

Legal Protection for Wives and Children as Indirect Victims of Online Gambling Addiction Through The Integration of Family Law, Criminal Law, and Child Protection in Indonesia

Ade Uli Kurniati Siregar
 Muhammad Azim Islamic Institute, Jambi, Indonesia

Received: April 22, 2026
 Revised: May 30, 2026
 Accepted: June 21, 2026
 Published: June 28, 2026

Corresponding Author:
 Author Name*: Ade Uli
 Kurniati Siregar
 Email*:
adesiregar550@gmail.com



Abstrak: *The development of information technology has changed patterns of social interaction, including the emergence of various forms of digital-based crime such as online gambling. This phenomenon not only causes economic losses for perpetrators but also has a serious impact on family resilience. Wives and children often become indirect victims of online gambling addiction through neglect of livelihood, domestic violence, psychological disorders, and disruption of children's rights. This study aims to analyze the forms of legal protection for wives and children as indirect victims of online gambling addiction through an integrative approach between family law, criminal law, and child protection law in Indonesia. The study used normative legal methods with statutory, conceptual, and case-based approaches. The results show that although the Indonesian legal system regulates gambling prohibitions and provides protection for women and children, the implementation of legal protection is still sectoral and therefore unable to provide comprehensive protection for the families of online gambling victims. Therefore, it is necessary to strengthen coordination between law enforcement agencies, women's and children's protection institutions, and develop policies that place the family at the center of legal protection.*

Keywords: *Digital Bank, Customers, Legal Protection, Complaints, Dispute Resolution online gambling, family law, legal protection, family resilience, child protection.*

INTRODUCTION

Digital transformation has brought about significant changes in the lives of Indonesians. Ease of internet access has not only increased economic activity and communication but has also opened up space for the growth of cybercrime, one of which is online gambling. Various forms of online gambling can now be accessed via mobile phones with very simple registration and transaction processes. This situation has led to a significant increase in the number of online gamblers and has drawn serious attention from the government and law enforcement. The government continues to block websites and take action against online

gambling networks, but this phenomenon continues to evolve through various new methods.¹²

The impact of online gambling is felt not only by the perpetrators but also by their families. Gambling addiction often leads to family income being diverted to gambling activities, resulting in debt, domestic conflict, neglect of income, and even divorce. Children are the most vulnerable group, deprived of their rights to care, education, health care, and a safe family environment. Recent studies have shown that online gambling contributes to family disintegration and weakens parenting functions, while legal protection mechanisms

¹ Ministry of Communication and Digital of the Republic of Indonesia, Policy on Handling and Eradicating Online Gambling.

² Financial Transaction Reports and Analysis Center (PPATK), Report on the Development of Online Gambling Transactions in Indonesia.

for children as indirect victims remain inadequate.³⁴

From an Indonesian legal perspective, gambling is prohibited and subject to criminal penalties. However, criminal law alone is insufficient to address its impact on families. In religious courts, online gambling addiction is increasingly being used as grounds for divorce, triggering prolonged disputes, neglect, and loss of joint property. Recent research demonstrates the importance of legal protection for women and children in divorce cases triggered by online gambling.⁵⁶

This research is novel because it not only examines online gambling as a crime but also analyzes legal protection for wives and children as indirect victims through an approach that integrates criminal law, family law, and child protection law. Thus, this research is expected to provide a conceptual contribution to the development of legal policies that are more responsive to family protection

METHODOLOGY

This research is a normative legal research with a statute approach, a conceptual approach, and a case approach. Primary legal materials include the Criminal Code, Law Number 1 of 1974 concerning Marriage as amended by Law Number 16 of 2019, the Law on Electronic Information and Transactions, Law Number 23 of 2004 concerning the Elimination of Domestic Violence, and Law Number 35 of 2014 concerning Child Protection. The analysis was conducted qualitatively through a systematic

interpretation of laws and regulations, legal doctrine, court decisions, and scientific literature.

DISCUSSION

Legal Protection for Wives as Indirect Victims of Online Gambling Addiction

Online gambling, in essence, not only carries legal consequences for the perpetrator but also impacts family members not directly involved. In many cases, wives are the ones who suffer the most from their husbands' gambling addiction, including economic loss, psychological distress, domestic violence, and a loss of security within the family. Therefore, wives can be categorized as indirect victims because they experience losses as a result of the unlawful acts committed by their own family members.⁷

From a family law perspective, marriage is a physical and spiritual bond aimed at establishing a happy and eternal family based on the One Almighty God. This goal entails that each partner must exercise their rights and obligations in a balanced manner. A husband is obligated to protect his wife, provide physical and spiritual sustenance, and foster a harmonious household. When family income is used for gambling, these obligations are no longer fulfilled, violating the basic principles of family law.⁸⁹

Empirically, online gambling addiction often begins with the use of a small portion of the family's income as gambling capital. When losing, gamblers tend to continue gambling in

³ M. Hamim, "The Effects of Online Gambling on Family Resilience in Indonesia," *Ahwaluna: Journal of Islamic Family Law* 8, no. 1 (2026).

