

# Homelessness in Our Cities

A Report by Penang Institute



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## 1.0 INTRODUCTION

On the 3<sup>rd</sup> of July 2014, Federal Territories Minister Datuk Seri Tengku Adnan Tengku Mansor issued a press statement banning mobile soup kitchen operations for a 2km-radius around Lot 10, which covers a significant area of the Kuala Lumpur city centre.<sup>1</sup> At the same time, he had also announced future plans to implement by-laws and standard operating procedures to curb beggars and alm-givers in the city. This sparked a barrage of criticism on social media, even prompting the Minister of Women, Family and Community Development (MWFCD), Dato' Rohani Abdul Karim to come to his defence.<sup>2</sup> It even prompted the Prime Minister to make a visit to the homeless in the heart of Kuala Lumpur.<sup>3</sup> Prior to mid-2014, homelessness has received scant attention in Malaysia's public sphere, and its issues were not of interest to politicians or political parties.

The announcement by Tengku Adnan put the spotlight on the homelessness issue and for the first time in a long time, homelessness in the city centre was viewed as a national issue and the attitude of the Government towards homeless persons came under public scrutiny. The NGOs which were working with homeless persons, especially those which were feeding them, saw a sudden increase in volunteerism. They took this opportunity to educate the public and debunk myths pertaining to homelessness. The ongoing discourse brought to light the inadequacies of the current system, which ranges from the lack of affordable housing/transportation to inadequate mental health services. These systemic issues will be discussed in this report.

In early August, Tengku Adnan scrapped the plan to restrict the movement of soup kitchens in Kuala Lumpur, due to the overwhelmingly negative public reaction. As of today, political and societal pressure on policy reform has reduced significantly since Tengku Adnan's controversial remarks. NGOs and homeless persons are increasingly concerned about the existing policy and its future direction, as there is a fear that the criminalization of homeless persons will continue, making it further difficult for this section of society to uplift themselves from their predicament. This report will attempt to paint an accurate picture of the complexities that surround homelessness in Malaysia, particularly in Kuala Lumpur. The author acknowledges that although homelessness is not a problem that affects Kuala Lumpur alone, Kuala Lumpur is chosen as a focal point for this report, specifically its central business district.

## 2.0 HOMELESSNESS IN KUALA LUMPUR

Homeless people are often depicted as persons who sleep on the streets, cannot give a satisfactory account of themselves and beg for alms. For those who have a deeper understanding of the issue, homelessness is a state of having no secure housing. This includes individuals who live in homes of their friends and family, in shelters and hostels, and at their workplaces where accommodation is provided. Street homelessness just happens to be the most visible kind of homelessness.

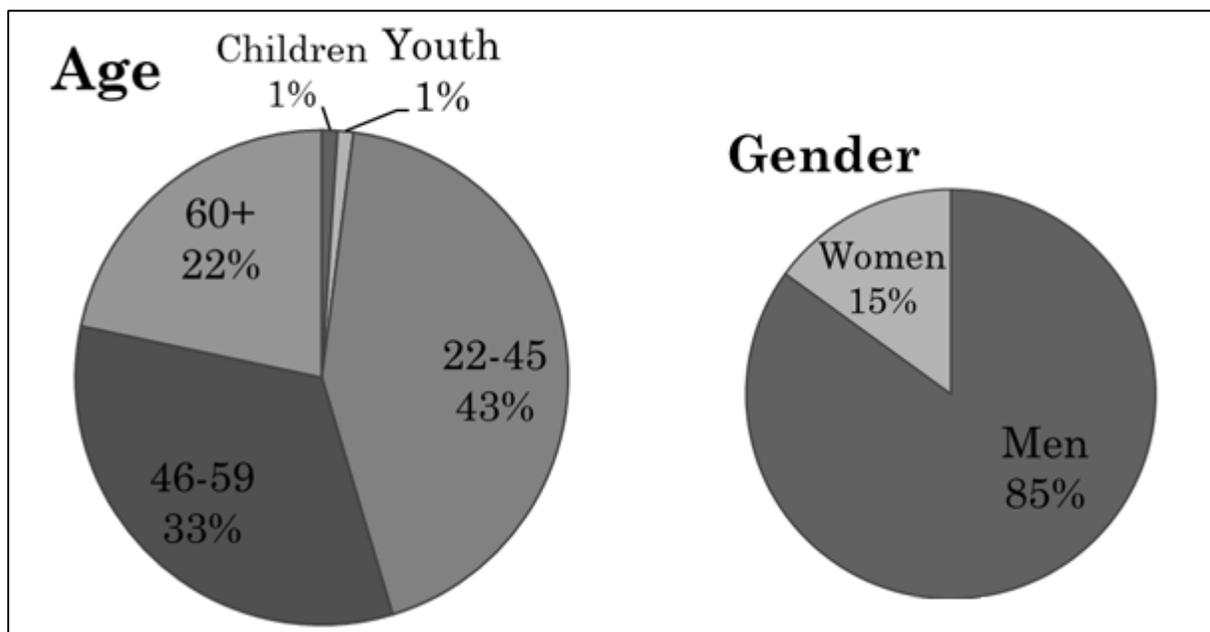
<sup>1</sup> Choong, M.Z. (2014, July 3). Tengku Adnan: Soup kitchens banned within 2km radius of city centre. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Nation/2014/07/03/Soup-kitchens-banned-around-KL-city-centre/>. [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>2</sup> Cheema, Sukhbir. (2014, July 3). Rohani explains Ku Nan's cruel statement soup kitchen beggars. *The Rakyat Post*. Retrieved from: <http://www.therakyatpost.com/news/2014/07/03/rohani-explains-ku-nans-cruel-statement-soup-kitchens-beggars/>. [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>3</sup> Quek, Y.H. (2014, July 10). Najib Ministers visit soup kitchens after KL ban order delayed. *The Malaysia Insider*. Retrieved from: <http://www.themalaysianinsider.com/malaysia/article/najib-ministers-visit-soup-kitchens-after-kl-ban-order-delayed> [Accessed: 23<sup>rd</sup> Oct 2014].

In 2010, the Social Welfare Department conducted a survey on the street-dwelling homeless persons of Kuala Lumpur and found that 1,387 individuals were experiencing homelessness at that point in time.<sup>4</sup> The key findings were as follows:

**Figure 1: Homeless Profile in Kuala Lumpur according to age and gender**



Source: Ministry of Women, Family, and Community Development. (n.d.). Profiling Golongan Gelandangan (Homeless) di Wilayah Persekutuan Kuala Lumpur. Putrajaya: (Unpublished)

According to Figure 1 above, men are overrepresented in the homeless community (85%). So are senior citizens (60 years and older) who make up 22% of the survey's participants but only comprise 5.1% of the population 65 and above in 2010.<sup>5</sup>

According to Figure 2 below which shows the breakdown of ethnicity and state of birth of homeless persons, Indians and Chinese are somewhat overrepresented in the homeless community (18% and 45% respectively). In comparison, according to the 2010 census, Chinese and Indians make up 43% and 18% of the population in Wilayah Persekutuan Kuala Lumpur respectively.<sup>6</sup>

Interestingly, the largest group of respondents were from Selangor (29%) rather than from KL itself (only 6%). Also interesting was the fact that the next largest group came from Perak (20%). The fact that a majority of respondents (71%) hail from states other than within Selangor and KL area proves that homelessness is a national issue affecting citizens from all states and hence deserving of national attention. The fact that a majority of respondents are from outside Selangor and KL could shed light on

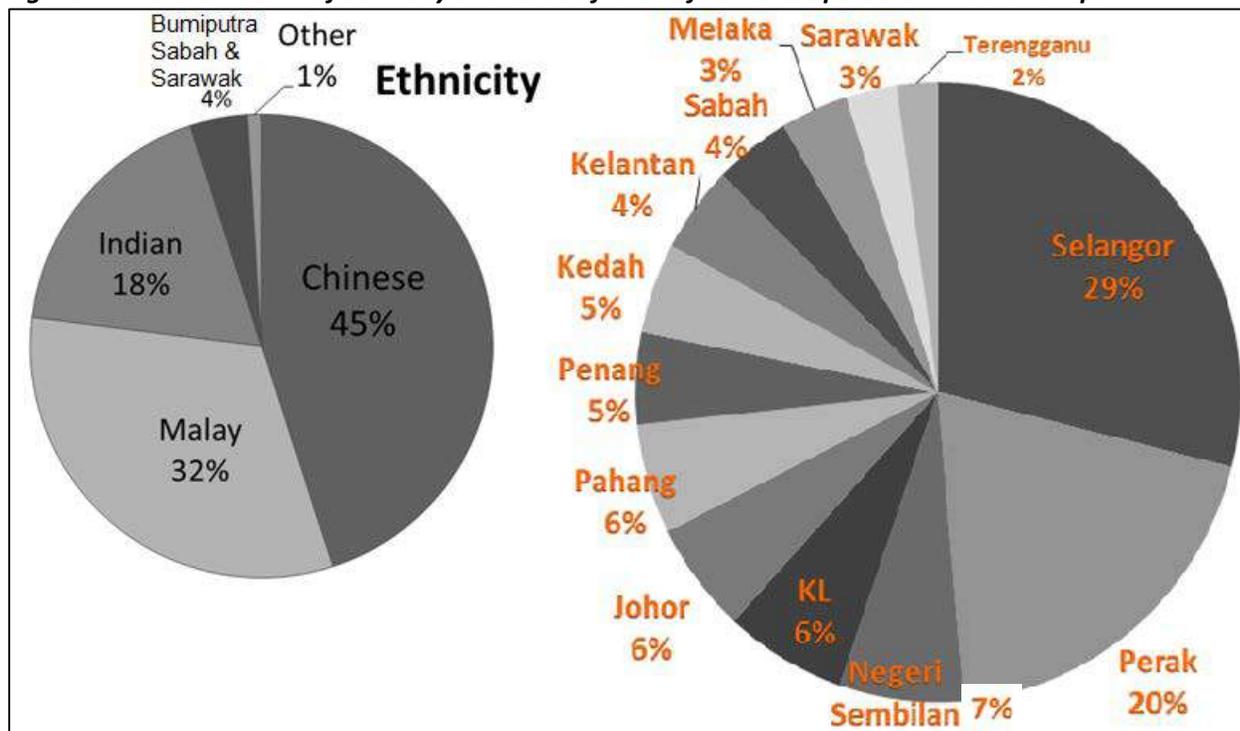
<sup>4</sup>Profiling Orang Gelandangan (Homeless) di Wilayah Persekutuan Kuala Lumpur, a report by the Ministry of Women, Family and Community Development on the Social Welfare Department's 2010 survey of 1,387 persons experiencing homelessness in KL

<sup>5</sup> In Population Distribution and Basic Demographic Characteristics 2010 Report by Department of Statistics Malaysia, persons aged >65 in Malaysia made up 5.1% of the population.

