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Reformulation of Criminal Law in Handling Street Children, Vagrants, and Beggars

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Abstract: In this study, the author discusses one of the problems regarding the reformulation of criminal law in handling street children, vagrants, and beggars based on the Malang City Regional Regulation on Handling Street Children, Vagrants, and Beggars. The purpose of this study is to examine and analyze the reformulation of criminal law in handling street children, vagrants, and beggars, and to offer a concept or idea for criminal law reformulation. The research method used is the legislative approach and the conceptual approach. The results of this study are the need for criminal law reformulation in handling street children, vagrants and beggars based on the Malang City Regional Regulation on Handling Street Children, Vagrants and Beggars with the consideration that based on the results of the legal evaluation/legal audit conducted, it shows that the provisions of the Malang City Regional Regulation on Handling Street Children, Vagrants and Beggars are in accordance with the provisions of applicable laws and regulations.

1. Introduction

Poverty is one of the substantial problems of social welfare.¹ Poverty occurs, among other things, because of the lack of coordination in handling it by the government. The causes of poverty can be due to internal factors such as limited access to education, knowledge and skills. While external factors include the absence of a comprehensive poverty alleviation pattern. The phenomenon of the emergence of street children, beggars, vagrants and displaced persons (PGOT) can be triggered by the ongoing economic crisis and also the occurrence of various natural disasters that hit this country.

The effectiveness of sanctions against beggars on public roads based on Article 504 of the Criminal Code in the jurisdiction of Jambi City is ineffective Article 504 of the Criminal Code both carried out by the Jambi City Social Service, the Jambi City Civil Service Police Unit and the police due to misunderstandings related to the contents of Article 504 of the Criminal Code. The obstacles and efforts in minimizing beggars on public roads in the jurisdiction of Jambi City are the obstacles, namely the appeal of the Jambi City Government which is incidental to give alms on Fridays so that many beggars are at red light intersections to get mercy from the people of Jambi

¹ Kementerian Sosial, "Masalah Sosial di Indonesia". *Badan Penelitian dan Pengembangan Sosial Pusat Penelitian Permasalahan Kesejahteraan Sosial* (Jakarta: Kementerian Sosial, 2019) 2.

City, then the lack of infrastructure from the Jambi City Social Service regarding the equipment needed by beggars to develop their businesses after receiving training from the Jambi City Social Service, the lack of understanding of the people of Jambi City regarding the applicable law so that with the existence of this Mayor's Regulation, many people in Jambi City still give a little of their sustenance to the beggars. The next effort made was the Jambi City Social Service formed a Team to arrest beggars in Jambi City, conduct raids and training conducted by the Jambi City Social Service and the private sector.

In the context of the phenomenon of poverty in Malang City, data was obtained that the number of Persons with Social Welfare Problems reached 101 people in 2020 while in 2019 it was greater, namely 263 people.² Based on data compiled by MalangTIMES.com, in 2020 there were 319 PMKS (Persons with Social Welfare Problems) in Malang City, namely ABH (Children Against the Law) one person, 63 street children, 20 street children/punks, 2 neglected children, 1 neglected toddler, 2 people with disabilities, 8 homeless people, 2 ODGJ homeless people, and 6 neglected elderly people. Then ODGJ (Orang Dalam Gangguan Jiwa) 60 people, ODGJ displaced 1 person, displaced people 10 people, scavengers 14 people, buskers 70 people, beggars 49 people and WTS (Wanita Tuna Susila) 10 people.

This prohibition seems a little unusual and odd among the people of Jambi City who are accustomed to giving zakat to the poor or beggars. This prohibition seems anti-social, but that is not what is meant, Article 504 of the Criminal Code does not prohibit poor people from "asking for help", but prohibits doing this in public places, for example in markets, stations, on the side of the road and so on. This act in the explanation of Article 504 of the Criminal Code can disturb people around the crowd and people who are traveling and is considered inappropriate and very embarrassing. However, if you come to beg at home, you are not subject to Article 504 of the Criminal Code, as long as it is not visible from the public road.

