



## Legal Protection of the Right to Education of Street Children Working in Sidoarjo District

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Article	Abstract
<b>Keywords:</b> Street Children; Education; Legal Protection	<i>The phenomenon of street children who work is one of the issues in Indonesia which until now the problem is still experienced in many areas. Children are one of the protected groups or groups of society so that the phenomenon of street children is a serious issue because it relates to the fulfillment of children's rights. Education, as one of the most important rights that a child is entitled to, certainly needs attention, especially among street children. Legal protection of the educational rights of street children working in Sidoarjo Regency includes the implementation of Article 8 paragraph 1 of East Java Governor Regulation Number 33 of 2018 through coaching. The coaching is carried out by the Sidoarjo Regency Social Service with the cooperation of the East Java Provincial Social Service through the Youth Development Social Service (UPT PSBR) as the government agency responsible for fulfilling it. This writing is included in empirical legal writing, namely the approach method used is qualitative, producing descriptive data poured through oral or written from phenomena on certain behaviors, so that more emphasis is placed on data quality. The research location is in Sidoarjo Regency, precisely in the Square. The results of this study indicate that there are still street children in Sidoarjo Regency who have difficulty carrying out their education and there are internal and external constraints from the relevant government parties so that there are limitations in fulfilling the right to education for street children.</i>

### INTRODUCTION

Children are a gift that cannot be replaced in a family. Children are a form of responsibility that must be protected and given special attention. Apart from their vulnerable

age, children need to be given special attention because they are vulnerable to problems that can affect their growth and development. Article 1 number 1 of Law Number 23 of 2002 concerning Child Protection states that; "A child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb." In other words, the rights and dignity of children have been protected since they were still in the womb.

As the next generation of the nation, Indonesian children are the pioneers of the country's progress and the determinants of the nation's future. Therefore, the influence exerted by children's participation for the nation is enormous. However, along with the development of the times, social problems have also increased and began to afflict children. This is a complicated problem for the state because it is related to the fulfillment of children's rights that should be protected. One of the problems related to children that the Indonesian government is currently facing is the phenomenon of street children.

The phenomenon of working street children is one of the issues in Indonesia that is still experienced in many regions. Children are one of the protected groups or groups of people so that the phenomenon of street children is a serious issue because it relates to the fulfillment of children's rights. This phenomenon puts child laborers at risk of physical and mental injury. This phenomenon can also endanger children's social welfare ranging from education, health, restrictions on their rights and restrictions on their future opportunities (International Labor Organization 2021).

At a vulnerable age, street children have to experience various problems, especially in the field of education. Education, which is a child's right and one of the foundations of a child's growth and development, is actually a challenge in its fulfillment for street children. Education is a means of providing street children with equal opportunities to develop their skills, their personal opinions, and their sense of moral and social responsibility. Without the fulfillment of their right to education, children who have welfare problems such as street children will find it difficult to grow and develop properly (Rahmadany, Zein, and Harya 2021).

Protection regarding the fulfillment of education rights for street children has been written in Article 8 paragraph 1 of the East Java Governor Regulation Number 33 of 2018 which states that; "Every child who is at risk and is a victim of violence, mistreatment, exploitation and neglect must be guaranteed their human rights, including their social welfare from health, education, and relationships with their caregivers."

The government as the institution or agency responsible for ensuring the fulfillment of street children's right to education needs to create an inclusive, comfortable, open and appropriate educational environment for street children, knowing that their conditions are different from most children. Inclusive education can promote the growth of children with special needs, including street children. With inclusivity, they can

learn to accept diversity and understand differences, and increase tolerance and empathy. (Budianto 2023)

Sidoarjo is one of the largest industrial cities in East Java with a strategic location directly adjacent to the capital and business center of East Java, Surabaya City. Meanwhile, the location of Sidoarjo is also close to Juanda Airport, which supports the

rapid growth of the economy and industry (Sidoarjo Regency 2021). As an industrial city, Sidoarjo is certainly inseparable from the phenomenon of street children, where Sidoarjo is one of the cities in East Java with the highest number of street children as described in the following table;

