

# Analysis of Legal Protection of Street Children Victims of Exploitation: A Case Study of the Medan City Social Service

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**Abstract**—This study analyzes the implementation of legal protection for street children who are victims of exploitation in Medan City, with a case study of the Medan City Social Service. Data from the Medan City Social Service in 2023 shows that there are 324 street children identified as victims of exploitation, with forms of exploitation including economic exploitation (65%), sexual exploitation (15%), and other forms of exploitation (20%). This problem requires serious handling considering its impact on children's growth and development and future. This study uses an empirical juridical method with a legal sociology approach. Data collection was carried out through field observations, in-depth interviews with officials of the Medan City Social Service, social workers, street children, and related stakeholders, as well as documentation studies. Data analysis uses a qualitative descriptive method with a focus on aspects of the implementation of legal protection and the effectiveness of street child handling programs. The results of the study show that the implementation of legal protection for street children victims of exploitation in Medan City is not optimal, due to several factors, namely limited human resources and the budget of the Social Service, weak coordination between related institutions, lack of community participation, and the complexity of socio-economic problems of street children's families. The handling program carried out by the Social Service includes psychosocial assistance, the provision of educational assistance, family empowerment, and social rehabilitation, but the success rate has only reached 45% of the set target. This study recommends strengthening the implementation of legal protection through: increasing the budget and capacity of social service human resources, developing an integrated coordination system between institutions, strengthening family empowerment programs, and optimizing community participation in the protection of street children.

**Keywords**— Legal Protection, Street Children, Child Exploitation, Social Service, Medan City Introduction

## I. INTRODUCTION

The phenomenon of street children in Indonesia, especially in the city of Medan, is a complex social problem and requires serious attention. Based on data from the Medan City Social Service in 2023, there were 324 street children identified as victims of exploitation, showing an increase of 15% compared to the previous year. This condition reflects the

still weak legal protection of children who should get their basic rights as guaranteed in Law Number 35 of 2014 concerning Child Protection. [1], [2], [3][4], [5][5]

Exploitation of street children in Medan City appears in various forms. Data from the Social Service shows that 65% of street children experience economic exploitation such as being forced to beg, busking, or selling, 15% experience sexual exploitation, and 20% experience other forms of exploitation. This condition is exacerbated by the fact that 78% of these street children come from underprivileged families, creating a cycle of poverty that is difficult to break without proper intervention.

Juridically, Indonesia already has various legal instruments to protect children from acts of exploitation, ranging from the 1945 Constitution, the Child Protection Law, to various international conventions that have been ratified. However, in its implementation, especially in the city of Medan, there are still various obstacles. Initial observation results show that coordination between institutions is still weak, resources are limited, and public awareness of child protection is still low [6], [7], [8].

The Medan City Social Service, as an institution responsible for handling street children, has made various efforts to handle it. The programs implemented include psychosocial assistance, educational assistance, family empowerment, and social rehabilitation. However, the success rate of the program has only reached 45% of the set target, indicating the need to evaluate and improve the treatment strategy.

The complexity of the problem of street children in Medan City is also influenced by broader socio-economic factors. The high poverty rate (reaching 9.2% in 2023), low education levels, and uncontrolled urbanization are the driving factors for the emergence of street children. This situation is exacerbated by the strong view of some people who consider children as a family economic asset. Every child has his or her rights as a child [4], [5], [9], [10]

This research is important considering the serious impact of exploitation on children's growth and development. The results of a study by the Center for Child Protection Studies (2023) show that street children who are victims of exploitation experience various negative impacts, including physical health problems (87%), psychological trauma (92%), dropping out of school (76%), and being vulnerable to crime (65%).



Based on the complexity of these problems, an in-depth study is needed on the implementation of legal protection for street children who are victims of exploitation in Medan City. This study will analyze the role and efforts of the Medan City Social Service, identify the obstacles faced, and formulate recommendations for strengthening legal protection for street children. The results of the research are expected to make a significant contribution to improving policies and programs for street child protection in Medan City.

## II. METHODS

### A. Types and Approaches of Research

#### 1. Type of Research

Empirical juridical research is legal research that examines the implementation of normative legal provisions (laws) in their actions on every specific legal event that occurs in society. In the context of this research:

- a. *Juridical Aspect: Reviewing laws and regulations related to child protection:*
    - 1) 1945 Constitution Article 28B paragraph (2) concerning children's rights
    - 2) Law No. 35 of 2014 concerning Child Protection
    - 3) Law No. 11 of 2012 concerning the Juvenile Criminal Justice System
    - 4) Medan City Regional Regulations related to child protection
  - b. *Empirical Aspect: Examine the implementation of the regulation in the field:*
    - 1) Implementation of street child protection programs by the Social Service
    - 2) The reality of the condition of street children in Medan City
    - 3) Effectiveness in handling child exploitation cases
    - 4) Obstacles in policy implementation
- #### 2. Research Approach
- a) *Sociological Approach to Law*
    - 1) *Focus of the study:*
      - The interaction between the law and its social environment
      - Legal effectiveness in society
      - Public behavior in responding to the rule of law
    - 2) *Aspects studied:*
      - Patterns of exploitation of street children in the community

### B. Location and Time of Research

The research conducted research locations at the Medan City Social Service, concentration areas for street children in the city of Medan, halfway houses and rehabilitation centers for street children. The research will be carried out for 6 months in 2024.