⁴ C. Marselu, Rodliyah, and L. Wulandari, "A Criminological Review of Minors Involved in Online Gambling (Slots)," *Lex Journal: Law and Justice Studies* 5, no. 1 (2025): 137–158.

⁵ A. Muzacky and M.R. Purwanto, "Digital Families and the Threat of Online Gambling: Legal Challenges in Protecting Children in Indonesia," *International Journal of Science and Society* 7, no. 2 (2025): 559–577.

⁶ Directorate General of the Religious Courts of the Supreme Court of the Republic of Indonesia, *Reporting of Divorce Data Due to Online Gambling* (2024).

⁷ Philipus M. Hadjon, *Perlindungan Hukum bagi Rakyat di Indonesia* (Surabaya: Bina Ilmu, 2011).

⁸ UU No. 1/1974 tentang Perkawinan sebagaimana diubah dengan UU No. 16/2019.

⁹ Ridwan Khairandy, *Pengantar Hukum Indonesia* (Yogyakarta: FH UII Press, 2021).

the hope of recouping their losses (chasing losses). This behavioral pattern leads to uncontrolled increases in household expenses, reduced family savings, the sale of assets, and even debts to financial institutions and other parties. As a result, the family's basic needs are no longer met, and the wife is left with an increasingly heavy financial burden.¹⁰

In addition to economic losses, wives also experience serious psychological distress. Behavioral changes in gamblers, such as irritability, withdrawal, manipulation, and irresponsibility, trigger prolonged domestic conflict. Numerous cases show that these conflicts escalate into psychological and physical violence. Such conditions contradict the purpose of establishing a family as stipulated in marriage law and can provide grounds for wives to seek legal protection through available mechanisms.¹¹

From the perspective of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, violence is understood not only as actions that result in physical suffering, but also includes psychological violence, sexual violence, and domestic neglect. If online gambling addiction results in a husband failing to fulfill his obligation to provide for his family or intentionally neglecting the family's needs, then this action can be classified as domestic neglect. Therefore, legal protection for wives is provided not only through family law but also through specific criminal law instruments concerning domestic violence.¹²

In the context of legal protection, the state has an obligation to ensure that women

victims have access to justice. This protection includes legal aid, psychological services, social assistance, and economic recovery mechanisms. This approach aligns with the theory of legal protection, which places the state as the party responsible for guaranteeing the rights of citizens, particularly vulnerable groups.¹³¹⁴

Legal Protection for Children as Indirect Victims

Children are the group most vulnerable to the negative impacts of their parents' online gambling addiction. Even if they are not involved in gambling, children often lose their rights due to changes in the family's economic and social circumstances. In many cases, family income that should be used to meet children's needs is instead diverted to fund gambling. As a result, children's rights to education, health care, food, adequate housing, and care are neglected.¹⁵¹⁶

Child protection is a shared responsibility between parents, society, and the state. Parents are obligated to meet their children's physical, mental, spiritual, and social needs. When a parent becomes addicted to online gambling and neglects these obligations, the state must intervene through legal means to ensure the child's rights are met.¹⁷

From a psychological perspective, children living in families with parents who are addicted to gambling are likely to experience anxiety, insecurity, decreased academic performance, and even impaired emotional development. Constant conflict within the

¹⁰ Hamim, "The Effects of Online Gambling on Family Resilience in Indonesia."

¹¹ Marselu, Rodliyah, and Wulandari, "A Criminological Review of Minors Involved in Online Gambling (Slots)."

¹² UU No. 23/2004 tentang Penghapusan Kekerasan Dalam Rumah Tangga.

¹³ Hadjon, *Perlindungan Hukum bagi Rakyat di Indonesia*.

¹⁴ Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia, *Guidelines for the Protection of Women and Children Victims of Violence*.

¹⁵ UU No. 35/2014 tentang Perlindungan Anak.

¹⁶ N. Fibrianti et al., "Review of Child Consumer Protection in the Practice of Online Gambling Games Through the Gacha System," *The Indonesian Journal of International Clinical Legal Education* (2024).

