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The Homeless in Malaysia: Issues and Policy Solutions

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Executive Summary

- The purpose of this paper is to examine the current state of homelessness in Kuala Lumpur. Although there is an annual increase in the number of homeless people, not enough is being done to curb the problem. This can be attributed to the lack of understanding the rest of society has when it comes to affairs of the homeless.
- The paper explores possible factors that may lead an individual to become homeless. Examples of these include personal factors such as substance abuse or family breakdown, and structural factors such as unemployment and the lack of available low-cost housing. The problems the homeless face due to their homelessness is considered in section 6.
- This paper further reveals that the Destitute Persons Act 1977 inadvertently deprives the homeless of their fundamental rights and freedoms. These include the right to personal liberty, freedom of movement, right to property, and the right to due process.
- It is proposed that the current Act has been ineffective in solving the homelessness issue in Kuala Lumpur, and that a new and better Act should therefore be enacted in its place.
- Referencing the models of Singapore, Tokyo and Finland, several recommendations are made as to how the government can curb and end homelessness. There are a number of issues that this paper finds necessary to fix:
 - the fact that our minimum wage is not high enough to meet the rising costs of living,
 - the lack of affordable housing available in the city, and
 - the public's perception of the homeless community.
- This paper concludes with the finding that it is more cost effective to increase the minimum wage than it is to build social housing for the homeless. It will provide the homeless with the necessary funds to support themselves and keep more people from ending up on the streets.

1.0 Introduction

- 1.1 A study conducted by the Kuala Lumpur City Council (DBKL) has revealed that the number of homeless people in Kuala Lumpur stands at 1,500-2,000 as of February 2016. These figures show a threefold increase of homeless people since 2014, where only 600 homeless people were recorded.
- 1.2 Based on a Kuala Lumpur street census conducted by the non-governmental organisation UBUNTU Malaysia¹, the figure they provided was 1,387 homeless persons as of the year 2010.
- 1.3 Based on the figures obtained, the rate of homelessness is increasing by the year. The fundamental reason for this possibly being due to the stagnating economic situation in the last few years. Homelessness persists as the public and government are not sympathetic enough to the plight of the homeless, and are choosing to ignore the epidemic. This uncaring attitude is likely because those who are homeless often get a bad reputation due to negative stereotypes².
- 1.4 Public perception aside, this paper further suggests that the authorities in charge of helping the homeless may not have enough of an understanding of the problem. Without that understanding, the authorities may not be employing the best means to help the homeless. An example used to illustrate this point will be the Destitute Persons Act (DPA)³, which is the primary legislation overseeing affairs related to the homeless. The DPA⁴ has been criticised for its poor implementation, which in turn deprives the homeless of several constitutional rights and freedoms.
- 1.5 This paper will examine the extent of these issues, and propose reforms by drawing from the models of three other countries that have been successful in lowering their rates of homelessness.

¹ UBUNTU Malaysia, Non-government Organisation. Retrieved from <http://www.ubuntumalaysia.com/>

² Tan Su Lin. (2014). *90 percent of homeless are Malaysians with jobs*. Retrieved from <http://english.astroawani.com/malaysia-news/90-cent-homeless-are-malaysians-jobs-39082>

³ Destitute Persons Act 1977

⁴ Ibid

2.0 Types of Homelessness and Issues in Counting Them

- 2.1 The United Nations Statistical Division (UNSD; 2008) identifies two groups that fall under the general definition of homelessness: primary homelessness, and secondary homelessness⁵.
- 2.2 Primary homelessness, otherwise known as 'rooflessness', refers to the group of people who are sleeping roughly on the streets, and not in shelters that would fall within the scope of suitable living quarters⁶.
- 2.3 On the other hand, the secondary homeless are those with no place of usual residence and frequently move from one temporary shelter to another. This includes couch surfers, those living in hostels, and anyone who reports "no usual address" on their census forms.
- 2.4 Further, Mackenzie and Chamberlain provide a third category: tertiary homelessness⁷. This is experienced by people staying in forms of accommodation that fall below minimum community standards. The accepted minimum community standard in Australia, according to Mackenzie and Chamberlain, is a "small rental flat - with a bedroom, living room, kitchen, bathroom and an element of security of tenure - because that is the minimum that most people achieve in the private rental market."⁸
- 2.5 Due to the varying definitions available, there are complexities involved in determining who is considered homeless, and figures may not necessarily be accurate. Another reason for this imprecision is that statistics on homelessness may only account for those who are visibly homeless. As a result, the 'hidden' homeless,

⁵ Social, Cultural and Humanitarian Committee (SOCHUM), 7th Session of Budapest International Model United Nations. (2016). *Measures to reduce homelessness*. Retrieved from http://www.bimun.hu/documents/cg_2017/SOCHUM_Measures_to_reduce_homelessness.pdf

⁶ Chris Chamberlain and David MacKenzie, 'Counting the Homeless' (2006) Australian Institute of Health and Welfare 5; Raja Norliana Binti Raja Omar & Wee Yu Ghee, 'Homelessness in Malaysia: victims of circumstance or by choice?' (2015) AJPS 26, pp 27. Retrieved from <https://ejournal.unib.ac.id/index.php/ajps/article/view/966/807>

⁷ Ibid.

