THE JURISDICIAL REVIEW STRENGHT OF EVIDENCE CONCERNING ELECTRONIC CYBER CRIME IN CASE LINKED WITH BOOK OF THE LAW JUNCTO CRIMINAL PROCEDURE LAW NUMBER 11 YEAR 2008 ABOUT INFORMATION AND ELECTRONIC TRANSACTIONS

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Abstract

Advancement in information technology and communications has produced a variety of impacts, both positive impacts and negative impacts, because on the one hand contribute to improving the welfare, progress and civilization, but on the other side becomes effective means against the law. in fact, often appeared various criminal acts committed through information and communication technology intended, are often known by the term cybercrime. Speaking of handling cybercrime is inseparable from the process of verification. Legal provisions in criminal procedural law applicable in Indonesia, which currently governs the process of evidence and strength of evidence that must be done in dealing with cybercrime cases. When this has been born of Law Number 11 Year 2008 About Information And Electronic Transaction (hereinafter referred to as the Law ITE) in which regulate the various activities undertaken and occurs in the virtual world (cyberspace), including law violations that occurred. However, can not be adequate in relation to the evidence in cybercrime cases. There are several issues that arise include how to process the strength of evidence and rules of evidence electronically connected with the Book of Law on Criminal Procedure as amended by Law Number 11 Year 2008 About the Information and Electronic Transactions.

Research conducted by the author is a descriptive analytical approach of juridical normative and empirical. Resulting data were analyzed qualitatively so that the hierarchy of juridical legislation can be considered as well as to guarantee legal certainty.

Based on legal analysis, drawn conclusion that the evidentiary process that can be done for cases of cybercrime with the usual proof in a criminal case, using the tools of electronic evidence in addition to the tools of other evidence submitted have validity in law, in this case based on the provisions of criminal procedural law applicable today, namely Article 183 and Article 184 Criminal Procedure Code and Article 5 paragraph (1) and (2) of Law Number 11 Year 2008 About the Information and Electronic Transactions.Proof electronically using tools such as electronic evidence and information or electronic documents, conducted on cybercrime matters have the same legal force to the process of verification in ordinary criminal cases, under the provisions of the criminal procedural law, especially Article 183 and Article 184 Criminal Procedure Code and Article 5 paragraph (1) and (2) of Law Number 11 Year 2008 About the Information and Electronic Transactions.