

# Legal Protection For Victims of Crime Actions of Illegal Access to Personal Information

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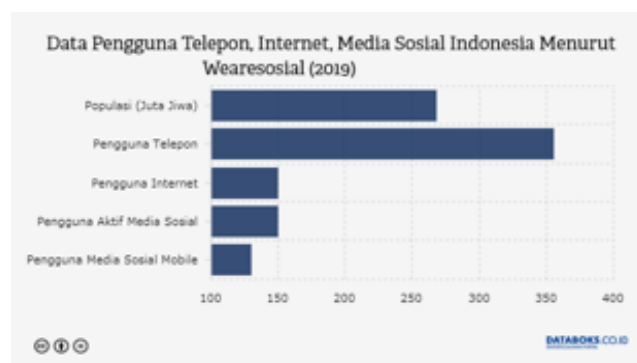
**Abstract**—Illegal access crimes continue to increase from year to year. Accessing information belonging to other people is a violation of human rights, so a legal study is needed to measure how well the Indonesian government is in protecting the interests of its citizens. Especially in the field of technology and information through regulations or government decisions and judges. The objectives to be achieved in this research are: To find out the position of victims of crime in accessing personal information illegally in the Criminal Law justice system. To find out the form of legal protection for victims of crime to access personal information illegally. In this study, the research method used is juridical or normative research methods. This research method uses research on existing library materials to solve problems. The approach method used in this research is to use the statutory regulatory approach. In this study using primary legal materials and secondary legal materials: 1. Primary legal materials are materials that have juridical binding power, such as statutory regulations, court decisions, and agreements. The legal materials used include the Criminal Code. 2. Secondary legal materials are materials that do not have juridical binding power, namely draft laws and regulations, literature, and journals related to the focus of research. Techniques Analysis of the legal materials used in this research is qualitative data analysis including data classification activities in accordance with legal issues and provisions, then editing, presenting the results of the analysis in narrative form, and drawing conclusions. The position of a crime victim in accessing personal information illegally in the Criminal Procedure Code is only as a witness in a criminal case where the victim can only prove the suspect / defendant's guilt. Because in a criminal justice process, the witness (victim) plays a very important role in the effort to reveal a material truth. Legal protection for victims of crime from accessing personal information illegally as part of legal protection to the public, can be manifested in various forms, such as compensation, restitution and compensation. And adhering to the provisions of Law Number 11 of 2008 concerning Information and Electronic Transactions and the Criminal Code.

**Keyword**—*phising, bank services, cybercrime*

## I. INTRODUCTION

The development of science and technology brought great changes to human civilization. This development is intended to facilitate or streamline interests, especially in the field of technology and information. Nowadays it is very easy to access desired and / or searchable information through platforms that have multiple uses. The platform is usually installed on the smart phone used (Example: Google, Play Store (useful for downloading other applications on the Android system), Apple Store (useful for downloading other applications on the iOS system)) and other platforms that can be downloaded by the user accordingly. with its functions (Example: KAI Access, Lazada, GoJek, Dana, Traveloka and so on).

The rapid development of technology and information can also bring changes in a negative direction and can be categorized as an act against the law. Actions against the law in Indonesia are actions that are against Pancasila, the 1945 Constitution of the Republic of Indonesia and Human Rights. These actions in the field of technology and information are carried out through electronic media or cyberspace. So that the act is categorized as a form of cyber crime (Cyber Crime) which can involve a person or body as a victim. Cyber Crime is a crime that knows no space and time limits through technological advances that are misused by irresponsible parties for personal gain. It makes it difficult for developing countries to take action against perpetrators of cybercrime, especially the police, besides the need for a set of rules governing the misuse of this information also requires human resources and supporting facilities and infrastructure. Humans around the world, especially Indonesian citizens, also follow the development of technology and information. Through computers and smart phones, the use of technology and information is carried out. This is proven by the statistical data below.



