

Trabalho infantil no Brasil: a importância das políticas públicas para sua erradicação

Child Labor in Brazil: the importance of public policies for its eradication

Trabajo Infantil en Brasil: la importancia de las políticas públicas para su erradicación

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RESUMO

O presente artigo tem como objetivo apontar algumas considerações acerca do trabalho infantil no Brasil e das políticas públicas para sua erradicação, e está amparado nos moldes da pesquisa qualitativa, consistindo em uma revisão bibliográfica. A seleção dos materiais para esta revisão ocorreu a partir da leitura inicial dos títulos e resumos de trabalhos encontrados, os quais estão afinados à temática deste artigo e que foram apreciados na íntegra, a fim de que fosse possível compreendê-los com melhor exatidão. Ao término desse processo, somente estudos que dialogavam especificamente sobre a temática em voga foram incluídos. A leitura efetuada desvelou que a pobreza e a baixa escolaridade são algumas das principais causas do trabalho infantil, aliado a ineficácias das políticas públicas. Cabe advertir que mesmo depois da promulgação do Estatuto da Criança e do Adolescente, principal lei que dispõe sobre a proteção integral a essa população e da criação do Programa de Erradicação do Trabalho Infantil (PETI), as estatísticas apontam o desafio da devida erradicação deste problema, o que evidencia que urge estudos voltados a dimensionar este fenômeno em uma perspectiva preventiva, e da

efetivação dessas políticas, uma vez que, o trabalho infantil continua sendo um grave problema social que requer ser extinguido.

Palavras-chave: Trabalho Infantil; Políticas Públicas; Proteção.

ABSTRACT

This article aims to present some considerations regarding child labor in Brazil and the public policies for its eradication. It is grounded in qualitative research and consists of a bibliographic review. The selection of materials for this review was based on an initial reading of the titles and abstracts of the works found, which were aligned with the theme of this article and were subsequently analyzed in full in order to allow for a more accurate understanding. At the end of this process, only studies that specifically addressed the theme under discussion were included. The reading revealed that poverty and low levels of schooling are among the main causes of child labor, combined with ineffective public policies. It is worth noting that even after the enactment of the Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescente* – ECA), the main law that establishes comprehensive protection for this population, and the creation of the Child Labor Eradication Program (*Programa de Erradicação do Trabalho Infantil* – PETI), statistics continue to highlight the challenge of effectively eradicating this problem. This underscores the urgent need for studies aimed at assessing this phenomenon from a preventive perspective, as well as for the effective implementation of such policies, given that child labor remains a serious social problem that must be eliminated.

Keywords: Child Labor; Public Policies; Protection.

RESUMEN

El objetivo de este artículo es señalar algunas consideraciones sobre el trabajo infantil y las políticas públicas para erradicarlo. Se basa en una investigación cualitativa y consiste por una revisión bibliográfica. Los materiales para esta revisión fueron seleccionados después de la lectura inicial de los títulos y resúmenes de los trabajos relacionados con el tema de este artículo. Fue posible encontrar estudios alineados con su alcance, que fueron analizados en su totalidad para que pudieran ser mejor comprendidos. Al final de este proceso, sólo se incluyeron los estudios que tenían un diálogo específico con el tema en cuestión y que estaban intrínsecamente relacionados. Se pudo constatar que la pobreza y la baja escolaridad son algunas de las principales causas del trabajo infantil, junto con la ineficacia de las políticas públicas. Sin embargo, incluso después de la promulgación del Estatuto del Niño y del

Adolescente, principal ley que prevé la protección integral de esta población, y de la creación del Programa de Erradicación del Trabajo Infantil (PETI), las estadísticas señalan el desafío de erradicar adecuadamente este problema, lo que revela que es urgente la realización de estudios dirigidos a la medición de este fenómeno desde una perspectiva preventiva, y la implementación de estas políticas, ya que el trabajo infantil continúa siendo un grave problema social en Brasil.

Palabras clave: Trabajo Infantil; Políticas Públicas; Protección.

Introduction

Child labor is a serious social problem that violates fundamental rights and undermines the full development of children and adolescents, keeping them away from school and from the guarantee of a safe and healthy childhood. Although it is not a new issue, it remains imperative that it be widely discussed, with the aim of articulating actions to mitigate its incidence.

For a long time, society believed that the ideal path for children and adolescents from less privileged social classes was to enter the labor market as early as possible, thereby contributing to family income and avoiding involvement in marginality (MINAYO-GOMEZ; MEIRELLES, 1997).

As a result of the struggle of social movements in defense of the rights of children and adolescents, the Federal Constitution of 1988 (*Constituição Federal de 1988*) (BRAZIL, 1988) and the Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescente – ECA*) (BRAZIL, 1990) were enacted, both of which established the comprehensive protection of this population, granting them absolute priority in all spheres and ensuring their protection against any violation of rights, such as child labor. At the international level, Brazil is a signatory of International Labour Organization (ILO) Conventions No. 138 (Decree No. 4134/2002) and No. 182 (Decree No. 3597/2000). By doing so, the country committed to adopting a national policy that ensures the effective eradication of child labor and, gradually, raises the minimum age for employment.