<sup>6</sup>Based on Population Distribution and Basic Demographic Characteristics 2010 Report by Department of statistics Malaysia, the ethnic breakdown of population in Wilayah Persekutuan Kuala Lumpur are as follows: Malays 679,236, Chinese 655,413, Indians 156,316 and others 17,494.

the some of the main causes of homelessness including those who came to the Klang Valley from other states to seek work opportunities but were then somehow deprived of secure housing, possibly as a result of losing their employment.

**Figure 2: The breakdown of ethnicity and state of birth of homeless persons in Kuala Lumpur**



Source: Ministry of Women, Family, and Community Development. (n.d.). Profiling Golongan Gelandangan (Homeless) di Wilayah Persekutuan Kuala Lumpur. Putrajaya: (Unpublished)

Homeless persons in the heart of KL can be seen at places such as the Puduraya bus terminal, the Dayabumi complex, Petaling Street, Central Market, Klang Bus Stand, Jalan Tuanku Abdul Rahman and Chow Kit.<sup>7</sup> Some even live underneath bridges, as they provide some degree of shelter away from the public and enforcement authorities. Several populated areas are at the bridge beside Central Market, under the Syed Putra roundabout, the Jalan Kinabalu Roundabout and below the bridges along Jalan Istana and Brickfields.<sup>8</sup>

There are a variety of reasons as to why the homeless in KL tend to congregate in these areas. Over time, these may be known as 'safer' areas where the homeless can congregate without being disturbed (apart from during the *Ops Gelandangan* to round them up). There is also security in numbers as well as social networks which develop over time. These are also areas which may be close to where some of the homeless have access to part time jobs. The fact that soup kitchens and other volunteer groups give food and other types of aid to the homeless in these usual locations may also contribute to the congregation effect among the homeless in these areas. The 'grouping' of the homeless in specific areas may not

<sup>7</sup>Welfare department ready to help the homeless. (2012, February 21). *The Star*. Retrieved from: <http://www.thestar.com.my/Story/?file=%2F2012%2F2%2F21%2Fcentral%2F10768986>. [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>8</sup>Ch'ng, Brenda. (2014, June 9). Even with a support network, the homeless risk their lives living under bridges. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Community/2014/06/09/Dangers-below-Even-with-a-support-network-the-homeless-risk-their-lives-living-under-bridges/>. [Accessed: 23<sup>rd</sup> Oct 2014].

necessarily be a negative phenomenon since it makes it easier to coordinate between those wanting to seek help (the homeless) and those wanting to offer help (soup kitchens, other volunteer NGOs, government departments, just to name a few).

Of course, some of the authorities may find a large number of homeless gathering at a few places to be an 'eyesore' in the city of Kuala Lumpur. But without a greater understanding of the underlying causes of homelessness, it would be futile and counter-productive to adopt a short term outlook of rounding up the homeless and putting them in holding centres or homes only for them to return to the streets or for them to suffer even more while in these holding centres or homes.

### 3.0 CAUSES OF HOMELESSNESS

**Figure 3: Main causes of homelessness**

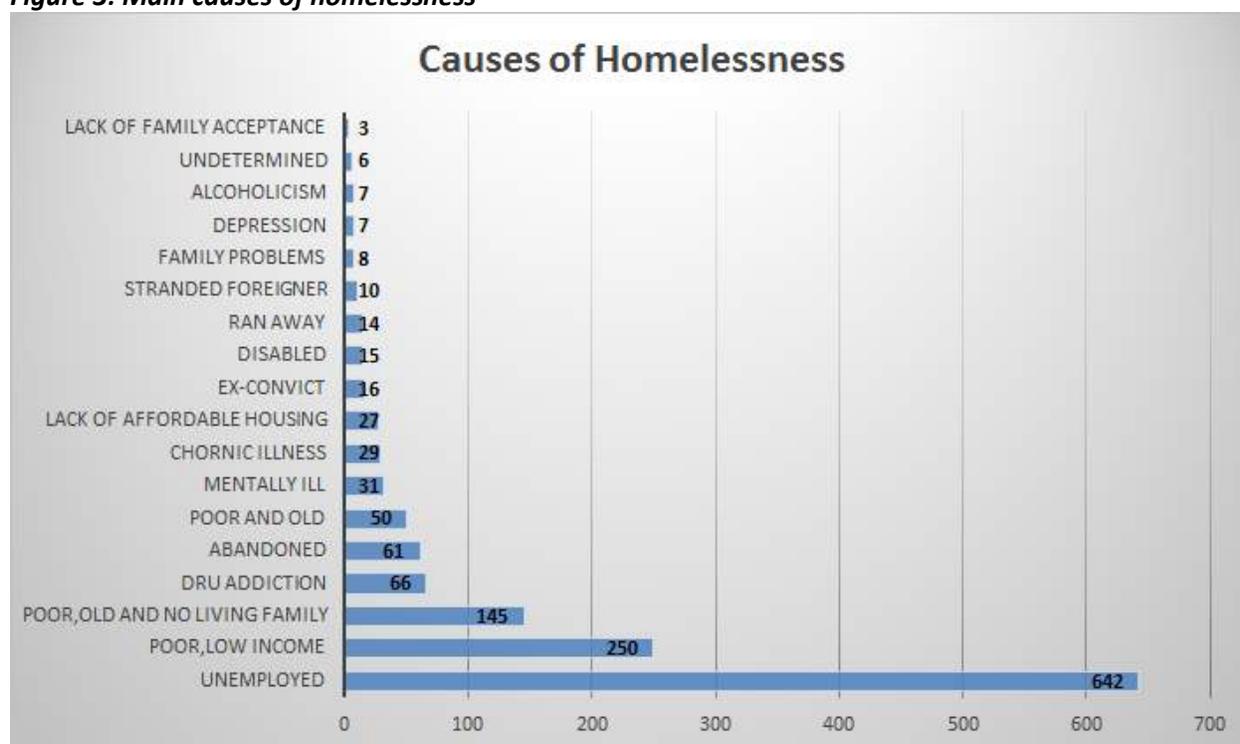
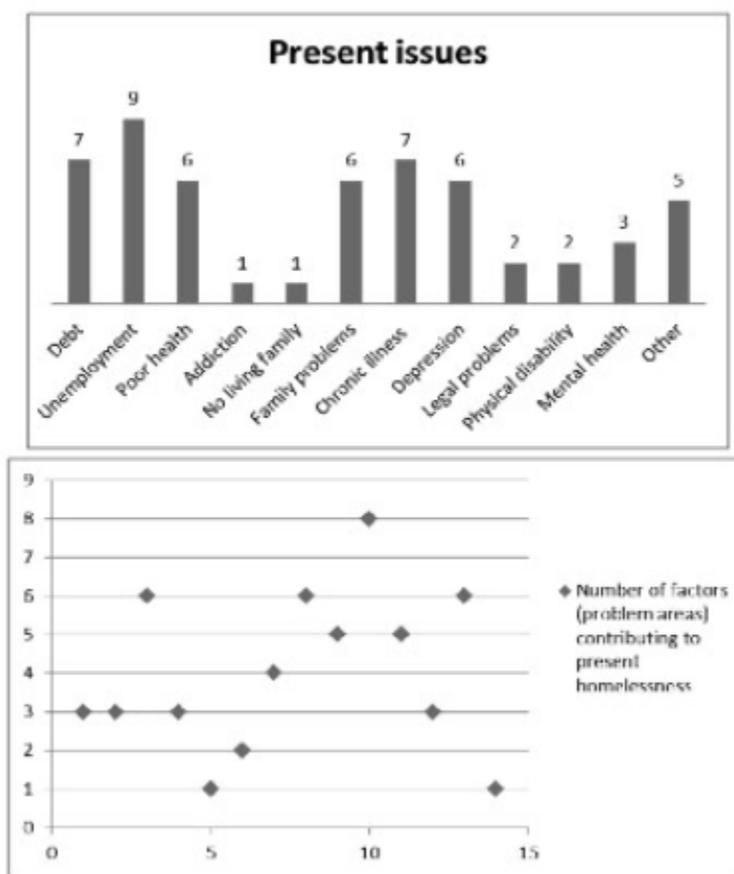


Figure 3 above shows the main causes of homelessness among the respondents. Unfortunately, the survey only allowed for ONE contributing factor per respondent rather than having the respondents or the survey taker to indicate more than one contributing factor which would be more reflective of the multidimensional nature of the causes of homelessness. Unemployment, low-income and old age without a living family were ranked the top three as causes of homelessness totalling 75% of all respondents.

In contrast, a study conducted by Rusenko (2014) on Anjung Singgah, a halfway home established by the Ministry of Women, Family and Community Development (MWFCD) under the National Welfare Foundation (NWF)<sup>9</sup>, allowed each respondent to list multiple causes of their homelessness.<sup>10</sup>

**Figure 4: Present issues (problem areas) faced by clients: Type (top) and number (bottom)**



Rayna (2014) found that debt, chronic illness and unemployment were the most commonly cited causes. Poor health, family problems and depression were cited by over one-third. According to Rayna's study, clients were grappling with a set of four issues on average. It should be noted that this survey was done on newly homeless persons, where roughly three out of four shelter respondents did not have any street experience.

The Anjung Singgah survey is undeniably useful to demonstrate the complexity of homelessness and the related problems of the homeless. All these problems are largely interconnected. Depression or mental health problems arising from losing one's housing may result in a vicious cycle that makes short term homelessness into a longer term occurrence for the affected individuals. One can imagine how much more susceptible street homeless are to developing newer problems, as they have little to no social support from friends, family or the relevant authorities.

