


## Childhood and the right to happiness: Legal scope and the support network in Arapiraca

 <https://doi.org/10.56238/sevned2024.014-018>

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### ABSTRACT

The article addresses the results of the extension project of the State University of Alagoas – UNEAL, "Protected Child is Happy Child", whose objective was to identify the dynamics of the functioning of the child support network in the municipality of Arapiraca in the state of Alagoas, as well as the measurement of the types and dimension of violence practiced/identified. The praxis of extension implied the holding of workshops in toy libraries and early childhood education schools for the dissemination and distribution of an educational booklet produced after dialogue with actors of the existing protection network in the municipality, in the security forces and in the judiciary. A study of the statistical data of the care records carried out by the protection network in the years 2020; 2022 and 2023 (Children's Police Station, the Guardianship Councils of Arapiraca and the Sopia and DataSUS system) indicates a higher incidence of violence against children in poorer neighborhoods, but cases are identified in all neighborhoods, regardless of the purchasing power of their population. In the categorization of the types of violence, negligence was identified as a strong reason for families to go to the Guardianship Council; next, school education; then psychological or physical aggression; life & health or drugs; and sexual abuse. Interestingly, the mother is identified as the aggressor in a large number of cases. Symmetry is observed in the informants' databases, and the lack of daycare centers and full-time school is identified in some neighborhoods of the municipality, catalyzing intrafamily violence.

**Keywords:** Violence, Childhood, Support networks, Protection.

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## INTRODUCTION

This work develops the analysis of quantitative and qualitative data on the omission or action that harms the well-being of children and adolescents, and experiences acquired in the extension & research project of the State University of Alagoas/UNEAL. The study took place in the city of Arapiraca-AL, which has a territorial area of 345,655 km<sup>2</sup>, population estimated by IBGE (2022): 234,696 inhabitants, within the scope of social policies and practices for the protection of children and youth in the Municipality.

In partnership with the 1st District Court of Arapiraca-AL, Childhood, Youth and Family, organized by the Law and Pedagogy courses, the community and the intervening bodies, in a contribution from the judiciary/solidarity. Which contributed with an awareness and education campaign, bringing information and safety to infants and their families.

The study investigated the problem of prevention of child violence, in Law No. 8.069/1990, that according to Silva, L. (2002), domestic violence within the family is difficult to be detected, in the family environment, on the basis of this full protection, in "Art.5 where no child or adolescent shall be the object of any form of neglect, violence, [...]", asked the project participants for the quantitative data of the services, the convergence, where it happens, going to the heart of the problem.

The work had the objective of raising awareness and educating about the motivations of who the victims of child domestic violence would seek help from, for this were held meetings with partners, lectures with the delivery of a booklet in the schools of Arapiraca/AL. giving possible directions to assert a child's right to have a happy childhood.

In the primary hypothesis, the research focused on laws, articles, books and the project to analyze the guarantees of children and adolescents. And to question how they would be protected, what their ages, ethnicity, and possible solutions are. In the secondary hypothesis, the role of the state and public policies in connecting the intervening agencies in the search for protection for children who are victims of some type of violence.

It is understandable in this and in these discussions that it was decided to carry out the study, in order to identify the characteristics of these families that coexist in an environment of violence, according to the ECA - "Art. 130 - if there is a hypothesis of mistreatment, sexual abuse or oppression exercised by parents or guardians, the judicial entities must indicate, [...]", the departure of the aggressor from the home. The importance was to propose an analysis of the quantitative data related to the reception/protection networks for children and adolescents who are victims of violence in Arapiraca-AL, in a perception of Brazil.

The inclusion and exclusion criteria followed the objective of the project, which were the last 15 (fifteen) years in the researched articles and the qualitative and quantitative data, where



educational and prognostic workshops were held in person with basic education students. The inclusion of articles, or the production of educational material that detected the way in which the theme has already been addressed in other articles, and as the departure of the aggressor from the house in which he lives, there was the provisional fixation of maintenance for the aggressor's dependents, as a precautionary measure, Law No. 12,415, (2011).

Regarding aggression in homes, children are oppressed not to report the mistreatment, causing suffering, and in more serious cases even their death, as happened in Brazil in 2021, Rio de Janeiro, and which ended up becoming the Henry Borel Law, Law No. 14,344 of 2022, in the definition of Azevedo and Guerra (2001) below on what is Child Violence:

Any act or omission committed by parents, relatives or guardians against children and/or adolescents that, being capable of causing physical, sexual and/or psychological harm to the victim, implies a transgression of the adult's power/duty to protect and, on the other hand, a objectification of childhood, that is, a denial of the right that children and adolescents have to be treated as subjects and people in a peculiar condition of development.

In the case of the boy, Henry Borel, it can be seen<sup>6</sup> that most of the studies published on violence against children, in Brazil and in the world, that most cases are connected to the experience of violence inflicted by parents in childhood, given that child violence in some cases may result in the death of the child, a double victim in homicide statistics. (Rates S.M.M *et al.* 2015) and (Emery CR, *et al.* 2014).

## THEORETICAL FRAMEWORK

In her autobiography, Christie, Agatha (1890-1976), "One of the most fortunate things that can happen to us in life is to have lived a happy childhood." Thinking about the full priority of children and adolescents, article 227 of the Federal Constitution of 1988 determines that it is the duty of the family, society and the State to ensure to children and adolescents, with total primacy, the right to life, health, food, education, leisure, professionalization, culture, dignity, respect, freedom and family and community life and other forms.

In this analysis, the philosophical conception of the child's happiness, cited by Christie, in the text above, is not the objective. For now, understand how to have guaranteed fundamental and basic rights in legislation, and the existence of having a chance at life in the conception of Ralf Dahrendorf<sup>7</sup> (1996), in the squaring of the circle, which brings social welfare.

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<sup>6</sup> Henry Borel, In the article, "Law No. 14,344/2022 (Henry Borel) and family law: reflections and applications", describes the main aspects of the law and deals with the importance of the effective implementation of protective measures to prevent and combat violence against children, according to lawyer Barbara Heliodora de Avellar Peralta, vice president of the Family Relations Commission of the Brazilian Institute of Family Law, Rio de Janeiro section – IBDFAM-RJ.

<sup>7</sup> For a better understanding of the theoretical "concept" of life chances. DAHRENDORF, Ralf. 1996. Squaring the Circle: Economic Well-Being, Social Cohesion and Political Freedom. Lisbon, Edições 70.



What does the word "violence" mean, according to the World Health Organization (WHO), Krug *et al.* (2002) "the intentional use of force and physical power, in fact or as a threat, against oneself, against another person, or against a group or a community that results or has any possibility of resulting in injury, death, psychological harm, developmental disability, or deprivation." According to Gauer (2000), physical or moral constraint, use of force, coercion, distorting the meaning of what has been said, establishing the opposite of the right to justice, which is tragically based on the data, giving oneself to ethics, denying the free manifestation that the other expresses of himself or his convictions.

The phenomenon of domestic and/or intra-family violence against children and adolescents according to Rascovsky (1974); Azevedo (1988) apud Silva, Lygia. (2002), comes from Western mythology where they were narrated, so it is not a contemporary phenomenon. Reports of filicide have been found in biblical passages, in initiation rituals or passage to adulthood, and an intrinsic connection with the cultural history of humanity is observed, of which we will cite reports of mistreatment, neglect, abandonment, and sexual abuse. Seen in Azevedo and Guerra (2001), 04 types of violence against children and adolescents often occur, I will mention them: Sexual Violence, Physical Violence, Psychological Violence, and Negligence.

