

# Legal Protection for Victims of Crime Criminal Fraud Through Social Media

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*This research aims to analyze the form of legal protection provided to victims. This research also identifies the obstacles faced in implementing legal protection for victims and offers solutions that can be implemented to overcome these obstacles in the process of investigating criminal acts of fraud on social media. This research uses empirical methods that have descriptive and prescriptive qualitative characteristics. Data was obtained through interviews and data collection with law enforcement officials. The process of investigating criminal acts of fraudulent buying and selling transactions on social media in Enrekang is still ineffective. Due to several obstacles that hinder the legal process against perpetrators of criminal acts of fraudulent buying and selling transactions. The recommendations of this research are important so that police investigators and the community can work together better to speed up the investigation process until the determination of the suspect.*

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## INTRODUCTION

Development technology information and communication has bring impact big to various aspect life , including in field economy . The digital era has push public For the more depend on technology in activity economy they . [1] Transaction sell buy online or online is one of the innovation that dominates , presenting efficiency and practicality in trade . Phenomenon This No let go from the role of digital platforms such as marketplaces that enable buyers and sellers interact without must meet in a way directly . [2] However , behind convenience said , appears various challenges , especially related with aspect protection law for consumers who are victims of crime criminal fraud .

In context law in Indonesia, action criminal fraud has set up in a way Details in Article 378 of the Criminal Code In addition , the Law Number 19 of 2016 concerning Changes to the Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law) also provides runway law in handle act criminal fraud committed by online. Article 28 Paragraph (1) ITE Law Provisions This emphasized in Article 45 Paragraph (2) of the ITE Law

Although regulations the has available , reality show that many victims of fraud in transaction sell buy online that has not been get protection law optimally . The low understanding consumer about his rights , lack of knowledge law , and lack of information related mechanism protection law become factor the main cause many victims. [2]

One of challenge the biggest in Handling case online fraud is proof . Nature of transaction electronics that are not involving meeting physique between seller and buyer create a proof process become more difficult . Victims often only own proof in the form of conversation electronic , fund transfers, or screenshots, which sometimes No Enough strong in the eyes law . [3]

In the Islamic view , everything form fraud is prohibited actions . Islam forbids it all form crimes , including fraud in sell buy online. [4] This is in line with Allah's word in QS. An-Nisa' verse 29:

Translation : " O you who believe ! Do not You each other eat treasure your fellow man with the

wrong path , except in prevailing trade on base Like The same like among you ." [5] This verse confirm that all form transaction must based on honesty and mutual respect consent between the parties involved . Fraud No only violates legal norms , but also religious norms that uphold tall values justice and honesty . Element main in act criminal fraud is " a trick" tricks " and " a series of lies " that are intended For profitable self Alone with method oppose law . This action No only harming the victim in material , but also causes impact deep psychological . Therefore that , protection law towards the victims becomes very important . [6]

According to Article 7A Paragraph (1) of the Law Number 31 of 2014 concerning Protection of Witnesses and Victims, victims have the right get change loss . In practice , the implementation of provision This Still face various obstacles , especially in ensure that perpetrator truly responsible answer on losses suffered by the victim. Fraud in sell online shopping often involves difficult perpetrator tracked or identified , so that the legal process become obstructed . [7]

Although online transactions offer flexibility and efficiency , society need more alert to the risks that come with it . Education about rights consumer , how to recognize fraud , as well as steps that can be taken taken If being a victim is very important thing . [8]

Importance understanding consumer about his rights as set up in Constitution Protection Consumer (UUPK) Number 8 of 1999. Article 1 number 2 of UUPK

Constitution This give runway for consumer For demand his rights If experience loss consequence transaction sell buy online.

Fraud in transaction sell buy online is complex problems , involving aspect law , social , and technology . Although Indonesia has own various regulations that govern matter this , reality show that implementation in the field Still Far from perfect . For that , is needed synergy between government , . Perpetrator business and society in create ecosystem safe and fair digital trade . With refers to values justice taught by Islam, as well strengthen education and enforcement law , it is expected cases online fraud can minimized in the future .

