**Journal of Judicial Review** 

https://journal.uib.ac.id/index.php/jjr



## Enhancing Access to Justice for Street Children through a Rights-Based Perspective on Sustainable Development Goals

Sandy Kurnia Christmas<sup>1\*</sup>, Anisyaputri<sup>2</sup>, Jean Claude Geofrey Mahoro<sup>3</sup> <sup>1-2</sup>Faculty of Law, Universitas OSO, Indonesia <sup>3</sup>Faculty of Law, University of Pécs, Hungary \*Corresponding email: <u>ch.sandykurnia@gmail.com</u>

#### Info Artikel

Submitted: 15/8/2023 Revised: 30/10/2023 Aceppted: 12/11/2023

*Keywords:* Street Children; Access to Justice; Sustainable Development Goals; Protection and Fulfiiment of Rights

*DOI:* <u>http://dx.doi.org/10.37253/jjr.v</u> <u>25i2.8498</u>

#### Abstract

Street children represent a consequence of the urban divide, reflecting a disparity within urban areas. These children live in precarious conditions with limited opportunities for a respectable life. This study aims to explore the Government's involvement, particularly in terms of policy preparedness and infrastructure, aimed at improving the quality of life for street children and ensuring their fair access to justice. This research endeavor intends to analyze procedural policies and government is actively engaged in endeavors to grant street children their rights and to actualize sustainable development goals pertaining to the rights of street children. The findings of this investigation reveal that the government is actively engaged in endeavors to grant street children their rights and to actualize sustainable development objectives. Notably, various existing measures encompass the establishment of interim shelters, serving as educational facilities and platforms for the fulfillment of other rights for these children. However, there remains room for enhancement in these efforts, necessitating a broader reach to encompass regions with substantial populations of street children. This expansion is imperative to effectively achieve sustainable development goals through the comprehensive fulfillment of the rights of street children.



#### *Copyright© 2023 by Author(s)*

This work is licensed under a Creative Commons Attribution-Non Commercial-Share Alike 4.0 International License.

### A. INTRODUCTION

Children need to be protected and granted human rights in both their home and community environments since they are the future of the country and state. (Faried, 2017). Children are the next generation of the future, so they have the right to protection from acts of violence and discrimination (Hanafi, 2022). But in this instance, certain children—street children included—do not have equal access, thus they do not all receive the same privileges. Since all Indonesian citizens, including street children, have the right to safety and a good life, regardless of their status or age (Sekarini, 2018). Street children can be defined as youngsters who have severed their ties with their families and inhabit urban streets, typically in their teenage years. Alternatively, according to Kamus Besar Bahasa Indonesia, "street children are described as minors who continue to reside with their families but depend on street environments for their livelihood, typically ranging from under five years of age to elementary school age." Street children in Indonesia predominantly emerge due to a combination of poverty, behavioral deviations, and external influences impacting these minors. Notably, a substantial majority of street children originate from impoverished households. Furthermore, several children are compelled to discontinue their education as a consequence of financial constraints, rendering them unable to cover school expenses or obtain necessary educational materials (Wardhani, 2022). This is the main trigger for them to carry out activities on the streets.

The presence of street children constitutes one of the intricate societal challenges within major Indonesian cities. Despite being a social issue, the existence of street children is actually a result of economic issues, which mainly relate to basics of life. There is also the conduct of street children, who have a habit of working from an early age without recognizing it, and the behavior of kids who must be made to work even though they are not yet ready. They often turn to the streets because of their want to work but lack of skills. A closer examination reveals that street children are conspicuously prevalent in urban areas, occupying spaces ranging from busy intersections to train stations, terminals, markets, stores, and even shopping complexes, where they engage in various endeavors. Undoubtedly, it's often observed that these street children are frequently organized by a collective of individuals commonly referred to as "thugs" or the "street children's mafia." Within these groups, each member assumes distinct responsibilities. Some are tasked with scouting locations at key intersections, while others oversee the transportation arrangements for the street children, facilitating their mobility. This phenomenon creates a disturbing scenario where the exploitation of children becomes a commercial endeavor. Actually, by making their children work without considering the rights of the children, parents force their children to engage in the majority of the exploitative acts that take place on the streets (Hidayati et al., 2022). It happens regularly that these parents take on the function of a mafia for street children. There are, however, some street kids who are affected by their parents' financial struggles; as a result, these kids also have a responsibility to assist in providing for their family's basic requirements.

The problem of street children has emerged as a result of society's lack of welfare and social and economic inequities. According to estimates from the Republic of Indonesia's Ministry of Social Affairs, the number of children in 2021 will reach 9,113, dispersed throughout various major cities in Indonesia (Anwar, 2022). The government has undertaken numerous measures to remove and minimize the activities of these street children, including arrest and detention, as well as other seemingly harsh acts, but this has not resulted in a reduction in the number of street children (Anwar, 2022). The perception that street children are somehow abnormal and seem to breed criminal behavior is only heightened by incidents like this. It is therefore unsurprising that society views and perceives street children as the social outcasts that they are; in addition, the lack of parental

love and care for street children, as well as the absence of supervision, contribute to this negative perception (Muary, 2019). In fact, the government should be able to focus on upholding their rights since, if we consider the issues that frequently result in problems with economic necessities and social inequalities, it becomes clear that doing away with street children is going to be quite challenging for the authorities.

