

**EDUCATIONAL PERSPECTIVE FROM THE PERSPECTIVE OF ADOLESCENTS
IN COMPLIANCE WITH SOCIO-EDUCATIONAL MEASURES**

***PERSPECTIVA EDUCACIONAL SOB A ÓTICA DOS ADOLESCENTES EM
CUMPRIMENTO DE MEDIDA SOCIOEDUCATIVA***

***PERSPECTIVA EDUCATIVA DESDE LA PERSPECTIVA DE ADOLESCENTES EN
EL CUMPLIMIENTO DE MEDIDAS SOCIOEDUCATIVAS***



Miriam Estela Cardoso DEDOJA¹
e-mail: dedojacardoso@yahoo.com.br



Gesilane de O. Maciel JOSÉ²
e-mail: gesilane.jose@ifms.edu.br

How to reference this paper:

DEDOJA, M. E. C.; JOSÉ, G. de O. M. Educational perspective from the perspective of adolescents in compliance with socio-educational measures. **Plurais - Revista Multidisciplinar**, Salvador, v. 7, n. 00, e023011. e-ISSN: 2177-5060. DOI: <https://doi.org/10.29378/plurais.v8i00.18015>



| **Submitted:** 15/07/2023

| **Revisions required:** 11/10/2023

| **Approved:** 26/11/2023

| **Published:** 20/12/2023

Editors: Prof. Dr. Célia Tanajura Machado
Prof. Dr. Kathia Marise Borges Sales
Prof. Dr. Rosângela da Luz Matos

Deputy Executive Editor: Prof. Dr. José Anderson Santos Cruz

¹ Social Service Coordination of the Social Work Foundation, Campo Grande – MS – Brazil. Experience in the area of Special Social Protection of Medium and High Complexity.

² Federal Institute of Mato Grosso do Sul (IFMS), Coxim - MS – Brazil. Leader of the Education, Diversity and Human Rights Research Group - GPEDH/IFMS. Develops research in the area of education in prisons, diversity and inclusion and teaching work.

ABSTRACT: Compliance with a socio-educational measure has, essentially, an educational character, as it seeks to establish an instrument of social control and security and, at the same time, provide the adolescent with the opportunity to experience new values and attitudes so that a project is established for your life. Given this, the study aims to analyze the perspective of education from the perspective of young people complying with socio-educational measures. Data were collected from young people who fulfill Community Service Provision (PSC) and Assisted Freedom (LA) through interviews with a semi-structured script. The reports demonstrate that the young people interviewed are unaware of their right to education but yearn for an educational process that promotes dialogue and respect, free from prejudice and stigma to which they are subjected.

KEYWORDS: Adolescent. Assisted Freedom. Socio-educational measure. Right to education.

RESUMO: *O cumprimento de medida socioeducativa tem, essencialmente, um caráter educativo, na medida em que procura estabelecer um instrumento de controle e segurança social, e ao mesmo tempo, oportunizar ao adolescente a vivência de novos valores e atitudes, de forma que seja estabelecido um projeto para sua vida. Em vista disso, o estudo visa analisar a perspectiva da educação sob a ótica de jovens em cumprimento de medida socioeducativa. Os dados foram coletados, com jovens que cumprem medida de Prestação de Serviços à Comunidade (PSC) e Liberdade Assistida (LA), por meio de entrevistas, com um roteiro semiestruturado. Os relatos demonstram que os jovens entrevistados desconhecem seu direito à educação, mas anseiam por um processo educativo que promova diálogo e respeito, livre de preconceitos e estigmas no qual são submetidos.*

PALAVRAS-CHAVE: *Adolescente. Liberdade Assistida. Medida Socioeducativa. Direito à educação.*

RESUMEN: *El cumplimiento de una medida socioeducativa tiene, esencialmente, un carácter educativo, pues busca establecer un instrumento de control y seguridad social, y al mismo tiempo, brindar al adolescente la oportunidad de experimentar nuevos valores y actitudes, de manera que se establezca un proyecto para tu vida. Ante esto, el estudio pretende analizar la perspectiva de la educación desde la perspectiva de los jóvenes que cumplen con las medidas socioeducativas. Los datos fueron recolectados con jóvenes que cumplen Prestación de Servicios Comunitarios (PSC) y Libertad Asistida (LA), a través de entrevistas, con un guión semiestructurado. Los informes demuestran que los jóvenes entrevistados desconocen su derecho a la educación, pero anhelan un proceso educativo que promueva el diálogo y el respeto, libre de prejuicios y estigmas a los que están sometidos.*

PALABRAS CLAVE: *Adolescente. Libertad asistida. Medida socioeducativa. Derecho a la educación.*

Introduction

Socio-educational measures correspond to measures applied, after due legal process, to adolescents who commit an infraction, understood as a crime or misdemeanor according to Brazilian legislation.

The Child and Adolescent Statute (ECA) establishes six educational measures: warning, repairing damage, providing services to the community, assisted freedom, semi-freedom, and hospitalization in an educational establishment (Brasil, 1990). Compliance with the measure is educational, as it must provide the adolescent with the opportunity, through reflections on the experience of new values and attitudes, to establish a project that will be relevant to their life (Brasil, 2010). In this sense, the measure seeks to establish an instrument of control and social security, in which adolescents must be pedagogically educated for the infractions they have committed.

