

Revisiting Law Enforcement against Revenge Porn Offenders in Cyberspace

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Abstract

The development of digital technology has increased the threat of cybercrime, including revenge porn, which has a broad impact on victims, psychologically, socially and economically. Although Indonesia already has regulations such as the ITE Law and the Pornography Law, these regulations have not been fully effective in ensnaring perpetrators and providing maximum protection for victims. Meanwhile, other countries such as the United Kingdom and the United States have more specific regulations in dealing with revenge porn. This study aims to analyze the effectiveness of law enforcement against revenge porn in Indonesia and provide recommendations for improving regulations to increase victim protection. The method used is normative legal research with a statutory and comparative approach, which involves analyzing national and international regulations, as well as reviewing court decisions and reports from various institutions. The results show that Indonesian regulations still have gaps in dealing with revenge porn, especially in the aspects of victim protection, content removal mechanisms, and sanctions for perpetrators and digital platforms. Therefore, more progressive legal reforms are needed, including the implementation of the right to be forgotten, increasing sanctions for perpetrators.

I. Introduction

The development of digital technology has changed the way people communicate and share information, creating virtual spaces that are increasingly integrated into everyday life. The ease of access to the internet and social media allows individuals to exchange messages, images and videos within seconds, without any geographical limitations.¹ However, despite the benefits, this technology also opens up opportunities for various forms of abuse, including increasingly complex cybercrime. One rapidly growing threat is revenge porn, the unauthorized dissemination of sexually charged content as a form of revenge or exploitation. This crime not only violates the victim's right to privacy, but also has significant psychological, social and legal impacts. The irreversible and uncontrollable nature of the internet makes revenge porn a dangerous crime.² Content that has been uploaded to cyberspace can easily spread widely through various digital platforms, including social media, video sharing sites, and online forums that are often used by perpetrators to distribute intimate material to victims without consent. In many cases, victims face difficulties in removing content that has been spread, due to the lack of effective legal mechanisms to deal with requests for rapid removal of content. In addition, the anonymity of cyberspace is often exploited by perpetrators to avoid legal liability, making law enforcement against revenge porn a complex challenge.³ With the development of technology, more adaptive legal policies are needed to provide maximum protection for victims and ensure that perpetrators can be processed fairly and firmly.

The development of artificial intelligence (AI) technology has even further exacerbated this situation, where digital content manipulation such as deepfakes can be used to create images or videos that appear real, even though they never happened in real life.⁴ The phenomenon of revenge porn is not only an individual problem, but has also developed into a complex social issue with significant impacts on victims. Victims of revenge porn often experience severe psychological distress, including anxiety disorders, depression, and even the

¹ Setiadarma, A., Abdullah, A. Z., Sadjijo, P., & Firmansyah, D. (2024). Tinjauan Literatur Transformasi Sosial dalam Era Virtual. *Khatulistiwa: Jurnal Pendidikan dan Sosial Humaniora*, 4(1), 232–244.

² Kurniadini, S. Z., Ramadhany, M. C., & Brand, E. D. E. (2024). Peran Media Sosial Dalam Penyebaran Revenge Porn Di Kalangan Gen Z. *Prosiding Seminar Nasional Ilmu Ilmu Sosial (SNIIS)*, 3, 671–685.

³ Ariani, M., Zulhawati, Z., Haryani, H., Zani, B. N., Husnita, L., Firmansyah, M. B., Sa'dianoor, S., Karuru, P., Hamsiah, A., & others. (2023). Penerapan media pembelajaran era digital. Sonpedia Publishing Indonesia.

⁴ Prayoga, H., & Tuasikal, H. (2025). Penyebaran Konten Deepfake Sebagai Tindak Pidana: Analisis Kritis Terhadap Penegakan Hukum Dan Perlindungan Publik Di Indonesia. *Abdurrauf Law and Sharia*, 2(1), 22–38.

desire to end their lives due to shame and fear of social consequences.⁵ In addition, the legal and economic impacts cannot be ignored, where victims may lose their jobs, experience difficulties in rebuilding their social lives, and face legal obstacles in removing content that has been widely spread online. The uncontrollable nature of the internet makes recovery efforts particularly challenging, while legal systems in many countries, including Indonesia, still face difficulties in effectively prosecuting perpetrators. Therefore, there is a need for a stricter legal approach, maximum protection for victims, and increased public awareness so that revenge porn is no longer considered as just a personal issue, but as a form of crime that must be firmly eradicated.

Revenge porn falls into the category of cybercrime that has a multidimensional impact on its victims, both from the psychological, social, and legal aspects. Victims often experience deep emotional trauma due to the violation of their privacy.⁶ In addition, social pressure from the surrounding environment also becomes an additional burden that exacerbates the victim's condition. In many cases, victims have difficulty maintaining their professional and personal lives, mainly due to the negative stigma attached to the unauthorized dissemination of sexual content. According to a report by the National Commission on Violence Against Women (Komnas Perempuan) in 2022, there were 1,021 reported cases of online gender-based violence (GBV), with 68% of them related to the unauthorized dissemination of sexual content. This data shows that revenge porn is an increasingly serious threat to individuals, especially women, who are often the primary victims. Meanwhile, a report from the Internet Watch Foundation (IWF) noted a 64% increase in cases of unauthorized distribution of sexual material online by 2023 compared to the previous year. This figure indicates that the phenomenon of revenge porn continues to grow and requires more attention in terms of law enforcement and protection for victims.