In actuality, street children are forced to live this lifestyle due to societal and economic forces, not because they choose to. The habit of working since childhood, which is typically ingrained by parents or influenced by playmates, helping the family's economy and meeting personal needs, and it's not uncommon for there to be family strife, which causes children to take to the streets, are a few factors that contribute to children becoming street children (Fitri et al., 2021). Accordingly, street children can be divided into two groups based on the concept: those who turn to the streets due to economic hardships and the difficulty they have finding decent employment due to their lack of education; and those who turn to the streets in order to earn extra pocket money or for recreation. This group is determined by the children themselves and is unrelated to economic demands. Other than the absence of a family source of income and invites from friends to have fun while earning money, there are a number of reasons, including pressure and exploitation by their families, which makes them feel under pressure and mistreated when they are at home (Suryadi et al., 2020). Many children, especially those in their twenties, long for recognition from others. As a result, they frequently carry out tasks that would normally be carried out by older people, despite the fact that they have not yet been classified as difficult.

The government should be responsible for the lives of street children, not merely the reduction of street children, because their existence is the product of unequal development. As a result, they can be maintained by providing a good livelihood for their rights, as well as protection and fulfillment of rights. These rights can be fulfilled through providing a space for people to access justice and their rights, such as the right to health, the right to education, and other human rights. Because it can be seen that the public perceives street children as community trash, this has an impact on the restricted space for their access to public facilities, which are truly vulnerable groups like them who require it the most. Because they receive no appreciation from others, their self-esteem suffers as a result.

This study focuses on street children's access to justice and the fulfillment of their rights as children. The necessity to fulfill access to justice is due to the inclination of problems towards a lack of attention and protection for those vulnerable groups that need to be safeguarded in fighting for their rights. The State is required by law to provide facilities for its residents to carry out their activities properly, and they must be assured the fulfillment of their lives in order to promote social justice for all Indonesians. Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia mandates the state's responsibility for ensuring that every citizen is treated equally before the law (justice for all), as well as ensuring that every citizen has access to justice based on the constitution (Julaiddin, 2020).

Access to justice is a crucial component of fully valuing justice and ensuring that all people have equitable access to the system's resources. Giving street children access to justice allows them to exercise their rights as a vulnerable population lacking in both strength and legal representation. In order to provide them, or at least to preserve their rights, the state must participate, as well as the community's numerous stakeholders. Due to the fact that street children are not only socially and economically disadvantaged but also lack access to education, the government and society must take steps to guide and develop them in order to prevent them from actually losing their citizenship. As a result of the possibility that everyone will experience legal issues, but not everyone will find a solution. Access to justice therefore serves the purpose of ensuring that everyone is assisted by the access that has been made available. Additionally, street children require proper care since they frequently become involved in incidents involving the arrest of security personnel, law enforcement, or civil service police officers.

Programs at the international level under the sustainable development goals are directly tied to access to justice. The government must explicitly design greater efforts to build a just and sustainable society into their policy. Improving access to justice necessitates efforts to comprehend, fulfill, and preserve human rights (Christmas, 2020). Government development programs must have a positive impact on the lives of street children, because it is their uneven growth that has led to their situation. Government program efforts to fulfill their rights as well as to develop must be founded on long-term development goals. The Sustainable Development Goals (SDGs) are a program that strives to achieve sustainable development based on human rights and fairness in order to promote social, economic, and environmental progress (Christmas & Aminah, 2019). The SDGs are goals established at the UN General Assembly in September 2015 as a continuous and sustainable agenda to improve people's economic wellbeing and achieve community social quality standards. They consist of 17 goals as an agenda in reaching global goals by 2030. The SDGs in this case highlight human rights in order to avoid discrimination in poverty alleviation, and are specifically aimed at vulnerable populations, in this case street children who require special attention.

Concerning the protection and fulfillment of street children, this has never been mentioned or explored in relation to this research, particularly in this review relating to access to justice and the role of the SDGs in reaching the goal of completing these rights. Andi Aysha Zalika's study "Permasalahan Anak Jalanan di Surabaya" describes the variables that contribute to the emergence of street children, as well as the impact of these elements on street child exploitation. Children on the streets are exploited and employed to meet economic requirements (Andi, 2022). The circumstances that cause street children to turn to the streets are identical in these two studies, but the renewal in this study stresses a route out through access to justice for street children and the fulfillment of their rights.

Other studies include Rivanlee Anandar's "Dukungan Sosial Terhadap Anak Jalan di Rumah Singgah," which examines their ability to use "Rumah Singgah" to provide social services to children (Anandar et al., 2015). Rivanlee's research has similarities in terms of the influence of "Rumah Singgah" as access to fulfilling their rights, but this research has updates related to programs such as shelters as access to justice and fulfillment of rights, and their relationship to sustainable development goals, which are government programs that create development without discrimination and can pay attention to street children. According to the study's background and title, "Access to Justice for Street Children Based on Sustainable Development Goals in the Protection and Fulfillment of Rights," the issues that will be discussed in this study are: 1) the concept of street children in a review of the International Convention on Children's Rights and SDGs, and 2) access to justice and the government's role in protecting and fulfilling the rights of street children in Indonesia.