For several centuries, Weber, *et al.* (2004), the figure of childhood was linked to St. Augustine, 354-430 A.D., who declared that there was no infantile innocence, it was a practice instituted without any sanction, since in the established relationship, the father had powers of life or death over his children. In the article by Ricas *et al.* (2010), stated that the first known written law for the care of children and adolescents was in 374 AD, prohibiting infanticide.

In Brazil, the first code designed for the rights of children and adolescents was approved, the "Code of Minors", created on October 12, 1927, which initiated the concern with children and adolescents who were homeless, without a way to support themselves or anyone to support them, and eventually in an "irregular situation". homeless, "abandoned", easily influenced to enter the world of crime.

At the international level, the ten detailed principles of the Universal Declaration of the Rights of the Child, which was adopted by the UN General Assembly on 20/12/1959, in Marangon (2007, p. 163), are of sublime importance:

Principle 1 - The child shall enjoy all the rights set forth in this Declaration. All children, absolutely without exception, shall be entitled to these rights, without distinction or discrimination on grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or any other condition, whether theirs or their family's. Principle 2 - The child shall enjoy social protection and shall be provided with opportunities and facilities, by law and other means, to enable him or her to develop physically, mentally, morally, spiritually and socially, in a healthy and normal manner and in conditions of freedom and dignity. In establishing laws for this purpose, the best interests of the child shall be taken into account. Principle 3: From birth, every child shall have the right to a name and a nationality. Principle 4 - The child will enjoy social security benefits. They



will have the right to grow and raise themselves in good health; To this end, both the child and the mother will be provided with special care and protection, including appropriate pre- and postnatal care. The child shall have the right to adequate food, recreation, and medical care. Principle 5: Children who are physically, mentally or socially incapacitated shall be provided with the special treatment, education and care required by their peculiar condition. Principle 6 - For the complete and harmonious development of his personality, the child needs love and understanding. He or she shall be brought up, whenever possible, in the care and responsibility of his parents and, in any case, in an environment of affection and moral and material security, except in exceptional circumstances, the child of an early age shall not be separated from the mother. Society and public authorities will have an obligation to provide special care for children without families and those who lack adequate means of subsistence. It is desirable to provide official and other aid for the maintenance of the children of large families.

Principle 7 - The child shall have the right to receive education, which shall be free and compulsory at least at the primary level. An education will be provided which will promote its general culture and enable it, under conditions of equal opportunity, to develop its aptitudes, its capacity for judgment and its sense of moral and social responsibility, and to become a useful member of society. The best interests of the child will be the guideline to guide those responsible for their education and guidance; This responsibility lies first and foremost with the parents. The child will have ample opportunity to play and have fun, aiming at the very purposes of his education; Society and public authorities shall endeavour to promote the enjoyment of this right. Principle 8 - The child shall, in all circumstances, be among the first to receive protection and help. Principle 9 - The child shall enjoy protection from any form of neglect, cruelty and exploitation. It will never be trafficked in any form. The child shall not be allowed to be employed before the minimum suitable age; In no way shall he be led to or permitted to engage in any occupation or employment which is detrimental to his health or education or which interferes with his physical, mental or moral development. Principle 10 - The child shall enjoy protection against acts that may give rise to racial, religious or other discrimination. It will be created in an atmosphere of understanding, tolerance, friendship among peoples, peace and universal fraternity, and in full awareness that their efforts and abilities must be put at the service of their fellow men (Declaration of the Universal Rights of the Child, 1959).

In Brazil during the dictatorship, 1979, the second Minor Code only maintained the doctrine of the irregular situation of infants, who were homeless, the same considerations as the first Code, cited in the previous paragraph. However, in nineteenth-century Brazil, Arthur Moncorvo Filho worked and gave the first signs through his work in the defense of childhood, in 1880 through the foundation of the Institute for the Protection and Assistance of Children, RJ. In Paris, when the interest in child protection began, it was through the Societies for the Protection of Children, (Donzelot, 1980, p. 32):

In 1865, the first societies for the protection of children appeared in Paris (founded by A. Meyer), and later in Lyons, which assumed as their objective to guarantee the medical inspection of children placed by their parents in nursing mothers, and also to improve the systems of education, methods of hygiene and the supervision of children of the poor classes. In their magazines, for example, they keep the rubric "crimes and accidents", where all the facts indicative of maltreatment, all the crimes of "non-vigilance" committed by the parents are mentioned. These societies rely on employers' committees that already existed for the surveillance of children in the asylum.

Such narratives are rich in expressing situations of mistreatment, of violence that parents/guardians inflicted on their children and adolescents, usually justified as a disciplinary



measure, to convince them to obey, but often these infants ran away from home, causing a huge number of children living on public roads.

Thus, in the mid-80s, in Brazil, the first spaces began to be created with the objective of denouncing and forwarding cases of violence practiced by parents or guardians against their children. The Regional Center for Attention to Child Abuse (CRAMI) was founded on July 4, 1985, on the initiative of Dr. Hélio de Oliveira Santos, linked to the Pontifical Catholic University of Campinas (SP).

According to Rates *et al.* (2015), Brazil has been advancing in the protections and rights of children and adolescents, as already mentioned in the Federal Constitution (1988), article 227, values the duties of the family, society and the state in the protection, rights and guarantees of children and adolescents. Thus, the ECA - Statute of the Child and Adolescent, Law 8.069 of 1990, a historical milestone, in this victory of the rights and guarantees of infants.

Supported by Law No. 8,242 of 1991, the creation of the National Council for the Rights of Children and Adolescents – CONANDA, governed by Decree No. 5,089 of 2004. In accordance with the ECA, Law 8.069/1990, art. 88, item II, and the Constitution of the State of Alagoas, of 1989, in its art. 268, and instituted by State Law No. 5.336/1992, the creation of the State Council for the Rights of Children and Adolescents of Alagoas - CEDCA/AL. In Arapiraca, Municipal Law No. 1.694/1991, took care of the creation of the Municipal Council for the Rights of Children and Adolescents of Arapiraca/AL, which was modified by Law No. 2,741/2011 and today Municipal Law No. 3,351/2019.

From the perspective of Platta *et al.* (2020), during the moment of social isolation caused by COVID-19, an ambiguous contradiction was observed regarding the protection of children and adolescents, since in order to protect them from the COVID-19 virus, they were left at the mercy of domestic violence, in an unsafe environment. The authors state that social organizations and non-governmental institutions, in the media, report an increase in violence against children and adolescents in the pandemic, there was 7.4% in the Federal District, 73% in Paraná, 8.5% in Rio Grande do Sul and 32% in Pernambuco.

In the resilience of the pandemic scenario, Law No. 13,979 was amended, and Law 14,022/20 was sanctioned, which provides for measures to combat domestic and family violence against children, adolescents, elderly people and people with disabilities, during the pandemic of the new coronavirus. It is intended to remember forms of reception that meet the well-being of the child: Sinase Law – National System of Socio-Educational Care/Law No. 12.594/2012; Menino Bernardo Law/Law No. 13,010/2014; Early Childhood Law/Law No. 13,257/2016 and Listening Law/Law No. 13,431/2017, and other types.