**Table 1.1 Number of Street Children in East Java Province**

No.	Region	Number
1.	Probolinggo	317
2.	Malang	210
3.	Pasuruan	173
4.	Sidoarjo	145
5.	Gresik	112

Source: Central Bureau of Statistics (BPS) East Java, 2018

The Social Service as a government agency responsible for handling street children has an obligation to protect children from economic exploitation and ensure that the rights of children who have become victims are fulfilled in accordance with Article 59 of Law Number 23 of 2002 concerning Child Protection which reads; "The government and other state institutions are obliged and responsible for providing special protection to children in emergency situations, children in conflict with the law, children from minority and isolated groups, economically and / or sexually exploited children, trafficked children, children who are victims of narcotics, alcohol, psychotropic and other addictive substances (drugs), children victims of kidnapping, sale and trafficking, children victims of physical and / or mental violence, children with disabilities, and children victims of mistreatment and neglect".

The central area of Sidoarjo is a busy trading area, ranging from street vendors to markets. During observations and visits, it was found that there were a number of street children working as hawkers with various working hours ranging from 15:00 to 22:00. When walking around the area, several street children were seen earning a living by offering their hawker merchandise at affordable prices. These children sometimes spread out by working alone, sometimes they also work with a group of friends.

## METHOD

### 1. Type of Research

This research uses empirical research methods using empirical facts taken directly from human behavior (Fajar and Achmad 2010). From the juridical side, this research uses the provisions regarding special protection for street children contained in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection and East Java Governor Regulation Number 33 of 2018 concerning the Child Protection Implementation System .

### 2. Research Approach

This research uses a qualitative approach method which is carried out by making direct observations of the behavior of street children in Sidoarjo. The purpose of this direct observation is to find out the truth behind the event (Fajar and Achmad 2010). This qualitative research is also carried out by understanding, paying attention to the behavior, perceptions and motivations behind the phenomenon.

### 3. Research Location

Sidoarjo was chosen as the research location because it is one of the largest industrial cities in East Java. Sidoarjo is also strategically located near Juanda airport and Surabaya city. In addition, Sidoarjo is also the district or city in East Java that has the fourth largest number of street children.

### 4. Types of data

#### a. Primary Data

Primary data in this study is research data obtained through interviews and observations. Both data are called primary data because they are taken directly from informants. Observations were made by directly observing the conditions and activities of street children in Sidoarjo while interviews were conducted with street children, the Sidoarjo Regency Social Service and the UPT PSBR (Youth Development Social Services) Jombang.

#### b. Secondary Data

Secondary data Secondary data is data that comes from research results (Soekanto 2014). Secondary data in the scope of law includes primary, secondary and tertiary legal materials.

##### a) Primary Legal Materials

- i. Law Number 23 of 2002 concerning Child Protection (State Gazette of the Republic of Indonesia 2002 Number 109).
- ii. Government Regulation Number 78 of 2021 concerning Special Protection for Children (State Gazette of the Republic of Indonesia of 2021 Number 174).
- iii. Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 28 of 2018 concerning Sub-district Social Welfare Workers (State

Gazette of the Republic of Indonesia Year 2018 Number 1789).

- iv. East Java Governor Regulation Number 85 of 2018 concerning Nomenclature, Organizational Structure, Description of Duties and Functions and Work Procedures of the Regional Technical Implementation Unit of the East Java Provincial Social Service (Regional Gazette of East Java Province 2018 Number 85 Series E).
- v. East Java Governor Regulation No. 33 of 2018 on Child Protection Implementation System (Regional Gazette of East Java Province of 2018 No. 33 Series E).
- vi. Sidoarjo Regent Regulation Number 73 of 2016 concerning the Position of Organizational Structure, Duties and Functions and Work Procedures of the Sidoarjo Regency Social Service (Sidoarjo Regency Regional News 2016 Number 73).
- b) Secondary Legal Materials used in the form of research in the form of books, scientific articles, reports, and official *websites* from government or related institutions such as East Java BPS and Social Services.