The psychological impact on victims of revenge porn is significant. A study conducted by the Cyber Civil Rights Initiative in the United States found that 93% of revenge porn victims experienced severe emotional distress, while 51% of them had suicidal thoughts. In addition, victims also face major social repercussions, such as being ostracized by their surroundings, losing their jobs, or experiencing barriers in social life due to the stigma attached to them. The constant shame and fear experienced by victims often make it difficult for them to return to living a normal life, even after legal remedies are taken. Not only does revenge porn have an emotional and social impact, it also carries

⁵ Fitri, D. A., & Gusnita, C. (2024). Realitas Konstruksi Media Massa Online Terhadap Perempuan Sebagai Korban Pornografi Balas Dendam (Revenge Porn) dalam Newsmaking Criminology. *Ranah Research: Journal of Multidisciplinary Research and Development*, 6(4), 1246–1253.

⁶ Dharmawan, A., & Solaeman, E. (2022). Tinjauan Yuridis Terhadap Korban Revenge Porn. *Alauddin Law Development Journal*, 4(3), 699–716.

significant economic risks for victims.⁷ A study by the Data & Society Research Institute shows that 55% of revenge porn victims have difficulty finding employment due to the hard-to-delete nature of their content online. The persistence of information in cyberspace makes it difficult for many victims to clean up their digital footprint, which has a direct impact on their chances in the workforce. Therefore, stricter law enforcement efforts, increased public awareness, and the provision of recovery mechanisms for victims are important steps in dealing with the revenge porn phenomenon.

Indonesia already has several regulations that can be used to prosecute perpetrators of revenge porn. Law No. 19/2016 on Electronic Information and Transactions (ITE Law) prohibits the dissemination of content that violates decency as stipulated in Article 27 paragraph (1). Violations of this provision may be subject to criminal sanctions in the form of imprisonment and fines. In addition, Law No. 44/2008 on Pornography also provides provisions related to the distribution of pornographic material that can harm individuals. These regulations show that the government has a legal basis to deal with revenge porn cases, although there are still various challenges in its implementation. Although there are regulations governing the distribution of pornographic or immoral content, the current regulations are not specific enough to handle revenge porn cases that are increasingly complex. One of the main weaknesses is that it is difficult to take action against perpetrators who use new technologies such as deepfake or who spread content through foreign-based digital platforms. This poses challenges in law enforcement, especially in terms of identifying perpetrators and extradition processes if the perpetrators are located outside of Indonesia's jurisdiction.⁸ Therefore, it is necessary to improve the regulations to be more effective in providing protection for victims of revenge porn and to ensnare the perpetrators more firmly.

In comparison with legal systems in other countries, some countries have implemented more specific regulations in dealing with revenge porn. The UK, for example, passed the Criminal Justice and Courts Act 2015 which specifically criminalizes revenge porn with harsher penalties for perpetrators. The United States also has the Stopping Harmful Image Exploitation and Limiting Distribution (SHIELD) Act which provides further protection for victims and tightens penalties for perpetrators. More detailed regulations such as these provide a stronger deterrent effect and provide a clear legal basis for law enforcement officials in handling revenge porn cases. In addition to the criminal law approach, some countries have also implemented civil law mechanisms that

⁷ Mauliddina, S., Rahayu, Y. P., Ajuni, A., & Elisabeth, M. P. (2024). [^]. *Ranah Research: Journal of Multidisciplinary Research and Development*, 7(1), 367–375.

⁸ Frensh, W. (2022). Kelemahan Pelaksanaan Kebijakan Kriminal Terhadap Cyberbullying Anak Di Indonesia. *Indonesia Criminal Law Review*, 1(2), 3.

allow victims to claim compensation for losses suffered due to revenge porn.⁹ In Australia, for example, victims can file a civil suit against the perpetrator to recover damages for the emotional and economic impact they have suffered.¹⁰ This approach provides an opportunity for victims to get justice more broadly, not only in the form of punishment for the perpetrator, but also recovery for the psychological and financial impacts they have experienced. This model can serve as an inspiration for Indonesia to improve its legal system in favor of revenge porn victims.

In the context of law enforcement in Indonesia, one of the main challenges is the lack of efficient mechanisms to protect victims and effectively prosecute perpetrators. Many victims are reluctant to report for fear of social stigma or feel that the legal system does not provide enough protection for them. In addition, the handling of revenge porn cases often faces obstacles in evidence and legal proceedings, so perpetrators often escape the law. In fact, these acts have serious psychological impacts on victims, including trauma, social pressure, and mental health disorders. One factor that exacerbates this situation is the victim blaming culture that is still very strong in society. Many people tend to blame the victim for the spread of their personal content, instead of highlighting the perpetrator as the responsible party.¹¹ This perspective not only adds to the psychological burden of victims, but also creates barriers for them in seeking justice. As a result, many victims choose to remain silent for fear that they will be further harmed if they report their case. This condition shows that social and cultural aspects also play a major role in the effectiveness of law enforcement against revenge porn cases.

More progressive legal reforms are needed to provide maximum protection for victims and strengthen the justice system in dealing with this crime. The current regulations still have various weaknesses, such as the lack of strict sanctions against perpetrators and limited protection mechanisms for victims. Stricter and more comprehensive law enforcement is needed to not only provide a deterrent effect for perpetrators, but also create a system that favors victims. This can be realized through the revision of more specific regulations, increasing the capacity of law enforcement officials, and educating the public about the importance of personal data protection and the impact of revenge porn. This study aims to analyze the effectiveness of law enforcement against cyber revenge porn perpetrators, evaluate the weaknesses of existing regulations, and provide policy recommendations to improve protection for victims. With the

⁹ Wilkerson, J. J. (2021). Revenge porn: State laws, constitutional challenges, and the progress of federal legislation. *U. Louisville L. Rev.*, 60, 301.

¹⁰ Yar, M., & Drew, J. (2019). Image-Based Abuse, Non-Consensual Pornography, Revenge Porn: A Study of Criminalization and Crime Prevention in Australia and England & Wales. *International Journal of Cyber Criminology*, 13(2).