In addition, Brazil ratified the International Convention on the Rights of the Child

through Decree No. 99.710/1990. This treaty, adopted by the United Nations General Assembly in 1989, aims to guarantee the protection and rights of children and adolescents worldwide. With regard to labor, Article 32 emphasizes that States

recognize the right of the child to be protected from economic exploitation and from performing any work that may be hazardous or interfere with the child's education, or that may be harmful to the child's health or physical, mental, spiritual, moral, or social development (BRAZIL, 1990).¹

The global struggle for the eradication of child labor gained symbolic force with the establishment of June 12 as the National Day Against Child Labor (*Dia Nacional de Combate ao Trabalho Infantil*), instituted in Brazil by Law No. 11.542/2007. The purpose of this date is to raise public awareness of the harms it causes to the development of children and adolescents, as well as to promote social mobilization in combating this form of rights violation.

However, despite the efforts of social movements and the enactment of laws, threats and violations of children's and adolescents' rights are increasingly present. According to the Brazilian Institute of Geography and Statistics (*Instituto Brasileiro de Geografia e Estatística* – IBGE), child labor increased by 7% in Brazil between 2019 and 2022. In 2022, among children and adolescents in situations of child labor, 23.9% were between 5 and 13 years old, 23.6% between 14 and 15 years old, and 52.5% between 16 and 17 years old (IBGE, 2023). Furthermore, the COVID-19 pandemic increased the global risk of child labor, mainly due to the substantial rise in poverty levels and the closure of schools.

According to data released by the Ministry of Labor and Employment (*Ministério do Trabalho e Emprego* – MTE), through labor inspections, in 2023 a total of 2,564 children and adolescents were removed from child labor exploitation in 1,518 inspection operations. The data show that 1,923 were boys and 641 were girls, meaning that boys were the majority. It is also important to note that most of them were found in activities listed among the worst forms of child labor: construction work, sale of alcoholic beverages, garbage collection, mechanical workshops, car washes, and

¹ Original: “reconhecem o direito da criança de estar protegida contra a exploração econômica e contra o desempenho de qualquer trabalho que possa ser perigoso ou interferir em sua educação, ou que seja nocivo para sua saúde ou para seu desenvolvimento físico, mental, espiritual, moral ou social” (BRASIL, 1990).

street vending in public spaces, among others – representing occupational risks in addition to the health hazards involved.

At the global level, according to the report *Child Labour: Global Estimates 2020, Trends and the Road Forward*, 160 million children and adolescents between the ages of 5 and 17 were victims of child labor, meaning that one in ten are in this condition. Furthermore, between 2016 and 2020, the number of children and adolescents in child labor reached 160 million, representing an increase of 8.4 million (ILO; UNICEF, 2021). Of this total, 79 million children and adolescents are engaged in hazardous work that can harm their health, safety, and morals. In addition, more than one-quarter of children aged 5 to 11 and more than one-third of those aged 12 to 14 exploited through child labor are out of school (ILO; UNICEF, 2021).

With respect to the national context, in 2019, the National Household Sample Survey (*Pesquisa Nacional por Amostra de Domicílios – PNAD*) showed that there were 1.768 million children and adolescents aged 5 to 17 in situations of child labor, of whom 66.4% were boys and 33.6% girls. This figure represents 4.6% of the population in this age group, a rate that must be considered.

Given the magnitude of this social problem, this article seeks to present and discuss some considerations about public policies aimed at eradicating child labor. Its objective is to analyze the laws addressing such policies, in order to highlight their relevance in guaranteeing rights and ensuring comprehensive protection for children and adolescents, especially those whose rights have been threatened and/or violated as a result of this serious problem.

For organizational purposes, this work is structured into sections, namely: I) child labor in Brazil: this section presents the available data on this issue in the country and discusses its implications; and II) public policies aimed at protecting children and adolescents in situations of child labor, examining how they are structured to ensure their rights.

It is worth emphasizing at the outset that this article does not aim to conclude the debate on the topic, given the complexity of this social problem and its multiple nuances. However, the intention is to contribute to the field of study, as it is urgent that this issue be widely addressed in various social spaces and disseminated within the

services that comprise the child and adolescent protection network.

Method

This article is anchored in qualitative research and consists of a bibliographic study as well as documentary research. Gil (2002) notes that bibliographic research is carried out using already published materials, such as books, book chapters, scientific articles, among others. Documentary research, as the author points out, is similar, but focuses on materials that have not yet received thorough analytical treatment.

Methodological Procedures

This article followed the guidelines of Marconi and Lakatos (2017), who explain that bibliographic review is carried out in eight stages, namely: definition of the theme; preparation of a work plan; identification; location; compilation; note-taking; analysis and interpretation; and writing. It also presents some advantages, such as allowing the researcher to broaden their understanding of the phenomenon studied, with the possibility of collecting diverse data.