According to data from the Ministry of Social Development, in 2018 Brazil had 117,207 adolescents and young people complying with Socio-Educational Measures of Assisted Freedom and/or Provision of Services to the Community (MDS, 2018). Also, according to mapping by the Institute of Applied Economic Research (IPEA), in 2003 many adolescents deprived of liberty (51%) did not attend school at the time of the infraction when the crime was committed (Silva, Gueresi, 2003). In more recent data, the National Justice Council pointed out that at least 57% of young people did not attend school before entering the hospitalization unit (CNJ, 2012; CNJ, 2020). Regarding the profile of these young people, the majority are users of illicit drugs, have low education, live in low-class neighborhoods/communities, and have a precarious family income (Gallo; Williams, 2005; Coelho; Rosa, 2013), which demonstrates the lack of protection from the State, family, and society.

In this scenario, the school is configured as a socio-educational path. It can become a gateway to social inclusion by establishing new beliefs, values, attitudes, and skills that allow social interaction. Given this situation, the present study³ seeks to understand the educational perspective of adolescents undergoing socio-educational measures from the adolescent perspective.

As a methodological procedure, in addition to bibliographical research, an interview was carried out, with a semi-structured script, with young people aged 18, who are cared for at a Specialized Reference Center for Social Assistance (CREAS) and are enrolled in an

³ This research was conducted in the Specialization Course in Education, Poverty, and Social Inequality by the Federal University of Mato Grosso do Sul Foundation (UFMS).

educational institution, with regular frequency. Regarding data assessment, content analysis was adopted, considering the speech of the participating subjects and the social contexts involved (Franco, 2008).

To this end, we initially sought to present a brief history of the rights of children and adolescents in conflict with the law; and then, describe the care offered to these adolescents; Next, the research locus is presented; then, the life context and family relationships of the subjects participating in the study; and finally, an analysis of school expectations and prospects for the future from the perspective of teenagers.

Brief history of the rights of children and adolescents in conflict with the law

The achievement of the rights of children and adolescents began to be discussed since the Proclamation of the Republic in 1889. During this period, it was common to find children in situations of poverty roaming the city streets in search of survival, and this began to cause discomfort among the elites, political, intellectual, and philanthropic, which consequently generated debates on the issue of children. The perspective was that the State could intervene, educating or correcting minors so that they could become useful and productive citizens of the country (Soares, 2003).

Subsequently, from 1921 onwards, important legislative innovations were introduced in the international and Brazilian legal order, since at an international level there were episodes that defended the rights of children, recognizing them in a different condition from adults.

The first Minors Code in Brazil, known as the Mello Mattos Code, was enacted in 1927, it consolidated the laws of assistance and protection for minors, exempting minors under 14 from any criminal proceedings and subjecting those over 14 and under 18 years to a special process (Soares, 2003).

Later, the 1940 Penal Code began to establish criminal liability at 18 years of age, adopting the biological criterion. Then, in 1964, the National Policy for the Welfare of Minors was created, which established centralized and comprehensive management, under the management of the National Foundation for the Welfare of Minors (FUNABEM), and the state executing bodies known as State Foundations of Minors' Welfare (FEBEMs) (Soares, 2003).

In 1979, the new Minors Code was established, in which abandoned children, young people, and minor offenders were considered in an irregular situation and were therefore subject to the protective nature of the legislation; in other words, poverty was passed. To be

criminalized. Later, in 1984, there was the penal reform, which reaffirmed criminal liability at 18 years of age and changed the wording from “irresponsible” minors to “imputable” minors.

The new Federal Constitution, promulgated in 1988, adhered to the Doctrine of Comprehensive Protection, in which it maintained criminal liability at 18 years of age. The Law inaugurated a new era for children and adolescents, recognizing them as subjects of rights, worthy of receiving protection with absolute priority regarding the rights to life, health, food, and education, among others (Brasil, 1988).

Finally, Law No. 8,069 of 1990 established the Child and Adolescent Statute, bringing profound cultural and legal political changes regarding the issue of children and adolescents, establishing the defense of children as citizens subject to rights. The document reaffirms the obligation to guarantee children and adolescents education, housing, food, family life, and protection in cases of physical and psychological violence (Brasil, 1990).

Regarding education, the Law of Guidelines and Bases of Education (LDBEM) (Law nº 9,394/1996) presents as a principle of National Education, in article 2, that education is the duty of the family and the State, inspired by the principles of freedom and in the ideals of human solidarity, aiming at the full development of the student, their preparation for the exercise of citizenship and their qualification for work (Brasil, 1996).

The Law highlights the right to education in a broad sense, as it considers that training processes develop in family life, in human coexistence, at work, in teaching and research institutions, in social movements and civil society organizations, and in cultural manifestations. Regarding teaching, it points out several principles in which equality, freedom, pluralism, and respect stand out. From this perspective, it is understood that the school process is consolidated based on the social context in which the individual is inserted, with the state having the duty to promote basic education, ensuring everyone has the opportunity for school training. Among the public that must have guaranteed education are primarily children and adolescents (Brasil, 1996).