Based on background behind research that has been explained , author lift issues related in form task or proposal with title " Legal Protection for Victims of Crime" Criminal Fraud Buying and Selling Transactions on Social Media (Case Study at the Police "Enrekang ")

## METHOD

Type study in thesis This is study law empirical , which has characteristic descriptive and prescriptive . Research law empirical covers approach field , where researchers do observation direct to implementation regulation law in society as well as How regulation the develop and function in practice . Focus from study This is issue law , with emphasis on the existence of gap between "das sollen " ( what should be) done based on commands and prohibitions in laws ) and "das sein" ( what really is happened in the field based on fact ) . [9] Research This carried out at the Police Station Enrekang Because agency the own authority For handle case fraud in transaction sell buy on social media . Selection Police Station Enrekang as location study based on the existence of a number of case act criminal fraud transaction sell buy on social media handled by the agency This is . give opportunity For dig information in a way deep about effort protection law towards the victims, as well as analyze patterns and characteristics case similar relevant with focus research . With Thus , the location This considered representative and appropriate For support objective research . Population in study This covers all individual or groups who are victims of crime criminal fraud in transaction sell buy on social media . This includes , the Party Authorized namely , 2 members police or apparatus enforcer the laws involved in Handling case online fraud . Sample is part from the population that will investigated For obtain representative data . In research this , sample can taken with how to , interview with Party Authorized , take sample from member police

or party authorized others who handle cases online fraud for understand perspective they about protection laws and challenges faced in the process of enforcement law . Primary Data Sources Primary data sources are collected data directly by researchers from source first . In the context of study Here , primary data sources can be includes , interviews with Party Authorized , involving member police or apparatus the law that deals with case fraud on social media . Information obtained from they can give perspective about How law applied and challenges in enforcement law . Secondary Data Sources , Secondary data sources is the data obtained from sources that have been there is and there isn't collected directly by researchers . In research This is a secondary data source can includes , Official Documents , this including report annual from Police Station Enrekang or other authorized institutions , documents law related with protection consumers and transactions electronics , regarding case online fraud . Here is a number of technique data collection that can applied in study this , Interview , Interview is method involving data collection conversation direct between researchers and respondents . In the context of study this , interview can done with Fraud Victims For dig experience they related case fraud , including How fraud occurs , the steps taken after events , and views they about protection existing law . Then Party Authorized Like member police or apparatus the law that deals with cases online fraud . Interview with they can give outlook about procedure enforcement laws and challenges faced in handle cases said . Documentation , documentation involving data collection from various document official and relevant archives with research . This includes , Case Reports : Data on amount case fraud handled by the Police Enrekang . Legal Documents : Laws and regulations related protection consumers and transactions electronics .

## DISCUSSION

### **Legal Protection for Victims of Crime Criminal Fraudulent Buying and Selling Through Social Media**

Based on results interview writer with investigators on January 2 , 2025 at the Police Enrekang with father Brigadier General Muhammad Yusuf Muhlis , stated that , form protection for victims of crime criminal fraud sell online purchases are made with method do education public give information and education to public about method recognize and avoid various modes of fraud in transaction sell buy on social media . Do improvement platform security , Striving for improvement system security on the sales platform buy online, such as apply feature verification user For ensure valid identity . Provide mentoring law for free or with cost affordable to the victims of the crime criminal fraud so that they can demand justice , Striving return victim losses through the mediation process or Work The same with the platform where transaction done Speeding up the process of investigation , arrest and prosecution law to perpetrator act criminal fraud For give effect deterrent .

Efforts made by investigators on victim report criminal fraud via social media namely investigator carry out a series investigation For look for know Who the perpetrator who committed fraud towards the victim.

As for the obstacles investigator in identify perpetrator fraud via social media namely all the identity used by the perpetrator is [10] the identity of another person, so that need time who does not short For check identity the real perpetrator , such as to write For check account used by the perpetrator .

In return the victim's loss is not charged for investigators , because investigator processing action from the perpetrator , so that even if the money is found . [11] If perpetrator found then the money will confiscated For made into goods evidence , while problem the refund will returned to the victim's party after undergoing trial in court country or levels court other .

Activity sell buy online basically more profitable for second split party compared to with sell buy in

a way direct or conventional . Transactions can done with more easy and practical via online media, [12] so that the sales process buy become more efficient and simple .

Action frequent crimes happen in transaction sell buy online is fraud . In the context of this , good seller and also buyer own risk become a victim of crime criminal mentioned . Some common fraud modes found in transaction online media - based often involves various method For cheat one party .

**Table 1. Report of Online Fraud Cases of the Police Enrekang**

NO	YEAR	REPORTED NUMBER	PRESENTATION	
1	2021	30	14%	
2	2022	46	21%	
3	2023	72	34%	
4	2024	62	29%	
AMOUNT		210	100%	

Based on the data above report Handling case act criminal fraud in the media the most social in 2023 is 34%, the least occurred in 2021 by 14% , this data also shows case experience fluctuation with Handling case in 2024 with amount case as much as 62 or 29%.