#### **B. RESEARCH METHOD**

The study of the protection and fulfillment of the rights of street children was conducted using normative juridical research methodologies, followed by a review of the ways utilized based on the case approach, conceptual approach, and statutory approach. This research will also be analyzed based on a review of legal sources in primary and secondary legal materials, such as international laws and conventions, legal articles that contain and discuss the scope of this research, and additional data that support this research. In essence, this study investigates Indonesian issues and instances that pertain to street children. The case study used in this study is based on information that was reported in online media or websites, and it is then examined with legal analysis using pertinent legal sources used in the discussion of this study. This research draws on international law in the form of 1989 The Convention on the Rights of the Child, 1945 The Universal Declaration of Human Rights, and legal sources such as Law Number 39 of 1999 concerning Human Rights, Law Number 23 of 2002 concerning Child Protection, and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

#### C. RESULTS AND DISCUSSIONS

Exploring Street Children through the Lens of Child Rights and Sustainable Development Goals

Street children are a common occurrence in major cities. The existence of these street children suggests a societal division induced by economic inequality. According to the Consortium for Street Children (CSC), Street Children are also known as Homeless or Homeless Children (Gabriel, 2022). However, street children are not always considered homeless because they spend their time on the streets playing and working, but they still return to their families and parents because their main requirement on the streets is to survive (Asante, 2019). The activities of street children in urban areas can be witnessed, and they are frequently obliged to live on the streets to meet their social and economic desires, such as beggars, buskers, hawkers, newspaper salesmen, umbrella drivers, car cleaners, and other activities.

According to Article 1 of the 1989 Convention on the Rights of the Child, a child is defined as "every human being under the age of eighteen years, unless under the law that applies to children, adulthood is reached earlier," where the rights of the child include the right to dignity, the right to freedom from acts of discrimination, the right to survival, the right to development, the right to protection from the effects of harmful abuse and exploitation, and the right to education.

Based on these two definitions, both regarding Children and Street Children, both have a definition of age under 18, as well as a definition of street children having released their connections from family, school, and society. However, in the field, some of them maintain contact with their families under particular conditions. Despite having a somewhat different definition, the context is how to satisfy children's right to equal life. According to Geraldine Van Beuren, the fulfillment and protection of children based on the Convention on the Rights of the Child includes four important elements: protecting children from harm, protecting children from discrimination, participation in decision making, and provision of essential things for child development.

The concept of street children is separated into three categories. The first type is known as Street Children Working on the Streets (Children on the Street), and they are children who still have a solid bond with their parents and are working to support the family's economics that cannot be completed by both parents or their families. The second group is known as Street Children Living on the Streets (Children of the Street), and they are children who have full social and economic participation on the streets. Because this group of children is prone to domestic violence, some of them retain contact with their parents on an irregular basis. Children in this age bracket are extremely prone to deviant conduct, both emotionally and physically, as well as sexually. The third category is known as Street Children, who come from Families on the Streets (Children from Families on the Streets) and are still extremely strong in family terms, but tend to oscillate in many social and economic concerns. This group of street children's conduct on the street may be noticed since they were tiny (Yuliani et al., 2022).

181

According to the classification of street children, they are a vulnerable population who tend to have economic problems while living in urban areas, but because of these economic problems, they live in poverty and slum dwellings (Putra et al., 2015). According to the 1989 UN Convention on the Rights of the Child, at least ten rights must be granted to children: the right to play; the right to an education; the right to protection; the right to an identity; the right to national status; the right to food; the right to health; the right to recreation; the right not to be discriminated against; and the right to play a role in development (Nugraha, Angela, Rositaputri, & Fadhlina, 2022).

According to research on the SDGs, focusing on upholding rights is an effort to promote equality of human rights, particularly in the social sector and in particular for street children, which is also a target of the SDGs (Setiawan, Larasati, & Sugiarto, 2021). The poverty, hunger, health, education, and gender-based disparities are the human development goals that are targeted at developing nations. The Sustainable Development Goals also include objectives for sustainable economic development. This development's implementation cannot be isolated from the government's responsibility to establish a just and equitable lifestyle (Ariani, 2016). In part because of their ability to serve as direction and advice for nations to pay attention to sustainable considerations, the SDGs' objectives are essentially global in scope and have an impact on all spheres of society in a nation. As long as you pay attention, the SDGs provide a roadmap for achieving sustainable development by enhancing current quality of life while taking into account the needs of future generations. In order to fulfill the SDGs' objectives, legislative initiatives and government programs that take into account both immediate and long-term effects must be developed. One of these is the issue of street children, with clear evidence of the government's efforts to address the issues associated with them.