¹¹ Kang, C. (2021). Urgensi pengesahan RUU PKS sebagai upaya perlindungan hukum bagi korban revenge porn. *Jurnal Yustika: Media Hukum Dan Keadilan*, 24(01), 49–62.

development of digital technology, the legal system must be able to adapt in order to provide maximum protection for victims and reduce the number of cyber crimes in the future. Legal reforms oriented towards victim protection and cybercrime prevention will be key in creating a safer and more equitable digital ecosystem for all parties.

2. Research Method

This research uses a normative legal method with a statutory and comparative approach to analyze the effectiveness of Indonesian regulations in ensnaring revenge porn offenders, with a focus on the ITE Law and the Pornography Law. Data collection was conducted through document studies, analysis of court decisions, and review of global regulations, without the use of interviews or field surveys. The results of this study are expected to provide concrete recommendations for Indonesian law reform to improve the effectiveness of law enforcement and protection for victims of revenge porn.¹²

3. Results and Discussion

Challenges of Law Enforcement against Revenge Porn Offenders in Indonesia

Revenge porn is a form of digital crime that is growing rapidly along with the increasing use of the internet and social media. The dissemination of sexually charged content without the victim's permission poses a serious legal challenge due to its uncontrollable nature. Unlike conventional crimes, revenge porn can spread in seconds through various digital platforms, making the identification of perpetrators and proof in the legal process more complex.¹³ In many cases, victims do not know who first shared the content, when it was uploaded, or how it was permanently removed from the internet. One of the main obstacles in handling revenge porn cases is the anonymity of cyberspace, which makes it difficult to track down perpetrators. Many perpetrators use fake accounts or anonymous identities to spread content without leaving a clear digital trail. In some cases, perpetrators use Virtual Private Network (VPN) networks to hide their real location, making it difficult for law enforcement officials to trace their whereabouts. The use of anonymous accounts also allows perpetrators to continue spreading content even if their accounts have been blocked or closed by social

¹² Diantha, I. M. P. (2016). Metodologi penelitian hukum normatif dalam justifikasi teori hukum. Prenada Media.

¹³ Arawinda, (2021). Perlindungan hukum terhadap perempuan korban kekerasan berbasis gender online di Indonesia. Jurnal Yustika: Media Hukum Dan Keadilan, 24(02), 76–90.

media platforms.¹⁴

Encryption technology poses an additional challenge to the revenge porn investigation process. Many digital communication platforms today use end-to-end encryption systems, meaning that only the sender and receiver of a message can access the contents of that communication. Apps like WhatsApp, Telegram and Signal have privacy policies that protect user conversations from third-party intervention, including law enforcement.¹⁵ As a result, even if there is evidence that revenge porn content is being shared through these platforms, police officers are often unable to access the data without the cooperation of the service providers, which are often based overseas. Another obstacle to revenge porn investigations is the use of digital platforms based overseas. Many video sharing sites and online forums allow users to upload content without strict regulation. Some sites even specialize in spreading revenge porn content and operate in countries that have different legal policies than Indonesia. The legal process to request the removal of content or take action against offenders based overseas requires a mutual legal assistance treaty (MLAT) mechanism, which often takes a long time and is not always successful.¹⁶

The phenomenon of artificial intelligence (AI) technology has also further complicated revenge porn cases, especially with the rise of deepfake pornography. This technology allows perpetrators to create videos or images that appear real by manipulating the faces of individuals into sexual content that they never actually committed.¹⁷ In some cases, victims only realize they have been targeted by deepfakes after the content has gone viral on the internet. The legal challenges in dealing with these cases include the difficulty of proving that the victim is not the real individual in the video, as well as the difficulty of ensnaring perpetrators who may not be in the same jurisdiction as the victim. The challenges in proving and identifying revenge porn perpetrators point to the need for reform in Indonesia's legal system. More specific regulations, increased technological capacity in digital forensic investigations. If there is no significant improvement, revenge porn will continue to grow as a growing threat to victims, who often face prolonged psychological and social impacts. Law enforcement against revenge porn cases in Indonesia still faces various obstacles, especially in the regulatory aspect that has not fully accommodated the complexity of this crime. Revenge porn is a phenomenon that is growing rapidly along with the advancement of digital technology, but until now, there is no law that specifically regulates this act as a

¹⁴ Faizal, M. F., Farhan, M., Tarina, D. D. Y., & others. (2024). Revenge Porn Sebagai Suatu Bentuk Tindak Pidana Kekerasan Seksual Berbasis Elektronik. *Media Hukum Indonesia (MHI)*, 2(4).

¹⁵ Ananta, K. D., Ambodo, T., & Tohawi, A. (2024). Pengaruh Media Sosial terhadap Peningkatan Kejahatan Siber di Indonesia. *Islamic Law: Jurnal Siyasah*, 9(2), 118–13.

¹⁶ Barton, J. (2018). Reforming the mutual legal assistance treaty framework to protect the future of the internet. *Ohio St. LJ Furthermore*, 79, 91.

¹⁷ Pitaloka, C. A. G. (2025). Penyalahgunaan Teknologi Deepfake untuk Konten Pornografi Non-Konsensual di Indonesia. *Hukum Inovatif: Jurnal Ilmu Hukum Sosial dan Humaniora*, 2(2), 74–81.

separate criminal offense.¹⁸ As a result, law enforcement officials often have to adapt existing regulations, such as Law No. 19/2016 on Electronic Information and Transactions (ITE) and Law No. 44/2008 on Pornography. However, the inaccuracy in the application of these regulations has led to many perpetrators escaping the law or only receiving light sentences. The ITE Law is the main reference in prosecuting revenge porn offenders in Indonesia. Article 27 paragraph (1) of the ITE Law prohibits anyone who intentionally distributes or transmits electronic information containing content that violates decency. Violators of this provision can be punished with a prison sentence of up to six years and/or a maximum fine of Rp1 billion. Although this article is often used in revenge porn cases, this regulation is still general and does not specifically define the unauthorized dissemination of sexual content as a form of gender-based violence. As a result, many cases cannot be optimally processed because this article only focuses on the aspect of decency without considering the psychological and social impact on the victim.

