

Legal Review of Action Criminal Exploitation of Street Children at Crossroads in the Name of Beggars

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This study aims to determine and analyze the government's prevention and control efforts against criminal acts of exploitation of street children at intersections on behalf of beggars and applicable legal regulations related to criminal acts of exploitation of street children at intersections on behalf of beggars. Empirical legal research method. The results of this study indicate that,) Knowing and analyzing the applicable legal effort regulations related to the criminal act of exploitation of street children at intersections on behalf of beggars. In accordance with the results of the author's research, the government's prevention and control efforts against criminal acts of exploitation of street children at intersections on behalf of beggars, Knowing and analyzing the government's prevention and control efforts against criminal acts of exploitation of street children at intersections on behalf of beggars. Suggestions from the author for the future, Concrete steps are needed to strengthen local regulations governing the exploitation of street children in Parepare City. The local government needs to immediately establish a specific local regulation to protect street children. In addition, it is important to provide adequate shelter facilities for street children after being disciplined, and improve coordination between institutions such as SATPOL-PP, PKSAI, and social rehabilitation centers to provide more effective reintegration and rehabilitation services.

INTRODUCTION

Indonesia is one of the countries that has resident the most in the world, recorded that the Republic of Indonesia has amount resident as much as 278 million soul with estimates by 2050 will be experience improvement the population that will reached 317 million soul according to data from the Indonesian Central Statistics Agency . [1] As a country of law , Indonesia provides protection to every its citizens and not let go As a country of law , Indonesia provides protection rights basic human rights for children who have set up in Article 9 of Law No.35 of 2014 concerning protection children and article 1 paragraph (12) states that right child is part from right basic human beings who are guaranteed , protected and fulfilled by parents , family , society , state, government and government area . [2] Children are generation successor ideals nation and is part most important from the development process national as investment the human being that should be get protection Good from government and also public a country. However , the conditions social country economy and parents make child No can do things it is natural that the child is forced work to help his family in fulfil need everyday [3] . People live narrow-eyed in houses that are not fulfil condition social and also health . Condition thus give consequence negative in field health and more important Again in education of shoots. young shoots the have Power or strong passion very For copy behavior young shoots behavior the city that is not forever Good due to the disintegration process family in the cities big , especially concerning layer public upper and middle above . Symptoms mentioned cause the emergence problem mischief children and more Again problem crime children and them copy will young shoots activities and environment around . [4] Then How If children of age should learn and play rather employed forced by his parents ? is that fair? for him ? The reality Lots child who has No Again become successor ideals nation , such as existence

children who are employed by their parents , exploited in a way forced by someone close Because they No understand will be the world of children that makes life become hard so that bother mental health children [3] . Poverty is problem social which is often even always There is in life society . Poverty can interpreted as a condition Where public No can fulfil need his life . Needs life is meant to be more tend to need main that is in the form of food , clothing and shelter . Based on Central Statistics Agency (BPS) census data regarding poverty in Indonesia, in September 2017 the number the poor population reached 26.58 million people or around 10.12 percent . other data states that percentage poor people in the area urban in March 2017 was 7.72 percent temporary percentage poor people in the region rural areas in March 2017 were 13.93 percent . [1] The data on prove that level poverty in Indonesia is already reach 10 percent or 26.58 million of the total population of Indonesia. So that condition this is very difficult For realize welfare for society . In line with that , according to research data from the Asian Development Bank, Indonesia ranks 5th place in population living below the poverty line , where position First occupied by Myanmar at 32.1% , then Laos at 23.2%, the Philippines at 21.6%, and Cambodia at 14.0%. [5] For overcome matter this , the government has make an effort to overcome poverty through a number of policy , which aims to For help public in fulfil his needs . Among Policy government the set up in Republic of Indonesia Law Number 11 of 2009 concerning welfare social , which states : " for realize life which is worthy and dignified , and fulfil right on need base citizens for the sake of achieving welfare social , the state organizes service and development welfare social in a way planned , directed and sustainable . Although in Indonesia it has There is the law that regulates about protection child that is Constitution Number 35 of 2014 concerning Change on Law No.23 of 2002 concerning right child but , still Lots children who are looking for living as experienced by children streets in some cities in Indonesia. [6] Exploitation to child For make they beggar is form violation rights the child who is there in rule the law that has been mentioned that is related right child For For get protection from treatment discrimination , exploitation Good economy and also sexual abuse , neglect , cruelty , violence and abuse , injustice and other mistreatment . Street children have become conversation international since long ago. Because the child Street There is everywhere especially developing and poor countries [7] . The problem of beggars is a phenomenon that exists throughout the world , but phenomenon This more Lots occurs in developing countries (Namwata , Mgabo & Dimoso , 2012), including Indonesia. The number of beggars in Indonesia itself reached 15 million people, and the number This including in the five largest in the world (Kurniady , Fresty , Kwan, Sharron & Abraham, 2014). Almost all over cities the big ones in Indonesia have amount enough beggars high (Purnama & Yuliani, 2015). The number continues to increase increase in public because of No existence suitable job for the less fortunate or No own skills in a profession special and community No Can in a way effective solve problem this , so that beg is A means For they adapt to environment in order to be able to endure life (Ahamdi , 2010). [8] Street children is one of form discrimination social which is still often happening in society moment This . They often No own place decent and necessary living life in very worrying conditions . In this case this , child Street often involved in various form activity economy , such as begging , to fulfil need life them . However , the action This often become gap for perpetrator For do action exploitation to child Streets . Phenomenon child Street is not something new in society city . However phenomenon This the more day the more rampant visible . Especially those in some the streets in Parepare City . In the city Parepare there is the amount children working at the time school hours and evenings day , There is someone working as trader at the intersection light red , become craftsman parking and even there is something to be beggars . Elderly abuse to child with employ children under age or exploitation , is action a violation and threat safety , good physique and children's mental health those . Some the law that governs life public but in apply it often No effective . The law is also still Lots happen violations and manipulation law . Until until moment This exploitation child is serious problem , a number of exploitation child due to Because lack of parental insight about prohibition action exploitation children , and they No understand Contents from regulation Constitution protection children . street children is one of problem social that hit public moment This . They No own place decent and necessary living life with very worrying conditions . Street children often involved in various form activity economy For fulfil need life they , one of them is begging . However , the action begging done by children Street often made into loopholes by the perpetrator For do act criminal exploitation . Action criminal exploitation to child Street covers various form violence , such as