Source: Databoks.co.id

Figure 1. Data on Indonesian Phone, Internet, Social Media Users according to Wearesosial (2019)

From the data above, it can be seen that the population in Indonesia is less than telephone users, so it can be concluded that sometimes 1 citizen has 2 or more smart phones. However, most of the Phone Usage is not categorized as Internet Users, Social Media Active Users and Mobile Social Media Users. So telephone use is preferred in Indonesia. However, it does not rule out the occurrence of cyber crime (Cyber Crime) which is committed by parties who are experts in the IT field but have bad intentions for their own interests. This of course has consequences for the legal protection of its users. Given that every individual must be protected in accordance with his dignity as a human being. Legal protection for those who use technology is of course very necessary, this is because when a criminal event occurs,

the rule of law often focuses on punishing the perpetrator of the crime so that the victim of the crime is often ignored. In fact, the victim also deserves attention because basically the victim is the party who is sufficiently harmed in a criminal act. The impact of crime causes casualties and losses.

The losses incurred can be suffered by the victim himself, as well as by other parties indirectly. Indonesia as a state of law, has the obligation and authority to regulate the lives of its citizens. Not only in the real world, cyberspace also requires strict regulations or laws from the state government so that its citizens can be wiser and more careful in using technology. Considering that technological developments can also lead to an act against the law, a legal rule is needed to regulate cyber crime and provide legal protection against things that are undesirable and / or can be detrimental. Through Law Number 11 of 2008 concerning Electronic Information and Transactions, the government restricts the movement of its citizens in order to reduce the risk of illegal acts occurring. Through the Criminal Code (KUH Pidana) the movement of Indonesian citizens is regulated without specifying the real world or cyberspace. Thus, researchers are interested in examining the legal protection system that the Indonesian government is striving for in protecting victims of crime by illegally accessing personal information. Accessing personal information illegally is clearly an act against the law and can cause harm to the victim, both in material and / or spiritual form. In addition, researchers are interested in taking cases of illegal access to study because they are based on the data below

No.	Tahun	Jumlah Kasus
1.	2016	159
2.	2017	167
3.	2018	265
4.	2019	275

Source: PatroliSiber.id / Siber Polri

From the table data above, it is known that cases of illegal access crimes continue to increase from year to year. Accessing information belonging to other people is a violation of human rights, so a legal study is needed to measure how well the Indonesian government is in protecting the interests of its citizens. Especially in the field of technology and information through regulations or government decisions and judges. As well as measuring whether Indonesia as a rule of law is in accordance with its function in the 1945 Constitution of the Republic of Indonesia and as mandated in Pancasila. The objectives to be achieved in this research are: 1. To find out the position of victims of crime in accessing personal information illegally in the Criminal Law justice system. 2. To find out the form of legal protection for victims of crime to access personal information illegally

## II. METHOD

This research uses a juridical normative approach, which is to examine by understanding the law as a set of rules or positive norms in the statutory system that governs human life. Then, this research is supported by a comparative approach, namely research on legal comparisons both regarding the comparison of legal systems between countries, as well as comparisons of legal products and legal characters

between times in a country. So this research is understood as library research, namely research on secondary data.

The specification of this research is descriptive analytical research which is research to describe and analyze the existing problems and is included in the type of library research (library research) which will be presented descriptively. Techniques Analysis of the legal materials used in this research is qualitative data analysis including data classification activities in accordance with legal issues and provisions, then editing, presenting the results of the analysis in narrative form, and drawing conclusions (Wahida Azahrah, 2018).

## III. RESULT AND DISCUSSION

As a rule of law it is a state obligation to protect every citizen from any actions that can damage or harm society, one of which is the legal protection provided by the state for technology users, law and technology are two different words but influence each other also can affect the life of the community itself. The regulation of cybercrime in Indonesia can be seen in two senses, namely in a broad sense and in a narrow sense. Broadly speaking, cyber crime is all criminal acts using means or with the help of electronic systems, this means that all conventional criminal acts in the Criminal Code (KUHP) as long as using assistance or means such as terrorism, human trafficking, can include in the category of cyber crime in a broad sense, the same applies to banking and money laundering crimes. However, in a narrow sense, the regulation of cyber crime is regulated in Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE).

### Position of Crime Victims Accessing Personal Information Illegally in the Criminal Justice System

In the Criminal Procedure Code Article 160 paragraph 1b states that "the victim who has been heard is the witness who is the witness". In this case, the position of the victim of a criminal act here is only as a witness in a criminal case solely to prove the suspect / defendant's guilt. In a criminal justice process, witnesses (victims) play an important role in efforts to uncover material truths (Nyoman Serikat Putra Jaya, Putwoti, 2016).