⁸ Chris Chamberlain and David MacKenzie, 'Understanding Contemporary Homelessness: Issues of Definition and Meaning' (1992) Australian Journal of Social Issues, 27(4), 274-297; Raja Norliana Binti Raja Omar & Wee Yu Ghee, 'Homelessness in Malaysia: victims of circumstance or by choice?' (2015) AJPS 26, pp 27. Retrieved from <https://ejournal.unib.ac.id/index.php/ajps/article/view/966/807>

who do not visit soup kitchens or loiter in public areas, are not represented in the figures and go unaccounted for.⁹

3.0 Homelessness in Malaysia

- 3.1 Accurate figures for homelessness are difficult to come by. The most recent figures to date come from a study conducted in February 2016 by the Kuala Lumpur City Council (DBKL), which reports that the number of homeless people in the city range from 1,500-2,000¹⁰.
- 3.2 As of 2016, Kuala Lumpur has an estimated population of 1.79 million people across an area of 243 square kilometres.¹¹ The percentage of homeless people may therefore seem inconsequential in comparison. However, it is important to note that the figures of homeless persons have tripled since 2014, where it was at 600¹², and will likely increase unless measures are taken to help the homeless.
- 3.3 Malaysia has yet to establish a set definition for the term 'homelessness', all affairs concerning the homeless fall under the umbrella of the Ministry of Women, Family and Community Development (MWFCD), and any enforcement duties of its policies are delegated to the Social Welfare Department (SWD).¹³

⁹ Gaia Marcus. (2017). *To combat homelessness, we need to count the hidden homeless too*. Retrieved from <http://www.independent.co.uk/news/homelesshelpline/homeless-helpline-centrepoint-hidden-homeless-youth-homelessness-total-official-homelessness-figures-a7574321.html>

¹⁰ Malaysian Digest. (2016). *Numbers of Homeless People Increased by Three-Fold in Kuala Lumpur, What Are We Doing to Curb the Problem?* Retrieved from <http://malaysiandigest.com/features/596717-numbers-of-homeless-people-increased-by-three-fold-in-kuala-lumpur-what-are-we-doing-to-curb-the-problem.html>

¹¹ Department of Statistics Malaysia. (2017). *Population statistics for the federal territory of Kuala Lumpur*. Retrieved from https://www.dosm.gov.my/v1/index.php?r=column/cone&menu_id=bjRlZXVGdnBueDJKY1BPWEFPRlhdz09

¹² Malaysian Digest. (2016). *Numbers of Homeless People Increased by Three-Fold in Kuala Lumpur, What Are We Doing to Curb the Problem?* Retrieved from <http://malaysiandigest.com/features/596717-numbers-of-homeless-people-increased-by-three-fold-in-kuala-lumpur-what-are-we-doing-to-curb-the-problem.html>

¹³ Dr Sharifah Mariam Alhabshi & Alifatul Kamilah binti Abdul Manan, *Homelessness in Kuala Lumpur, Malaysia: A Case of Agenda Denial*. (2012) IJSST, pp 1. Retrieved from https://umexpert.um.edu.my/file/publication/00007141_79227.pdf

4.0 Stereotypes against the Homeless

- 4.1 The Women, Family and Community Development Minister (MWFCD) Datuk Seri Rohani Abdul Karim was reported to have said that “homeless people live an easy life by relying on the generosity from the citizens, and prefer to steal or beg for money and food, rather than to have a normal life.” Further, the spokesperson for the Department of Social Welfare (DSW) Zulkapli Sulaiman label the homeless as drifters and trouble makers.¹⁴
- 4.2 In 2012, the Department of Social Welfare initiated the “Henti Memberi, Kami Prihatin” campaign. The campaign’s objective was to reduce begging on the streets by instructing the public not to give money to the destitute. This campaign was justified by claims that the pittance given would only contribute to social ills such as drug use and gambling.¹⁵ In lieu of that, the department suggested that the money would be better spent if donated to orphanages or NGOs.¹⁶
- 4.3 Additionally, the common public perception of the homeless is negative: they are assumed to be addicts who squander their money on either drugs, alcohol, or gambling, and are too lazy to get off their feet and find work.¹⁷
- 4.4 Though this may hold true for a small percentage of homeless people, not all of them suffer from substance abuse, as addiction is only one of the many contributing factors that can lead to homelessness. In fact, previous JKM findings based on a survey of 1,387 homeless people in Kuala Lumpur showed that only 4.8%

¹⁴ Raja Norliana Binti Raja Omar & Wee Yu Ghee, *Homelessness in Malaysia: victims of circumstance or by choice* (2015) AJPS 26. Retrieved from <https://ejournal.unib.ac.id/index.php/ajps/article/view/966/807>

¹⁵ Rayna M Rusenko & Debbie YM Loh, *Begging, the Destitute Persons Act 1977, and the law: an exploratory survey* (2014) UM, pp 6. Retrieved from https://www.researchgate.net/publication/268809508_Begging_the_Destitute_Persons_Act_1977_and_punitive_law_An_exploratory_survey