In addition to the increase in the number of PMKS above, the factor of narrowing agricultural land in the village because it is widely used for the construction of settlements and companies or factories. This situation encourages villagers to urbanize with the intention of changing their fate, but unfortunately, they do not equip themselves with adequate education and skills. This situation will lead to an increase in unproductive labor in the city. As a result, in order to make ends meet, they do whatever they can to earn money, including begging. In order to minimize their expenses, they use under bridges, train stations, storefronts, slums and so on to rest, living without regard for social norms.

In the end, the Malang City Government issued a policy in 2013, namely Malang City Regional Regulation Number 9 of 2013 concerning the handling of street children, vagrants and beggars. However, based on the audit results of the regulation, there are several notes which have an impact on the importance of revoking the regulation. This is because the existing regulation is no longer appropriate. The weighting result of this local regulation is 66% (sixty-six percent) where based on Law Number 12/2011 on the Formation of Legislation, it is explained that when the material of the Legislation changes by more than 50% (fifty percent), the existing local regulation must be revoked.

The applicable policy in Semarang City regarding the Handling of Vagrants and Beggars has two models of sanctions, the first is criminal sanctions and the second is social sanctions. The provisions of criminal sanctions are regulated in Article 504 and Article 505 of the Criminal Code which have provisions for criminal sanctions if proven to be carrying out vagrant and beggar activities in public places, they can be subject to imprisonment for 3 months to 6 months. The social sanctions contained in Government Regulation No. 31 of 1980 concerning the Handling of Vagrants and Beggars.

Apart from that, the provisions of Malang City Regional Regulation Number 9 of 2013 concerning the handling of Street Children, Vagrants and Beggars are no longer in accordance with legal developments and community needs so that they need to be replaced and adjusted to the development of handling vagrants, beggars, and street children through planned, directed, systematic and integrated handling measures. Furthermore, based on the provisions of Article 12 paragraph (1) letter f of Law Number 23 of 2014 concerning Regional Government in conjunction with Article 29 and Article 30 of Law Number 11 of 2009 concerning Social Welfare, the Malang City Government is authorized to organize affairs in the field of social and social welfare with the priority of handling vagrants, beggars, and street children regulated by Regional Regulations and the need to reformulate criminal law through the imposition of sanctions so that the provisions of the Regional Regulation have binding legal force and apply generally.

Based on the description of the background, research with the Beginner Research Grant Scheme (HPP) was compiled with the title, **Reformulation of Criminal Law in Handling Street Children, Vagrants, and Beggars**. This title was formulated in line with the 2021-2025 RIP-UB related to issues in the fields of social and humanities as well as answering demands for development strategies that must include perspectives on children, gender, poverty and social inclusion to achieve fairer and more equitable development for all Indonesians, especially in Malang City on policies for handling street children, vagrants and beggars so that there is affirmative action by the City Government to resolve these problems as a unified process with poverty reduction programs in the Region.

2. Method

The method used in writing this journal is to use the juridical analysis method, namely the Malang City Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants, and Beggars. This research refers to secondary data in the form of primary legal materials, secondary legal materials and tertiary legal materials obtained from literature studies as data collection techniques, then analyzed using qualitative analysis techniques to obtain actual conclusions.

This study aims to explain and describe the functionalization of criminal law against violations committed by vagrants and beggars, what is the position of Article 504 and Article 505 of the Criminal Code against Article 34 of the Law -The 1945 Constitution in a legal order. And examines efforts to decriminalize vagrants and beggars from the perspective of criminal law policy. The research method used is normative legal research that refers to legal norms, as well as legal doctrines to answer the problems faced. Data analysis was carried out qualitatively. Based on the results of the study, it can be seen that the functionalization of criminal law (law enforcement) against vagrants and beggars has not functioned maximally because the operationalization of criminal law is more directed towards punishment rather than treatment.