<sup>9</sup>Anjung Singgah YKN. Retrieved from: <http://www.yknm.org/#!anjung-singgah-ykn/cdsh>[Accessed: 23rd Oct 2014].

<sup>10</sup>Rusenko, R.M. (2014), *Homelessness, Human Insecurities, and the Government Agenda in Malaysia* [Electronic Version]. Journal of Social Science, Vol 42 p.45-74.

### 3.1 Systemic Problem or Individual Choice?

Some individuals have the impression that all homeless persons are lazy or lack willpower to help themselves out of their respective predicaments. This impression can be challenged by scrutinizing the systemic issues that surround homelessness, such as a lack of affordable housing, weak labour laws, social exclusion, documentation issues<sup>11</sup>, legal powers against urban vagrancy, just to name a few. Such problems make it difficult for society to prevent or reduce homelessness and for individuals to exit homelessness. The following are a few systemic problems that homeless persons face:

#### 3.1.1 Low Wages

1 in 5 homeless persons named low wages as a factor in homelessness.<sup>12</sup> Although there is a national minimum wage in Malaysia set under the Minimum Wage Order which is part of the National Wages Consultative Council Act 2011 or Act 732, many workers still earn less than the minimum wage because it is poorly enforced. In addition, the type of work which many of the homeless may have access to is either part time work or in the informal sector such recycling and scavenging which does not pay the national minimum wage of RM900 per month in Peninsular Malaysia.

#### 3.1.2 Lack of affordable housing/transportation

Supply of low-cost housing have not been in line with demand, especially in the urban areas where problems of homelessness are the most serious. The current focus is on home ownership and less so on the option of renting that would benefit homeless persons in search of immediate housing. Public transportation especially buses is poor due to the lack of coverage in many areas. Private transportation is often too costly for a person who is homeless who often cannot afford the down payment and / or the monthly instalments for a motorcycle. Some of the homeless may not even have motorcycle licenses. Furthermore, most of the homeless do not have a reliable address to use for sending and receiving mail which includes bank statements and loan documents. These impediments make it harder for homeless persons to empower themselves as they cause a loss in security (housing) and mobility (transportation).

#### 3.1.3 Lack of mental health services

There is a chronic shortage of mental health professionals, such as clinical psychologists, in Malaysia<sup>13</sup>. Access to mental healthcare among the homeless is even more of a challenge especially when 1 out of 5 homeless suffers from poor mental health, especially depression.<sup>14</sup> Homeless persons often do not know where to go to access mental health care services especially given the social stigma surrounding people suffering from depression, anxiety and addiction. The homeless arguably face the same sort of challenges to access drug counselling services especially given the additional fear of arrest by the authorities because of drug addiction. (See Case Study 2 below)

<sup>11</sup>Quek.Y.H. (2014,July 21)Lawyers, NGOs helping homeless get new ICs, avoid fines. *The Malaysia Insider*. Retrieved from: <http://www.themalaysianinsider.com/malaysia/article/lawyers-ngos-helping-homeless-get-new-ics-avoid-fines>. [Accessed: 23<sup>rd</sup> Oct 2014]

<sup>12</sup> Food Not Bombs, *Homelessness in Malaysia*. Retrieved from: <http://www.masw.org.my/images/homeless.pdf> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>13</sup>Boon, Peter. (2014,July 21) *Hospitals in need of more psychiatrists*. *The Borneo Post Online*. Retrieved from: <http://www.theborneopost.com/2012/07/21/223607/#ixzz385elt1su>[Accessed: 23<sup>rd</sup> Oct 2014].

<sup>14</sup>Food Not Bombs, *Homelessness in Malaysia*. Retrieved from: <http://www.masw.org.my/images/homeless.pdf> [Accessed: 23<sup>rd</sup> Oct 2014].

### 3.1.4 Issues with the lost/ replacement of / storage of documentation

People who live on the streets are susceptible to the elements, such as flash floods and storms. Hence, safe and dry storage is often an issue. During mass round-ups, important documents including Identity Cards (ICs) occasionally go missing. Personal items may also be stolen by others. This is a major problem for the homeless. Those who want to look for jobs are prevented from doing so if they do not have proper documentation. And for many of the homeless, the replacement costs of an IC is often too high for them to pay especially if a person has lost an IC multiple times. For example, the National Registration Identity Card (NRIC) can cost up to RM300 to replace, if it is not reported as stolen.<sup>15</sup>

### 3.1.5 Other factors

Aside from the factors above, there is also labour exploitation, unemployment caused by regional changes and economic cycles, etc. For some, homelessness may actually be a choice as an alternative to temporary shelters. This may be because they already have established a connection with the homeless community within their area and do not want to lose the only social network they have. Those who are employed may not want to be restricted/confined to one place and forced to work in a job that is not of their choosing.

There are a multitude of barriers that make it difficult for homeless persons to become self-sufficient citizens with secure housing. Ultimately, all parties have a responsibility to reduce and prevent homelessness. However the Government plays a crucial role, as it has the resources, size, scope and power necessary to change public policy and public attitudes towards homelessness.

## 4.0 PRESENT STRATEGIES TO DEAL WITH THE HOMELESSIN MALAYSIA

The Ministry of Women, Family and Community Development (MWCFD) (or Kementerian Pembangunan Wanita, Keluarga dan Masyarakat (KPWK)) is in charge of the establishment and management of welfare homes for homeless persons: Desa Bina Diri (DBD) for those aged between 18 to 59 years, Rumah Seri Kenangan and Rumah Ehsan for persons 60 years and above. The Social Welfare Department (or Jabatan Kebajikan Masyarakat (JKM)) is a department under the purview of the MWCFD that provides welfare to needy target groups, such as children, disabled persons and poor persons. JKM officers are empowered by the Destitute Persons Act 1977 (DPA) to put a destitute person in a welfare home.

### 4.1 The Destitute Persons Act 1977

The Malaysian Government largely depends on the application of the DPA to handle homelessness. The Act has its roots in the anti-vagrancy ordinances deployed by the British in Malaya, which date back to the late 19th and 20th century. The anti-vagrancy ordinances were designed to get rid of poor persons from the public view by sentencing or fining offenders. These ordinances were followed by The Vagrants Act 1965, which enabled police detention of poor and homeless persons. In 1977, the DPA was enacted to bring a more humanitarian touch to the issue of homelessness.

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<sup>15</sup>Hussaini Binti Hussin, Director of the NRIC Department. *Request to Exempt the Following Hardcore Poor Persons from Paying RM100.00 to Replace Their NRICs*. Message to YB Dr. Ong Kian Ming. 17 July 2014, E-mail

The DPA aims “to provide for the care and rehabilitation of destitute persons”, and “[to provide] for the control of vagrancy”. It does so through allowing local authorities (and any officers authorized by the local authorities) to take into custody anyone whom they suspect is a destitute person. Under the Act, a destitute person means any person found begging in a public place or any idle person who has no visible means of subsistence or place of residence.

There are three kinds of operations to round up and detain homeless persons: Ad-hoc, periodic and integrated. Ad-hoc operations are done in response to complaints (e.g. homeless persons sleeping in front of a local business), while periodic operations are carried out by the local Social Welfare Department officers, often targeting beggars in small numbers at a time. Integrated operations (or better known as Ops Gelandangan) are regularly scheduled (twice a month) and involves various agencies, such as the National Anti-Drugs Agency (Agensi Anti-Dadah Kebangsaan or AADK), National Registration Department (Jabatan Pendaftaran Negara or JPN) and the Immigration Department. Around 80% caught are released within 6 hours while the rest are either screened for drugs, immigration violations and the lack of documentation or outstanding warrants.<sup>16</sup> A small portion of those caught are remanded and held by the Social Welfare Department for possible admission to shelters for homeless persons.

A 2013 survey among homeless persons who had experienced being rounded-up in operations, 72% of these people had been rounded up multiple (2-10) times.<sup>17</sup> This shows a lack of efficiency and a waste of resources in carrying out such operations. It also shows a disregard for the well-being of those who have been released, as the local authorities do not provide transport to return them to where they were picked up. Many homeless persons have established support networks with NGOs and fellow homeless persons, as well as having jobs that they need to return to. This exacerbates the financial and social insecurity of homeless persons.

These operations also raises questions on whether they are ‘for show’ only in response to pressures from ‘above’ usually when there is an international event being held in KL or when certain ministerial KPIs need to be met. The focus on conducting these operations may detract from a more genuine and sustained effort in tackling the underlying causes of homelessness.

#### 4.1.1 The Criminalization of Homeless Persons

An individual who resists an authorized officer “shall be guilty of an offence and shall be liable, on conviction, to be sent to a welfare home or to imprisonment for a term not exceeding three months.” All individuals who have been sent to the homes are not able to leave on their own volition. According to Section 8(1)(a) and Section 8(1)(b) of the Destitute Persons Act, the Superintendent will discharge an individual if there is found to be “suitable employment to maintain himself” or will be cared for “by any person willing and able to give the resident proper care and support”. This is also applied to persons who voluntarily admit themselves to the welfare homes.

<sup>16</sup>Food Not Bombs, *Fact Sheet: Act 183 The Destitute Persons Act 1977*. Retrieved from: <http://www.loyarburok.com/wp-content/uploads/2014/06/Destitute-Persons-Act-Fact-Sheet-FNBKL.pdf>. [Accessed: 23rd Oct 2014].

<sup>17</sup>Rusenko, R.M. (2013), *Metamorphosis of the City, Street Homelessness, and the Destitute Persons Act*. (Unpublished thesis). University of Malaya, Kuala Lumpur, Malaysia.