There is Lots cases act criminal fraud in activity transaction electronic moreover in activity sell buy online . [13] Example case fraud with selling mode buy online phone handheld through Facebook application then after The victim found the link later click on the link and connect with WhatsApp application . In the app the victim and the perpetrator communicate , actor directing the victim to buy 1 unit of motorbike then transfer a sum of money as sign So after transfer of deposit money perpetrator Then perpetrator convey that goods or vehicle the his position there is in Kalimantan then will sent to Enrekang through track sea or watercraft , then perpetrator return contact the victim with different number disguise as a tax person perpetrator Then ask for tax money with reason vehicle the can sent to Enrekang If do payment worth Rp.950,000. After do payment perpetrator confirm that vehicle the has safe and ready sent . The perpetrator Then contact the victim using different number , confirm that goods Already arrived at Pare-pare Harbor and said that vehicle with Kalimantan plate numbers need to be changed to the name before entered the Parepare area and was considered violate Then perpetrator return ask for money as payment If the negotiation want to be launched . The victim returned send some money. The perpetrator return request some money but the victim has already start suspicious and aware himself has squeezed or experience act criminal fraud . The victim then report case the to Police Station Enrekang do consolidation or discuss the case that the victim experienced . Investigators Then processing case the Then find perpetrators in the Regency Pinrang and official arrested on August 28 , 2024. Then perpetrator allegedly with Article 45 paragraph 1 in conjunction with Article 28 paragraph 1 of Republic of Indonesia Law no. 1 2024 ITE.

From the case said , can concluded that Good seller and also buyer potential become a victim of crime criminal fraud in transaction sell buy online. Therefore that , is needed protection for victims of fraud in online transactions . Protection efforts law against the victim can done through step preventive and also repressive . [14] First , efforts preventive is a more effort emphasize on prevention before the occurrence act criminal or things to do before the occurrence a act criminal . attempt protection law in in a way preventive in frame prevent the occurrence act criminal acts in activities transactions sell buy online.

Prevention the occurrence act criminal acts in transactions electronics are also supported with existence role government . government own role in protection law against victims as stated in Article 40 of the ITE Law, including : [15]

Government facilitate utilization Technology Information and Electronic Transactions in accordance with provision regulation Legislation .

Government protect interest general from all type disturbance as consequence abuse Electronic information and Electronic Transactions that are disruptive order general , appropriate with provision regulation legislation invitation .

Government set agency or institutions that have electronic data strategic mandatory protected .

Agency or institution as referred to in paragraph (3) must make Electronic Documents and records spare The electronics as well as connect it to specific data center For interest data security .

Agency or other institutions besides as regulated in paragraph (3) makes Electronic Documents and records spare the electronics in accordance with needs protection of the data it owns .

Provision more carry on about role Government as referred to in paragraph (1), paragraph (2), and paragraph (3) are regulated with Regulation Government . Apart from that that , society also has role important in protection law towards the victims in activity transaction electronics . The Role of Society in protection law towards the victims in activity transaction electronic explained in Article 41 of the ITE Law, among others:

The community can play a role increase utilization Technology Information through Use and Operation Electronic Systems and Electronic Transactions in accordance with provision Constitution This .

Role of society as referred to in paragraph (1) may held through institutions formed by society .

Institutions as such referred to in paragraph (2) may own function consultation and mediation .

Second , efforts repressive is more effort emphasizes the action taken enforcer law after happen a act criminal . Repressive efforts in protection law against victims of crime criminal fraud in transaction sell buy online. [14]

## **Factor affecting Action Criminal Buying and Selling Fraud via Social Media**

Every year , number case fraud Keep going increased , and the mode used so diverse so that make public restless . It is not surprising that method This more Lots used For sell buy through social media , because social media is a place where everyone interacts in the era of technology moment This .

Social media tools as the target of the perpetrator do his actions No without reasons , the law is still Not yet accommodate as well as No leave proof in the process . If associated with criminology so We Can see how far the crime fraud the done as well as to know all aspects and causes a action criminal the done . Related with matter the writer has do interview to various competent resource persons in their fields For discuss about underlying factors the occurrence act criminal fraud through social media tools the .

According to First Inspector Agunawan , factors that influence the rise fraud sell buy via social media lately This is culture culture , culture is very important For action fraud , especially through social media in society . Often , Indonesian society changes their old culture become culture that is considered more new or contemporary . Shift culture This cause abuse knowledge knowledge without consider who is responsible answer on action the .