3. Reformulation of Criminal Law in Handling Street Children, Homeless People, and Beggars Based on Malang City

The criminal law applicable in Indonesia until now is a criminal law that is largely a legacy of the Dutch colonial era and has been codified in a Book of Law based on a certain system. Thus, in the field of criminal law itself, Indonesia has determined that there is one codification and unifica-

tion of criminal law rules that apply to all residents in the territory of the Republic of Indonesia, namely the Criminal Code (KUHP).³

Handling of beggars or vagrants, especially in Batam City, can be done with one of the methods above, or even by combining several methods. Combining several methods shows several stages to overcome beggars so that it is expected to become a comprehensive model in overcoming vagrants and beggars, so that they do not disturb the community in living their lives. However, in fact, handling vagrants and beggars is not easy.

For example, in handling transmigration, "many immigrants who want to change their fate in Batam City, who then live hard. When they are about to be returned to their hometowns, the person refuses, as conveyed by Mr. Adi Harnus as Head of the Social Security Section of the Batam City Social Service on the Kata Batam Facebook page" (Kata Batam, 2020). Basically, Batam City is a city that prohibits vagrants and beggars based on Article 5 paragraphs (4 and 5) of Batam City Regulation No. 6/2002. This policy is based on the provisions of PP No. 31/1980. This is not a form of discrimination, but rather a policy issued by the head of an autonomous region in order to realize social order. Vagrants and beggars are often considered a nuisance by other members of society. Therefore, this policy should be the basis for controlling the beggars and beggars in Batam City.

The contribution of living law in society in national legal reform is justified not only by national instruments, but also by various international instruments. This section will discuss how the law that lives in the community is justified as a source of applicable law, especially in Indonesia (source of positive law). However, in carrying out reforms and holding someone accountable in criminal law does not only mean that it is legal to impose punishment on that person, but also that it is fully believed that it is appropriate to hold him accountable for his criminal acts.⁴

In connection with the above conditions, the criminal law aspect has a relationship with the handling of vagrants, beggars, and street children normatively, it can refer to Government Regulation Number 31 of 1980 concerning the Handling of Vagrants and Beggars. Where vagrants are defined as people who live in a state that is not in accordance with the norms of decent life in the local community, and do not have a permanent place of residence and work in certain areas and live wandering in public places. Meanwhile, beggars are people who earn income by begging in public in various ways and reasons to expect mercy from others.

Based on the above understanding, street children, vagrants and beggars have a relationship with the poverty level in the region. when examining the conditions of Malang City itself with the total population of Malang City in 2019 according to the population and civil registration office of Malang City was 927,285 people. The average growth per year is 1.23 percent. The largest population of Malang City resides in Klojen District with a percentage of 23.73 percent and the smallest in Sukun District, which is 11.98 percent. The population density is highest in Klojen District at 24,921 people per square kilometer. The sex ratio in Malang City in 2019 was 99.62. This means that there are more women than men with a ratio of 99.62 men per 100 women.⁵

² Badan Pusat Statistik Kota Malang, "Kota Malang dalam Angka Tahun 2020 dan Tahun 2021". Malang: Badan Pusat Statistik, 2021) 35.

³ Jaholden, *Reformulasi Hukum Pidana di Indonesia*, (Budapest: Bircu Publishing, 2021), 13.

⁴ M. Harun, "Reformulasi Kebijakan Hukum Terhadap Penegakan Hukum Pemilu dalam Menjaga Kedaulatan Negara." *Rechts Vinding Law Journal BPHN Kementerian Hukum dan HAM* 5 no.1 (2016): 5.

⁵ *Ibid*, no 42.

Responding to the excessive development of cities and urbanization, one of the impacts is the emergence of homeless beggars. Usually they seek opportunities by utilizing crowded centers and tourist attractions to earn income. Historical research on the emergence of the phenomenon of beggar problems in various major city developments has almost become a common understanding that the emergence of homeless and beggars in major cities in the world is in line with the rapid movement of industrialization, globalization, modernization, and development.