### C. Population and Sample

The population in this study is Medan city social service officials, social workers, street children, child protection NGOs and the community. Using purposive sampling techniques for key informants and random sampling for community respondents. The total number of samples used was 100 samples with details of 5 social services, 10 social workers, 30 street children, 5 NGOs, and 50 communities.

### D. Types and Sources of Data

The data used are:

1. *Primary Data* from the results of interviews with information, field observations, visual documentation, questionnaire results.
2. *Secondary Data :*
  - a. *Primary Legal Materials* of the 1945 Constitution, Law No. 35 of 2014 concerning Child Protection, Law No. 11 of 2012 concerning the Child Criminal Justice System, Medan City Regulation related to child protection.
  - b. *Secondary Legal Materials*, namely Law Journals, Related Books, Previous Research Results, Scientific Articles
  - c. *Tertiary Legal Materials*, namely Legal Dictionaries, Encyclopedias, Mass Media

### E. Data Collection Techniques

The data collection techniques used are interviews, Field Observations, Participatory observations, Systematic recording, Visual documentation, Documentation studies with legal document analysis, Literature review and Policy review. Questionnaires were also conducted with closed questionnaires, open questionnaires and likert scales.

### F. Data Analysis Techniques

Qualitative analysis techniques with data reduction, data presentation, conclusion drawn, source triangulation and methods. As for the quantitative analysis technique, it was carried out with descriptive statistics, data tabulation, percentages and frequencies.

## III. RESEARCH RESULT

### A. Research Results

1. *Condition of street children in Medan City*
  - a. *Demographics and Statistics*
    - 1) *Number and Distribution*
      - a) Total street children recorded in 2023: 427 children
      - b) Distribution by region: Medan Petisah: 98 children (23%), Medan Sunggal: 85 children (20%), Medan Johor: 76 children (18%), Medan Tuntungan: 72 children (17%), Medan Helvetia: 56 children (13%), other regions: 40 children (9%).
    - 2) *Gender and Age Profile*
      - a) *By Gender*
        - Boys: 278 children (65%) with the majority working as buskers and newspaper salesmen. More prone to physical violence
        - Girls: 149 children (35%) with the majority working as beggars and tissue sellers. More vulnerable to sexual harassment and exploitation
      - b) *By Age Group*
        - Age 5-9 years: 98 children (23%) with the majority still accompanied by parents/guardians. Dominant activity: begging. Dropout rate: 85%
        - Ages 10-14: 192 children (45%) are mostly independent. Dominant activities: busking and selling newspapers. Dropout rate: 75%

- 15-17 years old: 137 children (32%) Almost all of them are self-employed. Dominant activity: scavengers and illegal parking. Dropout rate: 90%
- b. Socio-Economic Conditions
- 1) Family Background with a presentation with 65% coming from underprivileged families, 20% orphans, 10% victims of broken homes, 5% abandoned children.
  - 2) Educational Status, Never schooled: 15%, Elementary school dropout: 45%, Junior high school dropout: 30%, Still in school: 10%
  - 3) Income and Working Hours  
Average earnings per day:
    - Busking: IDR 30,000 - IDR 50,000
    - Selling newspapers/tissues: IDR 25,000 - IDR 40,000
    - Begging: IDR 20,000 - IDR 35,000
    - Scavengers: IDR 15,000 - IDR 30,000
 Working hours:
    - 4-6 hours: 25%
    - 6-8 hours: 45%
    - 8 hours: 30%
- c. Health and Well-being Conditions
- 1) Health Status with Frequently Experienced Health Problems:
    - Respiratory infections: 40%
    - Skin diseases: 35%
    - Indigestion: 15%
    - Nutritional problems: 10%
  - 2) Psychological Conditions
    - Psychological trauma: 45%
    - Behavioral disorders: 30%
    - Difficulty socializing: 15%
    - Normal condition: 10%
  3. Basic Service Access
    - ID Card/Identity Card Ownership: 25%
    - Access to healthcare: 35%
    - Access to non-formal education: 20%
    - Access to social assistance programs: 30%
- d. Factors Causing Street Children
- 1) Internal Factors due to Family Poverty: 60%, Domestic Violence: 15%, School Dropout: 15%, Peer Influence: 10%
  - 2) External Factors, Urbanization: 30%, Weak Social Supervision: 25%, Limited Access to Education: 25%, Environmental Conditions: 20%
- e. Concentration Locations for Street Children
- 1) Gathering Points, Red light intersections: 35%, Shopping malls: 25%, Terminals/stations: 20%, Traditional markets: 15%, Tourist attractions: 5%.
  - 2) Activity Pattern, Morning (06.00-10.00): 25% with dominant activity: selling newspapers, Afternoon (10.00-15.00): 30% with dominant activity: begging and busking, Afternoon-Night (15.00-22.00): 45% with dominant activity: busking and scavenging.
- f. Impact Analysis
- 1) Impact on Children such as Childhood Loss, School Dropout, Physical and Mental Health Disorders and Vulnerability to Crime.
  - 2) Social Impact with Increasing Crime Rate, Public Order Disturbance, Ongoing Social Problems, Increase in Structural Poverty.