## 5. Informants

Informants are people who will provide data and information relevant to this research. In this study, 4 working street children will be interviewed, the Sidoarjo Regency Social Service, to be precise in the Social Rehabilitation section which is responsible for social welfare problems, one of which is the street children group, and UPT PSBR (Youth Development Social Services) Jombang.

## 6. Data Collection Technique

### a. Interview

Interview is a data collection technique where the author directly asks and responds to informants to obtain information that will be used as primary data (Fajar and Achmad 2010). Before the interview is conducted, the author will prepare a list of questions related to the legal protection of street children in Sidoarjo.

### b. Observation

Observation is carried out by means of active participation, namely being directly involved by going to the field. Observation is carried out by observing the situation and what activities are carried out by street children working in Sidoarjo, precisely in the area around the city center, namely Alun-Alun.

## RESULTS AND DISCUSSION

### 1. Legal Protection for the Educational Rights of Street Children Working in Sidoarjo Regency

#### a. Principles of Legal Protection of Children's Educational Rights

Indonesia as A state based on the rule of law is obliged to uphold

human rights by guaranteeing the rights of all its citizens from all walks of life, as well as guaranteeing their position in law and government, including children. Children as a vulnerable group or class of society need to have special legal protection in order to fulfill their basic rights. As stated in Article 1 Number 2 of Law Number 35 of the Republic of Indonesia Law Number 23 of 2002 concerning Child Protection, that; "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 human dignity and honor, and receive protection from violence and discrimination."

Legal protection for children does not only include the protection of their rights and interests, but also regarding protection that can guarantee their growth and development both spiritually, physically, and socially so that children can grow up naturally. In its implementation, the fulfillment of legal protection for children's welfare requires support from government institutions and laws and regulations that will guarantee the fulfillment of legal protection for children. (Setiasih and Pd 2020). This concerns the fulfillment of legal protection for street children groups who are mentioned as groups of children at risk in Article 1 number 19 of the Regulation of the Governor of East Java Number 33 of 2018.

Education is one of the important aspects in a child's growth, so it is also very important for local government institutions to ensure that street children who are included in the group of children at risk continue to receive their rights to receive basic education up to 12 years of compulsory education, as is the case with children.

Interviews with street children yielded differing opinions from diverse perspectives. Street children, the primary informants and subjects of this study, still lack a clear vision for their future education. Although many have fulfilled their educational obligations, their perspectives on the future and their education are limited. This is due, in part, to their busy daily lives, including the need to earn a living, not just attend school. This leaves them unconcerned about their aspirations and future.

**b. Implementation of Legal Protection for the Educational Rights of Working Street Children by the Social Services of Sidoarjo Regency**  
**1. Forms of Preventive Legal Protection**

The increasing number of street children has led to differing views of society and the government regarding their existence. The views of street children's parents also influence their existence, as they are the ones who accompany and supervise them from infancy to adulthood, both at home and outside the home.

In terms of basic education, from home to school, parents play a



crucial role in raising their children's awareness. Parents, as the first people a child encounters in their life, serve as their child's primary guides and educators within the educational sphere. Everything parents do, from their words and attitudes to their actions, will be absorbed and imitated by the child. Therefore, parental awareness is crucial, as parents serve as role models and primary role models for their children.(Aas, Ayuningrum, and Afif 2021).

The East Java Government has made efforts to provide preventive legal protection for the right to education for street children which must be fulfilled in Article 8 paragraph 1 of the East Java Governor Regulation Number 33 of 2018 which states that; "Every child who is at risk and becomes a victim of violence, mistreatment, exploitation and neglect must have their basic rights guaranteed, including their social welfare starting from health, education, and relationships with their caregivers."

Article 1 number 19 of the East Java Governor Regulation Number 33 of 2018 has also categorized street children as part of "children at risk" who need to be given special protection "Children at risk are children who are vulnerable to becoming victims/perpetrators of physical and/or mental violence, victims of economic or sexual exploitation, victims of kidnapping, child labor, street children, victims of trafficking, in conflict with the law, victims of neglect, and people with disabilities, smokers, users of alcohol, drugs and psychotropics, engaging in free sex and being infected with HIV/AIDS and other mistreatment."