Industrialization in various large and medium-sized cities in Indonesia has had an impact on increasing rural to urban migration. The migration of people from a village to a city, in addition to being a result of modernization and urban development, rural-urban migration is also a benchmark for the minimalist job opportunities and opportunities, very low wage standards and the circulation of the rural economy cannot run properly. The government, which only prioritizes production units, public service facilities and urban-based development (urban bias), has also triggered a wave of rural to urban migration.

With a total population of 870,862 in Malang City, the number of poor people in 2019 was 35,390 people or around 4.07 percent and continues to decrease every year.⁶ This condition can be seen in the following details:

Graphs 1. Development of Poverty Line in Malang City

Year	Poverty Line	The Poor Population	
		Total (000)	Percentage
2012	330,765	43.40	5,19
2013	362,162	40,90	4,85
2014	381,400	40,64	4,8
2015	411,709	39,10	4,6
2016	426,527	37,03	4,33
2017	454,061	35,89	4,17
2018	507,114	35.49	4,1
2019	543,966	35,39	4,07

Source: Secondary Legal Data, 2020.

Based on the figures above, it is clear that there is a decrease in the poverty line in Malang City. In simple terms, this condition is also influenced by existing regulations in Malang City, one of which is Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants, and Beggars. The effectiveness of the provisions in this Regional Regulation is a challenge in itself, apart from being a consequence of the implementation of Regional Government, it is also a form of commitment in implementing the Vision and Mission of Malang City. Unfortunately, the conditions for Persons with Social Welfare Problems (PMKS) in Malang City, which are classified as Street Children, Vagrants, Beggars, have increased significantly each year with the condition of being ranked 7th as the Regency / City with the largest population in East Java Province.⁷ Further if seen in the following table:

⁶ *Ibid*, no. 73.

⁷ BPS Kota Malang, Kota Malang dalam Angka 2020, no 388.

Graphs 2. Development of People with Social Welfare Problems in Malang City (last 5 years)

No	Type of PMKS	2016	2017	2018	2019	2020	Description
	Street Children	227	108	176	84	24	decreased
	Homeless	56	28	28	35	101	increase
	Beggars	184	158	158	-	-	
	Scavengers	120	131	131	-	-	increase
	Poor Disease	99.638	129740	130.280	-	-	Increase

Source: Secondary data, 2021.

Based on the results of the audit, there is a need for revocation because the weight value reaches the required value based on Law Number 12/2011 on the Formation of Laws and Regulations or exceeds it, which is 66 percent. Meanwhile, based on Law Number 12/2011 on the Formation of Legislation, a legal product can be revoked if the systematics of the Legislation changes, the material of the Legislation changes by more than 50% (fifty percent); or its essence is changed. The nature of the implementation of this Law is still easy for the public to understand. With the results of this audit, it can be concluded that Local Regulation No. 9/2013 on Handling Street Children, Vagrants, and Beggars needs to be revoked and adjusted to the development of the latest laws and regulations.

The existence of beggars and vagrants can be prosecuted by criminal law because what they do fulfills the elements of a crime. However, the application of criminal sanctions against beggars and vagrants is not optimal. This is proven by the fact that operations or arrests of beggars and vagrants are carried out if there are reports from the public who feel disturbed by their existence and if there is a criminal act and the perpetrators are directed at beggars and vagrants. However, it turns out that the legal approach is not the only way that can be taken or carried out by the police and government. Their existence can be eradicated by taking preventive, receptive and rehabilitative steps for their survival that is worthy of humanity, because they are the responsibility of the government.