¹⁷ M.R.A. Sahrul, S.A. Kara, and M. Ilyas, "Legal Protection for Children Whose Parents Are Online Gambling and Drug Addicts: Maqāṣid Sharī'a Perspective," *Al-Risalah: Journal of Sharia and Legal Sciences* (2025).

home can rob children of the sense of security they are entitled to. In certain circumstances, children are also at risk of verbal and physical abuse due to the economic pressures experienced by their parents.¹⁸

From a legal perspective, the best interests of the child must be the primary consideration in all policies and actions related to children. Therefore, when online gambling threatens the fulfillment of children's rights, the state must not only impose penalties on perpetrators but also provide protection mechanisms that ensure the continuity of children's education, health, care, and well-being.¹⁹²⁰

Furthermore, law enforcement officials, child protection agencies, local governments, and social welfare institutions need to establish a coordination system that allows for early identification of families experiencing problems due to online gambling. This preventative approach is crucial to prevent the impacts from developing into broader social problems.²¹

Analysis of the Integration of Criminal Law, Family Law, and Child Protection Law

The problem of online gambling demonstrates that a criminal law approach alone is insufficient to provide effective protection for families. Law enforcement has traditionally focused on punishing perpetrators, while family recovery remains a neglected aspect.²²

From a criminal law perspective, online gambling is viewed as a crime that disrupts public order and therefore requires sanctions. However, this approach fails to address the

issues faced by wives and children after the perpetrators undergo legal proceedings. Therefore, integration with family law, which regulates the rights and obligations of husband and wife, management of joint assets, provision of maintenance, and parental responsibilities towards children, is necessary.²³²⁴

This integration must be strengthened through child protection laws that prioritize the best interests of children. In practice, any online gambling case that impacts families should not only be resolved through criminal proceedings, but also include an assessment of the family's situation, psychosocial support, economic recovery, and child protection.²⁵

This integrative legal protection model offers several benefits. First, it ensures that law enforcement does not stop at punishing the perpetrator. Second, it guarantees protection for wives and children as indirect victims. Third, it strengthens family resilience through rehabilitative and preventive approaches. Fourth, it supports legal objectives that are oriented not only toward legal certainty but also toward justice and expediency.²⁶

Thus, legal protection for families affected by online gambling addiction must be understood as a shared responsibility involving law enforcement officials, the judiciary, the government, women's and children's protection agencies, the community, and the families themselves. An integrated approach will be more effective in breaking the chain of social impacts of online gambling and simultaneously strengthening family resilience as a foundation for national development.²⁷

¹⁸ Fibrianti et al., "Review of Child Consumer Protection in the Practice of Online Gambling Games."

¹⁹ UU No. 35/2014 tentang Perlindungan Anak.

²⁰ John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1999).

²¹ Ministry of Women's Empowerment and Child Protection RI, *Guidelines for the Protection of Women and Children Victims of Violence*.

²² Satjipto Rahardjo, *Ilmu Hukum* (Bandung: Citra Aditya Bakti, 2014).

²³ UU No. 1/1974 tentang Perkawinan sebagaimana diubah dengan UU No. 16/2019.

²⁴ Khairandy, *Pengantar Hukum Indonesia*.

²⁵ UU No. 35/2014 tentang Perlindungan Anak.

²⁶ Sudikno Mertokusumo, *Mengenal Hukum* (Yogyakarta: Liberty, 2019).

²⁷ Hadjon, *Perlindungan Hukum bagi Rakyat di Indonesia*.

Analysis of Court Decisions on Divorce Due to Online Gambling

The rise in divorce cases stemming from online gambling addiction demonstrates that this issue has become a growing family law issue. The Supreme Court, through the Directorate General of Religious Courts, has even requested that the religious courts' work unit conduct special reporting on divorce cases stemming from online gambling. This policy demonstrates that divorce due to online gambling has been viewed as a phenomenon requiring special attention within the administration of religious courts.²⁸

In religious court practice, gambling is not a stand-alone reason for divorce. Judges generally consider the consequences of such behavior, such as persistent disputes, neglect of financial support obligations, loss of marital harmony, and failure to achieve marital goals. Thus, online gambling becomes a factor that strengthens the legal grounds for granting a divorce.^{29,30}

One example can be seen in the Karawang Religious Court Decision No. 2450/Pdt.G/2024/PA.Krw. In this case, the husband's online gambling habit resulted in the family's income being depleted, the obligation to support the family being neglected, some family assets being diverted, and the marital relationship being filled with arguments. The court considered these conditions to indicate a breakdown in the marriage that was difficult to repair, and the divorce petition was granted.³¹