Regional Regulations have prohibited the activity of giving to street children. This is stated in Article 13 paragraph 2 of Sidoarjo Regency Regional Regulation Number 10 of 2013 which states: "Every person and/or body is prohibited from providing assistance and/or support in any form or manner that could result in the continuation of violations of social order as referred to in paragraph (1)."

## **2. Repressive Forms of Protection**

Guidance is a term for a form of repressive legal protection for street children's educational rights, programmed by the East Java Provincial Social Services. This guidance program is implemented routinely twice a year, with a six-month period, and is aimed at children aged 15-18 and adolescents aged 18-21 who are not currently or not currently attending school.

This development program begins with the dispatch of street children from regencies/cities in East Java to the local UPT PSBR (Social Services for Youth Development). The Sidoarjo Regency Social Service has routinely sent street children to the Jombang UPT PSBR for development. The development begins with the Public Order Agency (Satpol PP) gathering

street children by visiting them while they are carrying out their daily activities on the streets and not attending school, in locations where they frequently gather.

These street children will later be handed over to the Sidoarjo Regency Social Services and given a place at Liponsos. The temporary period is approximately 2-3 days. Afterward, the Sidoarjo Regency Social Services Department will send and accompany the children to undergo guidance at the UPT PSBR (Social Services for Youth Development), headquartered in Jombang. The service process at the Jombang UPT PSBR begins with the selection process for prospective recipients, ending with reintegration and return to their families. The primary goal is to assist those in need or to improve their capacity through the guidance provided. (Astutik 2022)

The procedures for implementing legal protection for street children by the Social Services Department have been written in the Regulation of the Governor of East Java Number 33 of 2018 concerning the Implementation Regulations of the Regional Regulations of East Java Province. Number 2 of 2014 concerning the Child Protection System. In the Second Part of the Appendix concerning the Implementation of the Fulfillment of Social Welfare for Children and Families, it is stated that the Social Services Department has the following duties and functions:

1. "Initiating and developing a special Technical Implementation Unit to improve social welfare services for children and their families;
2. Developing integrated service institutions, including developing general guidelines or guidelines;
3. Conducting outreach to poor families and groups of children at risk and vulnerable;
4. Development of habilitation and rehabilitation services for children with disabilities;
5. Creation and development of childcare indicators in accordance with national childcare standards;
6. improving and/or capacity of families and social welfare institutions, social workers for children regarding child protection and parenting skills, people with disabilities and other vulnerable children;
7. identify areas prone to natural disasters, non-natural disasters and social disasters;
8. conducting early detection and active outreach to families at risk;
9. provide services, welfare facilitation, mediation and counseling for at-risk families as needed;
10. provide care decisions and support for children who need alternative care;



11. provide habilitation support for children with disabilities;
12. providing assistance through social workers for rehabilitation, social reintegration, family reunification based on the best interests of the child for children in conflict with the law, children who are victims of violence, exploitation, trafficking, natural disasters, non-natural disasters and social disasters, followed by monitoring the progress of handling children's cases; and
13. providing special service units including Safe Houses or accessible shelters in East Java.”

Ms. Nenden Desnawati stated that once the six-month development program for street children is completed, the children will continue to receive support. The support provided to the children includes tools and materials that can be used to start businesses or develop their talents in accordance with the skills education they choose during the development. Many street children who have completed development at the UPT choose to start their own businesses, but some also wish to continue their education to university level. Ms. Nenden Desnawati assessed that the facilities and infrastructure provided at the UPT PSBR for developing development for street children have improved compared to the previous three years. Despite the lack of funds, the UPT PSBR continues to strive to improve the cleanliness and suitability of the facilities and development facilities for street children.

During the six-month rehabilitation period, children found on the streets receive formal education and skills training. Formal education is provided in the form of physical, mental, and religious development. Meanwhile, skills training is provided in the form of training. During the six-month rehabilitation period, children found on the streets receive formal education and skills training. Formal education is provided in the form of physical, mental, and religious development. Meanwhile, skills training is provided in the form of training.