The recruitment and selection of materials occurred through the reading of the titles and abstracts of works retrieved in the search, which were then analyzed in full. The objective at this stage was to undertake a thorough and analytical reading, in order to achieve a more accurate understanding. At the end of this stage, only studies aligned with the objectives of this article were included, namely: ten scientific articles published in Brazil; one undergraduate thesis (*Trabalho de Conclusão de Curso – TCC*); twelve book chapters; and fourteen pieces of legislation related to the theme. Works that did not meet the criteria, especially those that did not focus on children and adolescents, were excluded.

In documentary research, primary sources were prioritized, namely laws addressing the topic in question. Regarding document analysis, Rosenthal (1984) states that although there are several methodological approaches, this is considered the oldest technique. Phillips (1974) clarifies that documents are considered “any written materials that may be used as sources of information about human behavior”

(p.187).

According to Ludke and André (2013, p. 45), documents include: “laws, regulations, reports, letters, memoranda, personal diaries, autobiographies, newspapers, magazines, speeches, radio and television program scripts, books, statistics, and school records”.²

Inclusion and Exclusion Criteria

Studies that met the objectives of the present theme, particularly those addressing the issue of child labor, were included. Thus, scientific articles, book chapters, and undergraduate theses that responded to the purpose of this study were considered in the analysis.

In addition, as mentioned, official documents and laws were also included in this study, provided they were written in Portuguese or English. This procedure is known in academia as *grey literature*, since not all studies are published in scientific journals, even though their content is of great relevance and intrinsically related to the subject under investigation. Furthermore, it should be noted that no temporal cut-off was applied during recruitment and selection, so as not to restrict the sample.

Selection of Data Sources

The following databases were selected: Scientific Electronic Library Online (SciELO), the CAPES Journal Database (*Coordenação de Aperfeiçoamento de Pessoal de Nível Superior – CAPES*), and PubMed (National Library of Medicine).

Data Collection and Organization

The following keywords, extracted from the Descriptors in Health Sciences (*Descritores em Ciência da Saúde – DeCS/MeSH*), were considered for the search:

² Original: “leis, normas, pareceres, cartas, memorandos, diários pessoais, autobiografia, jornais, revistas, discursos, roteiros de programa de rádios e televisão, livros, estatísticas, e arquivos escolares” (Ludke e André, 2013, p. 45).

Child Labor; Public Policy; Protection; and Laws. Boolean operators AND and OR were used for the combination of terms.

Ethical Aspects

It is worth noting that literature review or documentary studies do not require approval by research ethics committees. Nevertheless, this study observed ethical considerations. In this regard, all necessary measures were taken to ensure reliability and validity, in accordance with Resolution No. 510/2016, Article 1, Sections II and VI (BRAZIL, 2016).

Results

Initially, 150 scientific studies were identified in the databases: SciELO (n = 18), CAPES Journals (n = 34), and PubMed (n = 98). After an initial peer screening of titles and abstracts, 50 were excluded.

Of the remaining 100 studies, which were read in full, 10 were excluded due to unavailability of the complete text, 30 for not addressing the topic of child labor, and 40 for not specifically focusing on children and adolescents. At the end of this stage, 20 scientific studies were selected for analysis. Table 1 below summarizes the materials identified and used in the development of this study.

Table 1 - List of Materials Identified

Study	Year	Author(s)	Journal/Source	Title	Country
1	2023	VICENTE, Aparecido Renan; LEÃO, Andreza Marques de Castro.	<i>Revista Vozes, Pretérito & Devir</i>	<i>A Violência Sexual na voz dos Conselheiros Tutelares: funções e concepções</i>	Brazil
2	2022	VICENTE, Aparecido Renan; CARNEIRO, Rita de Kássia Cândido; DIAS, André Luís dos Santos	<i>Revista Educação e Política em Debate</i>	<i>Análise crítica das políticas públicas de proteção à infância: os caminhos que levam ao trabalho infantil</i>	Brazil
3	2020	CUSTÓDIO, André Viana; ZARO, Jadir	<i>Revista do Programa de Pós-graduação Interdisciplinar em Estudos do Lazer</i>	<i>O direito de brincar da criança e a exploração do trabalho infantil: destacando valores e superando mitos em vista da formação e do desenvolvimento integral</i>	Brazil