The SDGs should be implemented by regional governments all across the world as a primary objective. The SDGS contains 17 goals, including the following:: 1) eliminate all forms of poverty worldwide; 2) eliminate hunger and establish food security; 3) ensure everyone lives a healthy life and fosters wellbeing at all ages; 4) ensure that everyone have access to a quality education that is inclusive and equitable, and encourage opportunities for lifelong learning; 5) realize gender equality and give all women and girls the power to succeed; 6) make sure that everyone has access to modern, affordable, sustainable, and energy; 8) encourage full and productive employment, inclusive and sustainable economic growth, and decent work for all; 9) construction of robust infrastructure, encouragement of equitable and sustainable industrialization, and promotion of

innovation; 10) minimizing differences both within and between countries; 11) establishing sustainable, resilient, inclusive, and safe cities and communities; 12) make careful you establish sustainable manufacturing and consumption habits; 13) combating climate change and its effects requires quick action; 14) resources from the sea, the ocean, and the marine domain should be converted and used responsibly for development; 15) protecting, restoring, and promoting sustainable use of terrestrial ecosystems, managing forests sustainably, preventing desertification, halting and reversing land degradation, and halting biodiversity loss are all important; 16) the creation of functional, responsible, and inclusive institutions at all levels, the promotion of peaceful and inclusive societies, and the provision of justice for all; and 17) increase the effectiveness of implementation tools and rekindle international collaborations for sustainable development (United Cities and Local Governments, 2020).

According to the SDGs' objectives, the issue of street children can be understood as a problem of economic inequality, which also includes issues with poverty, food, and education. Because it bases its assessment of the skills and potential of street children on their incapacity to meet their material necessities.

The goal of fostering equality in human rights, particularly in the social field for street children, is also part of the SDGs program's sustainable development goals. The connected SDGs goals for fulfilling and defending the rights of street children may be observed in SDGs 1 Goal related to "No Poverty," SDGs 2 Goal related to "Zero Hunger," SDGs 4 Goal related to "Quality Education," and SDGs Goal 10 related to "Reduced Inequalities." Essentially, the SDGs are universal goals that underdeveloped countries utilize as a guideline for progress. Specifically for street children, SDG 4 ensures education with objectives that enable facilitating and developing quality education that is sensitive to gender, children, and disabilities, in order to create a sense of security, non-violence, inclusiveness, and effectiveness for all people (United Cities and Local Governments, 2020).

Goal 1 of the SDGs for eradicating poverty discusses accessibility for the poor and vulnerable groups in ensuring their rights to basic services such as the right to health care, the right to education, and other rights they require. When considering the issue of street children, we can see that poverty is the biggest contributor to their prevalence. They go out on the streets because they can't get what they need at home. Perhaps some of the activities carried out by street children include selling or offering services like washing windows or cleaning shoes, along with other occupations that they can undertake with their limited abilities. Basically, the issue of poverty affects everyone who is part of a vulnerable group and is subject to pressure from the economy, the social system, and the environment, whether they are young or old. In light of this, the SDGs Goal 1 study explores how the government may lessen regional poverty. Goal 2 of the SDGs, relating to ending hunger, is also extremely close to the problem of street children, because, according to the facts on the ground, on average, street children take to the streets because they work for their daily needs, such as feeding. However, children's nutritional requirements are crucial for their growth and development. It is unfortunate if their nutritional needs are not met because they still do not have enough food to eat in order to survive, much alone pay attention to the nutrients they must consume.Because they are unable to do so due to poverty, the government's job must be to support the fulfillment of their nutritional needs through various initiatives.

Then, Goal 4 SDGs connected to education are a must-have for street children. Because education is the most basic requirement for people to change their fate for the better. Education must be of a higher caliber till high school graduation.They are expected to be able to change their own and their families' fates through the educational process. As a result, the government's participation in education equality is critical, particularly in reaching out to street children and vulnerable groups, such as those with limited access to education, and assuring their access to education.

In order to ensure children's growth and development in good education, it is important to take into account a number of principles based on the Convention on the Rights of the Child, including: 1) the growth of a possible child's personality, skills, mind, and body; 2) the growth of respect for children's fundamental rights and human freedoms;3) respect for the child's parents, their own cultural identity, their language, and their attitudes toward the national values of the country from which they are originally; 4) educating kids in a spirit of cooperation, friendliness, tolerance, and peace in order to prepare them for a responsible life in a free society; and 5) development that respects the environment.

Goal 10 of the SDGs is also a particular government initiative that focuses not only on street children, but also on persons with special needs and disadvantaged groups. Inequality can be defined as the failure to meet the need for public facilities and services, so the government's role is to establish a program and policy that focuses on balanced equity and eliminates all forms of policies and practices that lead to discrimination for all people, particularly vulnerable groups in need.

According to the SDGs, local governments must put into practice the requirement to safeguard and uphold the rights of street children. Regional governments can work with a variety of key players to coordinate efforts so that the community can also take care of street children. All local governments in Indonesia must work toward achieving the SDGs, particularly in order to improve the lives of street children and Indonesian citizens in general. Children are also a valuable asset for the future if they are included in a model that considers sustainable goals for the future. Since street children are a vulnerable and

undervalued group, it is crucial that the government pay attention to the protection and fulfillment of their rights.

184

# Empowering Indonesia's Street Children: Government's Vital Role in Ensuring Justice and Rights

In Indonesia, the topic of street children has long been a social concern and an issue in society. On the one hand, the existence of street children occasionally generates social instability, but on the other hand, their existence is compelled by an inability to complete life socially and economically. In order to address the issue of street children and address the current issues of social injustice, it will be required to innovate and make significant advancements in the field of human resources. This will ensure that the handling process proceeds smoothly. (Nawi, 2023). Street children's lives are often filled with violence and survival battles since they have little option because they live in dangerous conditions (Sakman, 2016). This phenomena is causing problems in people's lives. Access to justice for street children must be ensured.