¹⁶ Utusan Online. (2012). *Henti memberi wang kepada pengemis*. Retrieved from http://ww1.utusan.com.my/utusan/info.asp?y=2012&dt=0203&pub=Utusan_Malaysia&sec=Kota&pg=wk_02.htm

¹⁷ Nobaya Ahmad, Hanina Halmiatusaadiah Hamsan & Precious Ann Santos Oria, *NGOs and the Homelessness in Kuala Lumpur: Towards Moralistic Trust* (2014) Jati 2, pp 118. Retrieved from <https://ejournal.um.edu.my/index.php/jati/article/view/5571/3325>

were drug abusers.¹⁸

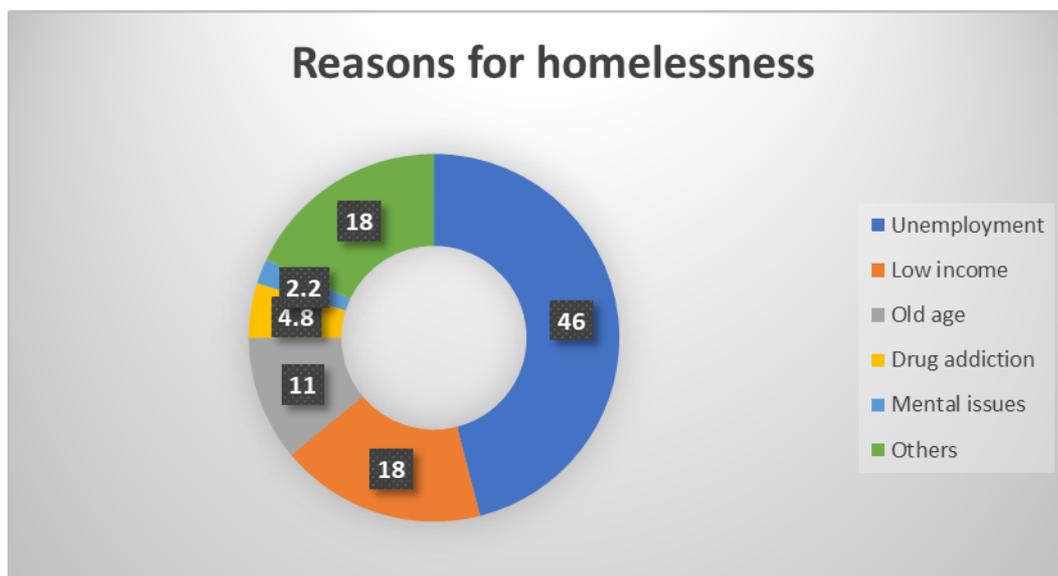


Figure 1.1 – Reasons for Homelessness in Malaysia¹⁹

¹⁸ Nurul Mahfuzah Ahmad Yani, Nur Zakirah Zahari, Nur Fatini Haziqah Abu Samah, Muhammad Ammar Faidhi Mohamed Azahar, Siti Munira Yasin, Mohd Shahril Ahmad Saman, *Factors Associated with Homelessness and its Medical Issues among Urban Malaysians: A Qualitative Research*, Journal of Clinical and Health Sciences, Vol 1 (1) (2016), pp 47. Retrieved from <http://jchs-medicine.uitm.edu.my/images/article/original/Factors-and-Medical-Issues-Associated-With-Homeless-Urban-Malaysians-A-Qualitative-Research.pdf>

¹⁹ Ibid, pp 27

5.0 Factors that Influence Homelessness

- 5.1 The factors that influence homelessness can be categorised into two groups: individual factors, and structural factors.²⁰
- 5.2 Individual factors refer to the personal circumstances in an individual's life that may have played a part in pushing them out onto the streets. Examples of these include poverty, mental health problems, substance misuse, lack of familial support, traumatic events, or a history with the criminal justice system.²¹
- 5.3 Based on a qualitative sample of 24 homeless respondents currently based at Pusat Sehenti Desa Bina Diri Sungai Buloh, it was found that 10 residents in the sample size were homeless due to family conflict.²²
- 5.4 One of the respondents interviewed revealed that she had travelled to Kuala Lumpur to stay with her children, but was unable to call or locate them and had to settle for sleeping on the street.
- 5.5 Relationship breakdown was also a factor, affecting 15% of the respondents of the study. With the cost of divorce and the subsequent lowering of the family's total income from the split, individuals were unable to support themselves and could no longer afford to find a place to stay.
- 5.6 On the other hand, structural factors refer to societal and economic issues such as the absence of low-cost housing, the lack of opportunities for lower skilled workers, and unemployment.²³
- 5.7 In study conducted by the Society for Promoting International Research and Innovation in 2012, 41% of the homeless in the

²⁰ Yani et al, *Factors Associated with Homeless and its Medical Issues among Urban Malaysians: A Qualitative Research* (2016) Journal of Clinical and Health Sciences 5, pp 7. Retrieved from http://ir.uitm.edu.my/14935/1/AJ_NURUL%20MAHFUZH%20AHMAD%20YANI%20JCHS%2016.pdf

²¹ Fazel S, Geddes JR, Kushel M, *The health of homeless people in high-income countries: descriptive epidemiology, health consequences, and clinical and policy recommendations*. Lancet. 2014; 384(9953): 1529-40; Ibid.