Alarming, there have been reports from NGOs who claim that the raids can be dehumanizing and homeless persons are treated badly in the process (e.g. persons are dragged).<sup>18</sup> Nowhere in the Act provides for safeguards of the fundamental rights of the targeted individual. This is particularly important because the targeted persons are often those who are poor and vulnerable. In reality, access to legal counsel is severely limited or not an option at all. The fact that it is a criminal offence to resist being taken by an authorized officer during raids like Ops Gelandangan makes this all the more worrying. Essentially, simply being categorised as 'destitute' by the local authorities (or officers authorized by the local authorities) will cause one's right to personal liberty (as provided by Article 5(1) of the Federal Constitution) to be relinquished. It should be noted that not all homeless persons view the placement at welfare homes positively and some have escaped.<sup>19</sup>

Furthermore, personal property is at risk of being lost whenever integrated operations occur, as persons will be displaced and occasionally disallowed to carry their personal belongings with them. Alam Flora, which is tasked with public cleanliness and garbage collection in Kuala Lumpur or the KL Municipal Council (better known as DBKL or *Dewan Bandaraya Kuala Lumpur*) may accidentally dispose of important documents during such operations, causing major distress and further worsening a homeless person's situation. These documents may include health records, identification, certificates and essential contacts. This goes against Article 13 of the Federal Constitution whereby every citizen has a right to property.

At many levels in terms of the process, Ops Gelandangan as provided for by the Destitute Persons Act is questionable as a major component of the Government's policy in tackling homelessness, as it strips homeless persons of their liberty and rights, causes psychological distress and fails to quickly identify the physical and psychological needs of homeless persons, to name a few problems. Many who do not want to be caught (knowing that they are likely to be released anyway) have to do whatever it takes to avoid the authorities.

A coalition of NGOs - many of which have worked tirelessly to give homeless persons aid and opportunities - have urged for the Government to repeal the Destitute Persons Act. They describe the enforcement of the DPA as a "criminalisation of a person's existence because they are poor.", as it enables various human rights violations such as the denial of the right to due process, the right to personal liberty, the right to equal protection and the right to property.<sup>20</sup>

## 4.2 Anjung Singgah

In January 2010, the Government Transformation Programme (GTP) was announced by the federal government to improve access to public services. The GTP laid down six (the seventh was added in 2011) National Key Result Areas (NKRAs) where different problem areas were addressed. One of the NKRAs was "Raising the Living Standards of Low-Income Households" (NKRA-LIH). A major goal under the NKRA-LIH was to eradicate poverty. Upon scrutiny of the first and second (currently underway) phase, dubbed GTP 1.0 and 2.0 respectively, there is no comprehensive policy framework to be found that involves the

<sup>18</sup>S. Indramalar (2014, June 14). Why are so many homeless?. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Nation/2014/06/14/Why-are-so-many-homeless-Govt-urged-to-tackle-issue-at-the-source/> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>19</sup> Fazleena Aziz. (2011, March 29). Welfare department bent on eradicating KL of beggars. *The Star*. Retrieved from: <http://www.thestar.com.my/story/?file=%2f2011%2f3%2f29%2fcentral%2f8360525> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>20</sup>Kanyakumari, D. (2014, July 8). NGOs urge for abolishment of Destitute Persons Act. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Nation/2014/07/08/NGOs-urge-abolish-destitute-persons-act/> [Accessed: 23<sup>rd</sup> Oct 2014].

cooperation of multiple government departments that works specifically to solve the problems plaguing the homeless community and persons most vulnerable to homelessness.

In 2011, the Ministry channelled funds to the National Welfare Foundation (Yayasan Kebajikan Negara or YKN) to establish Anjung Singgah<sup>21</sup>, a temporary shelter that provides shelter, food and employment. Anjung Singgah takes in Malaysian citizens aged 18 and over. As a rule, clients are given a stay of 2 weeks to reintegrate into society, but most clients stay for longer than that.<sup>5</sup> There are currently four such centres operating nationwide in KL, Penang, Johor Bahru and Kuching.

#### 4.2.1 Pros and Cons of Anjung Singgah

In theory, there are several advantages to having government agency incorporated as a Foundation, as it allows for the kind of flexibility that a governmental body is traditionally seen to lack. Anjung Singgah does not need to duplicate services as it can outsource its work to existing service providers. For example, Charity Right, among others, operates the Homeless Cafe in Anjung Singgah Kuala Lumpur every Saturday. Another benefit comes with the arrangement in Anjung Singgah is that it is able to link NGOs and corporate bodies with government institutions such as the Labour Department, National Welfare Department and the Royal Malaysia Police (PDRM). Anjung Singgah functions on the philosophy that homeless persons need a quick boost in order to get their life back in order. While this is noble, it is not an adequate model as part of the long-term solution that the nation needs to prevent and reduce homelessness. Longer timeframes must be looked at, such as the restoration of one's dignity, self-esteem and confidence, which may take months or years.

A study done on the Kuala Lumpur branch shows that even though Anjung Singgah is claimed to offer holistic support for homeless persons has counselling services that is too job-centric (as opposed to counselling on non-work-related issues such as domestic violence, family issues, debt, mental health issues, etc.).<sup>5</sup> This frames the problems of Anjung Singgah clients as one that can be easily resolved through participation in the labour force. Such a mindset may cause pre-existing problems to fester and new problems to crop up. Clients may still be unable to hold a job for the long-term, or progress in their career, due to the various forces, such as labour exploitation, mental health issues, illiteracy, high rental prices, etc.

It is also found that the NWF in the case of Anjung Singgah does not command the necessary influence that a government body would have in order to upgrade facilities and guarantee structural changes. Neither NWF nor the Management and Operations Committee has the authority or power to direct or regulate partners, policies and resources.<sup>5</sup> This poses as a great challenge for Anjung Singgah to enhance its services. In addition to the study, it has also been reported that the administration of Anjung Singgah in KL does not involve people who have prior experience in handling homelessness.<sup>22</sup>

Anjung Singgah has been touted as a Government initiative that is responsive to the needs of homeless persons. While it caters to simple needs such as food, shelter and employment, it does not equip its clients with the knowledge and confidence in resolving non-work-related issues. The Anjung Singgah model has made an important first step in acknowledging the existence of these homeless individuals, but the

<sup>21</sup> The National Welfare Foundation was created as a body with greater flexibility in dispensing financial and other types of aid, especially during natural disasters. It also has greater flexibility in asking for and receiving donations from the public. But there is little public accountability on how the funds are used since its annual report is not publicly available and nearly all of its directors are government appointees.

<sup>22</sup> Amin, SM. (2014, July 7). Anjung Singgah ill-equipped to handle homeless. *The Rakyat Post*. Retrieved from: <http://www.therakyatpost.com/news/2014/07/07/anjung-singgah-ill-equipped-handle-homeless/> [Accessed: 23<sup>rd</sup> Oct 2014].

relevant authorities can do much more to empower Anjung Singgah's management in terms of resource acquisition. More importantly, Anjung Singgah's administration should pay close attention to the psychological needs of homeless persons in order to provide a platform that ensures long-term security to its clients.

Anjung Singgah is the only program tailored to homeless persons in the GTP. Even so, it does not present a sustainable, long-term solution to prevent and reduce homelessness. This demonstrates a lack of awareness of the complexities of homelessness, or possibly a lack of political will in creating change that is necessary to alleviate and ameliorate homelessness.

### 4.3 Ops Qaseh, 'Zero Homelessness' and the Criminalization of Alms-giving

On 11 June 2014, the MWFC and the Social Welfare Department launched Ops Qaseh, a large-scale operation to get homeless persons into welfare homes and crack down on begging syndicates within the Kuala Lumpur city centre. The ministry said that the beggars would be brought to Desa Bina Diri One-Stop Centre in Sungai Buloh. After at least a month they will be sent to the relevant quarters (welfare homes or centres).<sup>23</sup> As of 14 September 2014, there is yet to be news of Ops Qaseh coming to an end.

The MWFC and the Social Welfare Department promised that the halfway homes will provide "food and lodging, counselling, recreational facilities, healthcare and practical training such as agri-culture, vocational skills and handicraft."<sup>24</sup> The ministry had also identified 40,000 job opportunities in supermarkets and hypermarkets around the nation for homeless persons. In addition, it launched a campaign titled '*Henti Memberi, Kami Perihatin* (Stop Giving, We Are Concerned)' that will educate and discourage Malaysians from giving money to panhandlers.

Ops Qaseh hinges on the application of the Destitute Persons Act 1977, which proves to be problematic for the reasons this report has previously explored. Member of Parliament of Serdang, Dr. Ong Kian Ming commented on Ops Qaseh and the DPA, saying that the DPA has shades of the abolished Internal Security Act (ISA) which allowed detention without trial for an indefinite period of time, as the DPA allows for detention against the homeless person's will for up to 6 years in a welfare home.

Both Ops Gelandangan and Ops Qaseh share the goal of removing beggars and vagrants from the public eye by applying the Destitute Persons Act. Ops Qaseh has received far more publicity than Ops Gelandangan, although Ops Gelandangan has been around for a much longer. A major difference between the two is that Ops Qaseh seeks to achieve 'zero homelessness' by ensuring all beggars and vagrants who are caught will be channelled to the right departments and shelter homes to receive the aid they need.

Dr. Ong has questioned the ability of the Government to provide for those who have been caught, as there may be inadequate available resources to account for each and every one of those who have been caught. He said that there is no guarantee that the 'services' promised by the Minister will be adequately provided for. This is an important point because there has not been any known major structural changes in terms

<sup>23</sup>Boo,S.L.(2014,July 4).Homeless in the city: Falling through the cracks. *The Malay Mail*. Retrieved from: <http://www.themalaymailonline.com/malaysia/article/homeless-in-the-city-falling-through-the-cracks-video>[Accessed: 23<sup>rd</sup> Oct 2014].

<sup>24</sup>Sukumaran,Tashny.(2014,June 12).Ministry to clean up the streets. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Nation/2014/06/12/Ministry-to-clean-up-the-streets-Swoop-on-beggars-and-homeless-planned/>[Accessed: 23<sup>rd</sup> Oct 2014].

of how homeless people are handled. The mass rounding-up of 'beggars and vagrants' under Ops Qaseh to achieve 'zero homelessness' is highly ambitious and should only be done once all partners - NGOs and homeless persons included - are sufficiently convinced that the Government has the existing framework and resources in place. Citizens feared that Ops Qaseh would simply be a rebranded Ops Gelandangan, but on a larger scale.

In a parliamentary reply dated 16 October, 2014, to Dr. Ong's question on the status of Ops Qaseh, the Minister replied that Ops Qaseh was an ongoing and more comprehensive operation that would be an improvement on the integrated operations that would involve the relevant ministries and agencies. The intention of Ops Qaseh, according to this reply, was not to punish the homeless but to protect them from the consequences of living on the streets.