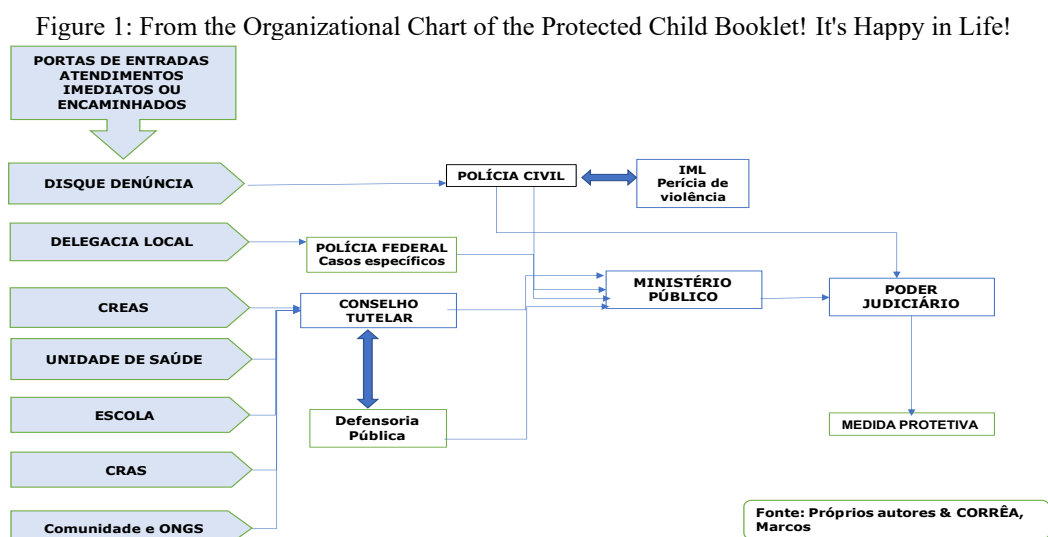


In emotional difficulties, Rubin *et al.* (2009), of which will be divided into "03 cycles of difficulties", in the 01(one) socio-emotional cycle (anxiety, low self-esteem, depressive symptoms and internalized problems), studies indicate that boys are more prone to more socio-emotional difficulties than girls. This is followed by cycle 02 (two) difficulties with peers (rejection, victimization and poor quality of friendships) and finally cycle 03 (three) school difficulties (poor quality teacher-student relationship, academic difficulties and avoiding school).

On prevention and identification, Rosas *et al.* (2006), indicate that teachers, principals and other professionals who work with children and adolescents, especially in a school environment, which is the space where the child will spend part of the day, should be attentive to the signs that the child asks for help, through their body language, their behaviors, their actions or the lack of these attitudes, which are not always through the expression or speech of a cry for help.

Currently, Law No. 12.010/2009 – Adoption Law, the practices of the institutional foster care program, every child or adolescent will have a reassessment of the situation every 6 (six) months, having 2 (two) years at most internal, in order to alleviate the suffering of these victimized children, implemented in 2021, in the 1st court of Arapiraca the Family Foster Care Program, that for each minor, families will receive (01) a minimum wage per month of "help".

In the history of Brazil, Ramos, F. & Rela, E. (2018), the children's works that enchants, had the conception of teaching and educating the children's spirit, in a culture of making, for example, the punishments of infants as something worthy and accepted by society. One will see in Mário, Saudade/1919, and in Henrique e Eduardo, A ilha perdida/1946, children's books with adult-centric contours or narratives that impose punishments on children for their disobedience, emphasizing that the fact of not following the recommendations of their elders would lead them to unpleasant situations.



Source: Extension Shield Booklet, Protected Child, pg. 43, 2022.



In the new conception, or in practice, to whom should the children's families seek help and shelter in the event of violence? - In figure 1, several paths can be followed, in the event of reporting situations of violence against children and adolescents, one of them would be the Guardianship Council of the neighborhood, or go to the Civil and Military Police, in cases of physical or sexual violence the police station will give the referral for the forensic examination of the victim, at the IML. And in possession of the expert report of the doctor and the B.O., you can go to the Public Prosecutor's Office or Public Defender's Office, and/or through the national dial-100 hotline; Dial 181, state; and Dial 156, municipal, being informed of the facts in the call, to help in the intervention of the public authorities; in figure 1, the Organizational Chart was planned to describe some paths.

## METHODOLOGY

The research had the partnership and funding of UNEAL, through meetings gathered the best ways to reach the effective model of publishing the Booklet, called: "Protected Child! It's happy in life!", (2022)<sup>8</sup>, distributed in schools in Arapiraca. The study was approved by the Research Ethics Committee, in compliance with the ethical guidelines, SEI under number E:04104.0000001495/2020, PROEXT order 5352752.

The planning meetings, in the first stage, were for the preparation of the UNEAL Letters of Consent and the terms of partnership with signatures of the partners/city hall in the project, where it was decided to choose 04 Secretariats of the Municipality of Arapiraca. The 100 hours of the project were completed, 40 hours completed in the stage of delivery of the Booklets in the Schools, the remaining hours remaining in the construction of the booklet and with meetings/internal/virtual at Uneal and external in the entities 60 hours. This is a study with a quantitative and qualitative approach, of a social and preventive nature, carried out in the Schools of Arapiraca/AL.

The meetings of the extension project with the partner entities, which were directly involved with the Rights, Protection and Defense of Children and Adolescents, such as: 1st Court of Arapiraca – Childhood and Youth of Arapiraca; Public Defender's Office of Arapiraca. With data from the General Civil Police Precinct (DGPC) AL; Tutelary Council I and II; Municipal Council for the Rights of Children and Adolescents (CMDCA); Specialized Reference Center for Social Assistance (CREAS). In addition to the participation of the Municipal Secretariat, of which I will mention: Social Development of Arapiraca – SMDS; of Culture, Leisure and Youth – SMCLJ; of Health of Arapiraca – SMS and Political Articulation – SMAP.

At the time of delivery to the schools, it was decided to carry out educational and prognostic workshops in person with students from basic municipal education and a state school. Thus, the visit

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<sup>8</sup> Physical version delivered to students and dissemination of the QR COD, available online: <https://drive.google.com/file/d/1PpcL3IJH7iPQBJZNCVdk8q9E8QyIe511/view?usp=drivesdk>





and delivery of the Booklets took place in 08 (eight) schools, 07 (seven) municipal schools and 01 (one) state school, disclosing the QR CODE. Aiming at the ECA – 8.069/1990, in this way it was feasible to make the deliveries in the pre-literacy classes – children from 03 years to 05 years, in the 2nd Grade of Elementary to 8th Grade – children/adolescents from 06 to 14 years old, and in this way the need for this integrated extension project was perceived<sup>9</sup>.

With the use of SPSS 20, with data from the Civil Police Station - Police Intelligence Directorate, Statistics and Analysis Section, to use the detailed graphs, and to be able to see the Frequency, with answers given in absolute terms. It included a bibliographic review of scientific articles from the last 15 (fifteen) from the Capes portal, UNEAL Digital Library and Google Scholar and other sources. Access took place between May 20, 2021 and December 2023, in which the following expressions were searched: "child violence", "law 8.069-90", "ECA", and reflections on the resilience of child victims of violence who seek protection.

In the inductive method of approach – "knowledge is based exclusively on experience, without taking into account pre-established principles," Gil, (2009); Lakatos; Marconi, (1993). According to Gil (2002), when carried out in the natural sciences, it uses the experimental method, in the social sciences, which requires the use of the observational method, in the realization of the ICF with the partner entities.

Considering the nature of the approach, quantitative research conceptualizes that anything can be quantifiable, however, it details mathematical data as a discourse to justify theories and hypotheses, Silveira (2011). In the universe of field research, the stratified probabilistic sampling criterion was observed, which will be to classify the samples by sex, age, ethnicity, etc. In the collection instruments, secondary data from the Children's Police Station, the Guardianship Council of Arapiraca, and the Municipal Health Department of Arapiraca/SMS, and the Social Development Department of Arapiraca/SMDS, with the Sapia or Datasus system, were used.