coercion , rape , and trafficking child . This action is violation to rights base children and very detrimental for the victims. The formulation that becomes formulation problem in study This is What are the rules applicable law related act criminal exploitation child street at the intersection in the name of a beggar ? How effort prevention and control government to act criminal exploitation child street at the intersection in the name of a beggar ?

METHOD

Study This is study doctrinal and non- doctrinal which are usually called study law normative-empirical . Empirical (empirical research) or realism law , as may also be called with study law sociological research, research non- doctrinal law (non-doctrinal research) and /or study field (field research), is type study the law that sees law from corner look outside knowledge law . [9] Because of doing study to type study field that is to study provision applicable law as well as what happened in reality in society . Or in other words , namely a research conducted to condition Actually or condition real in society with Meaning For to know and find facts and data needed . After the data needed collected Then towards identification the problem that ultimately towards a resolution problem . Due to Because title proposed by the author that is analysis about Legal Review of Action Criminal Exploitation of Street Children at the Crossroads in the Name of Beggars (Case Study in Pare-Pare City), then writer do research at the Social Services Office , the Mayor's Office, the Women's Empowerment and Child Protection Office . The author learn ingredients study literature and also study field . Document study This originate from material primary and secondary law . Interview or interview namely collect data in direct through ask answer based on the list of questions that have been prepared and done interview No structured at the Makassar District Court Judge.

RESULTS

Applicable Legal Regulations related act criminal exploitation child the street at the intersection on behalf of the beggar

Regulation is binding provisions from a institution or group public For obey , comply regulation or the prohibition that has been There is to a thing . According to the Big Indonesian Dictionary (KBBI) Online, the rule is results action set , action or actions that must be done carried out , custom polite polite , orderly , and methods (provisions , benchmarks , instructions , commands) that have been set to be followed . From the point of view view law act criminal exploitation child streets referring to Law Number 35 of 2014 concerning Protection child explain child is the part that is not inseparable from sustainability life humans and sustainability A nation and state. So that in the future capable responsible answer in sustainability nation and state, every child need get the widest possible opportunity For grow and develop in a way optimal Good physical , mental, and social . For that , it is necessary done effort protection For realize welfare child with give guarantee to fulfillment his rights without treatment discriminatory , and Law Number 35 of 2014 also emphasizes about the need weighting sanctions criminal and fines for perpetrator crime to child , for give effect deterrent , and push existence step concrete For restore return physical , psychological and social child newspapers and/ or child perpetrator crime . This is the need done For anticipate victim child and child perpetrator crime . Parental ignorance about convention rights child this is what it is reason emergence worker child under age , such as as it is UNICEF's statement as a protection agency child worldwide , that one of factor reason child under age forced work one of them is parental ignorance about convention rights children and the law about children . For parents , children own mark economical certain . [10] Even though parents No to order his son For working , but himself confess that himself and his wife feel like If his son the willing help himself lighten up burden economy family . Can concluded that opinion all subject Where they consider that child own mark economical certain this is what it is reason emergence power Work child under age in accordance with UNICEF's statement as a protection agency child worldwide .