In the same vein, the FT Minister, Tengku Adnan Tengku Mansor announced plans to implement by-laws and standard operating procedures to curb beggars and alm-givers in the city and offended many people by saying that mobile soup kitchens were banned from operating within a large portion of the city centre. This enraged many people, regardless of political affiliation, race, colour and creed. After Tengku Adnan retracted his soup kitchen ban because of the negative public reaction, he proposed an alternative of building a one-stop center in KL to attend to the needs of the homeless.<sup>25</sup> DBKL announced that a four storey building at Lorong Haji Taib, Chow Kit, will be refurbished and ready in 2015 as a one-stop centre for the homeless in KL.<sup>26</sup>

In addition, there are also concerns as to whether the current capacity of the existing government homes for the elderly and homeless are adequate to cope with the increase in the number of residents if Ops Qaseh were to be ramped up. According to the 2013 Yearbook of Malaysian Statistics, the number of Seri Kenangan (9) and Ehsan Homes (2), which are homes for the elderly, and the number of Desa Bina Diri (2), which are homes for the homeless, have not been increased in the past 5 years (See Table 1 below). The number of residents in the Desa Bini Diri's have increased slightly from 851 in 2009 to 924 in 2013, an increase of 73 or 8.6% while the number of residents in the Seri Kenangan Homes have decreased from 1947 to 1631, a decrease of 316 or 16.2%.

<sup>25</sup> Bavani, M & Brenda, C.H. (2014, July 5). Tengku Adnan: I know the plight of the homeless. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Nation/2014/07/05/Tengku-Adnan-I-know-the-plight-of-the-homeless/> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>26</sup> Ravindran, Shalini. (2014, July 12). DBKL to open shelter in Chow Kit by next year, says the mayor. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Community/2014/07/12/Housing-the-homeless-DBKL-to-open-shelter-in-Chow-Kit-by-next-year-says-mayor/> [Accessed: 23<sup>rd</sup> Oct 2014].

**Table 1: Capacity of Government Homes and Shelters for the Homeless and Elderly**

<b>Type of Home / Shelter</b>	<b># of Institutions and inmates</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Rumah Seri Kenangan / Seri Kenangan Homes	Number of Institutions	9	9	9	9	9
	Number of Inmates	1,947	1,868	1,804	1,695	1,631
Rumah Ehsan / Ehsan Homes	Number of Institutions	2	2	2	2	2
	Number of Inmates	212	231	227	217	227
Desa Bini Diri	Number of Institutions	2	2	2	2	2
	Number of Inmates	851	909	939	937	924

Source: Handbook of Yearly Statistics, 2013

In an report by an undercover reporter at a transit center for the homeless in Sungai Buloh, the inmates there complained about being held against their will, not being allowed to make telephone calls and not having any activities to do for months while waiting to be transferred.<sup>27</sup> The inadequacy of these transit centers calls into question the adequacy of the actual homeless shelters – Desa Bina Diri – in being able to provide mental and physical health care, retraining and other help that was promised by the Ministry. Some of these concerns could have been assuaged by a visit to one of these centers but unfortunately, after first promising to arrange for such a visit for all interested MPs during the 2014 year ending parliamentary session, the Minister failed to keep this promise.

## 5.0 SOUP KITCHEN OUTREACH AND OTHER INITIATIVES

There are various social organizations and individuals in Kuala Lumpur that help alleviate the suffering of homeless persons and low-income families. Some of them even help homeless persons reintegrate into the workforce and society. This section will focus primarily on mobile soup kitchens, as most of the author's observations have revolved around the function and philosophies of the respective mobile soup kitchens.

There are many NGOs, registered and non-registered, who have worked tirelessly to aid the homeless in any way they can. Each NGO has their own core philosophy that unites their members in the endeavour to reduce human suffering. The following is a non-exhaustive list of NGOs in Kuala Lumpur who work with homeless and other needy persons: Community Excel Services (CES), Food Not Bombs-KL, Dapur Jalanan, Global Street Mission (GSM), Grace Community Service, Kechara Soup Kitchen, Samaritan Ministries, Need To Feed The Need (NFN), PERTIWI Soup Kitchen, Reach Out, The Nasi Lemak Project (TNLP), Kaseh4u, Malaysian Care, Archdiocesan Office For Human Development (AOHD) and Religion of Love.

<sup>27</sup> <http://www.themalaymailonline.com/malaysia/article/homeless-beg-to-be-freed-from-sungai-buloh-centre>



The following is an example of four different NGOs and the different ways they help to improve the quality of lives of homeless persons:



Pertubuhan Tindakan Wanita Islam (PERTIWI) was established in 1967 to address the welfare and needs of women and children. Their soup kitchen was only launched in 2010, thanks to the passion of Munirah Hamid.<sup>28</sup> Munirah Hamid was inspired by her late friend, Saadah Din, who suggested the idea of a soup kitchen to Munirah before she passed away in 2009. PERTIWI has a core team of volunteers, but the total number of volunteers per night may vary from 50-100. They distribute healthy meals and clean water 4 nights a week to various locations in the city, provide free haircuts and basic medical aid.



Kechara's Soup Kitchen Society has been going strong for the past 8 years, since its inception in 2006.<sup>29</sup> The organization's members are inspired by their Spiritual Guide H.E. Tsem Rinpoche. Although Kechara is a Buddhist organization, its soup kitchen is non-religious and serves vegetarian food. Kechara is very well-organized, with the ability to go beyond offering basic needs by provide clients with first aid, job placements, laundry facilities and counselling. Kechara also has a comprehensive database of homeless persons in the city and tries to address each person's problems individually to the best of their ability. For example, while Kechara would sometimes buy a bus ticket, upon request, for a homeless person to return

<sup>28</sup>Pertiwi Soup Kitchen. Retrieved from: <http://pertiwi.org.my/pertiwi-soup-kitchen/> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>29</sup>Kechara Soup Kitchen. Retrieved from: <http://www.kechara.com/soup-kitchen/> [Accessed: 23<sup>rd</sup> Oct 2014].

to his hometown because he or she cannot afford the ticket. Kechara currently distributes food in Penang, KL and Johor Bahru.



Community Excel Services (CES) is a Christian non-profit charitable organisation based in Petaling Jaya, serving individuals and communities in need around the Klang Valley. Through the KL Urban Fellowship<sup>30</sup>, CES is able to reach out to the homeless, hungry and needy through various programmes, such as food sharing activities on Saturdays and Sundays through a Drop-In Centre. The Drop-In Centre offers medical services, legal services and even counselling for those who are willing to be helped. KL Urban Fellowship also has an employment programme seeking to provide simple packing work and teach living skills in order to assist in placing people back into the workplace through referrals.



The Nasi Lemak Project (TNLP) is a shining example of how youths can band together to carry out community outreach. It was set up in March 2013, with volunteers comprising mostly of students from the International Islamic University Malaysia (IIUM) in Gombak. TNLP was awarded a grant worth RM10,000 from the US Embassy, which was used to kickstart the initiative. TNLP feeds some 300 homeless in non-hotspot areas, 3 days every week. They also teach some 535 students of the urban poor, orang asli and refugee community, provide hardcore poor families basic food supply and auxiliary medical services and even repair houses.

Some NGOs are better resourced than others. Kechara Soup Kitchen (KSK) and Pertubuhan Tindakan Wanita Islam (PERTIWI) are two such organizations, whereby both of them have a strong core team of volunteers, financial support from a wide range of corporations and individuals, and an organized and orderly standard operating procedure to maximize efficiency. TNLP, although relatively new, has quickly garnered support from youth as it is spearheaded by a group of students.

Community Excel Services (CES), PERTIWI and Kechara Soup Kitchen (KSK) are examples of religious organizations that have gone beyond religious differences to help all those in need. It is reported that the Fellowship under CES has good working relations with the Anti-Drug Agency, the Social Welfare Department and the police.<sup>31</sup> KSK also has a good relationship with the government. For example, the

<sup>30</sup>Street Ministry. Retrieved from: <http://ces.org.my/what-we-do/street-ministry/> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>31</sup> Menon, Priya. (2010, November 25). Centre for homeless ordered to move out. *The Star*. Retrieved from: <http://www.thestar.com.my/Story/?sec=central&file=%2F2010%2F11%2F25%2Fcentral%2F7477876> [Accessed: 23<sup>rd</sup> Oct 2014].

First Lady of Malaysia, Datin Paduka Seri Rosmah Mansor officiated the launching of KSK's building.<sup>32</sup> In these examples, CES and KSK demonstrates that there poses no problem for NGOs and the government to collaborate to provide for the needy.

## 5.1 Beyond Food-sharing Programmes

Soup Kitchens view food as not only for sustenance but also as a tool to gain the trust of homeless persons in order for them to share their stories. Many homeless persons congregate at food-sharing programmes to enjoy the company of other humans who treat them as equals. The NGOs see homeless persons and other needy individuals as complex individuals who have needs, hopes and stories of their own. Many Soup Kitchens go to great lengths to provide services beyond the provision of food, such as employment opportunities, medical aid, counselling, etc. They understand the challenges that come with dealing with homeless persons in Kuala Lumpur. These NGOs have had the privilege of witnessing many homeless persons turn over a new leaf, getting decent jobs, having permanent housing, making amends with their families and sometimes even getting married and having children.

Unfortunately, authorities have expressed dissatisfaction towards mobile soup kitchens despite the good work that they do. Tengku Adnan has been quoted saying that the soup kitchens are "encouraging people to remain homeless and jobless".<sup>33</sup> Dato' Rohani Abdul Karim also expressed sentiment that homeless persons felt pampered by the NGOs which gave them food on the streets.<sup>34</sup> Such sentiments aptly reflect the direction and motivation behind the pre-existing homelessness strategies in Malaysia. It also create doubts in the minds of the Rakyat, as it shows that authorities in charge of the welfare of one of the country's most vulnerable may not fully understand the pertinent role of soup kitchens.