This is not contradictory if in the provisions of Article 184 paragraph (1) of the Criminal Procedure Code states that witness testimony is placed first above other evidence, namely expert testimony, letter of instruction and statement of the defendant. When the victim's witness is about to give a statement, it must be accompanied by a guarantee that the victim's witness is free from fear during and after giving testimony (testimony).

This guarantee is very important to be given to victim witnesses in giving their testimony in order to ensure that the testimony of the victim witness is truly not the result of fabrication, let alone from pressure from certain parties. In Law Number 13 Year 2006 Article 1 point 1 states that "a victim is someone who experiences physical, mental and / or economic loss as a result of an innocent crime". Arif Gosita (Arif, Gosita, 1993) provides an understanding of victims, namely those who suffer physically and spiritually. as a result of the actions of other people seeking the fulfillment of their

own or other people's interests that are contrary to the interests and rights of those who suffer. Normatively, the Criminal Procedure Code only pays attention to the rights of the perpetrators of crime, without providing space for victims to fight for their rights. Victims in the Criminal Procedure Code are only regulated in Article 98 to Article 101. And in these articles relating to the victim's right to claim compensation.

The mechanism that is taken is the merger of a lawsuit for compensation in a criminal case.

KUHAP Article 98 paragraph (1): "If an act which forms the basis of an indictment in an examination of a criminal case by a state court causes harm to another person, then the head judge at the request of that person may decide to combine the claim for compensation case with that criminal case. "

KUHAP Article 99 paragraph (1) of the Criminal Procedure Code: "If the injured party asks to merge his lawsuit in the criminal case as referred to in Article 98, the district court will consider its authority to adjudicate the lawsuit, the truth of the basis of the lawsuit and the law of reimbursement of costs that have been injured. "

KUHAP Article 99 (2): "except in the case of a district court declaring that it is not authorized to try a lawsuit as referred to in paragraph (1) or the lawsuit is declared unacceptable, the judge's decision only contains the stipulation of compensation for costs incurred by the injured party".

KUHAP Article 99 paragraph (3): "a decision regarding compensation automatically gets permanent strength if the criminal decision also has permanent legal force".

KUHAP Article 100 paragraph (1): "If there is a merger between a civil case and a criminal case, the merger will automatically take place in an examination at the appeal level".

KUHAP Article 100 paragraph (2): "If an appeal is not filed against a criminal case, then an appeal request regarding a judgment for compensation is not allowed".

KUHAP Article 101: "the provisions of the rules of civil procedure law apply to claims for compensation as long as this law does not provide otherwise".

To be able to apply for a merger of a claim for compensation, the following conditions must be considered:

1. It must be in the form of and constitute a loss suffered by other people including the victim (victim witness) as a direct result of a criminal act committed by the defendant.
2. The amount of compensation that can be requested is only limited to the amount of material loss suffered by other people, including the victim.
3. Whereas the legal target of the parties is the defendant.
4. A claim for compensation that is combined in the said criminal case can only be filed no later than before the public prosecutor has filed a criminal claim (requisitor).
5. In the event that the public prosecutor is not present, the charges shall be submitted no later than before the judge pronounces a verdict.
6. The criminal case caused harm to others. Losses for others include losses to victims.

A claim for compensation that is combined in a criminal case does not need to be filed through a district court

clerk, but can be filed directly in a court session through a panel of judges / judges.

A lawsuit for compensation of Article 98 paragraph (1) of the Criminal Procedure Code must be a result of losses arising from the actions of the defendant and not regarding other losses. So what can be filed in a claim for compensation is only limited to claims for compensation, only limited to claims for damages that are actually (real) issued in other words for material damages.