## RESULTS AND DISCUSSIONS

In a project that raises awareness about the prevention of child domestic violence, and even disseminates/informs about what to do in accordance with the Statute of the Child and Adolescent – ECA, Law 8.069/1990, in addition to strengthening support networks, in prudence and strengthening rights, against child violence, in:

Article 5. No child or adolescent shall be subject to any form of negligence, discrimination, exploitation, violence, cruelty and oppression, and any attack, by action or omission, on their fundamental rights shall be punished in accordance with the law.

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<sup>9</sup> Photos in Next topic



And in the details in Article 18 and Article 18-A:

Article 18. It is everyone's duty to protect the dignity of children and adolescents, protecting them from any inhuman, violent, terrifying, vexatious or embarrassing treatment. Article 18-A. Children and adolescents have the right to be educated and cared for without the use of physical punishment or cruel or degrading treatment, as forms of correction, discipline, education or any other pretext, by parents, members of the extended family, guardians, public agents executing socio-educational measures or by any person in charge of caring for them. treat, educate, or protect them.

An example of this challenging context is in the book by the Scientific Committee of the Science for Childhood Center (2023) – "Prevention of violence against children", in Rio Grande do Sul, in which the families interviewed stated that they adopt negative practices, such as: screaming, shaking and spanking, on children, with 67% of the families. The use of violence as an educational process is notorious, according to (Martins *et al.* 2010), experienced by different periods of humanity and being replicated in a culture rooted over several decades. It is imperative to *invest* in children and families so that society is defined by care, and in parenting programs.

Going to the legal framework, Law 13.257/2016, which defines conditions and ideas for the design of intersectoral plans at the municipal level, for early childhood, and definition of goals by the responsible bodies, Early Childhood Observatory, (2020), "Monitoring of policies for early childhood". The articulation of public governance policies between the actors of this decision-making process and civil society so that early childhood is an efficient policy, investing in children, is achieved, in Abrucio's speech<sup>10</sup>, a "positive cascading effect on other areas," intersectorality, from the Maria Cecilia Foundation, (2023).

In order to reach multiple childhoods, the booklet "Protected Child is happy in life" was read,<sup>11</sup> in a theme that leads Children and Adolescents to be directed to learn more about their rights and duties, as well as to identify support networks, and their addresses and telephone numbers, being intervening entities linked to the guarantees of these rights of children, Figure 2.

In Figure 2, below, the project partners, hand in hand, were invited with a printed invitation and/or WhatsApp to receive deliveries of the first booklets. And at this moment of the delivery of the booklet "Protected Child, is happy in life" (2022), the handling of the booklet, its dissemination took place, thus introducing a different concept of addressing the theme of child violence, in a light and playful way, leading the reader to find their way, and their answer to what to do.

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<sup>10</sup> In the book "Early Childhood First: An Integrated Approach [...]" When you invest in children and their families, there is a great capacity, both now and in the future, to reduce vulnerabilities and inequalities and promote a better country" (pg. 26)

<sup>11</sup> Disponível online QR COD:  
<https://drive.google.com/file/d/1PpcL3IJH7iPQBZNCVdk8q9E8QyIe511/view?usp=drivesdk>

Figure 2: Arapiraquinha IV Digital Library - Valfrido de Oliveira Lima Square.



Source: Extension data, image of Arapiraquinha IV, November 29th. of 2022 and Dec 13. 2022.

The photographic record was captured by the project team at the time of the playful dialogue about violence against children, and the importance of knowing what to do? -Denounce! (Figure 1). The second image with students from School 1, with 25 students, from the 3rd Grade, for example, in the Arapiraquinha IV Digital Library, with the library coordinator, the reading of the booklet with the use of puppets on the theme against child violence, worked on musicality making the event light and fun, with the support of the guardianship counselor. In school 2, for example, it was with the 2nd grade of elementary school, 30 students, in the school itself, with snacks, after the delivery of the booklets, there was the reading of the booklet with the participation of the students in knowing what to do? - about your rights and duties interacting with the UNEAL team.

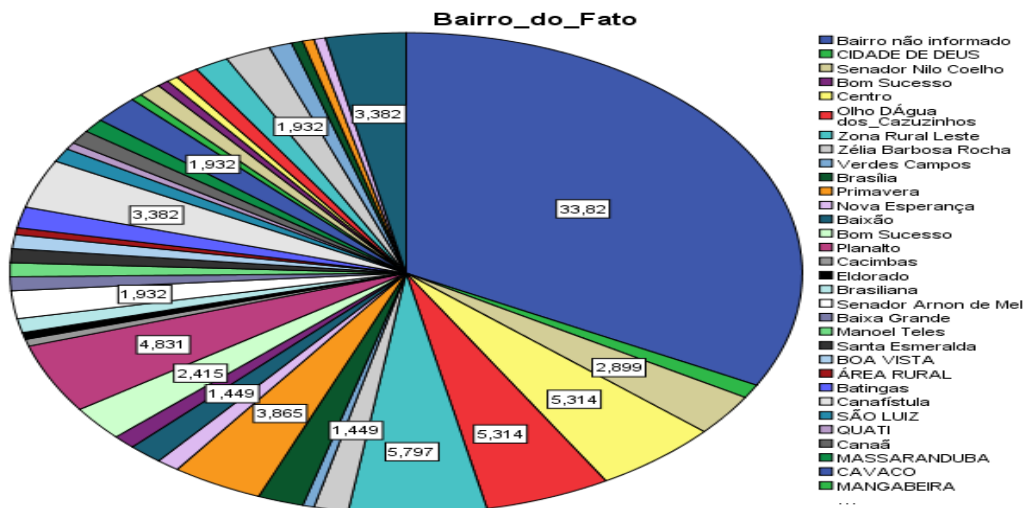
With the puppet, children interacted and played make-believe, learning to tell everyday situations, or to report, in case there is a need, music awakens socialization between people, helping in the development of motor coordination, sound perception, linguistic improvement and other cognitive functions, Azevedo (2023). In the field of education, bioethics can be seen to reproduce some alternatives for the protection of the rights of the most vulnerable children and adolescents. In the search for fundamental human value, bioethics reflects dignity, autonomy, integrity, human rights, beneficence, and non-maleficence, (Sanches, *et al.* 2019).

### THE CASES THAT REACH THE CIVIL POLICE AND GENERATE A B.O OCCURRENCE REPORT

When a family goes to the police, they want to find a resolution to a family conflict, or not, in a civilized way, by reporting such a situation. Thus, in the quotation from Donzelot, Jacques, 1980, argues that "*The police aim to ensure the happiness of the State, through the wisdom of its regulations, and to increase its forces and its power as much as it is able*", bringing the peace necessary for the maintenance of society and markets, finding the point of balance for families to live in a peaceful state, safe and democratic, and infants have a happy childhood!