The criminal law enforcement in handling the vagabonds and the beggars should be in harmony with the higher regulations and with the values of the living law. Moreover, the implementation of article 34 of the 1945 constitutions and the policy if the legal provisions in the law abiding in the society, such as the law of the national social security system and the law of people's prosperity which can contribute to the elimination of poverty. Hierarchically, article 504 and article 505 of the Criminal Code are not restricted and efficient use of its implementations because they are not contrary to the high regulation. In principle, the vagabonds and the beggars do not violate the law; it can be said that an action cannot be categorized as illegal if there is no illegal intention so that it is true when the action is de-discrimination because no one complains because of their action.

Articles 504 and 505 of the Criminal Code state that vagrants and beggars are punished with imprisonment, whereas Article 34 of the 1945 Constitution states that the poor and neglected children are cared for by the state and the state develops a social security system for all citizens and empowering the weak and underprivileged in accordance with human dignity. Based on the provisions above, the problems are: how is the function of criminal law against vagrants and beggars, what is the position of Article 504 and Article 505 of the Criminal Code when associated with Article 34 of the 1945 Constitution, how are the efforts to decriminalize the actions of vagrants and beggars from the perspective of criminal law policy.

Criminal law enforcement in handling vagrants and beggars must be harmonized with higher regulations and values that apply in society (the living law). As well as the implementation of Article 34 of the 1945 Constitution and Legislative policies in law in society, such as the National Social Security System Law and the People's Welfare Law which can contribute to poverty alleviation. In terms of the hierarchy of Legislative Regulations, Articles 504 and 505 are not binding and effective in their implementation because they are contrary to higher regulations. In essence, vagrancy and begging are not acts that are against the law, that an act cannot be said to be criminal if there is no evil intention in it, so it is very appropriate to decriminalize it because no one is harmed by this act.

4. Model of Criminal Law Reformulation in Handling Street Children, Vagrants, and Beggars Based on Malang City

The Criminal Law Reformulation Model in Handling the Draft Regional Regulation on Handling Homeless, Beggars, and Street Children which will revoke Regional Regulation Number 9 of 2013 on Handling Street Children, Homeless, and Beggars at least needs to pay attention to several things including: 1) Prevention; 2) Rehabilitation; and 3) Empowerment. So that the content material included in the framework of the Draft Regional Regulation must be able to identify and carry out social reintegration of the phenomenon of increasing the number of objects of Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants, and Beggars.

This condition becomes important in the Draft Regional Regulation to regulate the Criteria of Street Children, Vagrants, and Beggars with the following details: First, Street Children are children who live on the streets or in public places with the criteria: 1) have lost contact or have not seen their parents for a long time; 2) spend most of their time on the streets working and the rest of the time vagrancy or sleeping; 3) are no longer in school; and/or 4) under 18 years old Second, a vagrant is a person with the criteria: 1) without an identity card (KTP); 2) without a definite/fixed place of residence; 3) without a fixed income; and/or 4) without a plan for the future of his/her children or himself/herself. Third, beggars are people with the criteria: 1) his/her livelihood depends on the mercy of others; 2) dressed in shabby clothes; 3) located in crowded/strategic places; and/or 4) using others to stimulate the compassion of others.

The police's handling of beggars and vagrants is less than optimal due to frequent changes in personnel or so that data or cases that are quite old are difficult to find out. In addition, there is an assumption that violations of the law committed by beggars and vagrants are not so noticeable because there are no complaints or reports from the public directly. The police are also worried that if they act alone without orders from their superiors, they will be considered "arrogant" by some people, because in terms of humanity, beggars and vagrants are also human beings who have the right to defend their lives with all the efforts they can do.

The existence of the above criteria is important so that The Multi Regional Apparatus in charge of handling Street Children, Tramps, and Beggars are able to handle effectively through efforts: a) social counseling in the community ; b) provision of information in public places; c) social mental guidance for the community; d) social assistance for the community; e) expansion of employment opportunities; and f) improvement of health status. Repressive, This effort aims to discipline, provide a deterrent effect, suppress the increase in the number of beggars, vagrants and street children and provide references in handling them. This effort is carried out in the form of: a) curbing, special curbs are carried out against vagrants, beggars and street children who: live in public places; have

mental disorders who are in public places; beg in public places; and/or beg using tools. The selection of homeless people, beggars and street children affected by the curbing is carried out with the aim of determining the qualifications of homeless people, beggars and street children.