²² Ibid.

²³ Jesse Donaldson, Stephen Gaetz, Tanya Gulliver & Tim Richter, *The State of Homelessness in Canada* (2014) Toronto: The Homeless Hub Press, pp37. Retrieved from <http://homelesshub.ca/sites/default/files/SOHC2014.pdf>

sample size of 25 migrated to Kuala Lumpur in search of better opportunities.²⁴ However, with the combination of wage stagnation and the rising cost of living, many found themselves unable to support themselves, and homelessness ensued.

- 5.8 There are also individuals who choose to sleep on the streets due to affordable housing being outside city limits.²⁵ Unwilling to pay the cost of public transport daily, some opt to sleep in public areas closer to their workplaces instead.²⁶

6.0 Problems the Homeless Face

- 6.1 Problems that the homeless face go beyond the need for shelter – they also face social disadvantages that exclude them from fitting in with society. A few examples of this are reduced access to services such as healthcare, employment, and even banking services.²⁷ This is as they are unable to provide permanent addresses when filling out forms, and may not be easily contactable as such.
- 6.2 Next, studies have consistently shown that homeless people are more susceptible to suffering from mental disorders than the rest of the general population.²⁸ Further, because mental illnesses can be difficult to diagnose, these disorders may go undetected and a homeless person will not receive the appropriate treatment and support they need.
- 6.3 The homeless also tend to face additional discrimination due to social stigmas. For example, surveys have shown that employers are generally reluctant to take on workers with either physical or mental disabilities. To illustrate this, a recent Star newspaper article

²⁴ Dr Sharifah Mariam Alhabshi & Alifatul Kamilah binti Abdul Manan, *Homelessness in Kuala Lumpur, Malaysia: A Case of Agenda Denial* (2012) IJSST 5, pp 5. Retrieved from https://umexpert.um.edu.my/file/publication/00007141_79227.pdf

²⁵ Wong Ee Lynn. (2014). *Homelessness: Wage War Against Poverty, Not the Poor*. Retrieved from <https://www.nst.com.my/news/2015/09/homelessness-wage-war-against-poverty-not-poor>

²⁶ Boo Su-Lyn. (2018). *Those who call KL's streets home*. Retrieved from <http://www.themalaymailonline.com/malaysia/article/those-who-call-kl-s-streets-home>

²⁷ Raja Norliana Binti Raja Omar & Wee Yu Ghee, *Homelessness in Malaysia: victims of circumstance or by choice?* (2015) AJPS 26, pp 27. Retrieved from <http://repository.unib.ac.id/11088/7/AJPS-1-1-3-UR.pdf>

²⁸ Baggett TP, O'Connell JJ, Singer DE, Rigotti NA. *The unmet health care needs of homeless adults: a national study*, *Am J Public Health*, 2010; 100(7): 1326-33. Retrieved from http://www.turner-white.com/memberfile.php?PubCode=jcom_aug10_homeless.pdf

disclosed that only 0.26% of people with disabilities are represented in the civil service sector.²⁹

- 6.4 Section 29(2) of Malaysia's Persons with Disabilities Act 2008 imposes a duty on the employer to protect the rights of persons with disabilities to just and favourable conditions of work on an equal basis with those without disabilities.³⁰ Although disability-friendly infrastructure is provided to accommodate people with disabilities, the percentages of such provisions in Malaysia have been minimal. In a study conducted in 2013 based on 478 respondents, merely 15% of disabled persons were provided with ramps, 23% with accessible toilets, 30% with disabled parking spots, and 13% with transportation.³¹ This may be due to the costs involved in providing reasonable adjustments to those with disabilities.³² As a result, those who are disabled who want to work may be unable to because of the lack of disability-friendly facilities available.

7.0 Why there's an Issue

- 7.1 Social and financial issues aside, another matter is the implementation of the Destitute Persons Act (DPA). Due to the lack of an established definition for homelessness, all affairs related to the homeless fall within the purview of this legislation. The act was passed in 1977, and the last amendment to it was in 1985. It seeks to provide for the care and rehabilitation of destitute persons as well as for the control of vagrancy.

- 7.2 Under the act, a destitute person is defined as:
- (a) Any person found begging in a public place in such a way as to cause or to be likely to cause annoyance to persons frequenting the place or otherwise to create a nuisance; or
 - (b) Any idle person found in a public place, whether or not he is

²⁹ Sharmila Nair. (2017). *Chance of employment for those with disabilities*. Retrieved from <https://www.thestar.com.my/news/nation/2017/04/14/chance-of-employment-for-those-with-disabilities/>

³⁰ Section 29(2) of the Persons with Disabilities Act 2008

³¹ Suet Leng Khoo, Ling Ta Tiun & Lay Wah Lee, *Workplace discrimination against Malaysians with disabilities: Living with it or fighting against it?* (2013) DSQ 33(3). Retrieved from <http://dsq-sds.org/article/view/3399/3247>

³² Bob Peck & Lynn Trew Kirkbride, *Why Businesses Don't Employ People with Disabilities* (2001) Journal of Vocational Rehabilitation 16(2). Retrieved from <https://vcrrtc.org/resources/viewContent.cfm/476>

begging, who has no visible means of subsistence or place of residence or is unable to give a satisfactory account of himself.