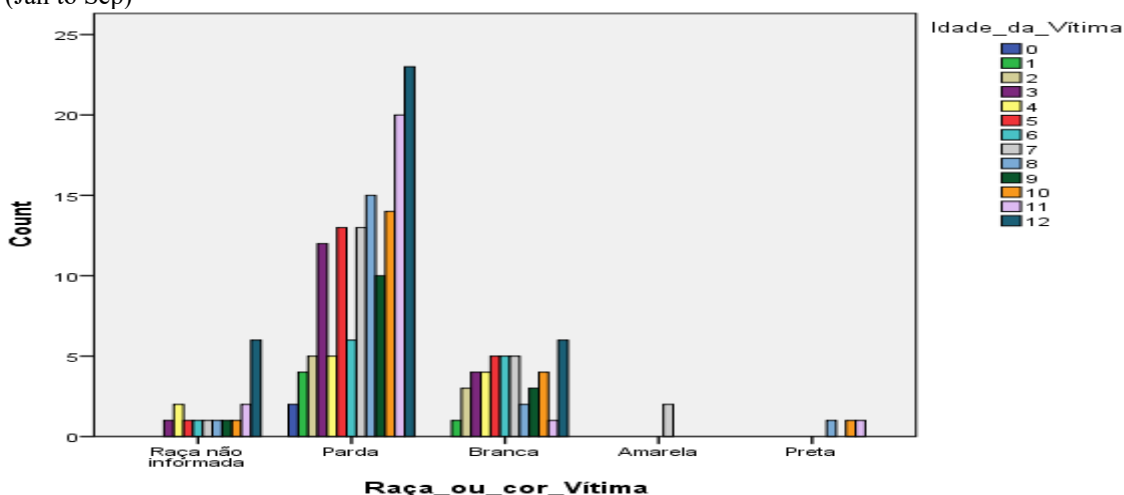
Graph 2: From the neighborhood of Fato, B. O. Boletim de Polícia - Crimes Committed Against Victims Age 0 to 12.



Source: Data from 2015 to 2021 (Jan to Sep), provided by the Civil Police, esposta\_Asstec\_Sic\_1673-2021

Graph 2 above shows the neighborhoods that have the highest occurrences against victims of child violence, being children between 0 and 12 years old, Neighborhood not informed, with frequency of 70, percentage 32.7%, the occurrence of rape of vulnerable in Neighborhood not informed<sup>12</sup>, 35; Plateau 7; Rural area 05; Centro, Primavera and Olho d'água dos Cajuzinhos 04; Bom Sucesso 03; Alto do Cruzeiro, Manoel Teles, Canaã, Canafístula, Batingas and Senador Nilo Coelho 02. And finally Cidade de Deus, Zélia Barbosa, Brasília, Baixão, Brasiliana, Senador Arnon de Melo, Baixa Grande, Boa Vista, Rural area, São Luiz, Quati, Massaranduba and Cavaco, Fazenda Venha, Ouro Preto and Novo Horizonte 01.

Graph 3: Of the Ages of the Victims, B. O. Police Report - Crimes Committed Against Victims Age 0 to 12 - Period 2015 to 2021 (Jan to Sep)



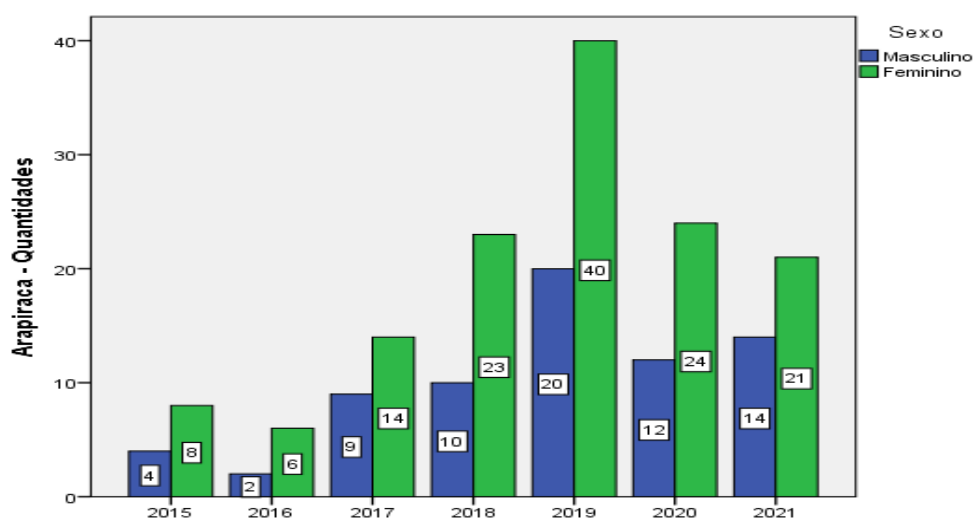
Source: Data Provided by the Civil Police, Resposta\_Asstec\_Sic\_1673-2021

<sup>12</sup> For security agents, there is a presumption that this spatial category refers to rural areas, borders between them, or even occupation in urban settlements.

In ethnicity, the skin color was the most frequent among victims aged 0 to 12 years, brown in first place with 142, in second place white children with 43, and third not informed with 17, black color with 03, and finally yellow color with 02, graph 3. In the occurrences against victims from 0 to 12 years old in relation to the age of the victim, in the age of 12 years there are 35 cases, 11 years - 24 cases, 07 years - 21 cases, 10 years - 20 cases, 05 and 08 years - 19 cases, 03 years - 17 cases, with a total of 133 complaints, people who have found a way to stop the violence. Still in relation to brown color, the ages in descending order were 9 years, 6, 4, 2, 1 and 0 up to 11 months, 52 cases, lowest occurrence rate, but 12 years, 11, 10, 8, 7, highest occurrence, above, graph 3.

In the aspect of the year of the fact, graph 4, from 0 to 12 years old, in 2015, there were boys with 04 cases, and girls with 08, so 66% more are girls. In 2016, 02 boys and 06 girls graduated, again girls were the majority. In relation to the sex and year of occurrence of these crimes against victims from 0 to 12 years old, it is noted that in 2019 there were 60 cases, the highest incidence between 2015 and 2021, while in 2020 there were 36 cases in the period of the covid 19 pandemic, where people stayed at home and carried out their work from home, In 2021, there were 35 cases recorded.

Graph 4: In the period 2015 to 2021, Jan to Sep, B. O. Boletim de Occurrence - Crimes Committed Against Victims Age 0 to 12.



Source: Data Provided by the Civil Police, Resposta\_Asstac\_Sic\_1673-2021

In the previous periods, in 2015 there were 12, 2016 there were 8, 2017 there were 23, 2018 there were 33 cases registered at the Civil Police Station of Arapiraca Alagoas, graph 4. One solution would be the daily practices developed by multidisciplinary teams of technicians from Municipal Secretariats, shelters or the Judiciary, when working within the Rights Guarantee System (Ferreira *et al* 2011).

Regarding 2017 boys were 09 cases, and girls 14 cases, 2018 boys were 10 cases, and girls 23 cases, while in 2019 boys were 20 cases and girls 40 cases. In 2020, the year of the covid-19





pandemic, there were 12 cases of boys and 24 cases of girls, in 2021, there were 14 boys, and 21 cases of girls or 60%, the crimes committed against children from 0 to 12 years old, victims of Arapiraca, graph 4.

Characterizing violence, in a certain way in Arapiraca, as a biopsychosocial phenomenon, initiated by the structural violence of community life, as it is understood by the policy of socioeconomic inequality, appropriation and expropriation of categories and oppression of groups in society, a culturally based violence derived from the violence of monetary power. It rises over the relations of hierarchies of racial, ethnic, family and age groups, the violence of delinquency that is presented in what the population considers to be a crime or against the law, being articulated, on the other hand, the violence of resistance that marks the relationship of people of oppressed, subjugated classes and/or subjugated groups and/or material conditions, Minayo and Assis, (1994) and regarding the problems of externalization and internalization the negative experiences in Goulart, Wagner, (2013).