Then the driving factor, these factors that give the perpetrator act criminal more opportunities big for do action. One of the factor booster the is that every sales process buy via social media or online yet certified in a way comprehensive.

main factors that drive somebody for do act criminal is economy. Everyone is forced for do things that are not enter reason because increasing needs and costs increased life. Fraud with using social media and crime other

"The perpetrator who did it action fraud good conventional the mode and also through special like social media, after done investigation it turns out factor main do fight criminal offense based on demands life and poverty that is felt the perpetrator act criminal" said Aiptu Agunawan, who was interviewed by the author on January 2, 2025.

After hear what was conveyed by Aiptu Agunawan, can concluded that demands economy more often cause act criminal like robbery or fraud through social media. Additional factors, such as culture, support action fraud through social media.

Writer then do interview with Police Brigadier Muhammad Yusuf Muhlis, as Head of the Criminal Investigation Unit Police Station Enrekang for get information accurate about driving factors the occurrence act criminal fraud through social media.

Economic factors often become reason main somebody do action oppose law, [16] good in realm civil and also criminal. Special in case fraud involving social media, factors economy This has two causes different main. First, there is factor economy oriented towards fulfillment style life, and second, the factor related economy with need cost life.

Fulfillment style life, for example, occurs in individuals from circles intermediate to above who has desire for follow trend latest. In order to fulfill desire said, they even willing do action fraud. [17] On the other hand, the factor related economy with cost life referring to the need different everyday in every area. Not everyone is able to fulfil need his life, so that part individual choose for do act criminal, such as fraud through social media, as solution on pressure economy the.

second factor that drives social media scam is search identity. He explained that perpetrator act criminal fraud This often do act criminal only because want to try ability they, or as effort for find identity they. [18] Search for identity used by the perpetrator as a cover for look for fame or sensation unique in to do matter the.

Another factor conveyed by Mr. Muhammad Yusuf Muhlis to writer is very unlikely that party authorized will catch someone. Until the next process, the party in charge still face problem with tracking process because progress slow technology. The Public Prosecutor of the Sleman District Attorney's Office emphasized that inappropriate use of social media limited allow perpetrator make account false without known by the party authorities. In addition, the in charge experience difficulty in investigate case because they often use identity that is not according to social media.

Mr. Muhammad Yusuf Muhlis, explained that factor third above supported by factors lastly, namely convenience do crime with social media. Social media fraud is very easy done anywhere and by anyone in Indonesia, even throughout the world. Fraud This only can done with use device like computers, tablets, iPads, mobile phones, and so on.

Then the results of the interview with Mr. Muhammad Yusuf Muhlis, SH Allows us to identify elements additional that can be influence or trigger act criminal social media fraud. A very useful additional factor for writer in study thesis This is fact that No There is possibility that party in charge will catch them and the convenience do act criminal fraud with use social media tools the.

Purpose of law criminal generally in the ITE field is for make behavior or life public regular and



continuous synchronized with the virtual world or social media in particular so that with so will creation order a clean , orderly , safe and peaceful society . [ 19]

Because of society No realize ITE functions and slow in respond ITE crimes , especially social media fraud , role society is very important For eradicate and eradicate case like that . Lack of awareness law Then exploited by some people who don't guilty For start action the penalty . If public aware law , level crime will be very low .

As results from interview with a number of the above sources , we can know about various underlying factors social media fraud . Factors This including things inside self a person , a condition environment , and the possible role of victims. involved in do crime or fraud with using social media in effort For reduce or remove act criminal the .

## CONCLUSION

Based on findings research and discussion , author make a number of conclusion , Protection law against victims of crime criminal fraud transaction sell buy on social media based on Law no. 1 of 2024 concerning Electronic Transactions stipulate policy law clear criminal law For protect victims of crime in sell buy online. Most of the victims are consumer onlineshop , where transactions generally done online . As a result , the authorities enforcer law Still rely on the Criminal Code in handle case crime cyber . Based on table results research and data obtained , handling case social media fraud Not yet effective because in the period 2021 to 2024 it shows cases experience fluctuations . Based on results interview writer with Mr. Yusuf Muhlis , SH Explains that There is three that influence act criminal fraud sell buy via social media namely , Economic Factors, Search identity or identity , and convenience do crime with social media .

Every individual need more be alert and careful moment shopping at online stores . While that , the police must more active in every sub-district , plays a role in society , and strive finish case the as much as possible maybe . Until moment this , the government Not yet do your best For prevent act criminal , especially fraud transactions on the internet. Government should do socialization or do effort preventive and repressive For prevent act criminal . or create a website as a medium for give know other people about good and bad online stores , so that other people don't will cheated and the online store deleted in a way unilateral Because has cheat .

Before decide For buy something through online store , very important For know whether previously There is customers who have buy items in the shop the without experience fraud in it .

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