstacle of legislation, and sixth is the obstacle of massive promotion.

In the context of online gambling, the possibility of involving government officials in certain matters is actually quite difficult. Within society, government employees are an educated group who, in addition to having good economic capabilities and a high level of intellectual ability, should logically be filtered out from trying online gambling. However, on the other hand, they are also vulnerable to playing online gambling because the devices that can be used are readily available and supported by their intelligence to avoid the possibility of being proven to have committed such acts. Even for government officials, it is not just personal devices such as cell phones and laptops; they may also have personal work computers connected to the internet. Therefore, even if data shows that none of them have been proven to be involved in online gambling, it does not necessarily mean that none of them have ever tried playing online gambling.

VI. CONCLUSION

Online gambling is recognized as a very important issue that requires attention, particularly due to its significant negative impact. This reality is evident in some communities, especially in Sleman. Some government officials are involved in online gambling, but they are central government officials, not local government officials, so local law enforcement agencies are not involved in handling the issue. Preventive measures taken by various relevant agencies have yielded results. This is evident in the fact that none of the relevant agencies have found evidence of local government officials being involved in online gambling. However, this does not mean that there are definitely no government officials involved in online gambling, given that it is very difficult to uncover and crack down on such activities.

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