#### WHEN THE FACT REACHES THE GUARDIANSHIP COUNCIL: A READING OF SPATIALITY

When families go to the Guardianship Council, what kind of assistance can they have? – counseling, recommendation and referrals, the simplest parents, who receive the Bolsa Família or the parents with greater financial power want to satisfy the prerogatives of Law No. 8.069/90, even though they do not know of its existence, in some cases, the Statute of the Child and Adolescent (ECA), Article 7 states that every child and adolescent has the right to protection of life and health [...]. The guardianship council is an autonomous entity that protects the rights of children and adolescents, and its attributions are those of Law No. 8,069/90, art. 136:

[...]. I - to assist children and adolescents in the hypotheses provided for in arts. 98 and 105, applying the measures provided for in article 101, I to VII; II - assist and advise parents or guardians, applying the measures provided for in article 129, I to VII; III - promote the execution of its decisions, and may: a) request public services in the areas of health, education, social services, social security, labor and security; b) to represent before the judicial authority in cases of unjustified non-compliance with its resolutions. IV - to forward to the Public Prosecutor's Office a report of a fact that constitutes an administrative infraction [...].

Looking at the data from the report of the Tutelary Council I and II, Report on Violations by Right Violated by Sex, or gender in a total of 1,544 attendances in 2022, 836 girls or 54.14% and 708 boys or 45.85%. In the Report on Rights Violated by Locality by Violating Agent, out of a total of 1,974, knowing that the violating agent may have violated more than one right, 652 mothers 33%; 415 father 21%; 193 educational institutions 10%; 102 grandparents 5.1%; 91 Own adolescent 4.6%; 89 Individuals 4.5%; 70 Uncle/Aunt 3.5%; 53 Social Assistance Entity/Organization 2.6%; 47



Educational institution 2.3%; 32 Second degree relatives 1.6%, and 25 Adolescents 1.2%, among others.

In the occurrences against the violating agent, the mothers received 33% of the complaints of violation of children's rights, or suspicion of aggression, so it is necessary to be cautious, even if the fact is irrefutable, the mothers are most of the time in the care/children. On the other hand, fathers have 12% less than mothers in complaints of suspected aggression, even though they are not fully present in the care of the infant, as a result of having to work to support the family, and being absent, they have prudence.

Regarding the Report of Violations by Right Violated by Color/Race, of the Tutelary Council, yellow 2, White 56, Indigenous 0, Not Informed 55, Black 19, Brown 88, with 64% of browns and blacks in relation to whites and yellows, of the 220 rights violated described below: Acts that violate citizenship, Discrimination, Denial of the right to freedom and respect, Restrictions on the right to come and go, Submission of children or adolescents to illegal activities or social misdemeanors, Physical Violence, Psychological Violence and Sexual Violence, Abuse - Commercial Sexual Exploitation.

In the data of the Bolsa Família of the Municipal Department of Social Development – SMDS, an analysis will be made between the 05 neighborhoods with the highest number of families with children who receive the aid of the Bolsa Família program in Arapiraca and the neighborhoods of the agents who violate the rights of the Guardianship Councils of Arapiraca, Table 2.

Table 2: The 05 largest neighborhoods that receive the Bolsa Família Program and have children, and the 14 that violate the rights of the Guardianship Councils of Arapiraca<sup>13</sup>.

Locality	Occurrences Recorded by the Guardianship Councils					Number of Bolsa Família beneficiaries with children in 2023
	2018	2019	2020	2022	2023	
Primavera	DNF <sup>14</sup>	DNF	28	162	114	Olho D'água dos Cazuzinhos – 4711
Brisa do Lago, Vale da Perucaba = Olho d'água dos Cazuzinhos	DNF	DNF	70	136	143	Planalto – 3174
Senador Nilo Coelho	DNF	DNF	4	77	57	Canafistula – 2708
Manoel Teles	DNF	DNF	34	73	57	Bom Sucesso – 2437
Cacimbas	DNF	DNF	21	55	38	Spring – 2187
Zélia Barbosa Rocha	DNF	DNF	20	67	49	
lanalto	DNF	DNF	34	59	38	
Canafistula	45	17	25	46	52	
Brasília	DNF	DNF	00	33	16	
Baixa Grande	DNF	DNF	8	33	15	
Baixão	DNF	DNF	2	37	23	
Brasília	43	38	21	42	27	
Bom Sucesso	DNF	DNF	23	41	41	
Boa Vista	26	9	22	30	36	

Source: Data provided by the Guardianship Council and the Municipal Department of Social Development – SMDS.

In a total of 41 neighborhoods in Arapiraca, registered in the spreadsheet of the services of the Tutelary Councils I and II, from 2022 and 2023, there is a connection between the neighborhoods of the families registered in the bolsa familia program and the neighborhood of the agents who violate rights, where Olho D'Água dos Cazuzinhos<sup>15</sup> 136/2022, 143/2023, 2nd in occurrences and has 4,711 families who receive the aid, as well as the 7th, 8th Canafistula, 13th Bom Sucesso and 1st Spring Plateau in occurrences. However, care should be taken with this information so as not to standardize families that violate the rights of infants and those that receive the Bolsa Família, although there is this tendency that the lack of employment causes conflicts, Table 2.

In 2020, there were 377 cases attended by the Tutelary Council of Region II, I will mention a few: 9.01% or 34 cases plateau, Canafistula with 6.7%, Bananeira 6.3%, Alto do Cruzeiro and Bom Sucesso 6.1%, Brasília 5.5%, Caititus 4.5% or 17 cases, Centro 4.2%, Agreste 4%, Quati and Senador Arnon de Mello 3.4%, converge with the data from Bolsa Família. In relation to 2019 of the 257, 2018, 2017, also Canafistula in 2018 with 45, Brasília 43, Caititus 35, Alto do Cruzeiro 29 and Boa Vista 26, of the 421. Over time, the neighborhoods with the highest number of occurrences change order as they receive visits from the guardianship council, with recommendations for the treatment of children and adolescents (Table 2).

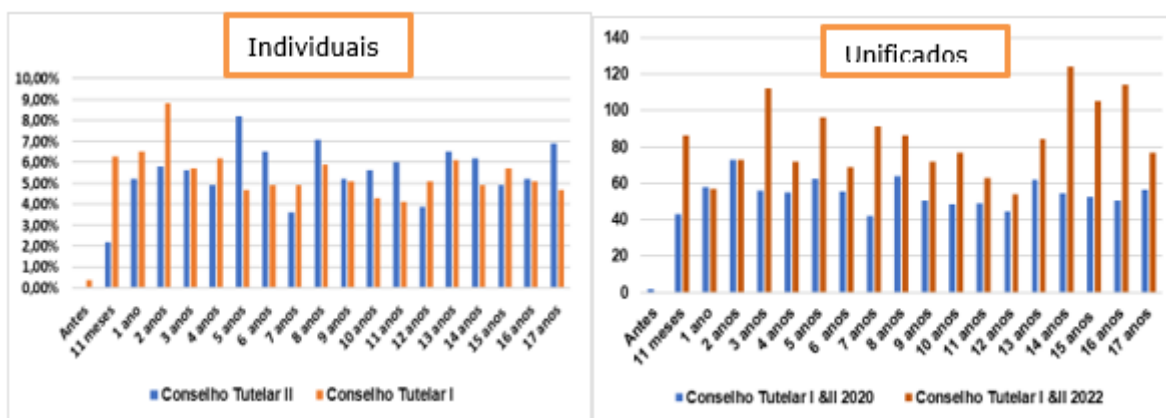
<sup>13</sup> Data from 2018, 2019, 2020 and 2021 were not quantified with excellence due to the lack of computers and people trained to perform work on the computer.

<sup>14</sup> Data not provided by the Tutelary Council of the most populous region I.

<sup>15</sup> Brisa do Lago, Perucaba Valley.