In order to ensure that everyone has equal access to justice and facilities under the law, providing access to justice for street children involves more than simply the legal questions of whether they are involved in a legal case and what kind of legal help the state must prepare. It is more important to offer street children access to justice so they can live decent, just lives and be treated equally with other citizens. Because, if you look at it, not all of these street children are because of juvenile delinquency, some of them become street children because they work and fulfill their daily needs or help their parents, they are a vulnerable group that tends to be isolated and considered the trash of society, even though, if you look at it, not all of these street children are because of juvenile delinquency. they. Base on international law, the 1989 International Convention on the Rights of the Child established a framework for fulfilling children's rights as international human rights. Even in Indonesia, the protection and fulfillment of every citizen's rights is governed by Article 28H of the Republic of Indonesia's 1945 Constitution, which states that "the right to live in physical and spiritual prosperity, to have a place to live, and to get a good and healthy environment, as well as the right to obtain health services" Access to justice is also one of the human rights protected by Human Rights Law Number 39 of 1999.

Considering the situation in Indonesia with its varied backgrounds and cultures, achieving social justice for all Indonesian people requires good cooperation through government and society. This is why the fifth principle of Pancasila, "Social Justice for All Indonesian People," or "Keadilan Sosial Bagi Seluruh Rakyat Indonesia" is in fact the hardest and most difficult job to realize.

The government, as a facilitator for the protection and fulfillment of these rights, is responsible for more particular arrangements in the protection and fulfillment of children's rights. According to Article 22 of Law Number 35 of 2014

amending Law Number 23 of 2002 concerning Child Protection, "the State, Government, and Regional Governments are obliged and responsible for providing support for facilities, infrastructure, and the availability of human resources in implementing Child Protection." Article 1 paragraph (2) of this law defines child protection as "all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity, and receive protection from violence and discrimination." In this situation, it is necessary to provide guidance in line with the law in addition to defending and upholding rights in order to prevent any bad effects on the community or the environment. (Raesalat & Aliyati, 2020).

185

Street Children, in particular, are never mentioned in the law. However, based on their characteristics and categories, Street Children can be designated as Children in Special Protection. According to Article 59 of Law Number 35 of 2014, children in Special Protection include "children in emergency situations; children in conflict with the law; child victims of abduction, sale, and/or trafficking; child victims of physical and/or psychological violence; child victims of sexual crimes; child victims of terrorism networks; child victims of abuse and neglect of children with deviant social behavior; and children who become stigmatized newspapers as a result of their parents' condition."

Children in this particular protection category may also be referred to as victims of abuse and neglect, children with aberrant social conduct, or children who have suffered stigma as a result of labeling related to their parents' illness. The situation of street children is primarily prompted by a variety of issues that can cause problems for children.

The situation of street children in society is highly diverse, yet many people look at them with one eye and are apathetic, and sometimes regard them unfavorably and are impressed as the dregs of society. They do not wish to live as street children. Because the risks they face as street children are sometimes not appreciated, they do ambiguous job, have no purpose in life, and merely work to eat today (Hertanto et al., 2019). As a result, street children are a subset of children who are victims of abuse and neglect because their situation is untenable.

If we return to the issue of access to justice, street children who are typically viewed as the underclass of society are frequently subjected to crimes including fights, extortion, theft, and other crimes. Street children have developed a character and mentality that make it challenging to control them since, even after being chastised and released, they will often return to the streets acting out the same behavior because their character and mentality were created there. Based on the experiences of street children, it is necessary to support the development of their morality and mind, one of which is by providing them with an education.

Article 71 of Law Number 35 of 2014 states that "special protection for child victims of abuse and neglect as referred to in Article 59 paragraph (2) letter m is

carried out through supervision, prevention, care, counseling, social rehabilitation, and social assistance." This also applies to children with deviant social behavior, as well as children who are stigmatized as a result of labeling related to their parents' condition.

186

Many regional governments have joined the government's attempts to minimize the phenomenon of street children in Indonesia. However, in terms of conquering this, it never produces results; the number of street children in Indonesia has not dropped, but has rather increased. There are more and more factors that contribute to street children, despite the government's efforts to issue policies and regulations to reduce street children; that is, as long as development in Indonesia emphasizes aspects of growth and development in centralized areas such as cities, it will have an impact on social inequality and the economy in society. Furthermore, if progress is not uniformly spread, the impact will be greater.

On this basis, it appears that reducing the number of street children in Indonesia will be tough. Aside from slowly reducing the number of street children in Indonesia, the government should promote the fulfillment and preservation of children's rights. In addition to government participation, the law specifies the role of the Social Service, the Indonesian Child Protection Commission (Komisi Perlindungan Anak Indonesia/KPAI), and the community, both individuals and groups (child protection agencies, social welfare institutions, community organizations, educational institutions, mass media, and the world).