- b) outreach, this activity aims to establish initial communication and conduct a process of fostering social relationships and building trust with homeless people, beggars and street children.
- c) coaching at the halfway house, coaching at the halfway house includes physical guidance and social mental guidance.
- d) referral, referrals are intended for vagrants, beggars and street children who are caught in raids more than 3 (three) times and/or are indicated to have committed illegal acts.
- e) Imposition of criminal sanctions formulated as follows:

Graphs 3. Reformulation of Criminal Law in Handling Street Children, Vagrants, and Beggars Based on Malang City Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants and Beggars

Number	Terms	Scope of The Regulation
1	Bans	Every person is prohibited from: <ul style="list-style-type: none"> a. committing vagrancy, begging, and becoming a street child either individually or in a group with any reason, method, and tool to arouse the mercy of others or to benefit oneself; b. to use other people by bringing someone/some people either from within the Region or from outside the Region for the purpose of performing vagrancy and/or begging; and c. inviting, persuading, assisting, ordering, forcing, and coordinating others individually or in groups so as to cause vagrancy, begging, and street children. d. Every person/institution/legal entity is prohibited from giving money and/or goods in any form to vagrants and beggars in public places. e. The provision of money and/or goods as referred to in paragraph (1) can be channeled through social institutions/agencies in accordance with laws and regulations.
2	Administrative Sanctions	Every person who violates the provisions as referred to above is subject to administrative sanctions in the form of: <ul style="list-style-type: none"> a. verbal reprimand or summons; b. written reprimand; c. temporary suspension from activities; d. suspension of Social Welfare Business activities; and/or e. revocation and/or cancellation of licenses and/or recommendations.
3	Terms of Investigation	(1) PPNS are given special authority as Investigators to conduct investigations into violations of the provisions of this Regional Regulation. (2) Investigators as referred to in paragraph (1) have the authority: <ul style="list-style-type: none"> a. receiving, searching, collecting, and examining information or reports regarding criminal offenses so that the information or reports become more complete and clear; b. Research, search, and collect information regarding individuals or entities regarding the truth of actions carried out in connection with criminal offenses; c. request information and evidence from individuals or entities in connection with criminal offenses; d. examine books, records and other documents relating to criminal offenses; e. conduct searches to obtain evidence of books, records, and other documents and confiscate the evidence;

Number	Terms	Scope of The Regulation
4	Penal Provisions	<p data-bbox="647 304 1358 645"> f. request the assistance of experts in order to carry out the task of criminal investigation; g. order to stop and/or prohibit someone from leaving the room or place while the examination is in progress and check the identity of the person, object, and/or document being carried; h. photographing a person related to a criminal offense; i. summon people to be heard and examined as suspects or witnesses; j. to stop the investigation; and/or k. to take other actions necessary for the smooth investigation of criminal offenses in accordance with the provisions of laws and regulations. </p> <p data-bbox="603 647 1358 786">The PPNS as referred to in paragraph (1) shall notify the commencement of the investigation and submit the results of the investigation to the Public Prosecutor through the Investigator of the Republic of Indonesia State Police Officer in accordance with the provisions stipulated in the Criminal Procedure Law.</p> <p data-bbox="616 813 1358 1352"> (1) Any person who violates the provisions of Article 35 letter a shall be punished with a maximum imprisonment of 3 (three) months or a maximum fine of Rp 20,000,000.00 (twenty million rupiah). (2) Any person who violates the provisions of Article 35 letters b and c shall be punished with a maximum imprisonment of 6 (six) months or a maximum fine of Rp 50,000,000.00 (fifty million rupiah). (3) Any person, institution or legal entity that violates the provisions of Article 36 shall be punished with a maximum fine of IDR 100,000.00 (one hundred thousand rupiahs). (4) In addition to the criminal sanctions as referred to in Article 39 paragraph (2), any person or entity who economically exploits children by ordering or forcing them to perform activities as Street Children for the benefit of themselves or others, as referred to in Article 35 letter b and letter c shall be punished with the punishment as referred to in Article 88 of Law Number 23 of 2002 concerning Child Protection in conjunction with Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. </p>

Source: Secondary data, 2021.