The 524 attendances of children and adolescents, graph 5, individual data from the Tutelary Council I, from 2020, 70% girls 368, 28% boys and 0.38% pregnant women. Of the 524 children with the ages of those treated before birth, 0.38% were pregnant, up to 11 months were 6.3%, 1 years 6.5%, 2 years 8.8%, 3 years 5.7%, 4 years 6.2%, 5 years 4.7%, 6 years 4.9%, 7 years 4.9%, 8 years 5.9%, 9 years 5.1%, 12 years 5.1%; These children are mostly from 0 to 12 years old; 15 years. In 2020, the Tutelary Council II provided 461 cases, of which 224 were girls (48%), and 237 were boys (51%). The age of most victims is between 8 years old and 17 years old, 8 years old 7.1%; 9 years of 5.2%; 10 years of 5.6%, 11 years of 6.0%, 12 years of 3.9%, 13 years of 6.5%, 14 years of 6.2%, 15 years of 4.9%, 16 years of 5.2%, 17 years of 6.9% or 32, with a margin of error, because it is manual, the records.

Graph 5: The ages of the victims of Aggression of the Guardianship Councils I and II, individual, 2020 & Guardianship Councils I and II, unified 2020 and 2022.



Source: Data provided by the Tutelary Council I and II of Arapiraca.

In 2022, graph 5, in the Report Violated Rights by Age Group, after unifying the data from the guardianship council I and II; 985 cases in 2020, and in 2022 there were 1,512 cases with all ages, 1 to 11 months 86; 1 year 57; 2 years 73; 3 years 112; 4 years 72; 5 years 96; 6 years 69; 7 years 91; 8 years 86; 9 years 72; 10 years 77, 11 years 63; 12 years 54; 13 years 84; 14 years 124; 15 years 105, 16 years 114 and 17 years 77 cases, with 527 more /2020.

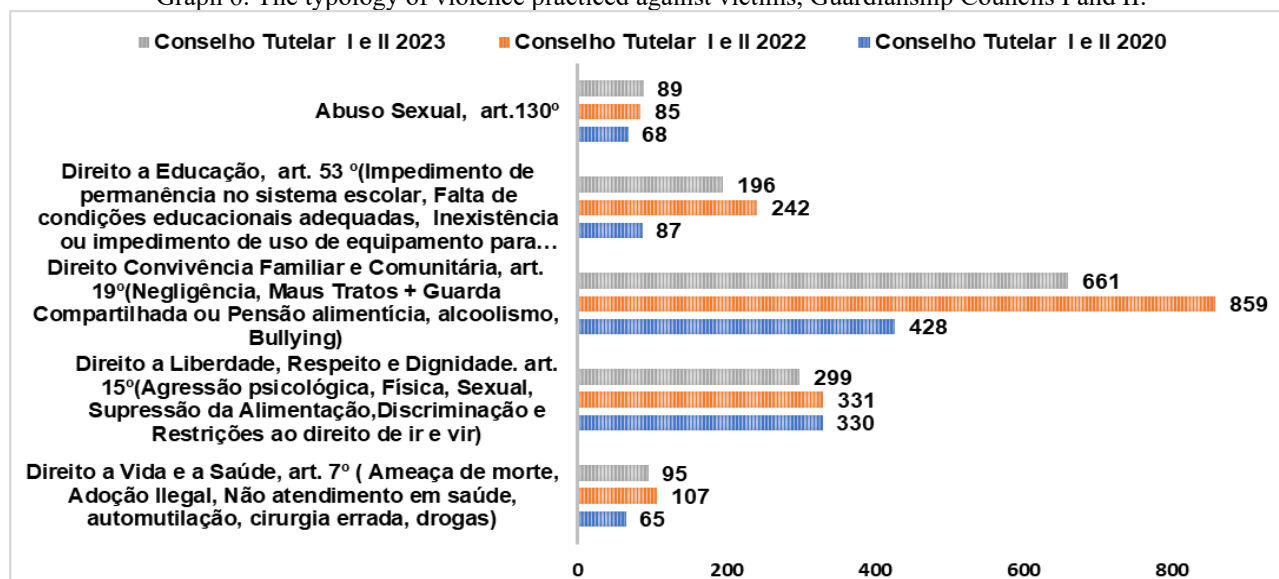
One of the biggest problems in the neighborhoods of the Tutelary Council I is the lack of daycare centers or public comprehensive schools, and that is why there are so many occurrences with children from 0 to 12 years old. Education, Vieira (2001; 2007), aims at the full growth of the human personality and the improvement of respect for human rights and fundamental freedoms; enriches understanding, benevolence/friendships; scientific publications and books in the area, according to Dr. José Luiz Setúbal, 2018, in positive languages to deal with children's and adolescents' behaviors.

On the website of Sopia, of the Tutelary Council I and II, Report of Rights Violated by Locality by Violating Agent, from 2023 until November 4, there were 1,101 complaints, in this sense the mother 389 or 35.33%, and the father 167 or 15.16%, Educational institution 139 or 12.62%,

Adolescent Own 66 or 5.9%, Individual 64 or 5.8%, Grandparents 46 or 4.1%, Stepfather 34 or 3% and Social Assistance Entity/Org. 28 or 2.5%, and others 16%.

In 2023, 75 girls 84%, 14 boys 15.73%, of 89 cases, of the 1,237 attendances from January 1 to October 24, 2023, were related to abuse, sexual violence, and 15.73% were 15.73% of the sexual violence. In Graph 5, 2022 index, 73 girls 85.88%, and 12 boys 14.11%, out of a total of 85 cases, were 1,544 victims of violence assisted in 2022. According to data from the Brazilian Yearbook of Public Security, children up to 13 years of age represent the majority of rape victims in Brazil, 61.3% of the total number of cases.

Graph 6: The typology of violence practiced against victims, Guardianship Councils I and II.



Source: Data provided by the Tutelary Council I and II, 2020, 2022 and 2023 and available at: Sipiia <<https://sipiaconselhotutelar.mdh.gov.br/login>>, Consulted on: October 25, 2023, from Arapiraca.

When reading all these typologies, one wonders: To whom should one seek help? - Where to go, how and what to do? – the answer will always be to look for support networks, following the ECA. Negligence in 2020, 2022 and 2023 was a strong reason to go to the Guardianship Council, followed by education, psychological or physical aggression, life, health or drugs, and sexual abuse, but others were described below, graph 6. To those who chose the guardianship council in 2020, there were 590 cases, in the Guardianship Council I, Psychological Aggression 13.2%, Shared Custody 11.86%, Mistreatment 11.35%, Physical Aggression 10.8%, Education 10%, Negligence 8%, Alimony 7.4%, Drugs 7.2%, being the most populous neighborhoods within the report made manually. In the sphere of violence, there were 470 cases, 2020, in the Guardianship Council II, Negligence 22.12% or 104 cases, Mistreatment and/or Physical Aggression 17.66%, Sexual and Child Adolescent Abuse and Verbal Aggression 9.36% or 44 in both, Abandonment of the Incapacitated and Psychological Aggression 7.2% in both, in Education 5.95%, Drugs 4.8%, Health and Birth Certificate with 3.61% or 17 cases, and others, graph 6.