Soup kitchens in Kuala Lumpur also have their shortcomings. The number of active soup kitchens in KL is estimated to be around a dozen. Figure 5 and 6 indicates the schedule of various soup kitchen on duty as well as the 'hotspots'. New groups will spring up from time to time, giving food to homeless persons on a one-off basis. These groups may be college students on a project, like Good Samaritans who have extra food from an event, etc. It is said that there is normally a status quo as to where each mobile soup kitchen is restricted to, at what time. However, on some nights (especially the weekends), the homeless find themselves visited by more than one soup kitchen in the night. Occasionally, there may be 4-5 groups of frequenting one 'hotspot'. This shows that the soup kitchens do not have a coordinated effort to avoid wastage of resources.

<sup>32</sup>Rosmah: Look at bigger picture to tackle homelessness,(2011,March 29).*The Borneo Post*. Retrieved from: <http://www.theborneopost.com/2011/03/29/rosmah-look-at-bigger-picture-to-tackle-homelessness/>[Accessed: 23<sup>rd</sup> Oct 2014].

<sup>33</sup>Tham,Michelle.(2014,July 3).KL soup kitchens rail against City Hall ban. *The Star*. Retrieved from: <http://www.thestar.com.my/News/Nation/2014/07/03/soup-kitchen-rail-against-ban/>[Accessed: 23<sup>rd</sup> Oct 2014].

<sup>34</sup>Misplace generosity pampered homeless : Rohani,(2014,June 23.).*New Straits Times*. Retrieved from: <http://www.nst.com.my/node/5664>[Accessed: 23<sup>rd</sup> Oct 2014].

**Figure 5: Time schedule of varied on duty soup kitchens in Kuala Lumpur**

Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
13:00	Kechara SK						Samaritan Ministries	
14:00							KL Urban Fellowship	
15:00								
16:00								
17:00						Global Street Mission	Food Not Bombs Grace Community Service Kechara SK	
18:00				Global Street Mission			Dapur Jalanan	
19:00					Samaritan Ministries Public	Global Street		
20:00		Kaseh4u		Need to Feed the Need (NFN)				
21:00	PERTIWI		PERTIWI			Kechara SK	PERTIWI	
22:00	Reach Out	Reach Out	Reach Out		Reach Out	TNLP	Reach Out	
23:00						Reach Out		
00:00	Reach Out		Reach Out		Reach Out		Reach Out	
01:00						TNLP		
02:00								

**Figure 6: Hotspots that visited by varied soup kitchens in Kuala Lumpur**

Soup Kitchen	Location
Kechara SK	around KL* <a href="http://www.kechara.com/soup-kitchen/what-we-do/food-distribution/">*http://www.kechara.com/soup-kitchen/what-we-do/food-distribution/</a>
PERTIWI	Tune Hotel, Kota Raya, Sungkai / Masjid India
Kaseh4u	Tune Hotel, Jalan Sultan Ismail
Reach Out	Kota Raya, Around Central Market, Pudu Central, basically where the homeless sleep
Global Street Mission	Junction of Jln Raja Laut AND Jln Chow Kit pavement of 7/11;Lebuh Ampang below St. John's car park
Need to Feed the Need (NFN)	Chow Kit
Samaritan Ministries	Opposite Takaful and Public Bank on the river banks
TNLP	Brickfields, Pudu Market, Sentul, back alleys of PWTC, Loke Yew, Kenanga/ San Peng,Kampung Baru, Datuk Keramat, Ampang Jaya
KL Urban Fellowship	Jln Sultan (near SMK Confucius)
Food Not Bombs	Muzium Telekom
Grace Community Service	Jln Medan Bunus
Dapur Jalanan	Jln Panggung

There is no doubt that soup kitchens are an essential of Malaysian society. It is hoped that coordination among NGOs will improve and any inherent differences may be put aside for the greater good, in order to increase efficiency of the distribution of food and other resources.

## 6.0 CASE STUDIES

### 6.1 Case Study 1: Public reaction towards Tengku Adnan's proposals



June 7 - Ops Qaseh is launched

July 3 - Announcement by Federal Territories (FT) Minister Tengku Adnan that alms-givers and panhandlers will be fined

- Soup kitchens to be banned within 2km radius of city centre or face fines
- Women, Family and Community Development Minister Datuk Seri Rohani Abdul Karim defends Tengku Adnan by "explaining" what he really meant

July 4 - Tengku Adnan announced that the authorities were looking into setting up a OneCentre to provide food and basic

amenities for the homeless with an 'AnjungSinggah' concept

July 7 - Datuk Seri Rohani Karim claims that tourists are taking free food provided by the soup kitchens

July 8 - A closed-door meeting was held between the FT Ministry and 12 soup kitchen operators today.

- Clarification was made that only 'mobile' soup kitchens were to be affected

July 9 - Prime Minister Datuk Seri Najib Tun Razak, accompanied by Tengku Adnan, visits the homeless and promises a building to shelter the homeless

July 11 - Four-storey building in Chow Kit to be refurbished to be used as a shelter for the homeless

July 12 - The FT Ministry held its first meeting with several NGOs, the Welfare Services Department and Baitulmal to discuss solutions to the issue of homelessness

July 21 - DBKL installs anti-vagrancy bench dividers along Jalan Tuanku Abdul Rahman

- A DBKL media officer confirmed that City Hall installed the dividers to deter the homeless from "turning the benches to beds"

July 23 - The FT held its second meeting with NGOs

- All soup kitchens can operate provided they maintain a standard of cleanliness which will be evaluated by City Hall on August 16

Aug 9 - Tengku Adnan announces that soup kitchens may operate as usual, although City Hall will monitor their cleanliness

Aug 22 - The FT Ministry says the metal bars fixed to several benches are actually armrests

News of Tengku Adnan's announcement to ban soup kitchens by the following week spread like wildfire on social media, bringing attention to the plight of the homeless in Malaysia. The news of the ban got extensive coverage on mainstream media and alternative media alike, as well as criticisms from concerned citizens, civil society and politicians.

Many people questioned the sincerity of the authorities in reducing homelessness, especially in a humanitarian way. The FT Ministry, the MWFCDC insisted that the soup kitchens go through 'appropriate channels' to help homeless individuals, such as through the One-Stop Centre that will be established for the homeless. The main arguments put forth were that mobile soup kitchen operations caused the city to be dirty and unsightly, attracting pests and causing diseases in the long run. Tengku Adnan also took to lumping beggars and homeless persons into one category, as he was quoted saying that the ban was a move to clean the city of 'beggars'.<sup>1</sup>

NGOs were especially baffled when Datuk Rohani Abdul Karim argued that tourists were taking advantage of the soup kitchens in defence of the bid to ban mobile soup kitchens. She advocated an alternative to mobile soup kitchens, which was to provide free food in an institution prepared by the Government. Pertiwi Soup Kitchen founder Munirah Abdul Hamid and Sara Sukor, co-founder of Need to Feed the Need denied that tourists were taking advantage of the food-sharing programmes, as the overwhelming majority of recipients are people in need.

Some citizens genuinely believed that the homeless would benefit from the NGOs' absence as they argued that the 'cleanup' of beggars and vagrants, will mean that the homeless will be dealt with through the appropriate channels and the city will be cleaner.

#### *A lack of consensus, clarity and understanding*

Upon closer inspection, the statements issued by the Ministers and other notable individuals have been unclear and unspecific, frustrating homeless persons, NGOs and other concerned individuals. For starters, the FT Ministry did not consult the homeless nor NGOs prior to the announcement of the ban on soup kitchens, alms-giving and begging. In addition, at no point did the Government did not specify how the local authorities would fill the void that the NGOs would leave behind if they were to cease all operations within the banned area. If a ban were to happen, it may cause considerable distress to homeless individuals and low-income families/persons who have constantly relied on mobile soup kitchens to lighten their burden.

An alarming lack of empathy towards the homeless was demonstrated through the statements issued by authority figures - ministers, deputy ministers alike. There is a clear disconnect from the harsh realities of life on the streets of Kuala Lumpur, proven by the ignorant statements made, such as Datuk Rohani's 'tourist' comment. Leaders appear to forget that soup kitchens also alleviate the burden of the high cost of living that many hardcore poor deal with, shown by the glaring lack of acknowledgment of that particular group. The addition of bench dividers is a classic example of an anti-homelessness measure, as it is a method deployed by city authorities worldwide. Such lack of compassion has spurred the public to question the

ability of the relevant authorities in truly preventing and reducing homelessness, instead of simply shielding the homeless from public view for superficial reasons.

To give credit where it is due, it is laudable that the FT Ministry held meetings with the relevant parties to understand each other better. However such efforts can only be fruitful if future meetings are consistently held, and actions are taken to ensure more comprehensive plans in the future, to avoid ad-hoc and spurious decision-making.

The Ministers would do well to continue coordinating with the relevant partners to quash myths about homeless persons and soup kitchens, and understand the complexities and struggles that homeless persons go through.

1. No KL soup kitchens in 2km radius from Aug 16: Tengku Adnan.(2014, July 9). *News Straits Times*.Retrieved from: <http://www.nst.com.my/node/11021> [Accessed: 23<sup>rd</sup> Oct 2014].

## 6.2 Case Study 2: The State of Mental Healthcare in Malaysia



The Mental Health Act 2001 was a long-awaited legislation, as previous Acts predicated on outdated notions of mental health prevention and management. The Act provides detailed policy guidelines for mental health services in Malaysia. Over the years, the provision of drugs, network of facilities and transportation has greatly improved.<sup>1</sup> However despite new guidelines on mental healthcare, there are great obstacles to mental health profession and society to overcome, as it affects mental healthcare accessibility to the general public, including vulnerable communities such as the homeless.