In Law Number 13 Year 2006 Article 5 paragraph (1) it can be seen that the rights granted to witnesses and victims include:

- a. Receive protection for the safety of his personal, family, and property, and are free from threats regarding the testimony he will or have given;
- b. Participate in the process of selecting and determining the form of security protection and support;
- c. Apply pressure without pressure;
- d. Got a translator;
- e. Free from entangled questions;
- f. Get information about the progress of the case;
- g. Obtain information about court decisions;
- h. Knowing in terms of the convict released;
- i. Get a new identity;
- j. Get a new residence;

Receive reimbursement of transportation costs as needed; Get legal advice; and / or m. Receive temporary living expenses assistance until the end of protection period. The position of the victim is not only being able to participate in the process of selecting and determining the form of protection and security support or being able to obtain information about court decisions or the victim being able to find out if the convict was acquitted. However, as a party who has been injured, the victim has the right to receive compensation for whatever he has suffered. In Article 7 of Law Number 13 of 2006 concerning the Protection of Witnesses and Victims, it states that victims can apply for the right to compensation, institutions or compensation for damages to be submitted to the court through the witness and victim protection agency (LPSK).

### **Legal Protection for Victims of Crime from Accessing Personal Information Illegally**

Protection according to the Law on Protection of Witnesses and Victims is all efforts to grant rights and provide assistance to provide a sense of security to victims that must be carried out by the LPSK or other institutions in accordance with the provisions. This protection is provided at all stages of the criminal justice process within the judiciary (Kansil CST, 1989). Legal protection for victims of crime as part of protection to the community can be realized in various forms such as through the provision of restitution and compensation, medical services and legal assistance. The forms of service to victims are:

1. Indemnity The term compensation is used in the Criminal Procedure Code in Article 99 paragraph (1) and paragraph (2) by emphasizing by emphasizing the compensation for costs incurred by the injured party or the victim. the first is to meet the material loss and all costs incurred and the second benefit is the emotional satisfaction

of the victim. Meanwhile, it is seen from the point of view of the criminal perpetrator's interest that he was dropped and felt as something concrete and ongoing related to the mistakes made by the perpetrators of the crime. Gelaway formulates five objectives of the obligation to compensate for losses, namely (Leden Marpaung, 2008.): a. Relieve the suffering of the victim. b. As an element that relieves the sentence imposed. c. As one way to rehabilitate convicts. d. Simplify the judicial process. e. Can reduce threats. The core objective of providing compensation is none other than to develop justice and the welfare of victims as members of society, and the measure of its implementation is to provide opportunities for victims to develop their rights and obligations as human beings. On that basis, the program for providing compensation to victims should be a combination of efforts from various approaches, both approaches in the field of social welfare, humanitarian approaches and approaches to the criminal justice system.

2. Restitution Restitution is more directed at the perpetrator's responsibility for the consequences of the crime so that the main objective is to tackle all activities suffered by the victim (Moeljatno, 1993). The benchmarks used in determining the amount of restitution given are not easy to formulate. This depends on the social status of the perpetrator and the victim. In the case of a victim with a lower social status than the perpetrator, it will prioritize compensation in the form of material, and vice versa if the status of the victim is higher than the perpetrator, the restoration of dignity and dignity will take precedence.

3. Compensation Compensation is a form of compensation that can be seen from the aspects of humanity and human rights (Muhammad Syukri Albani Nasution, 2017). The idea of realizing social welfare in society is based on a commitment to social contracts and social solidarity. make society and the state morally responsible and obliged to protect its citizens, especially those who experience disaster as victims of crime. Compensation as a form of compensation is totally independent of how the judicial process runs and the decisions are removed, even the source of funds for this is obtained from the government or public funds. The concept of crime and who is the victim of crime is the starting point for explaining the victim's legal position. There are two concepts of evil (Muladi dan Barda Nawawi Arif, 1998): 1) Crime is understood as a violation against the state or the interests of the parties represented by the country's democratic instruments; and 2) Crime is understood as a violation of the interests of individuals and also violates the interests of society, the state and essentially violates the interests of the perpetrators themselves.

The first concept is based on thoughts based on the concept of retributive justice (Phillipus M. Hadjon, 1987). 1. Retributive justice and legal protection for victims of the Criminal Code does not formulate the type of criminal restitution (compensation) which is actually very beneficial for the victim and / or the victim's family. The formulation of articles in the Criminal Code tends to focus on the formulation of criminal acts. And the Criminal Code adheres to a neoclassical sect which, among other things, accepts the enactment of mitigating conditions for perpetrators of criminal acts involving physical, environmental and mental

issues. Likewise, the possible aspects that alleviate the crime for the perpetrator of a crime with partial responsibility, in special cases, for example, are mentally disabled (insane), underage and so on. The purpose of merging claims for damages is to simplify the civil case process that arises from a criminal act. However, the losses incurred are limited to material losses, namely reimbursement of costs incurred by the victim, not including immaterial losses.