Right to dignity, C. F. of 1988, art.227 and of Law 8.069/90 art. 18, which is everyone's duty to watch over the dignity of infants. It is important to avoid comparing one child to another, as comparing continuously will make their anxiety and stress levels higher, seen in research that it adversely affects a child's confidence and sense of self, Akhila (2019). The violator of the rights of minors, 2020 of the Tutelary Council II, Municipal Law No. 2741/11, of alleged aggressors, 181 people, in Arapiraca-AL, 33% are from the father - 60, 31% are from the mother - 57, and, 7% are from stepmothers and stepfathers and the remaining 28% or 52 are from uncle, grandmother, neighbor, own child and at school, daycare or health. According to 2020 data from the Guardianship Council I, Municipal Law No. 3,351/19, there were 302 alleged aggressors of minors, 121 mothers 40%; 82 parents 27%; 40 own children and adolescents 13.2%; 12 education 4%, 2.7% the paternal grandmother, and others. Complaints made by the disk 100, a total of 162, in the two guardianship councils.

One of the paths that victims should follow in cases of mistreatment or neglect of children should go to the Guardianship Councils of their neighborhood, or to the UPA, Hospital, Basic Health Unit, or to the Civil and Military Police and the Public Prosecutor's Office and/or through the *national hotline "Dial 100"* services ; inform the facts on the call, to assist in the intervention of the public authorities. One solution to deal with domestic violence would be to implement programs aimed at educating parents against violence in childhood, Professor Maria Beatriz Linhares, from the Faculty of Medicine of Ribeirão Preto, São Paulo, FMRP-USP, and coordinator of the study on child violence in Brazil, in an interview:

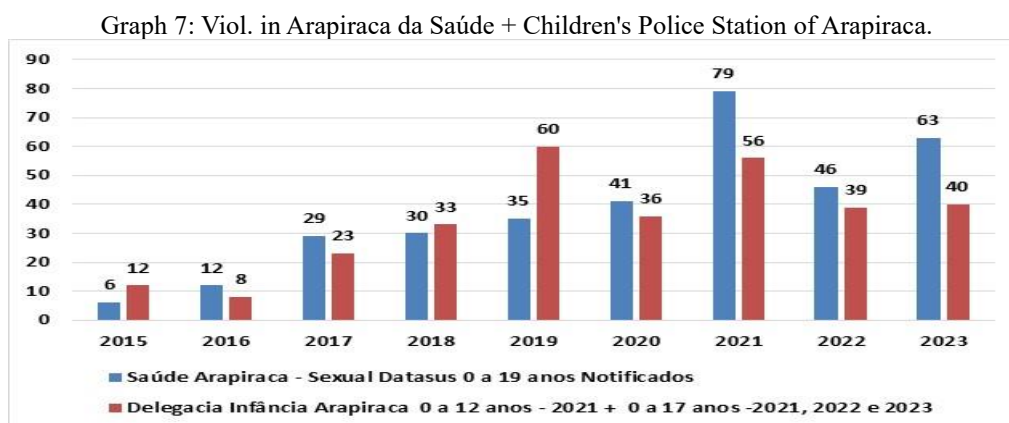
"Violence against children in the family environment has a negative short-, medium- and long-term impact on the physical and mental health of victims and can lead to an intergenerational cycle of violence – when the victim of childhood violence repeats with their children the abuse they experienced," (28 March 2023, Thais Carrança Role, BBC News Brazil in São Paulo).

Considering this disparity in the length of care, a possible solution would be to implement programs aimed at training parents against violence in childhood and to combat the parallel dimensions of violence such as material poverty, unemployment and the domestic burden of women in the family environment. In the 4th, the Right to Education, provided for in C. F.de 1988, art.227 and Law 8.069/90 regarding the right to education and the duty of the State, the family, the community, art. 54 it is the duty of the State to ensure that children and adolescents receive free and compulsory basic education; Article 56 The directors of elementary schools shall report to the Guardianship Council cases of mistreatment involving their students.



## WHEN THE OCCURRENCE REACHES THE ARAPIRACA HEALTH SYSTEM

In the data in graph 7, from the Health of the Municipality of Arapiraca-AL, by the Datasus website<sup>16</sup>, on Interpersonal/Self-Inflicted Violence, 0 to 19 years old, in hospitals and health centers, with March, April, August, September and October, months of highest incidence. In Eler (2019), article 11 provides that "Full access to lines of care aimed at child and adolescent health, Unified Health System, is ensured".



Source: Data provided by the Municipal Health Department of Arapiraca/AL from the <http://tabnet.datasus.gov.br/cgi/tabcgi.exe?sinannet/cnv/violeal.def> and <https://e-sic.al.gov.br/login/system> Retrieved on: October 30, 2021 and 2023.

In the 2020 Arapiraca Health datasus, from 0 to 19 years old, there were 41 sexual violations, out of a total of 464, and 2021 with 79 sexual, while in 2019 there were 35 sexual, out of 502 other forms of violence by age. In 2020 in the data of the Children's Police Station from 0 to 12 years old, where in 2019 there were 60 cases of B.O. of child violence, 2020 with 36 cases, 2021 with 56 cases, with a reduction in 2022 with 39 cases, and 40 in 2023, with the move of the Children's Police Station to a more distant neighborhood, It may have a further reduction in 2024. Studies by (Goulart, *et al.* 2013) indicate that marital conflict should impair the psychological (Davies & Cummings, 1994), social (Grych & Fincham, 1990) and academic progress (Harold, Aitken, & Shelton, 2007) of infants. In relation to ethnicity or color, on the Datasus website, ignored 21, white 74, Black 13, yellow 1, brown 631, Indigenous 1, Total 741.

## CONCLUSION

The research was guided by law 8.069/1990, ECA, and its development was supported by the child protection networks and the State University of Alagoas-UNEAL. The results presented in the study regarding ethnicity, with the majority being brown 1st, and white 2nd most frequent in the

<sup>16</sup>In the Tabnet and Epidemiological and morbidity segments, the following option Interpersonal Violence, Frequency of Sexual Violation; according to the Municipality of notification; age group <1 Year, 1-4, 5-9, 10-14, 15-19, with and without notification, ignored or blank. Period: 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015.



Police Station, in the health area and in the Guardianship Council. Regarding the role of the State, the fragility of public policies in connecting the intervening agencies, the lack of daycare centers or public full-time schools in the neighborhoods of the Tutelary Council I, are presented as possible causes of the greater number of occurrences of violence against children and adolescents from 0 to 12 years old. Another point identified in the study was the lack of integrated systems between the entities, Sopia or Datasus.

The care with those who take care of the child was highlighted, so that this child is more assured in their rights to be happy, although employability and non-dependence on the family allowance showed that there was less incidence of violence. The objective of the study was to raise awareness and educate about the motivations, which depended on the type of crime, or the violence, so the family member would go to the 1st Guardianship Council, the 2nd Health, the 3rd Police Station, and/or other entities of the support network of Arapiraca/AL. In this sense, it was possible to quantify statistical data from the support networks, which resulted in possible directions: in the case of violence, it was the health area, then the Guardianship Council for negligence in care, and putting an end to the police station in the event of serious crimes or repetition of the fact.

The focus of the problem is to maintain actions between the entities for the best interest of the child, in Law No. 8,069/1990, knowing that intrafamily violence against children is recurrent in Arapiraca. In the databases consulted, the mother had the highest number of complaints for negligence in the guardianship councils, followed by the father for violence, the same result in the Police Station and in the health department.

It is congruent to bring together a possible solution to deal with intra-family violence, which would be to implement programs aimed at training parents against violence in childhood, provided by entities that support minors, such as the Guardianship Council, the Department of Health, Social Assistance, the Police Station, the Public Defender's Office, the Public Prosecutor's Office, the Children's Court and the University itself – Uneal. Praising the fight against intra-family violence in Arapiraca, in addition to combating the parallel dimensions of this violence.

### **ACKNOWLEDGMENT**

To Uneal for the financing of the extension project and to the entire child & adolescent support network in the municipality of Arapiraca-AL.



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