Despite the rights guaranteed by legislation, it is worth highlighting that the approach of children and adolescents to the world of crime has been recurrent and involves both milder and more serious infractions provided for in the legal system.

According to data from the Ministry of Social Development (MDS, 2018), the number of adolescents and young people complying with Socio-Educational Measures has been increasing, totaling 117,207 in 2018. Of this group, the majority are aged 16 and 17, that is, at the end of adolescence, a period considered crucial in the life of any young person.

Also, according to data from MDS (2018), among the population aged 0 to 18, adolescence is the one with the highest number of deprivations of rights. Many of them are already entering the job market (generally in a precarious and/or unprotected way), and there is also a high rate of school dropout, an increase in juvenile mortality and the beginning of sexual and reproductive life, thus, there is a complex picture of adolescence in Brazil, especially poor and black youth.

Although this research does not intend to focus on issues involving the relationship between adolescents and crime, it is important to mention that, with the insufficiency in the realization of such rights, many young people and their families experience a total lack of essential services, such as health and employment, factors that sometimes contribute to the entry of adolescents into illicit activities.

Young people's vulnerability to violence is a complex phenomenon that involves different dimensions of life, including education, work, family, health, income, and racial inequality (Brasil, 2015).

For Castro and Abramovay (2002), several situations condition violent behavior that “victimizes” young people, particularly those living in poverty. The authors consider that the vulnerabilities present in the lives of these young people cannot be seen solely from the aspect of individual rights, but it is necessary to consider the group and the generations that are part of their context.

Vulnerabilities “affect the young generation, disenchantment, uncertainty regarding the future, distance from institutions, disbelief in their legitimacy and formal politics, as well as resistance to authoritarianism and ‘adulthood’” (Castro; Abramovay, 2002, p. 146).

In the same direction, Silva and Oliveira (2016) consider that

Although the association between adolescence and transgression is not exclusive to societies with marked social inequality, high inequality means that adolescents from social groups marked by social and racial exclusion are the biggest victims of extreme violence and incarceration (Silva; Oliveira, 2016, p. 294, our translation).

Many adolescents in the socio-educational system are linked to the popular classes, with characteristics of a socially and economically marginalized class in the country. Educational assistance, because of this, is configured as a possibility for the formation of full citizenship, in preparing for social life, and for the formation of values and critical consciousness.

Considering these laws that guide the guarantee of the right to education, it is necessary to understand how adolescents in conflict with the law are treated. This topic will be discussed in the next section.

Understanding assistance to adolescents in conflict with the law

After the entire trajectory of significant advances concerning the rights of children and adolescents, especially with the Federal Constitution (1988) and the Statute of Children and Adolescents (1990), in 2012, the National Socio-Educational Service System (SINASE) was established), through Law No. 12,594, which regulates the execution of measures aimed at adolescents who commit an infraction (Brasil, 2012). Compliance with a Socio-Educational Measure is a legal action, but essentially educational.

After verifying the commission of the infraction, the following measures may be applied to adolescents: Warning; Obligation to Repair the Damage; Provision of Service to the Community (PSC); Assisted Freedom (LA); Semi-freedom and Internment.

The policies that can be conducted in an open environment (Community Service Provision and Assisted Freedom) have shown greater effectiveness, guaranteeing adolescents the right to come and go, in which contact with family, work, and school is maintained.

On May 13, 2016, Resolution No. 3 was published, which defined the National Guidelines for school support for adolescents and young people in compliance with socio-educational measures. The document points out that education systems must ensure the enrollment of students in compliance with socio-educational measures without imposing any form of embarrassment, prejudice, or discrimination, as this is a fundamental, public, and subjective right (Brasil, 2016). In chapters IV and V, there are guidelines regarding the right to remain with social quality and regarding appropriate pedagogical-curricular action.

Working with adolescents who comply with socio-educational measures poses challenges, both in the articulation of integrated actions in the different areas of public policies and the clarity of responsibilities, given that the Specialized Reference Center for Social Assistance (CREAS)⁴ should not be the only person responsible for conduct monitoring of adolescents in conflict with the Law. SINASE provides for network coordination, requiring the involvement of health, education, social assistance, and the judiciary.

⁴ CREAS is the state public unit with municipal or regional coverage whose role is to constitute a reference locus in the territories for the provision of specialized social work in the Unified Social Assistance System (SUAS) to families and individuals at personal risk or social for violation of rights.

Resolution No. 109, of November 11, 2009, adopts the National Typification of Social Assistance Services within the scope of the Unified Social Assistance System and provides for the Social Protection Service for Adolescents in Compliance with a Socio-educational Measure of Assisted Freedom (LA) and Provision of Community Services (PSC) as special social protection services of medium complexity (CNAS, 2009).

Social Protection Services for Adolescents in Compliance with Socio-educational Measures of Assisted Freedom (LA) and Provision of Services to the Community (PSC), considered of medium complexity, are aimed at families and subjects with violated rights but with family and community ties not yet broken, but in most cases weakened.