The Pornography Law is also often used as a legal basis for prosecuting revenge porn perpetrators. Article 4 paragraph (1) of the Pornography Law regulates the prohibition of making, distributing, and trading pornographic content in any form. However, this law focuses more on prohibiting the production and distribution of pornographic content in general, without paying special attention to the context of revenge porn, which involves the dissemination of personal content without the victim's consent. In some cases, victims of revenge porn face the risk of being criminalized under articles of the Pornography Law, especially if the content involves them explicitly. The lack of clarity in the regulation of revenge porn as a form of gender-based violence is also a major challenge in law enforcement efforts. Revenge porn is often used as a tool to degrade and control victims, especially women, with the threat of spreading their intimate content.¹⁹ However, in the Indonesian legal system, there are no explicit provisions that recognize revenge porn as a form of gender-based violence or human rights violation. This is in contrast to the approach taken in some other countries, where revenge porn is categorized as a form of digital sexual harassment that can be subject to more severe criminal sanctions.

The UK legal system has implemented the Criminal Justice and Courts Act 2015, which expressly criminalizes the unauthorized dissemination of sexual content under the penalty of up to two years in prison. This law specifically recognizes that

¹⁸ Suradipraja, V. S. A. C. (2024). Tinjauan viktimologis terhadap korban revenge porn menurut Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual berdasarkan tipologi korban. *Padjadjaran Law Review*, 12(1), 20–31.

¹⁹ Dipayana, I. A. T. D., & Pidada, I. B. A. (2024). Perlindungan Hukum Terhadap Perempuan Sebagai Korban Kejahatan Pornografi Balas Dendam (Revenge Porn) di Media Sosial. *Nian Tana Sikka: Jurnal Ilmiah Mahasiswa*, 2(4), 185–198.

revenge porn is an act that harms victims emotionally and socially.²⁰ It also provides protection mechanisms for victims, including the right to request the removal of content from the internet and access to legal aid. Meanwhile, in the United States, the Stopping Harmful Image Exploitation and Limiting Distribution (SHIELD) Act was enacted to provide additional protection for victims of revenge porn. This law not only regulates criminal sanctions for perpetrators, but also requires digital platforms to actively remove content reported by victims within a certain time.²¹ The difference between the regulations in Indonesia and those in these countries shows that Indonesia is still lagging behind in addressing revenge porn as a technology-based crime. In many cases, revenge porn perpetrators in Indonesia are only charged with general articles in the ITE Law or Pornography Law, without considering the specific aspects involving psychological coercion and manipulation of victims. As a result, many perpetrators are only given light sentences or even escape punishment due to the difficulty of proving the element of guilt in the dissemination of the content.

According to Prof. Topo Santoso, revisions to existing regulations are needed to adapt criminal law to the development of digital technology. He emphasized that revenge porn should be categorized as a separate criminal offense with more specific elements, including elements of unauthorized dissemination, revenge motives, and the psychological impact experienced by the victim.²² Thus, law enforcement officials can have a clearer legal basis in handling these cases, without having to rely on broad interpretations of existing articles. In addition, the criminal law approach in Indonesia also needs to consider the aspect of recovery for victims. In some countries, such as Australia and Canada, victims of revenge porn have the right to claim compensation for the psychological and economic losses they have suffered due to the dissemination of the content.²³ These mechanisms have not been fully implemented in Indonesia, leaving many victims without compensation for the impacts they have suffered. In many cases, victims have to face social and professional consequences in the absence of legal mechanisms that can help them restore their reputations and lives.

The inability of existing laws to accommodate the needs of revenge porn victims also has implications for the low level of case reporting. Based on Komnas Perempuan's 2023 report, many victims are reluctant to report because they do not believe that law enforcement officials can provide adequate protection. In

²⁰ Mills, A. (2015). Reforms to judicial review in the Criminal Justice and Courts Act 2015: Promoting efficiency or Weakening the Rule of Law? Public Law (Forthcoming).

²¹ Thomas, S. (2025). Two Steps Forward, One Step Back: Gaps in the Violence Against Women Act. Federal Communications Law Journal, 77(2), 175–198.

²² Bunga, D. (2011). Penanggulangan Pornografi dalam Mewujudkan Manusia Pancasila. Jurnal Konstitusi, 8(4), 453–478.

²³ Dvořáková, M. (2020). Revenge porn a deepfakes: Ochrana soukromí v éře moderních technologií. Revue pro právo a technologie, 11(22), 51–89.

addition, the social stigma against revenge porn victims is also a factor that inhibits them from seeking justice. Without revised regulations that provide greater protection for victims, revenge porn will continue to be a crime that is difficult to crack down on effectively. With the increase in revenge porn cases in Indonesia, legal reform is a must so that the legal system can be more responsive to the development of technology-based crimes. The implementation of more specific regulations, as has been done in the United Kingdom and the United States, can be a solution to strengthen protection for victims and provide a deterrent effect for perpetrators. Without significant changes in regulation, revenge porn will continue to grow as a serious threat that harms many individuals, especially women, in the digital world.