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4	2019	ASSIS, Rebeka	Revista Jusbrasil	<i>Trabalho infantil é crime? Entenda o que diz a legislação brasileira!</i>	Brazil
5	2018	MAIA, Ana Paula	Book Chapter	<i>A escola na rede de Proteção dos Direitos de Crianças e Adolescentes</i>	Brazil
6	2013	VALENTE, Jane	Book Chapter	<i>Família acolhedora: as relações de cuidado e de proteção no serviço de acolhimento</i>	Brazil
7	2011	SANTOS, Benedito Rodrigues dos; IPPOLITO, Rita.	Book Chapter	<i>Guia Escolar rede de proteção à infância</i>	Brazil
8	2010	NASCIMENTO, Maria Lívia; LACAZ, Alessandra Speranza; TRAVASSOS, Marilisa	Revista Aletheia	<i>Descompassos entre a lei e o cotidiano nos abrigos: percursos do ECA</i>	Brazil
9	2010	ANDRADE, Lucimary Bernabé Pedrosa de.	Editora Unesp. Scielo Books	<i>Educação infantil discursos, legislação e práticas institucionais</i>	Brazil
10	2009	MACHADO, Karolina	Universidade do Sul de Santa Catarina – Unisul	<i>Mitos e verdades sobre o trabalho infantil nas percepções das famílias inseridas no programa de erradicação do trabalho infantil- Região Sul no município de Florianópolis</i>	Brazil
11	2008	CARVALHO, Inaiá Maria Moreira de	Caderno CRH	<i>O trabalho infantil no Brasil contemporâneo</i>	Brazil
12	2005	FRIZZO, Kátia Regina; SARRIERA, Jorge Castellá	Revista Psicologia USP	<i>O Conselho Tutelar e a Rede Social na Infância</i>	Brazil
13	2003	COIMBRA, Cecília; LEITÃO, Maria Beatriz S	Revista Psicologia & Sociedade	<i>Das essências às multiplicidades: especialismo psi e produções de subjetividades</i>	Brazil
14	2006	Oliveira, Vera Lúcia Alves de; Pfeiffer, Luci; Ribeiro, Carmen Regina; Gonçalves, Maria Tereza; Ruy, Iracema Aparecida Espigiorin	Book Chapter	<i>Redes de proteção: novo paradigma de atuação</i>	Brazil
15	2000	IAMAMOTO, Marilda Vilela.	Book Chapter	<i>O Serviço Social na Contemporaneidade</i>	Brazil
16	1997	MINAYO-GOMEZ, Carlos; MEIRELLES, Zilah Vieira	Caderno de Saúde Pública	<i>Crianças e adolescentes trabalhadores: um compromisso para a saúde coletiva</i>	Brazil
17	1997	FONTANA, Roseli; CRUZ, Nazaré	Book Chapter	<i>Psicologia e Trabalho Pedagógico</i>	Brazil
18	1996	SÉDA, Edson	Book Chapter	<i>A criança e o direito alterativo</i>	Brazil
19	1982	PETERS, B. Guy et al.	Book Chapter	American Public Policy	United States of America
20		WHITTINGTON, M. S;	Canadian Journal of Political Science /		

	1972	Thomas R. Dye	<i>Revue canadienne de Science politique</i>	Understanding Public Policy	Canada
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Source: Prepared by the authors (2025).

Child Labor in Brazil: The Need for Problematicization

Child labor is characterized by activities performed by children and adolescents below the minimum age permitted, according to the legislation of each country. In Brazil, the Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescente* – ECA), the main law that provides for the full protection of this population, in Article 60, prohibits any labor activity by children under 14 years of age, except in the condition of apprentices.

In 2019, among the 1.768 million children and adolescents exploited through child labor, 66.1% were Black or *pardo*³, 53.7% were between 16 and 17 years old, 25.0% between 14 and 15, and 21.3% were between 5 and 13 years old. Regarding the activities performed, 75.8% took place in urban areas and 24.2% in rural areas (CIDADE ESCOLA APRENDIZ, 2022).

Carvalho (2008) explains that child labor causes numerous harmful consequences for development, aggravating both education and health, since children and adolescents are physically more susceptible to work-related diseases and injuries compared to adults. Indeed, the consequences are manifold: in the short term, they are rendered vulnerable to various risks, including threats to health, exposure to violence, harassment, and other harms. In the long term, child labor can generate irreversible trauma and result in physical, psychological, social, and economic sequelae in adulthood (MINAYO-GOMEZ; MEIRELLES, 1997). Additionally, school dropout resulting from labor activities violates the right to benefit from this stage of life.

Although play is not duly recognized as an essential childhood activity, the ECA establishes it as a right, more specifically in Article 16, IV, which states that children and adolescents enjoy the right to play, practice sports, and engage in leisure activities

³ Translator's note: In the Brazilian census, "pardo" refers to a mixed-race category including people of European, African, and Indigenous descent.

(BRAZIL, 1990). In the same direction, the Convention on the Rights of the Child, in Article 31, asserts that the United Nations recognizes the right to rest, leisure, play, sports, and participation in cultural, artistic, recreational, and leisure activities (UNITED NATIONS, 2000).

The unfavorable socioeconomic reality of many families contributes to situations that induce violations of rights, especially for children, adolescents, older adults, and persons with disabilities. This also influences other threats and violations, such as homelessness, migration, and the abandonment of older adults who are in this condition not due to lack of income, but as a result of other variables of social exclusion (PNAS, 2004, p. 36).

According to Carvalho (2008), the incidence of child labor is not driven solely by economic factors but also by the lack of a network of institutions and social policies capable of effectively supporting families in situations of financial vulnerability. The author highlights that early entry into the labor market forces many children and adolescents to reconcile work with school, or in more extreme cases, to dedicate themselves exclusively to work, particularly in regions where rural production predominates. This results in school dropout or educational lag, as fatigue and discouragement frequently lead young people to abandon the education system or to achieve very low educational levels.

For the author, the creation of assistance programs for these families is essential, although the coverage of such initiatives remains insufficient to minimally meet the needs of those assisted. This scenario highlights the urgency of more effective public policies that truly meet the needs of families and contribute to the eradication of child labor (CARVALHO, 2008).