Another example is found in Jember Religious Court Decision No. 967/Pdt.G/2025/PA.Jr. The judge's reasoning indicated that the husband's gambling habit resulted in neglecting his responsibilities as

head of the family, failing to provide adequate support, and causing ongoing disputes. These circumstances were deemed grounds for divorce under applicable law.³²

This phenomenon is not only evident in individual decisions but is also reflected in judicial administration policies. The Directorate General of Religious Courts has requested that religious courts conduct special reporting on divorce cases triggered by online gambling as part of a national mapping of the causes of divorce.³³

Based on an analysis of these judicial practices, it can be concluded that judges view online gambling not solely as a criminal offense, but also as behavior that results in a loss of family responsibility. Judges' considerations place greater emphasis on the legal consequences for the spouse, children, and the continuity of the household.³⁴

Legal Protection Integration Model

Research results show that legal protection for the families of online gambling victims remains sectoral. Criminal law enforcement focuses on punishing perpetrators, while family law focuses more on resolving marital relationships. Child protection, on the other hand, focuses more on fulfilling children's rights without always being linked to criminal proceedings or divorce cases.³⁵

Therefore, this study proposes an integrative legal protection model consisting of four pillars. First, prevention (preventive protection). The government needs to strengthen digital literacy, legal education, and family education regarding the risks of online gambling. Prevention is also implemented through blocking gambling sites, monitoring

²⁸ Directorate General of the Religious Courts, Reporting of Divorce Data Due to Online Gambling.

²⁹ UU No. 1/1974 tentang Perkawinan sebagaimana diubah dengan UU No. 16/2019.

³⁰ M. Yahya Harahap, *Hukum Acara Perdata* (Jakarta: Sinar Grafika, 2022).

³¹ Karawang Religious Court Decision Number 2450/Pdt.G/2024/PA.Krw.

³² Jember Religious Court Decision Number 967/Pdt.G/2025/PA.Jr.

³³ Directorate General of the Religious Courts, Reporting of Divorce Data Due to Online Gambling.

³⁴ Supreme Court of the Republic of Indonesia, *Annual Report of the Supreme Court of the Republic of Indonesia* (latest edition).

³⁵ Muzacky and Purwanto, "Digital Families and the Threat of Online Gambling."

suspicious financial transactions, and increasing inter-agency cooperation.³⁶³⁷

Second, law enforcement (repressive protection). Law enforcement officials need to take action not only against players, but also against bookies, operators, escrow providers, digital infrastructure providers, and any parties who profit economically from online gambling activities.³⁸

Third, family protection. In every case involving online gambling addiction, an assessment of the family's situation is necessary. If neglect, domestic violence, or violations of children's rights are found, protection mechanisms through family law and child protection must be implemented simultaneously.³⁹⁴⁰

Fourth, rehabilitative protection. In addition to criminal penalties, addicts need psychological rehabilitation and counseling to enable them to resume their social roles and family responsibilities. At the same time, wives and children need legal, psychological, and social support to recover. This model reflects that the success of combating online gambling is measured not only by the number of perpetrators convicted, but also by the state's ability to maintain family resilience and ensure the fulfillment of women's and children's rights.⁴¹

CONCLUSION

Online gambling addiction is a legal problem with multidimensional impacts on family life. The resulting impacts include not only economic losses but also increased domestic conflict, neglect of financial obligations, domestic violence, impaired child development, and even divorce. In this context, wives and children are indirect victims, experiencing economic, psychological, and

social losses due to the perpetrator's gambling behavior.

Indonesian legal regulations provide an adequate basis through criminal provisions regarding gambling, marriage law, the elimination of domestic violence, and child protection. However, the implementation of legal protection remains partial and therefore does not fully provide effective protection to affected families.

This research proposes a legal protection model that integrates criminal law, family law, and child protection law. This model places the family at the center of legal protection through preventive, repressive, rehabilitative, and restorative approaches. Thus, combating online gambling aims not only to punish perpetrators but also to restore family well-being and strengthen household resilience

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³⁶ Ministry of Communication and Digital RI, Policy on Handling and Eradicating Online Gambling.

³⁷ PPATK, Report on the Development of Online Gambling Transactions in Indonesia.

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³⁹ UU No. 23/2004 tentang Penghapusan Kekerasan Dalam Rumah Tangga.

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⁴¹ Sahrul, Kara, and Ilyas, "Legal Protection for Children Whose Parents Are Online Gambling and Drug Addicts."

P-ISSN : 0000-0000
 E-ISSN : 3031-6782
 DOI : <https://doi.org/10.61942/jhk.v3i4.660>
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Vol.3 . No. 4, June 2026

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