The sector offers services that serve teenagers aged 12 to 18 or young people aged 18 to 21 who commit criminal acts. The measures are applied by the judge of the Children and Youth Court and should contribute to access to rights and the redefinition of values in the personal and social lives of adolescents and young people. Implementing socio-educational measures in an open environment at CREAS must comply with SINASE guidelines relating to institutional incompleteness, municipalization of service, and guarantee of fundamental rights of adolescents provided for in the ECA.

Location of research and characterization of participating subjects

In Campo Grande, the capital of *Mato Grosso do Sul*, there are three CREAS divided by region: Centre CREAS, South CREAS, and North CREAS. The institution under study is South CREAS, which has the greatest demand for services, as it is responsible for serving a vast area of coverage with overpopulated neighborhoods, as described below.

For this study, a survey was conducted of adolescents and young people who attended South CREAS– Nelly Bais Martins, south of Campo Grande in the state of Mato Grosso do Sul. According to the latest data available, in 2016, the unit had 235 adolescents in care, of which 125 were serving an Assisted Release (LA) measure and 110 were serving Community Services (PSC).

The following table describes the number of adolescents included in the Socio-Educational Measure (MSE) with the respective infractions committed.

Table 1 – Number of adolescents according to compliance with measures

INFRINGEMENT ACT	LA		PSC		Total
	Masculine	Feminine	Masculine	Feminine	
Physical aggression		1	1		2
Threat			2	1	3
Indecent Exposure					0
Assault	32		20		52
Bullying					0
Slander					0
Dangerous Driving and/or without a driver's license	2		5		7
Contempt of Authority		1	3		4
Rape	1		2		3
Attempted Rape	2		1		3
Theft	5	1	5	1	12
Murder	2				2
Armed robbery					0
Theft Attempt	1				1
Carrying a Weapon (fire/blade)	7		9		16
Invasion of Public Property					0
Reception	7		7	2	16
Theft	38	1	32	1	72
Kidnapping	2				2
Attempted murder	3		1		4
Drug trafficking (sale/consumption)	13	6	13	1	33
Others /Vandalism			3		3
TOTAL	115	10	104	6	235

Source: South CREAS – Socio-educational Measure, 2016

From the indicators demonstrated, it is noted that the most recurrent offenses refer to theft, assault, and drug trafficking (sale/consumption), that is, crimes against property related to narcotics.

Due to the requirement of documentation and current legislation, it was decided to carry out this study with young people aged 18 and who were enrolled and regularly attending an educational institution. In this way, 12 adolescents with the profile were selected, and of these, three, two male and one female, agreed to participate in the research. Data collection was conducted through an interview with a semi-structured script, meeting the ethical parameters

of research with human beings and ensuring participants' confidentiality and privacy⁵. The interviews were conducted in the presence of their parents⁶.

It is worth noting that, although these young people have reached the age of majority, the infraction occurred in all three cases two years earlier, which demonstrates the slowness of the investigation procedures.

The young people interviewed completed Community Service Provision (PSC) and Assisted Release (LA), and one of them remained in the Internment Educational Unit (UNEI) for six months. All were accompanied by professionals (social workers, psychologists, and lawyers) from the CREAS.

Next, we discuss the main themes covered in the questionnaire, organized by categories created a priori: i) the context of life and family relationships and ii) expectations regarding school and the future. Adolescents in this research were named A1, A2, and A3.

Life context and family relationships

Working with adolescents in compliance with socio-educational measures poses challenges, which is why it is essential to seek to understand who these young people are. It is necessary to reflect on your personal conceptions, as ways of thinking determine ways of acting (Brasil, 2008). Based on this understanding, the first research questions are related to housing, profession, education, relationship with criminal acts, and the use of psychoactive substances.

The housing situation of the participants is their property, under the responsibility of their parents, with an average of four to five people living there. Those responsible are employees whose profession is driver, tile worker, telemarketer, and day laborer; some are self-employed. It is worth noting here that the families are not in a situation of extreme poverty, but they are low-income. One of the interviewees even said: "I would like to take a mechanic or hairdressing course, but my parents cannot afford it" (A2, our translation).

For Sartório (2007, p. 72, our translation), "[...] the transformations and new configurations of the social issue have a direct impact on the organization of families and their survival strategies, together with their children". Thus, the impoverishment of families reflects

⁵ This research is part of the Education, Poverty, and Social Inequality Initiative, registered and approved by the Research Ethics Committee of the Federal University of Mato Grosso do Sul under opinion No. 1,515,322.

⁶ After reading the Free and Informed Consent Form, the young people and their parents were reinforced on the issue of confidentiality and preservation of their identities. After acceptance, the interview began.

precarious living and working conditions, resulting in a situation of social insecurity, not to mention unemployment, violence and inequality present in the daily lives of these families.

This reality is in line with data published by IPEA, which indicate that many young people in conflict with the law present typical characteristics of social exclusion in the country; the majority are black (64.87%), poor (83.5%) and live in families with a per capita income of less than the minimum wage (Silva; Oliveira, 2015).

As for the young people's work activity, only one works as a childcare worker, but professionalization is the desire of the majority. Only one young man showed no concern about his professional future.