## 2. Forms of Exploitation Experienced

The results of the study identified several forms of exploitation experienced by street children in Medan City:

- a. Economic Exploitation such as Forced to work more than 8 hours per day, Required to hand over income to adults, Not getting access to education, Working in dangerous conditions.
- b. Physical Exploitation such as physical violence when not meeting targets, Working in extreme weather, Health conditions that are not considered.
- c. Social Exploitation such as Stigmatization from society, Dropouts, Loss of childhood, Vulnerability to street crime.

## 3. Legal Protection Efforts That Have Been Carried Out

The Medan City Social Service has made several protection efforts:

- a. Prevention Programs: Socialization to the community, Data collection of street children, Family empowerment, Cooperation with NGOs.
- b. Handling Programs: Shelters, Informal education, Skills training, Business capital assistance.
- c. Rehabilitation Programs: Counseling, Trauma recovery, Family reunification, Psychosocial assistance.

## B. Discussion

### 1. Analysis of the Effectiveness of Legal Protection

The implementation of legal protection for street children in Medan City still faces various challenges:

- a. Structural Constraints: Budget limitations, lack of trained human resources, suboptimal coordination between institutions, limited supporting infrastructure.
- b. Cultural Constraints: Discriminatory public views, Lack of legal awareness, Deep-rooted poverty factors, Low community participation.

### 2. Evaluate the Protection Program

From the programs that have been implemented, several things were found:

- a. Program Success: The number of street children has decreased by 15% in the last 2 years, Increased public awareness, The formation of a child protection network, The success of the family reunification program.
- b. Program Challenges: Program sustainability, Suboptimal monitoring, Limited program coverage, Resistance from exploitative parties.

### 3. Recommendations for Improvement

Based on the analysis carried out, some recommendations can be given:

- a. Strengthening Legal Aspects: Stricter law enforcement, More comprehensive regulatory updates, Increased coordination between agencies, Establishment of a special handling team.
- b. Program Strengthening: Budget Increase, Human Resource Development, Expansion of Program Coverage, Periodic Evaluation
- c. Community Empowerment: Increasing legal awareness, Establishing a community that cares for street children, Sustainable assistance programs, Private sector involvement.

#### IV. CONCLUSION

##### A. Conclusion

This study produces the following conclusions:

1. Pei rlindui ngan hui kui m tei facing the victims of the exploitation of street children, especially in the Mei City area and is dei only a way of mei to do kan pei mbei rdayaan street children in Medan City so that street children get the welfare they want in accordance with Law No. 35 of 2014, namely Child Protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with the dignity and dignity of human beings, as well as get protection from violence and discrimination.
2. The inhibiting factors in the protection of street child exploitation in the city of Medan consist of several factors, namely social environment factors (parents), economic factors and children's mental and moral factors due to the impact of exploitation, these factors greatly affect the child's psyche and can hinder the social service program in handling cases of street child exploitation.
3. The efforts made by the May and May City Social Service have pei ran pei nting in dealing with street children. The gas gas of the city of Medan includes identification, pei services, rei habilitation and rei intei clemency of kei street children in the community. One of the efforts made by the Medan City Social Service in providing protection for street children is through one of the real programs named URC (Rapid Reaction Unit). URC carries out surveillance and control activities for street children, homeless people and beggars to reduce the number of child exploitation.

##### B. Suggestion

1. The enactment of appropriate and existing laws on children should allow the government and law enforcement to implement regulations even better, so that the prevention of child exploitation is effective and provides policy innovations.
2. Strict sanctions against perpetrators of street child exploitation with the justice system to ensure effective law enforcement in order to have a deterrent effect on child exploitation perpetrators and not repeat mistakes in the future.

3. Integrated with internet information technology to provide social services that specifically accept complaints and complaints of social services for street children.
4. Social services that provide shelter for street children, access to physical and mental health services as well as skills training and education.

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