Firstly, the lack of support staff, including clinical psychologists, psychiatrists as well as other important staff members such as psychiatric nurses and activity therapists make it difficult for the public to access mental healthcare services. In 2012, the ratio of clinical psychiatrists in the Ministry of Health the ratio of clinical psychologists in the Health Ministry (MOH) to population was 1:980,000.<sup>2</sup> The reason for the lacking in numbers for clinical psychologists is due to the fact that if one wants to practice Psychology one must have at least a Masters degree. There are currently only 2-3 universities in Malaysia providing a Master's degree in Psychology. Secondly there are a number of specializations that psychologists do that are not directly concerned with mental health issues and problems. The ideal ratio of psychiatrists to population as recommended by various developed countries (e.g. Canada, New Zealand) is between 1:6,500 to 1:10,000.<sup>3</sup> However the ratio of psychiatrists to population is about 1:125,000.<sup>2</sup>

One of the main reasons as to such shortages is due to a lack of mental health literacy, as Malaysia's citizens are still steeped in various cultures that have roots in folklore and local beliefs. Many still prefer to attribute mental-illness to supernatural causes.<sup>1</sup>Haque (2005) found that such cultural beliefs affect patterns of help-

seeking and response to treatment. In addition, great stigma is attached to mental illness, where stereotypes of the mentally ill being aggressive and dangerous, deserving to be chained up in a psychiatrist ward. Lack of education about the prevention and management of mental illness is one of the major reasons why a sizeable number of homeless persons in Kuala Lumpur have mental illness that goes untreated.

In the context of homeless persons, this equates to increased social discrimination in multiple aspects of one's life. For example, employers are reluctant to hire persons with schizophrenia, and landlords may refuse to rent out their land for the same reason. Even if a person manages his or her mental illness well, the person may be shunned by their families, employers, etc. simply due to the existence of mental illness.

Since the Mental Health Act 2001, the Government has taken steps to move away from centralized mental healthcare towards community-based healthcare. The Government has strengthened the community-based healthcare model to ensure improved care through regulations. However a lack of family support (equipped with mental health knowledge) caused by superstition and stigma reduces the effectiveness of the Act. Furthermore, the lack of mental health professionals make it difficult for communities to obtain readily-available professional advice, especially in remote areas where traditional healing methods are preferred and mental healthcare professionals are nowhere to be found.

Last but not least, mental health is not sufficiently integrated within the primary healthcare system. This means that non-specialized workers (e.g. general practitioners, nurses) may fail to identify symptoms of a mental illness in a person under their care. This requires basic training and awareness conducted by specialized workers (e.g. psychiatrists, psychiatric counsellors). Once again, the shortage of mental health professionals make it difficult for the situation to be rectified.

It is clear that the shortage of mental health service providers cripple the potential of the Mental Health Act. This lack of supply corresponds with the lack of demand for mental health services, which leads back to the lack of mental health awareness. The area of mental health has a negative image. This can be changed through increasing the education levels of Malaysians, especially in rural areas. More mental health professionals should be placed in rural areas and more research should be done on the mental health of Malaysians in order to create a fuller understanding of the situation in Malaysia.

The Ministry of Women, Community and Family Development should work together with the Ministry of Health in order to train and increase the number of psychiatrists and psychologists who are equipped to work with the homeless community out on the streets and in shelters such as Anjung Singgah, Desa Bina Diri (DBD) and Rumah Seri Kenangan (RSK) centers.

1. Haque A. (2005). Mental health concepts and program development in Malaysia, *Journal of Mental Health*. Vol.14(2). p.183–195

2. Lee L. T. (2012, July 9). Effective treatment of mental disease. *The Star*. Retrieved from: <http://www.thestar.com.my/story/?file=%2f2012%2f7%2f9%2ffocus%2f11619174&sec=focus> [Accessed: 23<sup>rd</sup> Oct 2014].

3. Burvill P. W. (1992). Looking beyond the 1:10,000 ratio of Psychiatrists to Population. *The Australian and New Zealand Journal of Psychiatry*. Vol.26 (2) p.265-269.

### 6.3 Case Study 3: Homelessness in Penang



In 2012, the destitute and homeless in Penang numbered at 288. This was a sharp drop from a staggering 445 in 2009<sup>1</sup>. The majority of them are between 45 and 65 years old although they do recognise that a proper residence is vital to a sense of comfort, safety, security and stability, and permits them to be part of a community. The lack of stable jobs and the inhumane acts of others push one to live on the streets. Once made homeless, redemption is difficult.

What is sadder is that the homeless aren't just limited to adults – Penang alone has some 40 homeless children. The majority of them are listed as refugees under the United Nations High Commissioner for Refugees and were rescued by Social Welfare Department (JKM) in 2012<sup>2</sup>. While it is clear that the act includes the homeless, JKM insists that its assistance is only for the destitute (to its credit, it rescues and release those who are working). This could only imply that a negative connotation precedes the homeless. Penang lacks a government-run shelter for the homeless. Yayasan Kebajikan Negara, the only available government agency to shelter the homeless, was supposed to provide a residential programme in November 2012<sup>3</sup>. The Federal Government had also been slow in responding to their pleas for a government shelter. However, Penang has a number of NGOs that provide assistance to the homeless, albeit on an ad-hoc basis and with little funding. One such NGO is Kawan, which provides food and shelter but can only operate during the day due to limited funds and volunteers. Kechara Soup Kitchen (KSK) on the other hand focuses on feeding the homeless: on Tuesdays and Fridays, their kitchen feeds 60 to 65 mouths, while on Mondays their volunteers take to the streets of Georgetown, distributing up to a hundred packets of food.

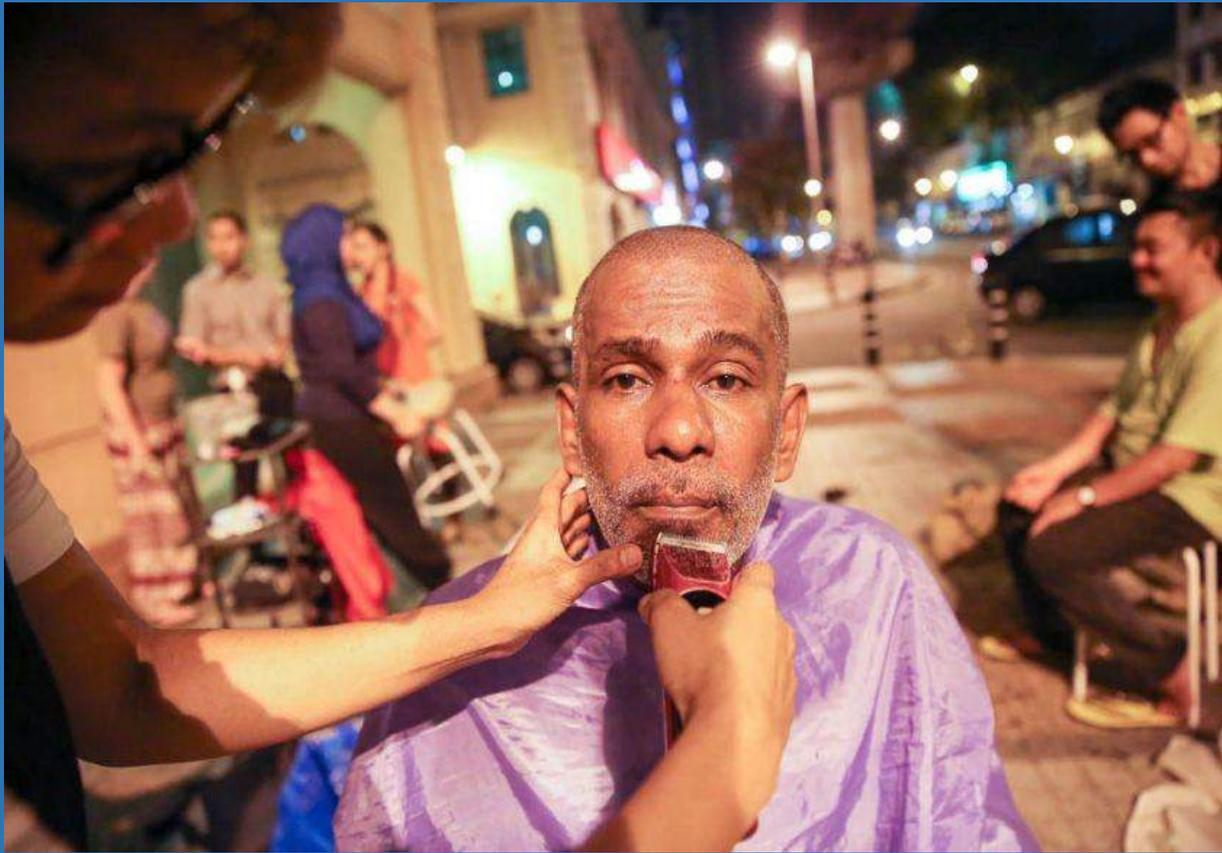
The lack of a comprehensive and holistic policy as well as a specific institution to address homelessness has allowed this issue to persist over the years. On top of that, JKM's night time "catch and release" operations – usually concentrated in "hot spot" areas around Komtar, Penang Road and Kapitan Keling Road – while undeniably reducing the numbers of those living on the streets, seem like a treatment fit for criminals. Hundreds of homeless people could be found at places such as bus stops, five-foot ways, under bridges and on pedestrian crossings. Around 80 needy patients treated by the clinic twice a week were homeless, according to The Temple of Fine Arts' Klinik Derma Sivasanta<sup>4</sup>.

"Putrajaya's threat to detain vagrants under the Destitute Persons' Act 1977 (DSA) is worse than detaining people under the now-repealed Internal Security Act", commented by the Chief Minister, Lim Guan Eng. He announced that he is giving RM20,000 from his allocation, to The Lighthouse drop-in centre, run by Christian organisation, Penang Office for Human Development (POHD) during his visit in early July<sup>5</sup>. He commended NGOs such as POHD for helping out those with no capacity to help themselves and reiterated that the state government will not take action against soup kitchens in Penang.

Lim cited Penang as an example where, the homeless are allowed to choose between living in shelters and remaining where they are on the streets. The state government has tried many times to take the group off the streets and place them in homes but more often than not, they would flee the shelters<sup>6</sup>. The state government has given directive to JKM not to take actions against soup kitchens and they will not be permitted to carry out any operation similar to the federal government's Ops Qaseh.