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- 7.3 However, the broad definition of a destitute person means that even street buskers and tissue sellers fall below this definition.
- 7.4 The statute gives power to officers to find and send suspected destitute persons to reside in welfare homes without trial,³⁴ where they will stay for up to three years. According to section 8(1), those admitted to the homes are not allowed to leave without permission, and are only discharged early from the home when they have found appropriate work to sustain themselves, or have found someone willing to care for them.
- 7.5 Further, those who either resist capture, attempt to escape from their officer-in-charge, or run away from the welfare home will have committed an offence under the Act, and if convicted, may face imprisonment of up to three months.³⁵

8.0 Why the DPA is an Issue

- 8.1 Concerns have been raised about the implementation of the piece of legislation. Instead of being an appropriate measure in safeguarding the rights and interests of the homeless, the act instead treats the homeless as vagrants who should be incarcerated.³⁶ In a press statement in 2014, the Member of Parliament of Serdang, Dr. Ong Kian Ming stated that the detainment of the homeless in welfare homes against their will is an infringement of their rights, and that the use of the DPA to criminalise homelessness should be condemned.³⁷
- 8.2 Non-governmental organisation "Food Not Bombs" has also called for an immediate repeal of the DPA, describing it as a 'punitive

³³ Destitute Persons Act section 2.

³⁴ Destitute Persons Act section 3(1).

³⁵ Destitute Persons Act section 11.

³⁶ Raja Norliana Binti Raja Omar & Wee Yu Ghee, *Homelessness in Malaysia: victims of circumstance or by choice?* (2015) AJPS.

³⁷ Dr Ong Kian Ming, *Destitute Persons Act should not be used like the recently abolished ISA to detain the homeless against their will*. Retrieved from <https://dapmalaysia.org/en/statements/2014/07/06/18856/>

instrument - both in premise and implementation'.³⁸

- 8.3 Further, a fact sheet published by “Food Not Bombs” discloses that the execution of the Act violates several constitutional rights and freedoms that the homeless are deserving of.³⁹
- 8.4 One such example is the infringement of personal liberty. Personal liberty is a right under Article 5(1) of the constitution⁴⁰ as well as Article 3 of the United Nations’ Universal Declaration of Human Rights (UDHR).⁴¹ The right provides all persons with freedom from arbitrary arrest and detention, but the round-ups on the homeless orchestrated by the Social Welfare Department’s Ops Qaseh programme and the subsequent forced confinement of the destitute at welfare homes deprives homeless persons of such liberty.
- 8.5 Another right that has been impinged upon by the Destitute Property Act is freedom of movement, which is a right enshrined in Article 9(2) of the constitution⁴² and Article 13 of the UDHR.⁴³ It provides everyone with the right to freedom of movement and residence within the borders of each state, as well as the right to leave and return to any country. By targeting the homeless with their round-up operations and forcing them off the streets, the Destitute Persons Act inadvertently obstructs the freedom of homeless persons to move freely in public areas.
- 8.6 Next on the list is the right to property, which is assured under Article 13 of the Constitution⁴⁴ as well as Article 17 of the UDHR.⁴⁵ Although the UDHR states that no one shall be arbitrarily deprived of his property under this article, the homeless are denied this right during integrated round-up operations. When these operations are being held, the homeless may not be allowed to stop to gather their belongings as it is an offense under the Act to resist a welfare

³⁸ S. Indramalar, ‘NGO: Repeal law on destitute folk’ *The Star* (12 June 2014).

³⁹ Food Not Bombs KL. (2014). Destitute Persons Act 1977 Fact Sheet. Retrieved from <http://empowermalaysia.org/isi/uploads/2014/11/Destitute-Persons-Act-Fact-Sheet-FNBKL.pdf>

⁴⁰ Article 5(1) Federal Constitution Malaysia.

⁴¹ Article 3 Universal Declaration of Human Rights.

⁴² Article 9(2) Federal Constitution Malaysia.

⁴³ Article 13 Universal Declaration of Human Rights.

⁴⁴ Article 13 Federal Constitution Malaysia.

⁴⁵ Article 17 Universal Declaration of Human Rights.

officer. After they're led away, Alam Flora –who are contracted to clean up after operations—often dispose of all personal belongings found on-site. This can range from important documents such as identification papers and health records to personal items such as clothes or medication.

8.7 Due process is a right guaranteed under Article 5(1) of the Malaysian constitution⁴⁶, and guarantees that no person shall be denied of his personal liability save in accordance with the law. Procedural due process is frequently denied to the homeless who are caught in round-up operations, and they are not informed of the basis for action against them, nor their right to legal representation.

8.8 The right to due process is also guaranteed under Articles 9 and 10 of the UDHR,⁴⁷ which concerns the ban on arbitrary detention and the right to a public hearing respectively. Again, it should be noted that the homeless are sent to these homes against their will, and are forced to stay involuntarily until the relevant authorities deem them free to leave. Furthermore, as no legal appeals have been filed to a magistrate's order regarding the Act even though there have been numerous cases of escapes from welfare homes over the years, the question of whether the homeless who are detained have adequate access to an appeals system has been raised.