The criminal law formulation policy for vagrants in Klaten Regency, Magelang Regency, and Yogyakarta City implements the criminalization of vagrancy with criminal sanctions of fines and/or imprisonment with the application of criminal sanctions as *ultimum remedium*. Until now, there have been no cases of vagrancy that have been referred to the court in the area. The criminal law policy in the future will still maintain efforts to criminalize vagrancy. The criminal law policy has experienced excessive criminalization with the application of ineffective criminal sanctions. In addition to the Criminal Code, the criminalization of vagrancy is formulated in district regulations and provincial regulations.

Social Rehabilitation, Social rehabilitation activities are carried out by the Regional Apparatus that organizes Government affairs in the Social Sector in Shelter Houses or Social Welfare Institutions. With the aim of restoring social functioning for homeless people, beggars and street children. This activity is carried out through: 1) assistance of Social Workers and Social Workers; 2) facilitation of access to fulfillment of basic rights; and/or 3) referral.

Social Reintegration, This effort is carried out by the Regional Apparatus that carries out Government Affairs in the Social Sector with the aim of socializing with the surrounding environment and returning to their families. Provided that social reintegration efforts for homeless people, beggars and street children are carried out after their families are found.

In the event that homeless people, beggars and street children do not have families or are not accepted by their families, the Regional Apparatus that organizes Government affairs in the Social Sector facilitates them to get social rehabilitation in institutions. The social reintegration efforts are carried out through: a. resocialization guidance, by means of: home visits; strengthening to families and communities; psychosocial guidance at halfway houses; mental and physical guidance; education; job training guidance; and work learning practices

b. repatriation; and c. further guidance.

Furthermore, in an effort to synchronize and optimize the handling of Street Children, Vagrants, and Beggars who are obliged to open the participation of Multi Regional Apparatus, in the future it is necessary to establish a Task Force for Handling Vagrants, Beggars, and Street Children which at least consists of elements: a. Regional Apparatus that organizes Government affairs in the social sector; b. Regional Apparatus that organizes Government affairs in the field of Public Order and Community Peace; c. Regional Apparatus that organizes Government affairs in the field of Education; d. Regional apparatus that organizes Government affairs in the field of Health; e. Regional Apparatus that organizes Government affairs in the field of Manpower; f. Regional Apparatus that has the task and function of organizing public cemeteries; g. Resort Police; h. Regional Office of the Ministry of Religious Affairs; and i. Social welfare institutions.

5. Conclusion

It is necessary to reformulate criminal law in handling street children, vagrants, and beggars based on Malang City Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants and Beggars with the consideration that based on the results of legal evaluation/legal audit conducted shows that the provisions of Malang City Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants and Beggars are no longer in accordance with the development of community needs and legal aspects of handling Street Children, Vagrants and Beggars considering that the aspect of sanctions enforcement does not contain administrative sanctions and / or criminal sanctions in its enforcement.

The idea of criminal law reformulation In handling street children, vagrants, and beggars based on Malang City Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants and Beggars as an alternative form of building integration and social inclusion strategies to achieve fairer development for handling street children, vagrants and beggars is formulated through the Prevention (Preventive) model; Repression (Repressive), Rehabilitation, and Empowerment. Criminal Law Reformulation in Handling Street Children, Vagrants, and Beggars Based on Malang City Regional Regulation Number 9 of 2013 concerning Handling Street Children, Vagrants and Beggars is formulated as follows in table 3.

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