The educational programs provided by the UPT PSBR as part of the Social Services to fulfill the educational rights of street children include;

**Table 1. 1 Types of Street Children Development**

No.	Type of Program Education	Program
1	formal education	Mental development
		Social development
		Physical training
		Religious guidance

Available Online at <https://ejournal.unesa.ac.id/index.php/novum>

2	Skills education	Sew
		Cosmetic
		Automotive
		Welding

**Source: Interview with UPT PSBR Jombang, 2024**

In fulfilling the right to education for street children, the Social Service, through the Jombang PSBR Technical Implementation Unit (UPT) has also created various innovations. Ms. Nenden Desnawati mentioned that one innovation that has been running since 2020 is collaborating with the Education and Culture Office and private universities to provide catch-up packages to fulfill the right to education for street children who wish to continue their education at a higher level. However, Ms. Nenden Desnawati acknowledged that it is difficult for these street children to continue their education to state universities due to limitations ranging from academic capacity to their environment. Therefore, for now, in this innovation, the UPT PSBR and the Social Service have not been able to collaborate. with State Universities.

### **3. Institutions and Agencies Involved**

In implementing legal protection for street children, the Sidoarjo Regency Social Services Office focuses on street children who are not attending school or are not actively attending school. This is done to fulfill one of the most important rights of street children, who are categorized as children at risk: the right to an education.

In carrying out its obligations as a government institution that is obliged to guarantee the fulfillment of the rights of street children, the Social Service of Sidoarjo Regency collaborates with the Social Service of East Java Province through the Youth Development Social Service (UPT PSBR) located in Jombang Regency and involves other agencies such as the Civil Service Police Unit (Satpol PP) and the Sub-district Social Welfare Workers (TKSK). Agencies and Institutions other than the Social Service of Sidoarjo Regency that are involved in implementing the fulfillment of legal

protection for street children also have their respective authorities and obligations in accordance with applicable laws and regulations, as follows;

- a. The Civil Service Police Unit (Satpol PP), in accordance with Article 25 of Sidoarjo Regency Regional Regulation Number 10 of 2013, has the authority to implement;
  - (1) "Guidance, control and supervision of the implementation of public order is carried out by the Regent and implemented by the Civil Service Police Unit, together with other related SKPDs.
  - (2) The development of order as referred to in paragraph (1) includes:
    - a. socialization, guidance and counseling to the community and officials;
    - b. skills education for the community;
    - c. technical guidance to relevant regional apparatus and officials.
  - (3) Control as referred to in paragraph (1) includes licensing and regulatory activities.
  - (4) Supervision as referred to in paragraph (1) includes periodic monitoring, reporting and evaluation activities.
  - (5) Further provisions regarding the procedures for guidance, supervision and control as referred to in paragraphs (1) to (4) are regulated by the Regent's Regulation."
- b. The East Java Provincial Social Service through the UPT (Social Services for Youth Development) PSBR, has duties in accordance with those written in the East Java Governor Regulation Number 85 of 2018 concerning the Nomenclature, Organizational Structure, Job Descriptions and Functions and Work Procedures of the Regional Technical Implementation Unit of the East Java Provincial Social Service. Article 23 states that the UPT PSBR "has the task of carrying out part of the Service's duties in social services for clients, namely abandoned youth who have dropped out of school at the age of 15 (fifteen) to 21 (twenty-one) years, administration and community services." Meanwhile, Article 24 explains the function of the UPT PSBR which reads;

"To carry out the duties as referred to in Article 23, the Youth Social Services UPT has the following functions:

  1. preparation of UPT program and activity planning;
  2. implementation of client candidate selection;
  3. implementation of social services;
  4. implementation of services to fulfill basic client needs;
  5. preparation of technical support materials for further development up to the decision on the service contract;

6. preparation of technical support materials for the implementation of social service cooperation;
7. implementation of basic skills distribution for clients;
8. implementation of repatriation for clients who receive social services;
9. implementation of administration;
10. implementation of community services;”
11. implementation of monitoring, evaluation and reporting; and
12. carrying out other tasks assigned by the Head

## **2. Obstacles Faced in Fulfilling Legal Protection for the Educational Rights of Street Children Working in Sidoarjo Regency**

The Sidoarjo Regency Social Service's implementation of street children's educational rights faces several internal and external challenges. These include:

### **a. Internal Obstacles Faced by the Social Services of Sidoarjo Regency**

Internal obstacles that influence the obstruction of the fulfillment of street children's rights can be seen from the implementation of laws and regulations by the authorities regarding legal protection for street children.