Furthermore, although the Statute of the Child and Adolescent and the Federal Constitution prohibit labor for adolescents under 14 years old, except in the condition of apprentices, the absence of a law classifying the exploitation of child labor as a crime contributes to the persistence of this violation of children's rights.

Currently, child labor is not considered a crime punishable by imprisonment but is subject only to legal sanctions. For it to be classified as a crime, it must be typified in the Penal Code or in specific criminal legislation, which is not yet the case for child

labor (ASSIS, 2020). Thus, despite the various harms it causes to the development of children and adolescents, this practice continues to be minimized, tolerated, and, in some cases, even encouraged, as occurs in artistic labor.

Another relevant aspect is the inconsistency in the Statute of the Child and Adolescent, which, although stating that children and adolescents should not work, allows them, in specific contexts, to do so with judicial authorization, in accordance with Articles 149, I and II of Federal Law No. 8.069/90. The Statute establishes that all children and adolescents must be treated equally, without any distinction. However, this legislation ends up making a distinction by creating exceptions for children and adolescents to work in soap operas, films, commercials, and other activities.

As mentioned above, child labor can cause various, often irreversible, consequences such as postural problems, injuries and traumas with sequelae, depression, anxiety, stress, alterations in blood pressure, among others (CARVALHO, 2008). Therefore, there is no justification for romanticizing this phenomenon under any circumstance.

In sum, the reality of child labor is complex and multicausal, involving economic, social, educational, and political issues. Therefore, it is essential that the subject be broadly debated to promote the articulation of actions across different sectors aimed at combating it. In this sense, there is an urgent need for the creation of effective public policies with the explicit purpose of immediately eradicating this serious phenomenon (UNICEF, 2021).

Public Policies Aimed at the Eradication of Child Labor

In 2015, the 193 Member States of the United Nations (UN), including Brazil, committed themselves to the 2030 Agenda, a set of goals to be achieved by 2030, aimed at sustainably developing the planet's inhabitants by considering economic, social, and environmental dimensions. Goal 8.7 of the document calls for ending child labor in all its forms.

The eradication of child labor is a challenge for public policies in Brazil and worldwide, requiring significant efforts. The Brazilian Federal Constitution provides that

these policies must be implemented at the municipal level in order to guarantee citizens' rights to health, education, security, social security, and social assistance, including for children and adolescents (VALENTE, 2013).

With regard to guaranteeing the rights of this population, the Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescente – ECA*), in Article 86, stipulates that the Service Policy (*Política de Atendimento*) shall be organized through a coordinated set of governmental and non-governmental actions (BRAZIL, 1990). Article 87 of the same statute identifies social assistance policy as one of the lines of care for children and adolescents (BRAZIL, 1990).

In this regard, beyond the lines of care mentioned in the ECA, it is important to recall the National Plan for the Promotion, Protection, and Defense of the Rights of Children and Adolescents (*Plano Nacional de Promoção, Proteção e Defesa do Direito de Crianças e Adolescentes*), which, after research conducted by the Institute of Applied Economic Research (*Instituto de Pesquisa Econômica Aplicada – IPEA*), was developed and validated in Brazil (VALENTE, 2013).

The Social Protection Network must coordinate the professionals who make up the System for the Guarantee of the Rights of the Child and Adolescent (*Sistema de Garantia dos Direitos da Criança e do Adolescente – SGDCA*), organizations, and institutions in a non-hierarchical but horizontal manner to ensure the effectiveness of children's rights. Moreover, this mode of organization must be based on shared responsibility, competencies, and comprehensiveness (OLIVEIRA et al., 2006).

Regarding the SGDCA, Resolution No. 113 of April 19, 2006, of the National Council for the Rights of Children and Adolescents (*Conselho Nacional dos Direitos da Criança e do Adolescente – CONANDA*) states that this System is responsible for removing children and adolescents from all forms of violence. To this end, it must be structured on the triad of promotion, defense, and monitoring (CONANDA, 2006).

Within the *promotion* axis, according to Paula (2018), are public and private bodies in the areas of health, education, social assistance, culture, and deliberative councils such as the Municipal Council for the Rights of Children and Adolescents (*Conselho Municipal dos Direitos da Criança e do Adolescente – CMDCA*), the State Council (CONDECA), and the National Council (CONANDA). In the *defense* axis are

the following bodies: the Judiciary, Public Prosecutor's Office (*Ministério Público*), Public Defender's Office, Department of Public Security, Guardianship Council (*Conselho Tutelar*), and Child and Adolescent Rights Defense Centers.

In summary, the bodies that make up this axis aim to enforce the law by holding perpetrators of violence accountable within judicial, administrative, or social spheres (PAULA, 2018). Regarding the monitoring axis, the same author notes that it consists of an articulated set of civil society institutions, such as Child and Adolescent Defense Forums and the Education Forum. These forums are tasked with mobilizing and advocating for the rights of children and adolescents (PAULA, 2018).