One of the biggest challenges in enforcing the law against revenge porn in Indonesia is the strong culture of victim blaming that blames victims for the spread of their sexual content. In many cases, victims not only have to deal with the psychological and social repercussions of unauthorized content sharing, but are also faced with stigma that prevents them from seeking justice. Society tends to consider the victim as the guilty party for creating or sending the content, instead of highlighting the actions of the perpetrator who spread it.²⁴ As a result, many victims choose to remain silent and not report their cases for fear of greater social pressure. According to Komnas Perempuan's 2022 report, of the 1,021 reported cases of online gender-based violence (GBV), most victims are reluctant to pursue legal action for fear of social consequences. Many of them experience pressure from their surroundings, including family and coworkers, who hold them responsible for spreading the content. This stigma is further exacerbated by the perception in society that women who are victims of revenge porn are immoral individuals who deserve the consequences of their own actions. In fact, in a legal context, the dissemination of personal content without permission is a clear violation of privacy rights and can be categorized as a criminal offense.

The lack of legal protection for revenge porn victims who want to remove content from the internet is a serious obstacle in their recovery efforts. Currently, there is no clear legal mechanism in Indonesia that allows victims to request the removal of content quickly and effectively. Law No. 19/2016 on Electronic Information and Transactions (ITE Law) does regulate the obligation of electronic system operators to remove unlawful information, as stipulated in Article 26 paragraph (3). However, in practice, content removal on various digital platforms often requires a long time and complicated procedures. Many victims have to submit multiple requests before their content is removed, while in that period, the content has spread to various other sites that are difficult to track. Legal systems in some other countries have implemented more progressive legal mechanisms to provide

²⁴ Sinaga, D., & Lidya, I. (2024). Perlindungan Hukum dan Pertanggungjawaban Tindak Pidana Revenge Porn Berdasarkan UU No. 11 Tahun 2008 Tentang Informasi Transaksi Elektronik (ITE) dan UU No. 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual (TPKS). *Padjadjaran Law Review*, 12(1), 32–45.

protection for victims of revenge porn. In the European Union, the Digital Services Act (DSA) regulation requires digital platforms to have faster mechanisms to remove illegal content, including sexual content that is distributed without permission. In the United States, some states have implemented laws that allow victims to seek a court order to have the shared content removed within a certain time.²⁵ Such a system has not yet been optimally implemented in Indonesia, so victims of revenge porn still have to endure a lengthy legal process that often fails to deliver satisfactory outcomes.

The low public awareness of understanding revenge porn as a form of crime is also a major factor hindering law enforcement. Many people still view the non-consensual distribution of sexual content as merely a personal matter between the victim and the perpetrator, rather than a serious legal violation. This lack of understanding leads many victims to feel insufficiently supported by those around them, including family, friends, and authorities.²⁶ In many cases, law enforcement officials themselves still have a limited understanding of revenge porn, often resulting in inadequate responses to victims' reports. One of the main challenges in addressing revenge porn under Indonesian law is the lack of regulations that recognize the psychological harm experienced by victims. Under the current legal system, the primary focus remains on moral violations and breaches of social norms, rather than protecting victims from digital exploitation. This contrasts with legal approaches in other countries, where revenge porn is classified as a form of psychological violence, necessitating specialized protection mechanisms for victims.

The social stigma attached to victims of revenge porn also influences law enforcement's attitude in handling these cases. Many victims report not receiving professional treatment when reporting their cases to authorities. Some victims even reveal that they were instead subjected to moral judgment when seeking justice. This situation further erodes victims' trust in the legal system and hinders their efforts to obtain justice. Without a shift in legal approaches and societal attitudes, revenge porn will continue to be a crime that is difficult to address effectively.²⁷ In facing this challenge, more progressive measures within the legal system are necessary to provide maximum protection for victims of revenge porn. Revising regulations to be more specific, as has been implemented in several other countries, could serve as a solution to strengthen legal safeguards and mitigate the social impact on victims. Additionally, efforts must be made to shift public

²⁵ Hussin., & Ginano. (2023). European Union Cyber Security In Dealing With The Threat Of AI-Cybercrimes: Lessons For Indonesia. *Dinamika Global: Jurnal Ilmu Hubungan Internasional*, 8(2), 192–212.

²⁶ Hukumu, S., Syahrir, M., & Lukum, A. F. (2025). Criminalization of Online Gender-Based Violence (OGBV): Challenges and Solutions in Indonesian Criminal Law. *Hakim: Jurnal Ilmu Hukum dan Sosial*, 3(1), 1013–1031.

²⁷ Rusmana, I. P. E. (2024). Kewenangan Kepolisian Dalam Penegakan Hukum Pidana Terhadap Pelaku Prostitusi Online. *MORALITY: Jurnal Ilmu Hukum*, 10(2), 202–218.

perception so that society better understands that revenge porn is not merely a personal matter, but a form of digital crime that must be decisively combated. Without significant changes to the legal framework and public awareness, revenge porn will continue to pose a serious threat to many individuals, particularly women, in an increasingly evolving digital world.