The first obstacle is that many regulations remain incompletely implemented, or even completely unfulfilled, preventing them from being fully implemented. A lack of legal awareness among agencies and institutions obligated to fulfill the rights of street children impacts the smooth implementation of existing Regional Regulations and prevents them from being fully implemented.

The second obstacle stems from costs or funding. Ms. Sri Asih explained that a lack of funding can hamper the process of identifying and fostering street children, including providing facilities. A comprehensive facility for handling street children requires adequate funding; if funds are insufficient, the facilities provided will not be sufficient to meet all the needs of fostering street children. This lack of funding can also reduce the capacity of the Social Services Department to foster all street children in need of assistance. This can also slow down the fostering process because not all children encountered can be reached and cared for simultaneously.

### **b. Internal Obstacles Faced by UPT PSBR Jombang**

Internal challenges also occur within the Technical Implementation Unit (UPT), as conveyed by Ms. Nenden Desnawati, who stated that the Jombang PSBR UPT is experiencing a shortage of human resources or staff. As a center for fostering street children, the UPT PSBR Jombang carries out its duties and receives staff sent by the central government. They are unable to recruit their own staff. Currently, the challenge they face is a lack of human

resources or staff to carry out the development of a large number of street children. This shortage is also inversely proportional to the number of employees who will retire.

c. External Obstacles Faced by the Social Services Department of Sidoarjo Regency

External factors that cause obstacles in implementing the fulfillment of street children's rights in accordance with statutory regulations are not far from community behavioral factors and community legal awareness.

The first obstacle lies in the large number of children who come from outside the Sidoarjo area, such as surrounding cities and regencies. This complicates the process of fostering street children compared to those from within Sidoarjo, as the permitting process requires additional involvement from the government of their home region.

The second obstacle is the large number of children who are unwilling to participate in educational counseling, even though many of their parents have given their consent. Ms. Sri Asih stated that even with parental consent for their children to receive counseling, the Social Services Department still cannot take street children to receive counseling because there must be no element of coercion in the implementation of counseling, as previously explained. Another obstacle also occurs for children who have already undergone counseling. Despite efforts to handle and provide counseling, street children still return to the streets. (Hanik 2018)

The third obstacle is influenced by the awareness factor of the Sidoarjo Regency community itself. The community's attitude of giving to street children and their treatment of them makes street children who earn a living in their surrounding areas feel comfortable settling there. These street children will settle in areas where they perceive it's easy to earn a living with the help of the surrounding community.

## CONCLUSION

Legal protection for the educational rights of street children working in Sidoarjo Regency includes legal protection in preventive and repressive forms. The Sidoarjo Regency Social Service has attempted to provide preventive legal protection through East Java Governor Regulation Number 33 of 2018 and Sidoarjo Regency Regional Regulation Number 10 of 2013 which protects street children by categorizing them as children at risk whose rights must be respected and given special protection.

In addition, preventative legal protection is provided by the Sidoarjo Regency government's appeal to the public to refrain from giving to street children to prevent their numbers from increasing. The Sidoarjo Regency Social Services Department also plays a role in protecting and supervising street children by collaborating with other agencies and institutions, such as Civil Service Police Unit (Satpol PP).

also implemented a repressive legal protection measure, collaborating with the Youth Social Services Agency (UPT PSBR) to provide basic education to street children whose educational rights have not been met. This assistance provides formal education in the form of mental, physical, and religious development, as well as skills training.

The obstacles faced by the Sidoarjo Regency Social Services in implementing legal protection for the educational rights of street children working in Sidoarjo Regency consist of internal and external obstacles. The first internal obstacle is the lack of legal awareness among government officials, resulting in the implementation of laws and regulations being hampered or even incomplete. Meanwhile, the second internal obstacle stems from a lack of funding or costs. The lack of funds to support street children as a whole can slow down the process of coaching as one of the efforts to fulfill the right to education for street children.