8.9 Although it is true that the basic needs of the homeless may be met upon their admission into the welfare homes, it comes at the expense of their personal liberties.⁴⁸

9.0 Ideas for Implementation – Different Definitions of Homelessness?

9.1 As there is no set definition for what constitutes homelessness in Malaysia, organisations conducting head counts of the homeless population in the country may do so based on varying definitions.

⁴⁶ Article 5(1) Federal Constitution Malaysia.

⁴⁷ Article 9-10 Universal Declaration of Human Rights.

⁴⁸ Kuala Lumpur Committee to Address Homelessness and Poverty, *Homelessness, Begging and the Destitute Persons Act 1977* (2015) KL-CAHP. Retrieved from https://www.researchgate.net/publication/280386882_Homelessness_Begging_and_The_Destitute_Persons_Act_1977_Policy_Paper

Due to this, the homeless population may be undercounted, which leads to inaccuracy in data, and the real severity of the issue in the country is thusly understated.

- 9.2 To combat this, this paper suggests that a good first step in fixing the problem is for the relevant authorities to come up with an official definition for homelessness. Further, a street count should be done annually to ensure that the figures are constantly updated. Although the task may seem daunting, cities such as Hong Kong and London do it with the help of local university students.⁴⁹

10.0 Ideas for Implementation - Consider what to do Re-DPA

- 10.1 Next, the use of the Destitute Persons Act in overseeing all affairs regarding the homeless should come under review. Although the Destitute Persons Act has been in operation since 1977, there has been no indication thus far that the punitive legislation has been effective in reducing the problem.
- 10.2 As has been pointed out in this paper, the execution of the Destitute Persons Act is poor. Affairs of the homeless should not be lumped together with those of beggars as homelessness and begging is not exclusive. Unlike beggars, the homeless do not necessarily loiter in public places soliciting people for money.
- 10.3 Additionally, although the Act proclaims that its aim is to provide for the care and rehabilitation of destitute persons as well as control vagrancy, the actions taken by the Department of Social Welfare in its name thus far seem to be concentrated more on achieving the latter objective than the former. Rather than aid the homeless in becoming self-subsistent, the authorities in charge seem to be more concerned with hiding the homeless away in welfare homes.
- 10.4 Further, the wording of the Act itself is problematic as several sections of the statute deprive individuals of their constitutional rights and freedoms. Simply put, the ends do not justify the means.

⁴⁹ Cathy Law. (2015). *400 volunteers kick off homeless street count*. Retrieved from <https://newscentre.cityu.edu.hk/media/news/2015/10/23/400-volunteers-kick-homeless-street-count>

10.5 In conclusion, the Destitute Persons Act has been ineffective in achieving its aims. Rather than safeguarding the rights and interests of the homeless, it has instead been criminalising homelessness. In light of this, it is proposed that a new Act should be enacted specifically to handle affairs related to the homeless.

11.0 Overcoming Personal Barriers

11.1 To address the personal issues that lead to a person becoming homeless, perceptions need to change. People do not become homeless because they are lazy and want to live off handouts. Many fall into homelessness because they have insufficient income to meet the rising costs of living. There is also a percentage of homeless who face difficulty in entering the work force because they are neither able-bodied nor able-minded. These homeless persons are particularly vulnerable due to their health problems, as well as the social discrimination they face from society. If the society's perception of homelessness changes, there might be more inclination to help homeless people get back on their feet.

11.2 Another recommendation is that the homeless can be provided with a support worker, who will assist the homeless for the long-term.⁵⁰ Support workers can aid homeless persons with reintegrating themselves into society, such as by providing their clients with the financial management and independent living skills they need to ensure stability in their lives.

12.0 Ideas for Implementation - How to Fix Structural Factors

12.1 Next, more needs to be done to solve the structural causes of homelessness like wage stagnation and the lack of affordable housing. If the structural factors aren't resolved, homelessness will inevitably continue to happen regardless of how much we try to prevent it.

12.2 Because the fundamental definition of homelessness is because of a person's lack of housing, housing is therefore the core foundation to ending homelessness. The search for affordable housing is not just an issue that is restricted to those in poverty – the House Buyers

⁵⁰ Chris Middendorp. (2016). *Five ways to fix homelessness*. Retrieved from <https://www.smh.com.au/opinion/five-ways-to-fix-homelessness-20160714-gq5dno.html>

Association of Malaysia has warned that affordable housing may already be beyond the reach of even the middle-income group.⁵¹

- 12.3 Suggestions for how to resolve structural issues will be explored in the next few sections by examining the approaches taken by other countries.

13.0 Asian Countries – Singapore

- 13.1 Singapore- According to a Channel News Asia report from 2016, there are an estimated 900 individuals who live on the streets in Singapore.⁵²

- 13.2 Even so, the Singaporean government has actively taken several initiatives to combatting the problem. One such example is the establishment of the Housing & Development Board (HDB). The board was contracted to cater to the poor by building low-cost public housing widely known as HDB flats. As of March 2016, 90% of the resident population live in such lease accommodation.⁵³ With the HDB providing a wide variety of flats that cater to various housing budgets, there is no shortage of affordable housing for Singapore's residents.