As in the case of act criminal exploitation child street at the intersection on behalf of beggars in Parepare City as for effort laws collected by researchers on the results interview source person Mr. Yulianto as Next . special For exploitation child Street That Not yet there is . But if done related with protection that boy Already There is . But then Still in a way general there is regulated , related with protection child . This is special For exploitation child Street That new will discussed 2024 which is already entered into the formation program product law areas that have been approved together with the DPR government area 2024. System law in the city Parepare arrange sanctions or punishment.This is not yet Can We speak with system law arrange sanctions or punishment . Therefore bylaw Not yet there is . Regional Regulation Not yet There is related with special For child the streets . As I said earlier , the one from beginning that done city Parepare new proposed . And he Already enter in the assistance program regulation area . And we also don't know Later the penalty like what and the punishment like what . Author to argue Based on analysis results research , there is lack regulation special regional regulations (Perda) that regulate about exploitation child streets in Parepare City . [11] Although There is regulations that regulate protection child in a way general , not yet there is something specific For case exploitation child streets . In 2024 , it is proposed formation product law areas that focus on exploitation child the streets , which have approved together with the DPR government area . However , still Not yet clear about sanctions or the punishment that will be applied.Conclusion , shortcomings regulation specific and vague related sanctions and punishments show need For study more further and formation more policies specific For handle case This .

Prevention and control efforts government to act criminal exploitation child street at the intersection on behalf of the beggar

Prevention and control efforts government to act criminal exploitation child street at the intersection on behalf of the beggar is very important thing to note remember children is generation young successor nation . In terms of This children frequent road begging at the intersection sometimes become phenomena that are not should Keep going continuously . [12] As for the results interview I am a child Street with question as next : Who asked you For do work this ? From the interview the child 's author do Because from parents Mother from 2nd grade elementary school and children This Now Already 5th grade elementary school has been 3 years do work How is this parents attitude when you down to way ? the child 's answer : " I must down to road after go home school if No down to the way of the parents I (mother) definitely hit angry . Usually I start from 12 noon until 11 pm if selling I finished in the afternoon I take goods I again and again For sell said the child . Based on results interview with child Street said , can concluded that child the has exploited in a way economy by his mother since 2nd grade elementary school. Exploitation This marked with a number of matter following : Child's Work : The child forced to For Work as street vendors since age early and must Work in a very long time , namely from at 12 noon until 11 p.m. Threats Violence : The child feel threatened will scolded by his mother If No work . Threat This create condition psychological pressure and coercion child For Keep going work . Duration Exploitation : Exploitation This has in progress for 3 years , since child is in the 2nd grade of elementary school until moment This is . This is show that exploitation the nature systematic and sustainable . Based on results interview child can conclude that child who is not Want to confess the exploitation he experienced tend No confess or realize that himself currently exploited , and more focus on explanation about activity everyday . Children's data that is not Want to confess that they exploited as following :

Table : Field Data

Street Name	Age Beggars & How to beg	Time	Income A day
Jl. Andi Makkasau	Age 12 years old , Asking for money from visitors coffee shop	17:00 pm to 23:00 pm	Rp. 10,000 to Rp. 50,000 per day
Jl. Mattirotasi	Age 14 years old , Asking for money from visitors Pare Pare	13:00 pm until 18:00 pm	Rp. 15,000 to Rp. 20,000 per day