Regarding the parents' level of education, in only one case is there a high school graduate, while the others stagnated in elementary school. Regarding low education, the parents explained that everything was more difficult, that they did not have opportunities, or that they had to work early to help the family.

A relevant aspect observed refers to academic delay. At the age of 18, none of them completed high school; two are studying Youth and Adult Education (EJA), and one is in the first year of high school.

All the young people interviewed were (or are) drug users and stated that the factors that contributed to their use were curiosity and the influence of "friends". One of the young people said: "My friends used it in front of me and I saw the reaction caused by the drug, I was curious what it would be like for me and so I tried it" (A2, our translation).

For Abramovay *et al.* (2002), the access denied to young people to basic rights and social opportunities restricts the ability to form, use, and reproduce material and symbolic resources, placing them in a vulnerable situation, which consequently contributes to a precarious integration of these resources young people to opportunity structures, whether coming from the State, the market or society.

By associating vulnerability with social inequality and youth segregation, it has been possible to clarify scenarios of the complex nuances of the relationship between youth and violence. This relationship is perceived as the product of social dynamics, guided by inequalities of opportunities, segregation, a deficient insertion in education and the job market, lack of leisure opportunities, ethical and cultural training in values of solidarity and a culture of peace and moving away from models that link efforts to successes (Abramovay *et al.*, 2002, p. 55-56, our translation).

As a result of this condition of vulnerability, many young people are left out of influences that arise from the interactions experienced in their community among colleagues who sometimes share similar situations, creating a type of community belonging. In this context, youth violence and insertion into the world of crime and drugs emerge as a form of perverse assimilation, placing young people in a scenario of negative protagonism.

It is worth highlighting that violence, although associated with poverty, is not its direct consequence but has to do with how social inequalities and the denial of the right to access social goods operate in the specificities of each social group, triggering violent behavior (Abramovay *et al.*, 2002; Silva; Oliveira, 2016).

All interviewees spontaneously stated that the use of drugs motivated the practice of criminal acts and admitted that they were involved in illicit activities to continue using drugs, with marijuana being the most consumed.

Involvement in drug trafficking may be associated with the maintenance of the young person's addiction, but, in addition, the presence of vulnerability in communities in which the young person is inserted becomes a possibility of accessing consumer goods, which a priori should be ensured by the State and society.

When the question was about the family reaction regarding the problems of each young person with involvement with drugs and criminal acts, the answers obtained were: "It was normal". They gradually verbalized that initially, it was difficult, that they were prohibited from interacting with bad friends, from going to the neighborhood square, and that they had supervised freedom. However, parents did not give up, they were by their children's side and monitored their daily lives more closely. It is worth noting that the participants in this study referred to their family members in a very affectionate way, thus the existence of a strong emotional bond could be observed.

The importance of the family as responsible for the care, affection, and attention to children should not be ignored, but rather valued during the educational process of adolescents with socio-educational measures. However, the role of the State in providing and promoting public policies that ensure the development of adolescents is essential (Sartório, 2007).

School expectations and life perspective

The places where the socio-educational measure is carried out are different, being the Basic Health Unit (UBS), the Social Assistance Reference Center (CRAS), and the State School. According to the young people's report, there is support from the UBS and CRAS teams.

Public schools should promote equality for all; however, in some situations, they reproduce and reinforce the economic, political, and social inequality present in our society. In the case of young girl A3, who is serving a measure at the state school, she reports that she felt excluded, mainly by the school management. The interviewee stated: *"I know I was a difficult teenager who caused problems, but come on, I've changed. I follow the measures exactly, but they're making me wash the sports court alone; I asked the CREAS technician to speak to the director because I know this can't happen"* (A3, our translation).

Given the young woman's statement, the importance of the bond with the advisor (CREAS technician) who accompanies her can be seen, as when she felt harmed by the school, she sought support from the professional who is responsible for promoting her social reintegration.

It is important to mention that to refer the teenager to the institution where they will provide services, which is called a host entity, the infraction committed, the distance from their residence, and the availability of a place in the entity are considered.

The interviewees who are part of the UBS and CRAS point out the contributions to resocialization, such as the conversation circles with professionals from the institutions and the moments of dialogue and exchange between the group. However, young girl A3, who complies with the measures at her school, considers the resocialization process to be exclusionary and prejudiced.

As Costa (2004) pointed out, socio-educational measures aim to educate adolescents for social life, hence the name socio-educational. Educating for social life is educating adolescents to exercise citizenship, that is, we have a direct relationship between socio-educational measures with the right to education and with the school, which is the institution that embodies, implements, and expresses the right to education.

When dealing with the topic that deals with the rights and duties of children and adolescents, the interviewees showed little interest and different perceptions. While Young A1 stated that for him, the law helps because it prevents violence against children and adolescents, A2 says: *"Like every law, it has its flaws"* but does not point out what these flaws are. Young

A3 indicates that the law helps 60% and hinders 40%; she understands that it hinders because parents get lost when it comes to “educating” and states that she cannot do anything because, otherwise, the Guardianship Council would be called.

For society, in common sense, the ECA is an instrument that defends adolescents from neglecting their responsibilities concerning their actions. On the other hand, the young people who participated in this research did not show a feeling of favor for the law.