So that in practice it has not fully fulfilled the interests of victims of criminal acts. The criminal justice system which relies on retaliation is not able to carry out its function optimally to control crime because it is unable to reduce the crime rate (Satjipto Rahardjo, 2014). The ideal goal formulated by Retributive justice does not seem to have a significant effect in carrying out its function as a control against crime. The concept of retributive justice which does not give a place to victims in the criminal justice system because this concept cannot provide protection for victims, considering that victims of criminal acts can not only suffer material losses but also allow immaterial losses. 2. Restorative justice perspective in legal protection for victims

The concept of crime according to the concept of restorative justice is given a more real meaning, that crime is a conflict between individuals. Crime is understood as a violation, first and foremost violating individual rights and also violating the rights of the community (public interest), the interests of the state and also indirectly violating the interests of the violation itself (Soeparmono, R, 2003). The basis for the perspective of restorative justice is that the concept of crime is an act that violates first and foremost the rights of individuals (namely victims of crime); apart from community malangkar, megar and the interests of the offenders themselves (Soerjono Soekanto, Sri Mamudji, 1985). So every time there is a violation of the criminal law there are actually four related interests, namely the person who violates their rights (victims of crime), society, the state and the offender itself. The person whose rights have been violated (victims of crime) is the first with an interest (Tongat, 2009). Therefore, the criminal justice system must access these four interests by placing the interests of crime victims as the main interest.

The purpose of criminal justice administration is to resolve conflicts (conflicting resolutions) that occur as a result of violations of criminal law, so that the role of the state in the system is reduced and conversely the empowerment of the roles of crime victims and society on the one hand and offenders on the other. The target of the criminal justice process according to the perspective of restorative justice is to hold offenders accountable for their actions and consequences, namely how to restore the suffering of people whose rights have been violated (victims of crime) as in the position before the violation was committed or the loss occurred, both in material and immaterial aspects (Kahar Masyhur, 1985). The restorative perspective views crime, even though the crime committed also violates the criminal law, the more important aspect is not the act of the violation but the process of victimization of harm to the crime victim, the community and actually also violates the interests of the offender itself. The parts that he deems important have been

largely forgotten by the criminal justice system from the perspective of restorative justice.

The involvement of crime victims in the criminal justice process is an important matter (Hans Kelsen, 2011). Because the relationship between victims, communities and offenders becomes the focus for mediation and reconciliation in order to resolve the conflicts they face. The highlighted part is empowering participants, promoting mutual dialect and problem solving and giving satisfaction to all parties. The involvement of victims in the restorative justice process includes improving material, improving social issues including hope, improving self-esteem and honor and most importantly full participation in handling cases.

The concept of retributive justice currently in effect in Indonesia is deemed insufficient to provide adequate protection for victims. This concept focuses more on the perpetrator of the crime so that the position of the victim is neglected. Restoration actors through the criminal justice system so as to encourage peace between victims and perpetrators. Peace is carried out through mediation, meetings, economic improvement programs and honesty education. In peace, this can be done, for example, by paying compensation for the suffering suffered by the victim. Fulfillment of compensation for victims can be in the form of restitution or compensation. As for the perpetrator, the punishment given is not only limited to imprisonment but can be in the form of social work, so that it will be more beneficial for the perpetrator and the community.

Cybercrime is a term that refers to criminal activity with computers or computer networks that are the means, targets or places of crime. In principle, the law is the regulation of the attitude (behavior) of a person and society, which is sanctioned by the state. Even though the cyber world is a virtual world, law is still needed to regulate people's attitudes, at least two things, namely: First, people in cyberspace are people in the real world, people have values and interests both individually and collectively. must be protected. Second, even though it occurs in cyberspace, transactions carried out by the community have an influence in the real world, both economically and non-economically. Currently, the regulation used as the legal basis for cybercrime cases is Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE). With the existence of the ITE Law, it is hoped that it can protect the public who use information technology in Indonesia, this is important considering the number of internet technology users is increasing from year to year.

