

**Unfair to detain vagrants against their will, says DAP
Malaysian Insider
July 6, 2014**

Putrajaya's move to use the Destitute Person's Act 1977 (DPA) to detain the homeless in welfare homes for up to six years is an infringement of their rights, a DAP lawmaker said today.

"To use the DPA to detain the homeless against their will is to make homelessness a crime and thus, should be condemned," Serdang MP Dr Ong Kian Ming said.

He was responding to the Ministry of Women, Family and Community Development's plan to round up the homeless starting Monday under "Ops Qaseh".

Under the DPA, the captured vagrants would be given care and rehabilitation for three to six years.

They can be released early under two conditions: that the authorities are satisfied the resident has obtained appropriate work to sustain himself, or has been released to someone who can support and take care of him.

"Many of the homeless in Kuala Lumpur do not have regular jobs and have, for various reasons, lost contact with their family members," said Ong.

"To require that they find regular jobs or proper homes before they are released from the welfare homes is unfair and unacceptable.

"Even criminals who have served their jail sentence are not required to prove that they have gainful employment or a permanent roof over their heads before they are released," he said in a statement.

Minister Datuk Seri Rohani Abdul Karim had reportedly said that Ops Qaseh would be a comprehensive operation to "ensure that there are no more Malaysians begging and wandering around the streets without getting the appropriate protection".

Under the DPA, a destitute person means: "(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 begging, who has no visible means of subsistence or place of residence or is unable to give a satisfactory account of himself."

A homeless person who is not begging would fall under category (b) of a destitute person, said Ong.

Section 3 of the DPA allows a magistrate to require a destitute person to reside in a welfare home for up to one month.

Section 4 of the DPA allows a magistrate, based on the recommendation of a social welfare officer, to order a destitute person to remain in a welfare home for up to three years and this order can be extended for another three years.

"This means that a homeless person can be detained against his or her will for a period up to 6 years," said Ong.

"To detain the homeless in these welfare homes, especially if it against

their will, is an infringement of their political rights."

Rohani had reportedly said those aged below 60 years old and detained under Ops Qaseh would be placed in "Desa Bina Diri" centres outside Kuala Lumpur and given shelter, counselling, rehabilitation and training.

Those above the age of 60 would be placed at Rumah Seri Kenangan homes outside Kuala Lumpur. – July 6, 2014.

- See more at:
<http://www.themalaysianinsider.com/malaysia/article/unfair-to-detain-vagrants-against-their-will-says-dap#sthash.b1MMYsiq.dpuf>

Hakcipta © 2013 The Malaysian Insider

Source: <http://www.themalaysianinsider.com/malaysia/article/unfair-to-detain-vagrants-against-their-will-says-dap>