Thus, it is necessary to clarify that structuring a network does not require significant financial resources but rather a shift in the perspective of professionals working with children, adolescents, and families so that they are able to diagnose, monitor, and follow up on situations that put the lives of users at personal and social risk (OLIVEIRA et al., 2006).

Given these definitions of the network and its axes, the Basic Operational Norm (*Norma Operacional Básica* – NOB/2005) of the Unified Social Assistance System (*Sistema Único da Assistência Social* – SUAS) describes the Socio-Assistential Network as:

“[...] an integrated set of actions initiated by the public sector and society that offers benefits, services, programs, and projects, which presupposes articulation among these units of social protection provision, under basic and special hierarchy and also by levels of complexity” (p.22).⁴

Approved by the National Council for Social Assistance (*Conselho Nacional de Assistência Social* – CNAS), through Resolution No. 109 of November 11, 2009, the National Classification of Socio-Assistential Services reorganized and standardized social protection and basic services throughout Brazil. This approval has been of great utility for social assistance services, as the changes reinforce the provision and guarantee of socio-assistential rights (BRAZIL, 2009).

⁴ Original: “[...] um conjunto integrado de ações de iniciativa pública e da sociedade que oferta benefícios, serviços, programas e projetos, o que supõe a articulação entre essas unidades de provisão de proteção social, sob a hierarquia básica e especial e ainda por níveis de complexidade” (p.22).

At the Social Assistance Reference Center (*Centro de Referência de Assistência Social* – CRAS), Basic Social Protection Services are provided to families living in nearby territories who are in situations of social vulnerability resulting from poverty, precarious or non-existent access to public services, and/or any other situation of vulnerability and social risk (BRAZIL, 2009).

At the Specialized Social Assistance Reference Center (*Centro de Referência Especializado de Assistência Social* – CREAS), Special Social Protection Services are provided, divided into two modalities: medium and high complexity cases. The users are families and individuals who suffer rights violations such as psychological violence, sexual violence, abandonment, experience of child labor, discrimination, among other forms of rights violations and noncompliance with social program conditionalities, such as the Bolsa Família Program⁵ (BRAZIL, 2009).

The Child Labor Eradication Program (*Programa de Erradicação do Trabalho Infantil* – PETI) is linked to the Federal Government within the SUAS. PETI “belongs to Special Social Protection, whose mode of assistance is intended for families and individuals facing situations of personal and social risk” (SANTOS, 2008, p. 31). To be eligible for PETI, families necessarily need to be in situations of vulnerability or social risk.

Vulnerability and social risk arise from poverty and deprivation, namely: lack of income, precarious or nonexistent access to public services, and/or weakening of affective-relational bonds and social belonging – age, ethnic, gender, or disability-based discrimination, among others (PNAS, 2004, p. 33).

Machado (2009) states that the approval of Ordinance No. 385 of July 26, 2006, was extremely important, as PETI began to serve families whose children and adolescents were in situations of child labor. In addition, the beneficiaries are children and adolescents removed from various labor situations under sixteen (16) years of age. The objective of the Program is to contribute to the eradication of all forms of child labor in the country and to restore citizenship to users through the social inclusion of

⁵ Translator’s Note: The Bolsa Família Program is a Brazilian federal conditional cash transfer program which provides financial assistance to low-income families on the condition that they meet specific requirements related to health and education (such as children’s school attendance and vaccination schedules).

families.

For the aforementioned author, the Program contributes to the elimination of early labor by enabling children and adolescents to broaden their cultural horizons and develop their potential, with a view to improving school development and quality of life (MACHADO, 2009).

PETI is linked to the Ministry of Social Development and offers the following: I) income transfer; II) social work with families, provided by Special Social Protection (*Proteção Social Especial* – PSE) and Basic Social Protection (*Proteção Social Básica* – PSB); III) services for social interaction and strengthening of bonds carried out with children and adolescents whose rights have been restored after being removed from child labor (BRAZIL, 2017, p. 70).

In 2013, PETI underwent changes and was therefore reformulated. These changes established new structures of strategic actions, namely: information and mobilization; identification; protection; defense and accountability; and monitoring. The aim of the reform was to increase efforts to ensure that child labor would finally be eradicated (BRAZIL, 2017).

Despite the advances of recent decades, PETI faces several challenges and limitations. The lack of consistent data and adequate evaluation systems undermines the ability to monitor and assess the program's effectiveness, making it difficult to identify areas in need of improvement and to make evidence-based decisions. Moreover, underreporting of cases also contributes to aggravating the problem.

The implementation of PETI may vary considerably among municipalities, resulting in inequalities in the quality of services provided and in the program's coverage. Likewise, PETI faces structural and cultural challenges that hinder its effectiveness (BELTRÃO, 2014).