Street Name	Age Beggars & How to beg	Time	Income A day
	City Park		

The law works as protection interest human . So that the interests man protected , law must implemented . [13] Implementation law can in progress normally , peacefully , but can it also happens because violation law . In case This the law that has been violated That must enforced . Law enforcement is a process for realize desires law become reality . [14] Enforcement law is size For a progress and prosperity a country. Countries progress in the world usually rated No just its advanced economy , but also enforcement law and protection right basic man walk with good . Through enforcement law this is it law That become reality inside society . In enforcing There is three elements that always must to be noted , namely : Certainty law (Rechtssicherheit), expediency (Zweckmassigkeit), and justice (Gerechtigkeit). [15] In upholding law must There is compromise between third element The third . element the must get attention in a way proportional balanced . But in practice No always easy to strive compromise in a way proportional balanced between third element said . Crime No will Once off from life society . because Where There is public there it is a crime . crime besides relate with humanity is also related with order social society . Children are one of the vulnerable become a victim of crime by adults . Crime to child Already often happened in Indonesia , one of them located in Parepare City which is one of the cities in Indonesia that are currently develop moment This . The more development a city make need For life is getting better increased , so that everyone will do whatever For fulfil need alive , even though will do action violate law For fulfil need life them . One of them with exploit child who is made beggar . Exploiting child who is made beggar is one of the actions prohibited by the government , which are regulated in Constitution Number 35 of 2014 Concerning Child Protection , which is contained in Article 76 I which states " everyone is prohibited from doing so place , let , do , order do or participate as well as do exploitation in a way economy and/ or sexual to child . and if violated will charged sanctions the crime contained in Article 88 which says anyone who violates provision as meant in Article 76 I, shall be punished with criminal imprisonment for a maximum of 10 (ten) years and/ or a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah). Although rule the Already there is , in carry out enforcement law by the authorities enforcer law Not yet walk with should be . That matter looks clear from Still the amount children wandering around at the crossroads light red Parepare City For request ask for and also sell goods street vendors . Prevention and control efforts act criminal exploitation child Street on behalf of the beggar according to Mr. Yulianto. in his interview as following : Prevention that SATPOL -PP intensive in to put things in order children the streets at the intersections road . Like that , "Continue to deal with it this is what it is obstacles also from government area in matter countermeasures . Because the government area city Parepare Alone Not yet There is means For shelter related with children Street like that . Not yet shelter . So the constraints in meaning , if for example he Already being disciplined by SATPOL-PP confused . Where to go This child ? Like That's it . Because in Parepare Alone Not yet There is means For shelter children Street like this . So sometimes returned to his parents , if for example origin they from Makassar, returned to Makassar. But come again , like that always over and over again . What is clear That effort prevention with do routine checks . From the statement the is that even though SATPOL-PP did action intensive prevention to children street at the intersection road , mitigation problem This become constraint for government area . Government Parepare City area Not yet own means shelter For children Street said , so that when they put in order , happened confusion in handle them . Some of them they Possible returned to parents they , however Because lack of facility shelter , problem the often repeatedly . With Thus , efforts prevention through regular routine checks done , but challenge main is prevention and handling advanced to children Street Based on that . interview from father Rusdin said : In the social services that . There is a name PKSAI (Public Welfare Center) institution Child Social), the program that handles related child child , reintegration That return environment child to family or to environment social , while rehabilitation That return child function social activities implemented by the center center ministry social , for example in Makassar there is something called center gau mabaji . So the child children in need

service rehabilitation will sent there . At the interview Mr. Arifin, as head field Rehabilitation Social Social Service of Parepare City There are also non- governmental organizations such as SIGURU (Sipulung) Ma'Guru), RBCD (House of Peaceful Love Learning). Support from government related to the coverage efforts act criminal exploitation child the streets in the city of Pare-Pare are forms of funds and allocation special but he No special to child Street there is also for handling . Cooperation between various very solid party , to handle child road That does not handled One party just but all related , starting from from OPD, Government , DP3A, Social Service , Education Service, Health Service, Satpol PP, Disduk capil , and sub-district sub-district . The steps preventive done Through our socialization invites For eradicate act criminal exploitation children , we even invite organization organization like SIGURU for can prove that There is the occurrence exploitation child . However There is just challenge special in protect child Street with disability from act criminal exploitation in Pare Pare City Challenge his like error society , because however we do socialization , however we do it handling , training and others related with child the street , that No will effective when awareness public Still less . Author conclude from study This is that although effort prevention intensive carried out by SATPOL-PP against child streets , handling still become challenge for government area . Parepare City Not yet own means adequate shelter , causing confusion in handle child Street after put in order . Several reintegration and rehabilitation programs available through institution such as PKSAI and centers rehabilitation social , with funding support and allocation special from government . Cross-border cooperation a solid sector is needed , however challenge like error perception public Still hinder effort protection child streets , especially those with disability . Socialization and efforts preventive Keep going done For eradicate exploitation child .

CONCLUSION

Parepare City face lack in regulations that are specific arrange about exploitation child streets . In addition , efforts intensive prevention carried out by SATPOL-PP, but lack of means shelter to complicate Handling child Street after put in order . Reintegration and rehabilitation program Already there is , but need enhanced . Cross- collaboration sectors and efforts Continuous socialization is very necessary For overcome challenges , especially error perception society that still hinder effort protection child the streets , especially those who have disabilities . As for the suggestions from a writer who can give in connection with thesis This is as following : Required step concrete For strengthen regulation local governing about exploitation child streets in Parepare City . Government area need quick set Specific regulations For protect child the streets . In addition , it is important For provide means adequate shelter for child Street after put in order , and increase coordination between institution such as SATPOL-PP, PKSAI, and centers rehabilitation social For give service further reintegration and rehabilitation effective . Cross-disciplinary cooperation sector must improved , while socialization in a way continuously need done For change perception society and encourage participation active in prevention and control exploitation child street .

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