The increasing use of the internet on the one hand provides a lot of convenience for humans in carrying out their activities, on the other hand it makes it easier for certain parties to commit a criminal act, technological advances also affect the lifestyle and human mindset, the fact is that currently there are many crimes using technology information. The phenomenon of cybercrime which is growing rapidly which does not recognize territorial boundaries should be watched out for because this crime is somewhat different from other crimes in general. Utilization of Information Technology plays an important role in trade and national economic growth to realize people's welfare, that the government needs to support the development of

Information Technology through legal infrastructure and its regulations so that the use of Information Technology is carried out safely to prevent its misuse by taking into account the religious and socio-cultural values of the Indonesian people.

In the provisions of Article 4 paragraph (2) of the ITE Law, it is stated that the Government protects the public interest from all kinds of disturbances as a result of misuse of Electronic Information and Electronic Transactions that disturb public order, in accordance with the provisions of the Legislation. The misuse of this information technology that can harm other people, the nation and the state using computers that have internet facilities carried out by hackers or a group of crackers from a certain home or place without being noticed by the victim, which can cause moral, material and time loss as a result of the destruction. data carried out by hackers. To overcome cybercrime crime requires law enforcement officers who understand and master technology, the obstacles faced by victims are due to ignorance, knowledge of computers and the internet so that if they are harmed they cannot report all criminal events experienced, of course this is our common problem.

The principles and objectives of this law are that the use of Information Technology and Electronic Transactions is carried out based on the principles of legal certainty, benefits, prudence, good faith, and freedom to choose technology or technology neutrality. So it can be interpreted that the use of information technology and electronic transactions is expected to be guaranteed with legal certainty, to have benefits, to be full of caution, to have good intentions, and to have freedom to choose technology and to be neutral. Responding to the demands and challenges of global communication via the Internet, the Law is expected to be able to answer all legal issues regarding global developments in technology as well as to anticipate all existing problems, including the negative impact of internet abuse which will ultimately cause harm to its users.

There are several other positive laws that are generally accepted and can be imposed on cybercrime actors, especially for cases that use computers as a means, including:

- a. Criminal Code
- b. Law Number 11 of 2008 concerning ITE
- c. Law Number 44 of 2008 concerning Pornography
- d. Law Number 36 of 1999 concerning Telecommunications.
- e. Law Number 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition.
- f. Law Number 8 of 1999 concerning Consumer Protection.
- g. Law Number 19 of 2002 concerning Copyright.
- h. Law Number 8 Year 1997 regarding Company Documents
- h. Law Number 25 of 2003 concerning Amendments to Law Number 15 of 2002 concerning the Crime of Money Laundering
- i. Law Number 15 of 2003 concerning Combating Terrorism In maintaining and protecting technology users, cooperation and the seriousness of all parties are needed considering that information technology,

especially the internet, has been used as a means to build an information-cultured society.

The existence of laws that regulate cybercrime is expected to protect and provide a sense of security for those who use technology as a forum for carrying out transactions and carrying out economic activities. In taking action against those who abuse technological developments, qualified human resources who have the ability and expertise in the field of technology are needed. In law enforcement, at least it is influenced by several factors, namely the rule of law itself or the law, the implementing apparatus of the rule, namely the law enforcement apparatus and the legal culture itself, namely the people themselves who are the targets of the law. The law on information and electronic transactions (UU ITE) or what is known as cyberlaw, is used to regulate various legal protections for activities that use the internet as a medium, both for transactions and utilizing information. The ITE Law also regulates various types of penalties for crimes via the internet. The ITE Law accommodates the needs of business people on the internet and the general public to obtain legal certainty by recognizing electronic evidence and digital electronic signatures as valid evidence in court. The ITE Law itself only exists in Indonesia and has been ratified by the DPR on March 25, 2008. The ITE Law consists of 13 Chapters and 54 Articles that discuss in detail how the rules of life in cyberspace and the transactions that occur in it.

#### IV. CONCLUSION

The position of a crime victim in accessing personal information illegally in the Criminal Procedure Code is only as a witness in a criminal case where the victim can only prove the suspect / defendant's guilt. Because in a criminal justice process, the witness (victim) plays a very important role in the effort to reveal a material truth. Legal protection for victims of crime from accessing personal information illegally as part of legal protection to the public, can be manifested in various forms, such as compensation, restitution and compensation. And adhering to the provisions of Law Number 11 of 2008 concerning Information and Electronic Transactions and the Criminal Code.