Article 72 paragraph (3) of Law Number 35 of 2014 states that roles and efforts to fulfill and protect children's rights can be carried out by "providing information about children's rights through outreach and education; reporting to authorities if there is a violation of children's rights; and playing an active role in the social rehabilitation and reintegration of children; carry out supervision monitoring and take responsibility for child protection implementation; provide facilities and infrastructure to create a conducive environment for children's growth and development; play an active role in eliminating negative labeling of child victims; and provide a space for children to participate in expressing their opinions." The issues affecting street children can be prevented and resolved by implementing educational programs as fully as possible. To ensure that street children are not left behind by advancements in the information and technology era, education is the fundamental requirement for assistance. (Mawarni & Siswanto, 2020).

In an endeavor to uphold children's rights, the government plays a role in supporting education and the development of young people's skills. There are a number of government services and programs, including: 1) implementing planned education to foster an active learning environment and process and to help children reach their full potential in terms of their religious and spiritual well-being, as well as their personality, intelligence, moral character, and the abilities they will need to succeed in society, their country, and their state (Law Number 20 of 2003 concerning the National Education System); 2) distributing financial aid for education to 20.1 million students in 2020 via the Smart Indonesia Card (Presidential Regulation Number 18 of 2020 pertaining to the 2020–2024 National Medium Term Development Plan); 3) Giving advice and counseling to pupils in order to help them reach their potential and resolve issues (Regulation of the Minister of Education and Culture Number 15 of 2018 concerning Fulfilling the Workload of Teachers, School Principals, and School Supervisors); and 4) coordinating family involvement in the delivery of education by fostering values for children's character in the home environment, inspiring children's curiosity about learning, promoting a culture of literacy, and facilitating children's learning needs, with funding coming from national and regional income and expenditure budgets, donations, assistance, and other sources. (Regulation of the Minister of Education and Culture Number 30 of 2017 about the Implementation of Family Involvement in Education)(Siregar et al., 2021).

Street children spend their entire lives on the streets. According to the 1989 United Nations Convention on the Rights of the Child, one of the ten rights that children must be granted is the right to play and the right to an education through a government program that provides programs for street children in the form of "Rumah Singgah" or Child Social Welfare Institutions (Lembaga Kesejahteraan Sosial Anak / LKSA), where the House This stopover attempts to provide a safe area for children to play and learn while they labor to make a living on the streets. The "Rumah Singgah" program can also be a location to meet their requirements, such as access to health care, legal aid, and the fulfillment of other children's rights. Because this program was established as an intermediary facility for children to connect with parties who will assist them, both the government and the community (Tundzirawati & Rusyidi, 2015). In principle, this Shelter Home is meant to serve as a location for the education of street children, where it is hoped that the children will acquire the knowledge, skills, and information necessary to raise their level of living (Syahrul & Wardana, 2018).

The "Rumah Singgah" initiative was founded by the Ministry of Social Affairs of the Republic of Indonesia in partnership with the United Nations Development initiative (UNDP) as a program and strategy for dealing with and empowering street children. This initiative can be viewed as a coaching program to stop the problem of street children from getting worse. "Rumah Singgah" is a facilitator of their access to justice in the midst of society. They have access to education, health, the economy, the arts, and religion (Putra et al., 2015). This "Rumah Singgah" program provides street children with access to skills such as painting, sewing, reading, writing, mathematics, and other activities that foster creativity (Tan, 2020). The coaching program is designed to be a part of the planned activities that are carried out in order to decrease and stop the number of street children from rising. (Hidayah, 2020).

In fact, the government's role has created several policies to ensure the wellbeing of street children. Such programs include social support to fulfill basic rights, promote the accessibility of social services, develop children's potential, and strengthen children's social welfare organizations. The government's involvement in promoting and fulfilling children's rights to education, particularly for street children, is also part of attaining the SDGs. Various regulations have been formed, such as Law Number 39 of 1999 concerning Human Rights, Law Number 23 of 2002 concerning Child Protection, and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Protection Children, as part of the fulfillment of policies against street children. When a regulation or policy is enacted, numerous parties should be able to assess the potential concerns (Ayunda et al., 2021). This is what must be considered for the law's effectiveness to function properly, such as the role of fair policymakers, the infrastructure prepared by the government and institutions and parties to achieve the fulfillment of the protection of the rights of street children, then the role of the community who see these street children, as well as environmental patterns and the culture surrounding street children, so that the fulfillment of children's rights is achieved. Child welfare can produce high-quality human resources; yet, if children do not have access to their rights and social safety, they are more likely to face problems (Khotimah et al., 2022).

#### D. CONCLUSION

The vulnerability of street children in Indonesia means that the government still has a lot of work to do to improve the quality of life for these youngsters. As long as poverty exists, it is difficult to reduce the population of street children. The government's true role in continuing to pay attention to street children is to provide them with access to justice as required by the constitution. The government's role in providing access for street children is not only mandated by law, but also to assist the accomplishment of the SDGs program's sustainable development goals. Goals connected to eliminating poverty, decreasing hunger, ensuring accessible education, and reducing inequality are all aligned with providing a good livelihood for street children. These objectives must be achieved by government efforts in policy support, infrastructure, community engagement, and culture in their social environment. Infrastructure facilities prepared by the government as a form of fulfilling access are "Rumah Singgah" or Child Social Welfare Institutions (Lembaga Kesejahteraan Sosial Anak / LKSA), which are a place for street children to get education in addition to their activities that are busy making a living on the streets. Access to this Halfway House must be supported by suitable facilities that are accessible to children, so that this Halfway House may be used effectively for those who require room to get access, particularly in schooling. Support for government initiatives to raise educational standards is also necessary to ensure that the programs' goals are met.