To mitigate child labor, there are laws that provide protection and establish applicable sanctions for individuals who employ children and adolescents in the labor sphere, namely: Law No. 8.069/1990 – Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescente* – ECA); Law No. 8.742/1993 – Organic Law of Social Assistance (*Lei Orgânica da Assistência Social* – LOAS); Law No. 10.097/2000 – Apprenticeship Law (*Lei de Aprendizagem*); National Social Assistance Policy (*Política*

Nacional de Assistência Social – PNAS); Basic Operational Norm of Social Assistance (*Norma Operacional Básica da Assistência Social – NOB/SUAS*); Resolution No. 109 of November 11, 2009 of the National Social Assistance Council (*Conselho Nacional de Assistência Social – CNAS*); Resolution No. 08 of April 18, 2013 of the CNAS; Resolution No. 10 of April 15, 2014 of the CNAS; Ordinance No. 431 of December 3, 2008; and Ordinance No. 666 of December 28, 2005 (BRAZIL, 2017).

Thus, as expressed in the aforementioned paragraphs, there is a range of laws safeguarding the rights of children and adolescents, and if such rights are threatened or violated, the authorities must intervene to restore their rights. Among these authorities are police stations, public prosecutors' offices, the judiciary, and guardianship councils. Moreover, it is reinforced that there are social policies in place to ensure or restore these rights (VICENTE; CARNEIRO; DIAS, 2022).

Police stations are agencies tasked with conducting investigations and ascertaining situations that constitute crimes perpetrated against children and adolescents (BRASÍLIA, 2020). Although many state capitals have specialized police stations for the protection of children and adolescents, this is not the reality in many Brazilian cities (SANTOS, IPPOLITO, 2014).

The public prosecutor's office is responsible for providing full and free legal assistance to those in need, provided they demonstrate unfavorable socioeconomic conditions. Its role is to defend the individual through documentary and/or testimonial evidence (BRASÍLIA, 2020). Prosecutors are strong allies of the social movement in defense of children's and adolescents' rights.

The Public Ministry of Labor (*Ministério Público do Trabalho – MPT*) is a branch that safeguards workers' social rights and acts in the prevention and eradication of child labor (BRASÍLIA, 2020). The Child and Adolescent Rights Council (*Conselho dos Direitos da Criança e do Adolescente*) forms part of the local public administration, being the deliberative body for the policy of promoting children's and adolescents' rights, supervising the implementation of policies, and also establishing requirements for the use and planning of the Child and Adolescent Rights Fund (*Fundo dos Direitos da Criança e do Adolescente – FDCA*) (BRASÍLIA, 2020).

With the promulgation of the ECA, the child and adolescent population came to

be regarded as individuals deserving of comprehensive protection and absolute priority in all spheres, as they are in a developmental stage. Moreover, the statute proposed the establishment of Guardianship Councils (*Conselhos Tutelares* – CT). It is relevant to note that before the existence of these councils, the justice system was already in operation; however, its interventions revolved around social, financial, and institutionalization aspects, and therefore its actions did not produce the desired effect (VICENTE; CARNEIRO; DIAS, 2022).

The CT offers society a structure aimed at achieving autonomy in implementing interventions concerning children and adolescents, whether against the State or the family, particularly in cases where the rights of children and adolescents provided for in the ECA are threatened and/or violated (VOGEL, 1995; SÊDA, 1996).

The praxis of the CT is carried out in each municipality by five (5) guardianship counselors who face the challenge of responding to threats and violations of children's and adolescents' rights (VICENTE; CARNEIRO; DIAS, 2022). The aim of this work is to ensure compliance with the rights of this group, given that until a few years ago their rights were neither guaranteed nor were they considered individuals entitled to care appropriate to their age (VICENTE, CARNEIRO, DIAS, 2022).

The ECA presents a biopsychosocial perspective on children and adolescents, that is, it considers that the State, the family, and society must guarantee comprehensive rights. Thus, as established by Article 131, the CT "is a permanent and autonomous, non-judicial body, entrusted by society with ensuring the fulfillment of the rights of children and adolescents as defined in this law" (BRAZIL, 1990).⁶

It should be noted that the autonomy referred to in Article 131 concerns the interventions of the CT. For example, CT members may return a child or adolescent to the parents or guardians under a term of responsibility if the minor is at personal or social risk, without requiring authorization from judicial authorities. Furthermore, once established in a municipality, the CT can never be abolished; in other words, it is a permanent and non-judicial body, not empowered to determine child support, custody,

⁶ Original: "é órgão permanente e autônomo, não jurisdicional, encarregado pela sociedade de zelar pelo cumprimento dos direitos da criança e do adolescente, definidos nesta lei" (BRAZIL, 1990).

or other matters under the jurisdiction of the juvenile court judge (VICENTE; CARNEIRO; DIAS, 2022).

The CT is responsible for engaging with the population through the promotion of actions aimed at recognizing signs of violence against children and adolescents. It does not provide technical assistance services nor implement programs; rather, its function is to requisition public services. In other words, it stimulates rights operators to put the laws into practice, especially the ECA (FRIZZO; SARRIERIA, 2005).

Aragão and Vargas (2005, p. 116) state that the CT “becomes the voice of the community, bringing it closer to the municipality, narrowing power relations in a true democratic practice”.⁷ In this way, the CT monitors whether the rights of children and adolescents are being ensured and, if they are not, it must report the case to the competent authorities, as noncompliance with these rights implies personal and social risk for those most in need of the law (BRAZIL, 1990).