When asked about the school perspective and the right to education, in general, the answers were vague, and the young participants demonstrated a complete lack of knowledge on the subject, even stating that: “*Right to education, I never stopped to think, my parents tell me to go to school and that’s why I go*” (A3, our translation); or even: “*The right to education is very precarious*”

Concerning the right to education for children and adolescents, the legislation proposed several protective mechanisms on the part of different actors. Parents and guardians are responsible for enrolling and ensuring that their children attend school under penalty of intellectual abandonment. Legislation gave the school the duty to ensure attendance and the teaching-learning process. The Public Power is responsible for offering sufficient places so that all students have access and conditions to study, as well as providing Education with the resources necessary for its full functioning. The student has the right and duty to attend school (Sartório, 2007, p. 77, our translation).

Given this, it is up to the school – as a training institution – to promote knowledge to students regarding their rights as citizens since it is through this understanding that they will be able to seek protection in all spheres and the most varied contexts of everyday life. In the same direction, Arroyo (2015) considers that education professionals must guarantee students’ right to knowledge, and the first of these is to understand themselves in the world, in society, and their history. It is the right to know about oneself, the world, society, social, economic, and political relations, the pattern of work, production, and exploration.

Another relevant aspect of the interviewees’ speech is about the fragility and precariousness of the educational system, especially concerning educators. According to their reports, on some occasions, there is a different and inappropriate way of treating young people in compliance with measures, in which disrespectful attitudes towards these students are expressed. Furthermore, Young People A2 and A3 stated that the educational institution only helped with basic school knowledge and interaction with colleagues; Young A1 did not observe significant progress. Finally, they yearn for more qualified teachers who respect students equally.

This situation demonstrates that institutions sometimes receive these students without the necessary preparation to resocialize them into society, disregarding the adolescents' right to have an opportunity, to recover and to be considered capable of good social life.

When asked about the outlook for the future, interviewees A2 and A3 point out the expectation of completing high school, entering a university, owning their own business, or even taking professional courses before completing high school. However, one of the young people says: *“My expectations are uncertain, I don't know if I will continue my studies next year, I live in the present, I don't know what will happen, I live one day at a time, what matters is now”* (A1).

Regarding the report of this last teenager, it is necessary to understand the various family and social instances involved, which lead him to low expectations regarding his future, however, one cannot fail to consider that he was deprived of liberty for six months in a UNEI. According to the report of the National Mechanism for the Prevention and Combat of Torture (MNPCT, 2017), in some UNEIs disciplinary logic is prevalent to the detriment of socio-education, torture is recurrent, and socio-educational assistance in terms of schooling takes place in confined spaces. These experiences can leave marks on the life of a young person who is in the process of building their identity.

These institutions still present deficiencies in the services offered, with a lack of differentiated activities, leisure limited to sunbathing, and types of activities that often do not match the adolescent's aptitude, or their interest and needs, among other factors. In this sense, many hospitalization units restrict themselves to reproducing the lack of opportunity, leisure, culture, and professionalization that these young people already experience in their daily lives outside the institution.

Based on the data obtained from research participants, it is worth highlighting the importance of family structure in the context of training young people in conflict with the law. Article 226 of the Federal Constitution establishes that “the family is the basis of society”. In this way, your participation and that of the community and civil society organizations aimed at defending the rights of children and adolescents in socio-educational action are fundamental to achieving the objectives of the measure applied to adolescents (Brasil, 2008).

The greatest expectation is that the family produces care, learning, affection, construction of identity and relational bonds of belonging, capable of promoting a better quality of life for its members and effective social inclusion in the community and society, however, the family lives in a context which can be strengthening or weakening your possibilities and potential (Brasil, 2008, p. 22, our translation).

Without a doubt, the family is primarily responsible for providing individuals with support for developing socially accepted behaviors, which is why it plays a fundamental role. However, it is unfair to blame them for the teenager's misconduct, since everyone is subject to external factors that affect them, such as employability, which should guarantee the basic rights of survival with dignity.

Therefore, the importance of monitoring the family in the activities of young people in conflict with the law is observed, as an institution of attention, love, and support when they are “paying for the acts committed”. Furthermore, the State must invest in policies and programs that reveal to families the meaning and importance of socio-educational measures for their children.

It was observed in this study that both parents and young people have low levels of education, which may be related to the social inequality experienced by these families, given that one of the worst problems is the poor distribution of income and wealth.

To meet the family's basic needs, those responsible are absent for the entire day or stay for long hours without knowing the context in which their child is inserted during such absence, where it is possible to perceive the helpless situation in which the adolescents find themselves.

From this perspective, programs and initiatives aimed at protecting families and supporting their strengthening are becoming increasingly relevant within the context of public policies to protect children and adolescents. If, on the one hand, the family is understood as one of the first protective environments in the child's life cycle, on the other, there is recognition of the existence of relationships, often non-protective, within it, which can characterize it as an environment of vulnerability.

According to the National Socio-Educational Service System:

Social practices must offer real conditions, through actions and programmatic activities, for the active and qualitative participation of the family in the socio-educational process, enabling the strengthening of bonds and the inclusion of adolescents in the family and community environment (Brasil, 2008, p. 23, our translation).