Legal Reform and Victim Protection in Revenge Porn Cases

The rapid development of digital technology has created new challenges for legal systems, particularly in addressing cybercrimes such as revenge porn. To date, Indonesia has yet to establish specific regulations that explicitly classify revenge porn as a standalone criminal offense.²⁸ As a result, many cases are handled using general provisions in Law No. 19 of 2016 on Electronic Information and Transactions (ITE Law) and Law No. 44 of 2008 on Pornography, which do not fully accommodate the complexity of this crime. Without more specific regulations, law enforcement authorities often face difficulties in proving the element of the perpetrator's guilt, while victims do not receive adequate protection. More specific regulations on revenge porn are urgently needed in Indonesia's legal system. In various international jurisdictions, revenge porn has been categorized as a gender-based crime targeting victims, particularly women, with the intent to demean, intimidate, or control them. For example, the UK has implemented the Criminal Justice and Courts Act 2015, which criminalizes the non-consensual sharing of sexual content with a maximum penalty of two years in prison. Meanwhile, in the United States, several states have enacted laws enabling victims to file civil lawsuits against perpetrators as a form of redress for psychological and economic damages they suffer.²⁹ Such legal models can serve as a reference for Indonesia in formulating more comprehensive regulations. Beyond conventional revenge porn, advancements in artificial intelligence (AI) technology have introduced new threats in the form of deepfake porn. Deepfake technology enables perpetrators to manipulate individuals' faces into sexual content that they never actually participated in. In some cases, deepfake porn is used as a blackmail tool against victims, who are forced to comply with the perpetrators' demands to prevent the content from being distributed. The legal challenge in addressing deepfake porn lies in the difficulty of proving the perpetrator's malicious intent, as well as regulatory limitations in explicitly governing the distribution of AI-based manipulative content. Currently, there are no laws in Indonesia that accommodate the advancements in this technology, while in other countries, such as the UK and

²⁸ Al Aziz, A. H., & Hasan, Z. (2024). Pertanggungjawaban Pidana Pelaku Tindak Pidana Pengancaman dengan Revenge Porn dalam Era Digital di Kota Bandar Lampung. *JURNAL HUKUM, POLITIK DAN ILMU SOSIAL*, 3(4), 341–355.

²⁹ Crosby, K. (2016). Before the Criminal Justice and Courts Act 2015: Juror punishment in nineteenth-and twentieth-century England. *Legal Studies*, 36(2), 179–208.

the European Union, deepfake porn has been classified as a form of cybercrime subject to criminal penalties.³⁰ The ITE Law (Electronic Information and Transactions Law) does provide a legal basis for prosecuting the distribution of non-consensual sexual content, as stipulated in Article 27, Paragraph (1). However, this law remains broad in scope and lacks specific provisions addressing revenge porn or deepfake porn. Additionally, the Pornography Law focuses primarily on regulating the production and distribution of pornographic content in general, without distinguishing between material created consensually by individuals and content shared without their consent. In many cases, the vagueness of these regulations has led to victims facing the risk of criminalization, particularly when the disseminated content explicitly involves them.

In addition to the criminal law aspect, a civil law model should also be developed to provide a better recovery mechanism for victims of revenge porn. In some countries, victims can file a lawsuit for damages against the perpetrator as a form of compensation for the psychological and financial losses they have experienced. This legal model has not been widely implemented in Indonesia, so many victims lose their jobs or experience difficulties in their social lives without a legal mechanism that can help them restore their reputation and rights.³¹ In this context, the revision of regulations governing the victim's right to obtain compensation from the perpetrator needs to be considered in the Indonesian legal system. According to Prof. Harkristuti Harkrisnowo, regulations on revenge porn should include comprehensive aspects of victim protection, ranging from sanctions against perpetrators, content removal mechanisms, to victims' rights to obtain legal and psychological assistance. She emphasized that without a more specific legal approach, victims of revenge porn will continue to experience difficulties in seeking justice, while perpetrators can continue to take advantage of existing legal loopholes to avoid criminal liability.

The application of stricter sanctions for revenge porn and deepfake porn perpetrators can be a solution to provide a deterrent effect. Some countries have implemented strict liability models for digital platforms that fail to remove illegal content within a specified time. In other words, platforms can be held liable if they do not take immediate action on reports from victims. Such regulations could be an important step for Indonesia in ensuring that revenge porn and deepfake porn do not continue to spread freely online. With the development of digital technology, Indonesia's legal system must be able to adapt and provide maximum protection

³⁰ Respati, A. A., Setyarini, A. D., Parlagutan, D., Rafli, M., Mahendra, R. S., & Nugroho, A. A. (2024). Analisis Hukum Terhadap Pencegahan Kasus Deepfake Serta Perlindungan Hukum Terhadap Korban. *Media Hukum Indonesia (MHI)*, 2(2).

³¹ Cahyono, Erni, W., & Hidayat, T. (2025). Rikonstruksi Hukum Pidana Terhadap Kejahatan Siber (Cyber Crime) dalam Sistem Peradilan Pidana Indonesia: Rikonstruksi Hukum Pidana terhadap Kejahatan Siber (Cyber Crime) dalam Sistem Peradilan Pidana Indonesia. *DJH| Dame Journal of Law*, 1(1), 1–23.

for revenge porn victims.³² Strengthening more specific regulations, recognizing deepfake porn as a form of technology-based crime, and developing civil law mechanisms to provide compensation for victims are important steps in legal reform. If there is no significant change in regulation, revenge porn and deepfake porn will continue to be threats that are increasingly difficult to control, harming many individuals who are victims of digital exploitation.

Revenge porn is a form of digital crime that requires stricter legal handling in order to provide a deterrent effect for perpetrators and maximum protection for victims. Currently, the regulations used to ensnare revenge porn perpetrators in Indonesia still have many limitations, both in terms of the clarity of legal norms and the effectiveness of their application.³³ In many cases, perpetrators are only charged with general articles in Law No. 19/2016 on Electronic Information and Transactions (UU ITE) or Law No. 44/2008 on Pornography, which do not specifically accommodate the complexities of revenge porn as a gender and privacy-based crime. Therefore, there is a need for reform in the legal system that includes the imposition of more severe sanctions as well as specific arrangements regarding the liability of digital platforms that facilitate the dissemination of this illegal content. One important step in curbing the spread of revenge porn is to apply the principle of strict liability to digital platforms that facilitate the spread of such content. In many cases, revenge porn is spread through video sharing sites, online forums, and social media without strict supervision from the platform organizers. Currently, the content removal mechanism on these platforms still relies on the user report system, which is often not fast enough to stop the spread of content.³⁴ Therefore, the application of strict liability can force platforms to be more proactive in preventing and cracking down on the spread of revenge porn by tightening content moderation policies and improving automatic detection technology for uploads that violate a person's privacy rights.