According to the ECA, the CT holds instruments and tools that allow it to requisition public services in various areas, namely: education, health, social services, labor, and security, as well as to monitor the implementation of applied measures. As stipulated by Article 129 of the ECA, in cases of unjustified noncompliance with a given determination, an administrative or criminal offense report must be forwarded to the Public Ministry regarding violations of the rights of this population. For this reason, one of the CT’s responsibilities is to request documents and advise the local executive branch on budget proposals for plans and programs related to children’s and adolescents’ rights (BRAZIL, 1990).

However, regarding the challenges faced by the CT, Brazilian studies conducted with guardianship counselors reveal a lack of knowledge among these professionals to act effectively against violence toward children and adolescents, as well as difficulty in understanding their roles (VICENTE; LEÃO, 2023; VICENTE; CARNEIRO; LUÍS, 2022). Therefore, it is necessary to offer continuing education to these professionals so that they know how to provide assertive care to children and adolescents whose

⁷ Original: “passa a ser voz da comunidade, aproximando-a do município, estreitando as relações de poder, numa verdadeira prática democrática” (ARAGÃO; VARGAS, 2005, p. 116).

rights have been violated (VICENTE, LEÃO, 2023).

In the Brazilian context, the ECA provides a differentiated perspective on childhood and adolescence, definitively eliminating practices that once implied severe punishment, condemning and criminalizing any and all conduct resulting in violence, maltreatment, negligence, abuse, or exploitation of children or adolescents (RODRIGUES, 2002).

Civil society organizations are responsible for constructing flowcharts to improve the functioning of the protection network. In general, they are committed to articulating and integrating with local communities, aiming to identify problems and carry out appropriate interventions, considering the particularities of each case (BRASÍLIA, 2020).

The community also plays a crucial role in interrupting threats or violations of rights. In this context, it is essential for schools and other local entities to establish flowcharts and communication channels to facilitate proper referrals, ensuring that interventions meet the specific needs of each child and adolescent (BRASÍLIA, 2020).

Another issue worth highlighting is Article 70 of the ECA, which asserts that “it is the duty of all to prevent the occurrence of threats or violations of the rights of the child and adolescent” (BRAZIL, 1990). In other words, the responsibility to protect this population lies with society as a whole. Thus, the reality of child labor concerns society at large, making it imperative that it be properly eradicated.

Final Considerations

Studies on childhood and adolescence have gained prominence, especially after this population began to be regarded as subjects of rights, recognized as individuals in a particular condition of development.

In Brazil, with the advent of the Statute of the Child and Adolescent, the principal law addressing the comprehensive protection of this population, children and adolescents have assumed a leading role. However, there is still resistance in ensuring the enjoyment of these rights, as statistics show significant numbers of rights violations, and the present study focused on the discussion of child labor.

Even after the promulgation of the ECA and the creation of the Program for the Eradication of Child Labor, as statistics indicate, child labor remains a major social problem to be addressed. This may be explained by the increase in poverty levels, the ineffectiveness of laws aimed at safeguarding children and supporting families, society's resistance to understanding that this group is in a particular condition of development and must have its rights protected, among numerous other aspects.

It is common to find children and adolescents at traffic lights selling candies, sweets, and other products. When questioned about this situation, family members and bystanders often justify it by claiming it is better to be "working" than stealing. This discourse is frequently reinforced by society, which validates such practices while disregarding the harm they cause to the educational, social, physical, and psychological development of young people. Another context in which children and adolescents are also involved is drug trafficking.

Work, as common sense professes, does indeed dignify the individual; however, the protagonists in question are adults, not children and adolescents, who are at initial stages of development and are not yet physically or cognitively ready to enter the labor market.

Working at this stage of life is counterproductive, as the time devoted to labor activities deprives them of protagonism because they stop studying, playing, and engaging in leisure, thus having their lives and childhoods interrupted and compromised. Furthermore, many forms of child labor place them at risk to their health and physical integrity, as well as compromise their biopsychosocial development, exposing them to other forms of rights violations, such as physical, psychological, and sexual violence, among others.

The child and adolescent protection network is composed of various sectors, each with its own specific responsibilities. Thus, there is no single body responsible for protecting the rights of this group, since all sectors share the responsibility for ensuring and enforcing these rights in practice.

Additionally, the law does not prevent adolescents from the age of fourteen from entering the labor market, provided that institutions respect the legal prerogatives and, above all, prepare and appropriately support young apprentices for the future.

Oversight bodies must accompany this process, as this stage should be configured as a learning experience.

Given this scenario, it is urgent to implement actions by the professionals who make up the System for Guaranteeing the Rights of Children and Adolescents, with the objective of unifying efforts to reduce the incidence of child labor. The work of the Guardianship Council is fundamental in this context, as previously mentioned.

Finally, it is essential that society as a whole – including social institutions, social networks, media outlets, among others – engage with this issue in order to widely disseminate the topic, generating appropriate social indignation and encouraging the demand for effective public policies. These policies must, in fact, be developed and implemented in a viable and executable manner, thus contributing to the effective eradication of this serious violation of rights.

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