E. REFERENCES

- Anandar, R., Wibhawa, B., & Wibowo, H. (2015). Dukungan Sosial Terhadap Anak Jalanan Di Rumah Singgah. Share: Social Work Journal, 5(1), 81–88. https://doi.org/10.24198/share.v5i1.13122
- Andi, A. Z. A. P. (2022). Permasalahan Anak Jalanan di Surabaya (Studi Eksploratif Eksploitasi Anak Jalanan di Surabaya). Antroposen: Journal of Social Studies and Humaniora, 1(1), 28–37. https://doi.org/10.33830/antroposen.vli1.3265
- Anwar, S. (2022). Pemberdayaan Anak Jalanan Melalui Program Pendidikan Dan Keterampilan. Lembaran Masyarakat: Jurnal Pengembangan Masyarakat Islam, 8(2), 402–442. https://doi.org/10.32678/lbrmasy.v8i2.2255
- Ariani, F. (2016). Studi Tentang Kinerja Dinas Kesejahteraan Sosial Dalam Membina Anak Jalanan Di Kota Samarinda. E-Journal Administrasi Negara, 4(1), 2259–2269.
- Asante, K. O. (2019). Factors that Promote Resilience in Homeless Children and Adolescents in Ghana: A Qualitative Study. *Behavioral Sciences*, 9(6), 64–76. https://doi.org/10.3390/bs9060064
- Ayunda, R., Yusuf, R. R., & Disemadi, H. S. (2021). Efektivitas Kebijakan Pemerintah Tentang Perlindungan Sosial Pekerja Migran Indonesia: Studi Hukum di Provinsi Kepulauan Riau. JUSTISI, 7(2), 89–104. https://doi.org/10.33506/js.v7i2.1248
- Christmas, S. K. (2020). Access To Justice Terhadap Perlindungan Pekerja Migran Dalam Bantuan Perwakilan Kedutaan Dan Konsulat. *Tanjungpura Law Journal*, 3(2), 144. https://doi.org/10.26418/tlj.v3i2.35141
- Christmas, S. K., & Aminah. (2019). The Principles of Environmental Based Development in International Law and Sustainable Development Goals. 10, 101–110.
- Faried, F. S. (2017). Optimalisasi Perlindungan Anak Melalui Penetapan Hukuman Kebiri. Jurnal Serambi Hukum, 11(1), 41–55.
- Fitri, F., Hendarso, Y., & Waspodo, W. (2021). Potret Kehidupan Anak Jalanan di Kecamatan Ilir Timur I Kota Palembang. Journal of Education, Humaniora and Social Sciences (JEHSS), 3(3), 786–795. https://doi.org/10.34007/jehss.v3i3.397
- Gabriel, J. (2022). Traits of Street Children. Educational Researchand Reviews, 17(5), 169–167. https://doi.org/https://doi.org/10.5897/ERR2022.4245
- Hanafi. (2022). Konsep Pengertian Anak dalam Hukum Positif dan Hukum Adat. Voice Justisia : Jurnal Hukum Dan Keadilan, 6(2), 25–35.

Hertanto, H. B., Radhiyastama, C., Pamungkas, L. A., Prasetyo, H., & Ibriza, B. (2019). Street Children Behavior in Criminology Perspective (Study of Salatiga City). Law Research Review Quarterly, 5(2), 255–278. https://doi.org/10.15294/snh.v5i2.31160