Furthermore, the Jombang PSBR UPT also faces internal challenges related to a lack of human resources or staff deployed by the central government. With the large number of street children requiring guidance, the limited human resources result in a lack of smooth implementation.

The Sidoarjo Regency Social Services Department also faces external obstacles in fulfilling the educational rights of street children. The first external obstacle is the large number of street children from outside Sidoarjo, making the licensing process for mentoring complicated. The second obstacle is the large number of children who refuse to participate in mentoring. The third obstacle is the community's attitude, which is still very tolerant of street children in their area, making them feel comfortable settling and earning a living in the area.

### **Suggestion**

- a. Working street children should raise their awareness of education by studying more actively or participating in training programs provided by the Sidoarjo Regency Social Services Office and the Youth Social Services Development Unit (UPT PSBR). Street children are also expected to learn to pay more attention to the environment in which they grow and develop. An education-friendly environment significantly impacts children's awareness of education.
- b. Working parents of street children should pay more attention to their children's education and motivate them by educating them about the importance of 12 years of compulsory education. The need to acquire knowledge should be instilled in children as a standard for creating a better life for themselves in the future.
- c. The government, particularly the Sidoarjo Regency Social Services Office and the UPT PSBR (Social Services for Youth Development), is expected to raise legal awareness regarding the fulfillment of street children's right to education so that they can respond to their issues swiftly and educationally. The government should also be considerate in dealing with street children, as the harsh environment on the



streets can shape how they socialize and with whom they interact. The government should also begin to be more proactive in managing funds, facilities, and infrastructure, as these are key factors in supporting the development of street children.

## REFERENCES

- Aas, Siti Sholichah, Desy Ayuningrum, and Nur Afif. 2021. "Efektifitas Kegiatan Kajian Parenting Dalam Meningkatkan Kesadaran Orang Tua Terhadap Pengasuhan Anak Usia Dini." *Murhum: Jurnal Pendidikan Anak Usia Dini* 1-9. doi: 10.37985/murhum.v2i2.41.
- Astutik, Siti Mujidaliffah. 2022. *Pedoman Materi Pembinaan Penerima Manfaat (PM)*. UPT PSBR Jombang.
- Budianto, Ahmad Andry. 2023. "JKPP (Jurnal Kajian Pendidikan Dan Psikologi) PENTINGNYA PENDIDIKAN IKLUSIF: MENCIPTAKAN LINGKUNGAN BELAJAR YANG RAMAH GAI SEMUA SISWA." 1(1).
- Fajar, Mukti, and Yulianto Achmad. 2010. *Dualisme Penelitian Hukum Normatif & Empiris*. Yogyakarta: Pustaka Pelajar.
- Hanik, Faricha Umi. 2018. *Penanganan Anak Jalanan Menuju Sidoarjo Kota Layak Anak*.
- International Labor Organization. 2021. "Pekerja Anak Meningkat Menjadi 160 Juta – Peningkatan Pertama Dalam Dua Dasawarsa." Retrieved March 4, 2023([https://www.ilo.org/jakarta/info/public/pr/WCMS\\_804223/lang--en/index.htm](https://www.ilo.org/jakarta/info/public/pr/WCMS_804223/lang-en/index.htm)).
- Kabupaten Sidoarjo. 2021. "Ekonomi Dan Bisnis Kabupaten Sidoarjo." Retrieved March 6, 2023(<https://www.sidoarjokab.go.id/ekonomi-bisnis>).
- Rahmadany, Septian Pratama, Mochamad Adam Fahreza Zein, and Ferrario Mahatamtama Harya. 2021. *EKSPLOITASI ANAK YANG DIJADIKAN PENGEMUS OLEH ORANGTUANYA DI SURABAYA*. Vol. 1.
- Setiasih, Widihartati, and M. Pd. 2020. *Perlindungan Hukum Terhadap Anak Jalanan Ditinjau Dari Aspek HAM Di Kota Semarang*.
- Soekanto, Soerjono. 2014. *Pengantar Penelitian Hukum*. Jakarta: UI Press.