1. Glory.N.V.(2013,December).Homeless in Penang. *Penang Monthly*.p.27.
2. Ibid,p.27.
3. Ibid,p.28.
4. Loh.F.F.(2013,April,23).NGOs: No government shelter for the needy in Penang. *The STAR*. Retrieved from: <http://www.thestar.com.my/News/Nation/2013/01/25/NGOs-No-government-shelter-for-the-needy-in-Penang/>[Accessed: 23rd Oct 2014].
5. Mok.Opalyn.(2014,July,7).Arresting the poor, homeless 'worse than ISA', says Guan Eng.*The Malay Mail*. Retrieved from:<http://www.themalaymailonline.com/malaysia/article/guan-eng-arresting-the-poor-homeless-worse-than-isa> [Accessed: 23rd Oct 2014].
6. Mok.Opalyn.(2014,July 4).Penang homeless free to choose between streets and shelter, Guan Eng says.*TheMalay Mail*. Retrieved from:<http://www.themalaymailonline.com/malaysia/article/penang-homeless-free-to-choose-between-streets-and-shelter-guan-eng-says> [Accessed:23rd Oct 2014].

## Case Study 4: The Retired Poor



There are multiple challenges faced by people as they grow older, such as reduced cognitive function, compulsory retirement, health issues and family responsibilities. Chan and Jariah (2007) in their study found that the perception of Malaysian HR personnel towards older workers are more likely associated with negative characteristics rather than positive characteristics. All of these factors contribute to unemployment among older persons, abandonment by children and ultimately an increased risk of being homeless.

In a 2010 survey by the Social Welfare Department, roughly 22% of the homeless population in Kuala Lumpur are persons aged 60 years and above. This is an alarming statistic because persons aged 65 years and older only make up 5.1% of Malaysia's total population according to the Department of Statistics' 2010 figures. By virtue of being an elderly person, one is put at a much higher risk of being homeless. Nearly 30 percent have been abandoned and receive no financial support from their children, according to the Fourth Malaysian Population and Family Survey conducted by the National Population and Family Development Board (LPPKN) released in late 2011.

In September 2014, Employees Provident Fund (EPF) chairman Tan Sri Samsudin Osman said that the average working Malaysian was not saving enough for retirement.<sup>1</sup> A month later, the Government had reduced fuel subsidies. In 2015, the Goods and Services Tax (GST) will be implemented. These price increases cause senior citizens to worry about depleting savings as it eats into household incomes, leading them to demand for more sustainable models of Government assistance beyond the *Bantuan*

*Rakyat 1Malaysia* (BR1M) scheme, a Government assistance programme in the form of one-off cash handouts.<sup>2</sup>

As health standards improve, Malaysia's elderly population is projected to increase to 15% by 2030.<sup>3</sup> Thus, it can be reasonably inferred that, if the plight of elderly persons is not improved, and as the national policy is shifting towards subsidy rationalization and contractionary fiscal policy, there will be an increase in the real numbers of elderly persons on the streets.

The Government gives aid to elderly persons through the Social Welfare Department, by providing cash handouts through the Old Age Assistance programme (or *Bantuan Orang Tua*, (BOT)), living and mobility aids (e.g. wheelchairs, prosthetic body parts), discounts for transportation and medical supplies, domiciliary care and senior activity centres. Where the elderly homeless concerned, there are *Seri Kenangan* Homes (RSK) run by the Social Welfare Department. RSK provides care, treatment and shelter to those aged 60 years and above who are not suffering from infectious diseases, have no family members and are unable to take care of themselves (Social Statistics Bulletin Malaysia 2010).

However, some retirees/elderly persons may not know of the Government aids that are available. In many of the benefit schemes, the registration in the *e-Kasih* database is required. *e-Kasih* is an electronic database established by the Implementation and Coordination Unit (ICU) of the Prime Minister's Department that integrates data of recipients of Government welfare programmes. In the case of the elderly homeless, many persons are not eligible to receive Government benefits due to the lack of documentation. Furthermore, impairments in cognitive functions due to old age plus exposure to the elements may make it more difficult for welfare officers to assist them in obtaining the relevant Government assistance.

The Destitute Persons Act 1977 is the only platform that enables the Social Welfare Department to take elderly homeless persons into care. However as this report has discussed, the process that homeless persons undergo in order to have options available to them is degrading and against multiple Constitutional and human rights. For example, Section 11 of the Destitute Persons Act makes it an offence to resist an authorized officer during a raid. This puts the elderly homeless in a very vulnerable state as some of them may end up being imprisoned instead of given the appropriate care. The Government should also look into a more compassionate way to provide assistance to the elderly homeless and deal with the problem of elderly persons refusing to leave the streets with patience and without force.

1. Malaysians not saving enough for old age.(2014,September 14). *News Straits Times*. Retrieved from:[www.nst.com.my/node/33304](http://www.nst.com.my/node/33304)[Accessed: 23<sup>rd</sup> Oct 2014].

2. Elizabeth.Z & Jamilah Kamarudin.(2014,October 5).Budget 2015: Rising costs, shrinking savings worry senior citizens.*The Malaysia Insider*. Retrieved from: <http://www.themalaysianinsider.com/malaysia/article/budget-2015-rising-costs-shrinking-savings-worry-senior-citizens>[Accessed: 23<sup>rd</sup> Oct 2014].

3. The 2012 Revision of the World Population Prospects by the Population Division of the United Nations Department of Economic and Social Affairs of the United Nations Secretariat.

## 7.0 RECOMMENDATIONS

### 7.1 Repeal the Destitute Persons Act 1977

In this report, it is clear that the Destitute Persons Act governs most of the Government's existing homelessness strategy as it gives force to Ops Gelandangan and Ops Qaseh. Upon scrutinizing the processes involved in the 'rescue operations' allowed by the Destitute Persons Act, it is clear that the repeal of the Act is the only reasonable solution towards developing a more humanitarian approach to tackling homelessness. The Act violates various rights and freedoms guaranteed to all Malaysian citizens under the Federal Constitution, as well as to all persons regardless of citizenship under the Universal Declaration of Human Rights. It also worsens the situation of homeless persons financially, socially and physically. Through the DPA the authorities demonstrate that the authorities have the power to trample on the rights of vulnerable individuals in order to 'save them for themselves'. This sets a bad example to members of society and cultivates an 'us vs. them' mentality that may create a climate of anti-homelessness, possibly leading to hate crimes and other atrocities against homeless persons.

### 7.2 Review the cases of all persons detained in welfare homes

The authorities should immediately release all detained individuals to the places they were picked up and coordinate with NGOs to facilitate the safe release of those who choose to leave. Options for residential care should be available to released persons, with facilities that are suited to their specific needs. (e.g. disability assistance, specialized medical assistance, psychiatric services) Such facilities should be part of the bigger picture, as a step up from the present Anjung Singgah model, whereby a truly holistic approach is used to empower homeless individuals in the most dignified way possible.

### 7.3 Cease all future plans to criminalize homelessness and related activities

The Women, Family and Community Development Ministry had plans to amend the Destitute Persons Act 1977 to introduce the element of enforcement to curb begging earlier this year. This is similar to Tengku Adnan's proposals to penalize alms-givers and beggars. If the Ministry wants to save people from being manipulated, it can do it under clauses in laws such as the Penal Code, the Child's Act and the Human Trafficking Act. Those who beg without duress should be helped and not punished.

One should consider the associated costs of criminalizing homelessness -resources channelled towards prosecuting and jailing one of the most vulnerable persons in society, money, which includes money and time of the judiciary and enforcement agencies - and re-evaluate whether it is the best way to spend taxpayer's money.

### 7.4 Improve social outreach

The Government should get social welfare workers or case workers to befriend and work with homeless persons in order to (1) keep track of each person's challenges, and (2) better help them navigate bureaucracy and obtain the welfare services he or she is eligible for. This can include helping homeless persons obtain NRIC replacements for free and applying for social welfare such as BR1M.

### 7.5 Create a joint ministerial working group

Homelessness is a multifaceted issue, with systemic problems preventing homeless persons from accessing the help they need. There are also systemic problems that create poverty and homelessness.

These problems can be solved through a collective effort between Ministries. The Joint Ministerial Working Group would consist of the Ministry of Women, Family and Community Development Ministry, the Home Minister, the Minister of Health, the Ministry of Human Resources, the Minister for the Federal Territories and the office of the Mayor of Wilayah Persekutuan Kuala Lumpur. The relevant stakeholders must be consulted, such as the homeless people themselves and NGOs.

Without such a high-level ministerial working group, the political will to push through a comprehensive plan to tackle homelessness will be much reduced. Inter-agency and inter-ministry coordination will be restricted to programs such as Ops Qaseh or when there is public pressure on the homeless issue. In the UK for example, there is a Ministerial Working Group on preventing and tackling homelessness which publishes regular reports and policy papers on a regular basis.<sup>35</sup>

## 7.6 Make the National Welfare Foundation more transparent and accountable

In the NWF's financial statements, there was an 800% increase between 2010 and 2011 of the expenditure called the Specific Fund Management. The NWF would do good to clarify what the Specific Fund Management is for, as it handles a large sum of government funds (In 2014, RM 6 million was allocated to NWF to manage Anjung Singgah).<sup>36</sup>

## 7.7 Upgrade services in social welfare homes

Social welfare homes (*DBD, RSK*) should provide special services such as disability assistance, acute psychiatric and medical services, debt management education and counselling for personal growth (as opposed to career-oriented counselling).

The Ministry of Women, Community and Family Development and the Minister of Health should work hand in hand to increase the number of trained personnel who are equipped and experienced in dealing with the mental health care needs of homeless individuals. This would include counsellors, psychologists and psychiatrists.

## 8.0 CONCLUSION

Ultimately, the problem of homelessness is very difficult to prevent completely. But it can be reduced. The homeless community can be treated with dignity and respect. Those who can be and want to seek help should have access to the right channels of help including regaining their own self-confidence, dealing with their mental health issues, being trained for new skills and job opportunities, being in a network which can support them, just to name a few.

It requires great political will and passionate people working together in order to get people off the streets, one at a time, without trampling on their rights as individuals and citizens of this country. It requires the government to work hand in hand with NGOs and other interested individuals to provide short and long term measures to ameliorate the problem of homelessness. After the publicity has died down, the hard work must continue.

<sup>35</sup>Ministerial Working Group on Preventing and Tracking Homelessness. Retrieved from:

<https://www.gov.uk/government/collections/ministerial-working-group-on-preventing-and-tackling-homelessness> [Accessed: 23<sup>rd</sup> Oct 2014].

<sup>36</sup> National Welfare Foundation Malaysia. (2011). *Annual Report, 2011*. Malaysia.