190

- Hidayah, E. S. (2020). Implementasi Kebijakan Pembinaan Anak Jalanan, Gelandangan, Pengemis Dan Pengamen Di Kota Makassar Provinsi Sulawesi Selatan. Jurnal Kebijakan Pemerintahan, 3(2), 84–97. https://doi.org/10.33701/jkp.v3i2.1103
- Hidayati, D. A., Alam, S. K. N., & Raidar, U. (2022). Eksploitasi Anak Jalanan Oleh Keluarga (Studi Kasus Pada Anak Jalanan di Lampu Merah Way Halim Bandar Lampung). Sociologie : Jurnal Ilmiah Mahasiswa Sosiologi, 1(1), 104–113.
- Julaiddin, J. (2020). Akses Mendapatkan Keadilan (Access To Justice) Dalam Konstitusi Indonesia. UNES Law Review, 2(2), 137–143. https://doi.org/10.31933/unesrev.v2i2.68
- Khotimah, N., Ana, D., & Setiawan, D. (2022). Persepsi Anak Jalanan Terhadap Kebutuhan Belajar Dan Bermain (Hak Anak) Di Sekoloh Kolong Langit Gunung Brintik Kota Semarang. WISDOM: Jurnal Pendidikan Anak Usia Dini, 3(1), 74–101. https://doi.org/10.21154/wisdom.v3i1.3606
- Mawarni, Z. A., & Siswanto, H. (2020). Peran Pembimbing Sosial Dalam Mengembangkan Karakter Anak Jalanan Di Komunitas Save Street Child Surabaya. Jurnal Pendidikan Untuk Semua, 4(2), 18–25.
- Muary, R. (2019). Strategi Komunikasi Da'i Dalam Menanamkan Nilai-Nilai Agama Bagi Anak-Anak Jalanan Di Kecamatan Medan Sunggal. Jurnal Ilmiah Sosiologi Agama (JISA), 2(1), 59–76. https://doi.org/10.30829/jisa.v2i1.5409
- Nawi, R. (2023). Model Penanganan Anak Jalanan Di Kota Makassar. Jurnal Inovasi Dan Pelayanan Publik Makassar, 7(1), 11–22.
- Nugraha, X., Angela, K., Rositaputri, N. C. L., & Fadhlina, A. (2022). Optimization of Environmental and Defense of the New Capital City 'Nusantara'Based on Pancasila and SDGs. *Journal of Judicial Review*, 24(2), 181-192, http://dx.doi.org/10.37253/jjr.v24i2.7214
- Putra, F., Hasanah, D., & Nuriyah, E. (2015). Pemberdayaan Anak Jalanan Di Rumah Singgah. Share: Social Work Journal, 5(1), 51–64. https://doi.org/10.24198/share.v5i1.13118
- Raesalat, R., & Aliyati, F. (2020). Implementasi Kebijakan Peraturan Bupati Kabupaten Garut No 50 Tahun 2016 Tentang Tupoksi Dinas Sosial Dalam Pembinaan Sosial (Pembinaan Anak Jalanan) di Kabupaten Garut. Jurnal Pembangunan Dan Kebijakan Publik, 11(2), 9–14. https://doi.org/10.36624/jpkp.v11i2.74
- Sakman, S. (2016). Studi Tentang Anak Jalanan (Tinjauan Implementasi Perda Kota Makassar Nomor 2 Tahun 2018 tentang Pembinaan Anak Jalanan,

Gelandangan, Pengemis, dan Pengamen di Kota Makassar). Supremasi : Jurnal Pemikiran, Penelitian Ilmu-Ilmu Sosial, Hukum Dan Pengajarannya, 11(2), 201–221.

Sekarini, A. Y. D. (2018). Analisis Kinerja Aparatur Dalam Pembinaan Anak Jalanan Di Dinas Sosial Kota Samarinda Provinsi Kalimantan Timur. *Jurnal MSDM*, 5(2), 175–193.

191

- Setiawan, I. K. A., Larasati, P. A., & Sugiarto, I. (2021). CSR contextualization for achieving the SDGs in Indonesia. *Journal of Judicial Review*, 23(2), 183-196, http://dx.doi.org/10.37253/jjr.v23i2.5021
- Siregar, V. A., Jamri, Adnan, I. M., & Ridwan, M. (2021). Responsibility Policy Pemerintah Kabupaten Indragiri Hilir Terhadap Anak Jalanan. J-ABDI: Jurnal Pengabdian Kepada Masyarakat, 1(6), 1259–1266. https://doi.org/10.53625/jabdi.vli6.550
- Suryadi, S., Fuad, A., & Badar, S. (2020). Fenomena Anak Jalanan Di Kota Cirebon. Equalita: Jurnal Studi Gender Dan Anak, 2(1), 19. https://doi.org/10.24235/equalita.v2i1.7052
- Syahrul, S., & Wardana, A. (2018). Analisis Kebijakan Pendidikan Untuk Anak Jalanan Di Kota Yogyakarta. *Harmoni Sosial: Jurnal Pendidikan IPS*, 4(2), 117–130. https://doi.org/10.21831/hsjpi.v4i2.10388
- Tan, W. (2020). Pemenuhan Hak Pendidikan Anak Jalanan di Kota Batam : Tantangan dalam Mewujudkan Sustainable Development Goals (SDGs). Supremasi Hukum : Jurnal Penelitian Hukum, 29(1), 45–59. https://doi.org/https://doi.org/10.33369/jsh.29.1.46-59
- Tundzirawati, T., & Rusyidi, B. (2015). Upaya Peningkatkan Kesejahteraan Sosial Anak Jalanan. Prosiding Penelitian Dan Pengabdian Kepada Masyarakat, 2(1). https://doi.org/10.24198/jppm.v2i1.13231
- United Cities and Local Governments. (2020). Tujuan Pembangunan Berkelanjutan Yang Perlu Diketahui Oleh Pemerintah Daerah. United Cities and Local Governments Asia Pasific.
- Wardhani, P. S. N. (2022). Pemenuhan Hak Pendidikan Anak Jalanan Di Kota Serang. Jurnal Pelita Bumi Pertiwi, 4(4), 40–47.
- Yuliani, D., Rinaldi, R., & Pramadia, H. F. (2022). Eksploitasi Anak Jalanan Di Kota Bandung dan Kabupaten Ciamis Jawa Barat. Biyan : Jurnal Ilmiah Kebijakan Dan Pelayanan Sosial, 4(1), 45–56.

#### ACKNOWLEDGMENTS

The authors extend their heartfelt gratitude to all individuals and entities who provided invaluable support, both material and moral, throughout the research and writing of this article.

#### **COMPETING INTEREST**

Christmas et al.

The authors declare that there are no competing interests.

192