#### REFERENCES

- [1] Achmad Nosi Utama, Nyoman Serikat Putra Jaya, Putwoti, 2016. Diponegoro Law Review Vol 5 No 2.
- [2] Adami Chazawi. 2002. SH.Pelajaran Hukum Pidana Bagian I. Jakarta: Raja Grafindo Persada.
- [3] Arif, Gosita, 1993, Masalah Korban Kejahatan, Akademika Pressindo. Jakarta.
- [4] Chaerudin dan Syarif Fadillah, Korban Kejahatan dalam Perspektif Viktimologi & Hukum Pidana Islam. Jakarta : Grhadhika Press.
- [5] Dheny Wahyudi. "Perlindungan Hukum Terhadap Korban Kejahatan Cyber Crime Di Indonesia" dalam Jurnal Hukum Jambi
- [6] Hans Kelsen, 2011. General Theory of Law and State, diterjemahkan oleh Rasisul Muttaqien, Bandung : Nusa Media.
- [7] Hyronimus Rhiti, 2015. Filsafat Hukum Edisi Lengkap (Dari Klasik ke Postmodernisme), Ctk. Kelima, Yogyakarta : Universitas Atma Jaya
- [8] J. E Sahetapy, 1987. Viktimologi Sebuah Bunga Rampai, cetakan 1. Jakarta : Pustaka Sinar Harapan.
- [9] John Rawls, 2006. A Theory of Justice, London: Oxford University press, diterjemahkan dalam Bahasa Indonesia oleh Uzair Fauzan dan Heru Prasetyo, Teori Keadilan. Yogyakarta : Pustaka Yogyakarta.
- [10] Josua Sitompul, 2012. Cyberspace, cybercrime, cyberlaw, Tinjauan Aspek Hukum Pidana. Jakarta: PT. Tatanusa.
- [11] Kahar Masyhur, 1985. Membina Moral dan Akhlak. Jakarta : Kalam Mulia.
- [12] Tim Penyusun kamus Pusat Pembinaan dan Pengembangan Bahasa, 1991, Kamus Besar Bahasa Indonesia, Edisi Kedua, Cet. 1. Jakarta: Balai Pustaka, Jakarta.
- [13] Kancil CST, 1989, Pengantar Ilmu Hukum dan Tata Hukum Indonesia. Jakarta: Balai Pustaka.
- [14] Leden Marpaung, 2008. Asas-Toeri-Praktek Hukum Pidana. Jakarta: Sinar Grafika.
- [15] M. Agus Santoso, 2014. Hukum,Moral & Keadilan Sebuah Kajian Filsafat Hukum, Ctk. Kedua. Jakarta : Kencana.
- [16] Moeljatno, 1993. Perbuatan Pidana dan Pertanggung Jawabannya Dalam Hukum Pidana. Jakarta : Rinneke Cipta
- [17] Muhammad Syukri Albani Nasution, 2017. Hukum dalam Pendekatan Filsafat, Ctk. Kedua. Jakarta : Kencana.
- [18] Muladi dan Barda Nawawi Arif, 1998, Teori-teori dan Kejahatan Pidana, Alumni. Bandung.
- [19] Pan Mohamad Faiz, 2009. Teori Keadilan John Rawls, dalam Jurnal Konstitusi, Volume 6 Nomor 1
- [20] Phillipus M. Hadjon, 1987. Perlindungan Hukum bagi Rakyat Indonesia. Surabaya: PT. Bina Ilmu.
- [21] Satjipto Rahardjo, 2014. Ilmu Hukum, Ctk. Kedelapan. Bandung: Citra Aditya Bakti.
- [22] Soeparmono, R, 2003. Praperadilan dan Penggabungan Perkara Ganti Kerugian dalam KUHAP. Bandung: Mandar Maju.
- [23] Soerjono Soekanto, Sri Mamudji, 1985. Penelitian Hukum Normatif, Suatu Tinjauan Singkat. Jakarta: Rajawali.
- [24] Tongat, 2009. Dasar-dasar Hukum Pidana Indonesia Dalam Perspektif Pembaharuan, Malang: UMM Press