- 13.3 The Singaporean government also has a Home Protection Scheme (HPS). The scheme was implemented in 1981, and helps to ensure that dependants of flat owners will not lose their homes in the event of death or permanent incapacity of the sole breadwinner.⁵⁴

- 13.4 If Malaysia desires to model their housing policies after that of Singapore's, a step to take is to reduce the number of privatised flats. By nationalising the housing market, the government can

⁵¹ Robin Augustin. (2017). *Homeless generation in the making*. Retrieved from <http://www.freemalaysiatoday.com/category/nation/2017/02/25/homeless-generation-in-the-making/>

⁵² Liyana Othman. (2016). *More than 900 displaced individuals, families identified between 2013-2015: MSF*. Retrieved from <https://www.channelnewsasia.com/news/singapore/more-than-900-displaced-individuals-families-identified-between--8203198>

⁵³ Phang Sock Yong & Matthias Helble, *Housing Policies in Singapore* (2016) Research Collection School of Economics 1(27). Retrieved from http://ink.library.smu.edu.sg/cgi/viewcontent.cgi?article=1019&context=soe_research_all

⁵⁴ Housing and Development Board, *Public Housing - A Singapore Icon* (HDB, nd). Retrieved from <http://www.hdb.gov.sg/cs/infoweb/about-us/our-role/public-housing--a-singapore-icon>

ensure that the cost of accommodation is within reach to the nation's residents.

14.0 Asian Countries – Tokyo

- 14.1 Tokyo- The next country this paper will review is Japan. In this section, our focus will be on Tokyo, the most populated city in the world. According to a government survey in 2014, the number of homeless persons stands at 1697 or one person for every 10,000 inhabitants, down from 6731 a decade ago.⁵⁵
- 14.2 Difference in numbers can be attributed to the change in public perception, the provision of employment advice, and temporary housing. The strong sense of duty families hold to relatives in need has also played a large part in bringing down homelessness in Tokyo.⁵⁶
- 14.3 The guarantee of a basic standard of living is rooted in the Japanese constitution itself, which promises its citizens the right to maintain the minimum standards of wholesome and cultured living.
- 14.4 This right is provided for with the implementation of the livelihood protection scheme, otherwise known as Seikatsu Hogo.⁵⁷ Upon taking into consideration an individual's specific circumstances, the Seikatsu Hogo staff will tailor a personal program to ensure that the individual has the support he or she needs to get back on their feet.
- 14.5 Further, Japanese courts have defended homeless rights on several occasions. For example, courts ruled that homeless tents on public land can't be arbitrarily dismantled by police. Police must follow the same due process as an eviction from a regular rental apartment.⁵⁸ In doing so, the judiciary has shown that it has taken

⁵⁵ Tom Benner. (2014). *Down and out in upscale Japan*. Retrieved from <https://www.aljazeera.com/indepth/features/2014/10/down-out-upscale-japan-20141026510150823.html>

⁵⁶ Scott Keyes. (2014). *Homelessness in the World's Largest City Just Hit a Record Low*. Retrieved from <https://thinkprogress.org/homelessness-in-the-worlds-largest-city-just-hit-a-record-low-e002d0feafa4/>

⁵⁷ Angela Jeffs & Ken Joseph Jr. (2010). *Seikatsu hogo: help for those in dire straits*. Retrieved from <https://www.japantimes.co.jp/community/2010/08/31/how-tos/seikatsu-hogo-help-for-those-in-dire-straits/>

⁵⁸ John Spacey. (2014). *Homelessness in Japan: Invisible and Tolerated*. Retrieved from <https://www.japan-talk.com/jt/new/homelessness-in-japan>

steps towards treating the homeless humanely and with dignity instead of merely disregarding them as lost causes.

15.0 European Countries – Finland

- 15.1 Finland – Additionally, this policy paper will also consider the state of homelessness in Finland. A report published by European Union (EU) housing organisation FEANTSA in 2017 found that every country in the EU was experiencing a homelessness crisis, with Finland being the sole exception.⁵⁹
- 15.2 The elimination of homelessness in Finland can be credited to the implementation of a national homelessness strategy in 2008 based on the Housing First model. As opposed to having to go through various channels where finding temporary accommodation can't be guaranteed due to the rigorous vetting process involved, homeless people in Finland are provided with low-cost permanent housing with the Housing First model.⁶⁰
- 15.3 The model is quite simple: when people are homeless, you give them housing first – a stable home, rather than progressing them through several levels of temporary and transitional accommodation. The idea stems from the belief that people who are homeless need a home, and other issues that may cause them to be at risk of homelessness can be addressed once they are in stable housing.⁶¹
- 15.4 All this costs money, but there is ample evidence that shows that it is always more cost-effective and sustainable to aim to end homelessness instead of simply trying to manage it. Investment in ending homelessness always pays back. Therefore, Finland proposes that providing permanent housing is the better long-term solution as opposed to transferring homeless individuals in and out of temporary shelters.