It is also worth highlighting the importance of the socio-educator's conduct and his/her ethical stance concerning the adolescent in compliance with the Provision of Services to the Community and Assisted Freedom, as it is often perceived and absorbed by the adolescent in the interactions of socio-educational work.

Considering the provision of socio-educational measures in an open environment, it is necessary to note that professionals pay attention to the specificities of this segment, remembering the additional role that this will imply. This is important as one must observe the peculiarities of the clientele in focus; Paying attention to this is directly related to the quality of care and the results obtained (Brasil, 2008, p. 25, our translation).

The quality of service and the good result at the end of completing the socio-educational measure depend on several factors, such as the technician's attitude, commitment, the bond established with the young person, partnerships with the network, and quality and continuous training of technicians. However, it must be observed what conditions are offered to these workers for the effectiveness of the actions and whether there is a technical team to meet the demand. In the case of the institution under study, the team is insufficient to monitor these young people systematically. Service is also hampered by the lack of vehicles and fuel, as well as scrapped equipment such as computers, among others.

Even with the difficulties presented, the team seeks to carry out work to promote the teenager and his family in social programs offered by the municipality, enabling their insertion in the social environment and creating conditions for the teenager to be able to build a life project that breaks with the infraction and develop resilience.

The inefficiency of social policies such as education, health, sports, leisure, and others, that is, the low performance and lack of commitment from the State and an exclusionary and consumerist society, are reflected in the infractions committed by adolescents – although not justifiable.

The low life expectancy is likely related to the condition of inferiority and lack of resilience of these adolescents who carry with them the marks of family fragility generated by the capitalist mode of production, in which social exclusion is established.

The young participants in this research pointed to the need for effective change in education. Despite not being able to express and organize their ideas through loose comments, there was a lack of the institution seeking to understand the students, their experiences, cultures, and experiences, in short, a school that welcomes adversity.

It is possible that, with such changes, teenagers will have a feeling of belonging concerning school, as they will be heard and respected – cultural imposition will give space to social transformation, with a commitment to building a less unequal, fairer, and more democratic world.

Final considerations

The research carried out shows that, despite all the progress made about the fundamental rights of children and adolescents, deficiencies in the empowerment of rights are still perceived among those interviewed. The two most difficult questions to obtain answers were concerning the ECA and the right to education, as all the answers expressed few words, which demonstrates the lack of knowledge on the subject.

The research demonstrated that there is dissatisfaction among adolescents in conflict with the law regarding educational institutions and the way educators treat them. Often, these young people are treated as outcasts who represent danger and disorder at school. The desired institution is a more democratic school that promotes dialogue and respect and expands activities, such as sports and professional courses.

The issue of chemical dependency is present in the daily lives of all interviewees and must be understood based on several factors, including the problem of poverty and social exclusion. Drug use certainly generates numerous negative impacts in various contexts, contributing to accentuating the problems already experienced by these young people. Therefore, it can be noted that there is a significant correlation between the infraction and drug use.

It is also noteworthy that, despite the low level of participation among young people, the importance of existing family ties in their lives is noticeable, as support is a determining factor in preventing repeat offenses.

Therefore, there is a great challenge as a society to encourage these young people to understand and empower their rights and duties as citizens. The State is responsible for implementing these rights with the availability of places in Early Childhood Education Centers, schools, training teaching professionals, and seeking dialogue with these young people.

REFERENCES

ABRAMOVAY, M. *et al.* **Juventude, violência e vulnerabilidade social na América Latina: desafios para políticas públicas.** Brasília: UNESCO, BID, 2002.

ARROYO, M. G. **Pobreza e currículo: uma complexa articulação.** Módulo IV. Brasília, df: Ministério da Educação, 2015.

BRASIL. **Constituição da República Federativa do Brasil.** Brasília, DF: Senado Federal, 1988.

BRASIL. Estatuto da Criança e do Adolescente. **Lei Federal n. 8069, de 13 de julho de 1990.** Dispõe sobre o Estatuto da Criança e do Adolescente e dá outras providências. Brasília, DF: ECA, 1990. Available at: <https://www2.camara.leg.br/legin/fed/lei/1990/lei-8069-13-julho-1990-372211-publicacaooriginal-1-pl.html>. Accessed on Jun. 10, 2023.

BRASIL. Ministério da Educação. **Lei n. 9.394, de 20 de dezembro de 1996.** Estabelece as Diretrizes e Bases da Educação Nacional. Brasília, DF: MEC, 1996. Available at: https://www.planalto.gov.br/ccivil_03/leis/19394.htm. Accessed on Jun. 10, 2023.

BRASIL. Secretaria de Estado de Trabalho e Assistência Social. **As Medidas Socioeducativas em Meio Aberto.** 2008.

BRASIL. Secretaria Municipal de Políticas e Ações Sociais e Cidadania (SAS). **Medidas socioeducativas.** 2010.

BRASIL, **Lei n. 12.594 de 18 de janeiro de 2012.** Institui o Sistema Nacional de Atendimento Socioeducativo (Sinase), regulamenta a execução das medidas socioeducativas destinadas a adolescente que pratique ato infracional. Brasília, DF: Presidência da República, 2012.