Some countries have implemented stricter regulations on digital platforms in dealing with revenge porn. The European Union, for example, has passed the Digital Services Act (DSA) that requires digital platforms to act quickly to remove illegal content and impose sanctions on companies that fail to comply. In the United States, several states have implemented laws that require digital platforms to remove revenge porn content within a certain time after receiving reports from victims. Indonesia could adopt a similar approach by requiring electronic system

³² Pakpahan, H., & mindika Dwimaylando, C. (2021). Pertanggungjawaban pidana korporasi dalam cyber pornografi. *Jurnal Cakrawala Hukum*, 12(3), 274–283.

³³ Butar, R. A. & others. (2024). Sanksi Pidana Untuk Pemerasan dan Ancaman Online Cybersex: Analisis Putusan Nomor: 229/Pid. Sus/2021/PN. Prp Dalam Perspektif Hukum Islam. *Indonesian Journal of Humanities and Social Sciences*, 5(3), 1107–1120.

³⁴ Hadiani, S., Zamil, Y. S., & Rafianti, L. (2021). Aspek Tanggung Jawab Youtube dalam Penyelenggaraannya di Indonesia Berdasarkan Hukum Penyiaran, Telekomunikasi, dan Hukum ITE. *Jurnal Indonesia Sosial Sains*, 2(8), 1365–1380.

providers to have a specific policy for handling revenge porn and imposing severe administrative sanctions on companies that fail to do so.³⁵ In addition to the responsibility of digital platforms, the types of sanctions for revenge porn perpetrators also need to be toughened to provide a deterrent effect. Currently, Article 27 paragraph (1) of the ITE Law does provide criminal penalties for the dissemination of content that violates decency, with a maximum imprisonment of six years and/or a fine of up to Rp1 billion. However, this sanction is still general and does not specifically accommodate the psychological and social impacts experienced by victims of revenge porn. Some other countries have implemented harsher penalties, such as the UK, which in the Criminal Justice and Courts Act 2015 stipulates a penalty of up to two years' imprisonment for revenge porn perpetrators. Indonesia could consider applying harsher penalties, including adding elements of blackmail or intimidation as sentencing enhancements in certain cases. In addition to criminal penalties, the application of progressive fines for revenge porn offenders can be an additional mechanism in providing more effective sanctions. These progressive fines can be applied based on the level of harm suffered by the victim, the amount of content disseminated, and the impact on the victim's reputation and social life. This approach has been implemented in several states in the United States, where revenge porn offenders can be subject to larger fines if they are found to have disseminated the content on a wider scale or benefited financially from the act. The heavier fines are expected to have a stronger deterrent effect on perpetrators and provide fairer compensation for victims. Revenge porn is not only a legal challenge at the national level, but also a transnational crime that requires stronger international legal cooperation. Many revenge porn cases in Indonesia involve foreign-based platforms or perpetrators located in different jurisdictions, making it difficult for law enforcement officials to take action against them directly. Cooperation mechanisms such as the Mutual Legal Assistance Treaty (MLAT) can be used to request assistance from legal authorities in other countries in identifying and prosecuting revenge porn perpetrators operating outside Indonesia.³⁶ However, to date, the extradition process and legal cooperation in revenge porn cases still face many obstacles, mainly due to different regulations in each country.

According to Prof. Topo Santoso, the need for legal reform in revenge porn cases lies not only in toughening sanctions against perpetrators, but also in creating a system that is more responsive to the development of digital technology. He emphasized that the Indonesian legal system should adopt a more progressive approach by clarifying the legal responsibilities for digital platforms, imposing stricter sanctions for perpetrators. Without comprehensive reforms, revenge porn will continue to be a serious threat that is difficult to control in the digital age. With

³⁵ Gosztonyi, G., Ruzskai, S., & Lendvai, G. F. (2025). The European regulation of porn platforms before and after the Digital Services Act. *Porn Studies*, 1–16.

³⁶ Dahlstrom, J. (2023). The new pornography wars. *Fla. L. Rev.*, 75, 117.

the increasing number of revenge porn cases, Indonesia's legal system must be more responsive to the complexity of this crime. The application of strict liability to digital platforms, increasing criminal penalties and progressive fines for perpetrators, and strengthening international cooperation in handling cross-border revenge porn cases are important steps in ensuring that the law can adapt to technological developments.³⁷ If there are no concrete efforts to improve the existing regulations, revenge porn will continue to be a threat that harms many individuals and creates wider social impacts in society.

One important aspect of revenge porn law reform is to provide more comprehensive protection for victims, including a remedy mechanism that allows them to obtain justice and remove harmful digital footprints. Currently, many victims of revenge porn face difficulties in removing their content from the internet, as there is no legal mechanism that specifically regulates the right to permanently delete personal information. In the Indonesian legal system, content removal efforts still depend on the policies of each digital platform, which often have slow procedures and do not provide legal certainty for victims. One solution that can be implemented is the enactment of the right to be forgotten, which allows victims to request the permanent removal of content that violates their privacy. This concept has been implemented in Government Regulation No. 71/2019 on the Implementation of Electronic Systems and Transactions (PP PSTE), which in Article 15 gives individuals the right to request the removal of irrelevant or harmful electronic information. However, the implementation of this regulation in the case of revenge porn is still not optimal, mainly due to the absence of a specific mechanism that effectively regulates the content removal process on various platforms. In the European Union, the concept of right to be forgotten has been recognized in the General Data Protection Regulation (GDPR), which requires digital platforms to delete users' personal information upon request. Indonesia needs to adopt a similar approach to provide better protection for victims of revenge porn.