⁵⁹ The Foundation Abbé Pierre. (2017). *The Second Overview of Housing Exclusion in Europe 2017*, FEANTSA. Retrieved from http://www.feantsa.org/download/gb_housing-exclusion-report_complete_20178613899107250251219.pdf

⁶⁰ Harriet Martin. (2017). *Homelessness: what can we learn from Finland?* Retrieved from <https://www.wessexscene.co.uk/features/2017/03/31/homelessness-what-can-we-learn-from-finland/>

⁶¹ Juha Kaakinen. (2016). *Lessons from Finland: helping homeless people starts with giving them homes*. Retrieved from <https://www.theguardian.com/housing-network/2016/sep/14/lessons-from-finland-helping-homeless-housing-model-homes>

16.0 Budget

16.1 What does a homeless person need to survive, rehabilitate and finally re-join society? In this section, I will explore the requirements to achieve those results, as well as provide a budget estimate for the cost of implementation.

16.2 A homeless person's immediate needs are housing and food. The budget for that can be computed on this basis: for temporary housing, a room or a bed per person is estimated to cost RM25 a night. This temporary shelter will provide a roof over his head, some basic comfort, and other necessary facilities. Housing for 1,387 homeless people (based on JKM figures) at RM25 a night would amount to RM12.7 million a year.

RM25 per night x 1,387 homeless people x 365 days	=	RM12.7 million a year for SHELTER
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As for food, assuming we were to feed the homeless three meals a day at RM5 per meal, the cost for food for 1,387 homeless people (based on JKM figures) would total RM7.6 million a year.

RM5 per meal x 3 meals a day x 1,387 homeless x 365 days	=	RM 7.6 million a year for FOOD
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In total, the annual cost to house and feed 1,387 homeless people is roughly RM20.3 million.

RM12.7 million for SHELTER + RM7.6 million for FOOD	=	RM20.3 million annually to house & feed 1,387 homeless.
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16.3 For a longer-term solution, it is necessary to look beyond simply housing the homeless, and instead consider how to get people out of homelessness. Two key factors necessary in implementing this goal are steady employment and cheap but adequate housing solutions. Of the two, securing fair employment and wages is more sustainable in the long run. Although this may deviate from the models of countries such as Finland, it should be noted that the Finnish are provided with higher unemployment benefits than Malaysians are. In Malaysia's case, it is perhaps more imperative that we fix the rate of wages first to stop more people from becoming homeless.

16.4 While this paper is not a paper about wages, the need to increase the national minimum wage to a minimum of RM1,500 is an essential step to resolving all these problems. Of the two issues, income is the cheaper solution when compared to housing, and the budget will be explored here.

16.5 Firstly, we consider the cost of building social housing to cater to the homeless in Kuala Lumpur. Decent social housing will cost somewhere between RM70,000 for a 600 square feet apartment. On the budgetary level, this would require a RM97 million budget for housing for 1,387 homeless people.

RM70,000 x 1,387 units	=	RM97 million budget for housing
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16.6 Next, we consider the cost of implementing a higher minimum wage. Figure 1.1 illustrates that 46% of the homeless in Malaysia were homeless due to unemployment, and 16% were due to low income. Since we have an estimate of six million documented and undocumented foreign labourers in the country,⁶² it is safe to say that unemployment isn't necessarily a challenge in Malaysia. Rather, it can be surmised that the 46% who cite unemployment as a factor may have chosen not to work out of pure desperation due to their pay being too low. Increasing the minimum wage would therefore solve the problem for 62% of the homeless.

16.7 If we assume that the minimum wage should be set at RM1,500 a month, the 16% who need higher income will therefore require a RM500 increment in wages per month. In a year, the cost for this will sum up to RM1.33 million.

222 homeless (16%) x RM500 increment x 12 months	=	RM1.33 million
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Further, the cost to provide and secure jobs for the 46% who have cited unemployment as a factor for their homelessness is an additional RM 11 million.

638 homeless (46%) x RM1500 x 12 months	=	RM 11 million
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The total cost would amount to RM12.3 million, which is significantly lower than the cost of creating housing, as was explored in 16.5. Once these people have a steady income, they

⁶² Pook Ah Lek. (2016). *The dilemma of having foreign workers in Malaysia*. Retrieved from <http://www.straitstimes.com/opinion/the-dilemma-of-having-foreign-workers-in-malaysia>

can afford to rent a low-cost apartment, which is currently going at the rate of RM500 a month.

17.0 Implementation

- 17.1 Implementation of the suggestions provided in this paper will requires outcome-focused, research-based and targeted changes in government policies.
- 17.2 To achieve this, dedicated cooperation is required between the state, the municipalities, the NGOs, and the public.

18.0 Conclusion

- 18.1 Homelessness stems from many roots, and, subsequently, has no single, simple solution. If we aim to eliminate homelessness in Kuala Lumpur completely, addressing both the social and economic issues concerned is a crucial requirement.⁶³

⁶³ Prof Madya Dr Shamrahayu A. Aziz. (2014). *A proper plan for the destitute*. Retrieved from <https://www.thestar.com.my/opinion/columnists/ikim-views/2014/08/19/a-proper-plan-for-the-destitute/>

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