BRASIL. **Índice de vulnerabilidade juvenil à violência e desigualdade racial.** Brasília: Presidência da República, 2015.

BRASIL. Ministério da Educação. Conselho Nacional de Educação. **Resolução n. 3, de 13 de maio de 2016.** Define Diretrizes Nacionais para o atendimento escolar de adolescentes e jovens em cumprimento de medidas socioeducativas. Brasília, DF: MEC/CNE, 2016.

CASTRO, M. G.; ABRAMOVAY, M. Jovens em situação de pobreza, vulnerabilidades sociais e violências. **Cadernos de Pesquisa**, n. 116, julho/ 2002 p. 143-176, jul. 2002.

CENTRO DE REFERÊNCIA ESPECIALIZADO DE ASSISTÊNCIA SOCIAL (CREAS SUL). **Número de adolescentes segundo cumprimento de medida socioeducativa.** Campo Grande, 2016.

COELHO, B. I.; ROSA, E. M. Ato infracional e medida socioeducativa: representações de adolescentes em L.A. **Psicologia & Sociedade**, v. 25, n. 1, p. 163-173, 2013.

CONSELHO NACIONAL DE ASSISTÊNCIA SOCIAL (CNAS). **Resolução n. 109, de 11 de novembro de 2009**. Aprova a Tipificação Nacional de Serviços Socioassistenciais. Brasília, DF: Presidência da República, 2009.

CONSELHO NACIONAL DE JUSTIÇA (CNJ). **Panorama Nacional**: a execução das medidas socioeducativas de internação. Programa Justiça ao Jovem. Brasília: CNJ, 2012.

CONSELHO NACIONAL DE JUSTIÇA (CNJ). **Guia para Programa de Acompanhamento a Adolescentes Pós-cumprimento de Medida Socioeducativa de Restrição e Privação de Liberdade**. Caderno I – Diretrizes e Bases do Programa. Brasília: CNJ, 2020.

COSTA, A. C. G. da. **Por uma Política Nacional de Execução das Medidas Socioeducativas**: Conceitos e Princípios Norteadores – Secretaria Especial de Direitos Humanos. Subsecretaria dos Direitos da Criança e do Adolescente, Belo Horizonte, MG: [s. n.], 2004.

FRANCO, M. L. P. B. F. **Análise de conteúdo**. Série Pesquisa. 3. ed. Brasília: Liber, 2008. v. 6.

GALLO, A. E.; WILLIAMS, L. C. de Albuquerque. Adolescentes em conflito com a lei: uma revisão dos fatores de risco para a conduta infracional. **Rev. Psicologia**, v. 7, n. 1, p. 81-95, 2005.

MECANISMO NACIONAL DE PREVENÇÃO E COMBATE À TORTURA (MNPCT). **Relatório Anual 2016-2017**. Brasília, 2017.

MINISTÉRIO DO DESENVOLVIMENTO SOCIAL (MDS). **Relatório da pesquisa nacional das medidas socioeducativas em meio aberto**: no Sistema Único de Assistência Social. Brasília, 2018.

SARTÓRIO, A. T. **Adolescente em conflito com a lei**: uma análise dos discursos dos operadores jurídico-sociais em processos judiciais. 1974. 304 f. Dissertação (Mestrado) – Universidade Federal do Espírito Santo, Centro de Ciências Jurídicas e Econômicas, Vitória, ES, 1974.

SILVA, E. R. A. da; OLIVEIRA, R. M. de. **O Adolescente em Conflito com a Lei e o Debate sobre a Redução da Maioridade Penal**: esclarecimentos necessários. Nota Técnica. Brasília: Instituto de Pesquisa Econômica Aplicada – Ipea, 2015.

SILVA, E. R. A. da; OLIVEIRA, R. M. de. Os jovens adolescentes no Brasil: a situação socioeconômica, a violência e o sistema de justiça juvenil. *In*: SILVA, E. R. A.; BOTELHO, R. U. (org.). **Dimensões da experiência juvenil brasileira e novos desafios às políticas públicas**. Brasília, DF: Ipea, 2016.

SILVA, E. R. A. da; GUERESI, S. **Adolescentes em conflito com a lei**: situação do atendimento institucional no Brasil. Brasília, DF: Ipea, 2003.

SOARES, J. B. A construção da responsabilidade penal do adolescente no Brasil: uma breve

reflexão histórica. **Revista do Ministério Público do Rio Grande do Sul**, n. 51, p. 257-286, ago./dez 2003.

CRediT Author Statement

Acknowledgements: Federal University of Mato Grosso do Sul (UFMS), for the opportunity to participate in the Specialization Course in Education, Poverty and Social Inequality.

Funding: Not applicable.

Conflicts of interest: There are no conflicts of interest.

Ethical approval: The work respected ethics during the research.

Data and material availability: Not applicable.

Authors' contributions: Author 1: Writing the text and collecting data. Author 2: Text writing and corrections.

Processing and editing: Editora Ibero-Americana de Educação.
Proofreading, formatting, normalization and translation.