In addition to the right to remove content, victims of revenge porn also need access to legal and psychological assistance in order to deal with the long-term effects of this crime. Many victims experience severe emotional distress as a result of the dissemination of their content, including anxiety, depression, and even the desire to end their lives due to the social stigma they face.³⁸ A report by the Cyber Civil Rights Initiative in the United States states that 93% of revenge porn victims experience severe emotional distress, while 51% of them have thoughts of ending their lives. In Indonesia, there is no mechanism that specifically provides psychological assistance for revenge porn victims, so they are often left to deal

³⁷ Simamora, A. S. (2023). Pengaturan Pemidanaan Tindak Pidana Kekerasan Seksual dalam Hukum Positif di Indonesia. *Locus: Jurnal Konsep Ilmu Hukum*, 3(4), 204–217.

³⁸ Patisina, P., & Sari, N. (2025). Tantangan Hukum dan Psikologis dalam Penegakan Hukum terhadap Pelecehan dan Intimidasi Online di Media Sosial. *Ahmad Dahlan Legal Perspective*, 5(1), 16–34.

with the trauma alone without adequate support. In more developed legal systems, psychological assistance for revenge porn victims has become part of a legally recognized recovery mechanism. In the UK, for example, victims of revenge porn can access psychological support services provided by social and government agencies, including therapy to cope with the emotional impact of the dissemination of their content.³⁹ Indonesia can adopt a similar approach by providing counseling and psychological assistance services that can be accessed for free by victims of revenge porn, either through government agencies or organizations engaged in the protection of digital rights.

In addition to psychological assistance, legal aid for victims of revenge porn is also an aspect that needs to be strengthened in the Indonesian legal system. Many victims are unaware of their legal rights or feel reluctant to report their cases due to fear of social stigma.⁴⁰ Law No. 16/2011 on Legal Aid has stipulated that every citizen is entitled to free legal aid, especially for those from vulnerable groups. However, in practice, access to legal aid for victims of revenge porn is still very limited, mainly due to the lack of understanding of law enforcement officials regarding this crime. Therefore, there needs to be an effort to strengthen legal aid mechanisms for victims of revenge porn so that they can pursue legal action without facing excessive administrative or financial barriers. In the regulatory context, public campaigns against revenge porn can be strengthened through the implementation of policies that require digital platforms to provide warnings or information to users regarding the legal consequences of unauthorized dissemination of sexual content. In the United States, some states have required social media platforms to include warnings about revenge porn and provide guidance for users who are victims of this crime.⁴¹ Indonesia could adopt a similar approach by requiring digital platforms to provide information on revenge porn as well as reporting mechanisms that are more accessible to users.

According to Prof. Topo Santoso, the approach in dealing with revenge porn should not only focus on law enforcement against perpetrators, but also on broader protection for victims. He emphasized that the legal system must be more responsive to the needs of victims, including in terms of content removal, access to legal aid, and psychological recovery.⁴² If the legal system only focuses on the punitive aspect without providing adequate protection for victims, then the social impact of revenge porn will remain an intractable problem. With the increase of

³⁹ Dewi, N. K. A. T., Dewi, A. A. S. L., & Widyantara, I. M. M. (2022). Kajian Viktimologi terhadap Perlindungan Korban Balas Dendam Pornografi (Revenge Porn). *Jurnal Konstruksi Hukum*, 3(1), 217–221.

⁴⁰ Safela, A. W., Mahmud, H., & Dewi, N. (2024). Perlindungan Hukum Terhadap Korban Kekerasan Berbasis Gender Online (KBGO) Ditinjau Dari UU ITE. *Dimensi*.

⁴¹ Wibowo, A. S., & Sumardiana, B. (2025). Core Legal Challenges in Determining Locus and Tempus Delicti of Revenge Porn in Indonesia. *Reformasi Hukum*, 29(1), 22–35.

⁴² Rasiwan, I., & Terranova, R. (2024). Pertanggungjawaban Pidana Pelaku Revenge Porn di Indonesia: Antara Celah Hukum dan Urgensi Perlindungan Korban. *Jurnal Hukum Indonesia*, 3(4), 158–167.

revenge porn cases in Indonesia, more progressive legal reforms are needed to provide better protection for victims. The implementation of the right to be forgotten, the provision of psychological and legal assistance services, as well as increasing public awareness through educational campaigns are measures that can help reduce the impact of revenge porn in society. Without stronger protection mechanisms in place, victims of revenge porn will continue to face difficulties in obtaining justice and restoring their lives after being targeted for digital exploitation.

4. Conclusion

Law enforcement against revenge porn in Indonesia still faces various obstacles, both in terms of regulation, prosecution, and protection for victims. Although the ITE Law and the Pornography Law have been used as the legal basis in handling this case, these regulations are still not specific enough to accommodate the complexities of revenge porn, especially those involving new technologies such as deepfake. Compared to other countries that have specialized regulations such as the Criminal Justice and Courts Act 2015 in the UK and the SHIELD Act in the US, Indonesia's legal system still needs more comprehensive reforms. In addition to increasing sanctions for perpetrators, the right to be forgotten mechanism needs to be strengthened so that victims can easily delete content that harms them. Psychological and legal assistance is also an important aspect in helping victims recover from the impact of revenge porn, which often results in severe mental and social distress. To improve the effectiveness of law enforcement, tougher policies are needed against digital platforms that facilitate the spread of revenge porn, including the application of strict liability for service providers that fail to remove illegal content quickly. In addition, international cooperation in cracking down on foreign-based perpetrators should also be strengthened so that no legal loopholes are exploited by perpetrators to avoid accountability. Legal reforms oriented towards victim protection and digital crime prevention will be key in creating a safer and more equitable digital environment for all parties.

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