Street children and their relationship with the police

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Background: This paper explores and analyses the experiences of school-age street children. It specifically addresses the relationship of the street children who live on the streets of São Paulo (a large Brazilian metropolis), in relation to their experiences, with the policemen.

Methods: The paper is a secondary analysis of date previously collected in 1999. The data were collected through individual semi-structured interviews, with 14 school-age children frequenting two city public refuges, with their legal guardians' consent. The text from transcribed interviews was organized according to the validity norms of 'thematic analysis', a technique of contents analysis method. The decomposing and reconstructing process of that analysis gave rise to thematic categories (among which 'the police category') that represented the reconstruction of the difficulties faced by the children in their development.

Results and discussion: The children portrayed the police as an enemy, a fearful figure and one of the most agonizing street experiences. Rarely did the police have a positive image to them. According to the children, police violence occurs in three forms: through systematic police persecution in an effort to remove the children from the streets against their will; actions that had the deliberate intent to humiliate them with verbal or physical aggression; and through alleged sexual abuse, revealed by the children in a veiled manner. The authority that is supposedly intended to protect them is portrayed as one of the most feared social agents.

Conclusion: The reported hostile behaviour of the policemen shows the state of vulnerability of those children living on the street. This situation must be focused like a health problem because it causes injury to development of children. Nurses can help them through organizing assistance to children in situation of personal and social risk in the school nursing and health institution.

Keywords: Brazil, Homeless Children, Police, Street Children, Violence

Introduction

In Brazil, until recently, a child was defined by outdated political parameters, where a child did not exist as a citizen. During the colonial and imperial periods, a child was seen as 'just somebody's son'. He or she was not a subject of rights and only had some guaranteed social rights because their parents were their legal representatives. But the 'nobody's son' (the abandoned child) was shorn of social rights. With economic development and the consequent changes in Brazilian society, somebody's son was transformed into a 'child' and nobody's son became a 'minor' (the use of this term expresses the condition of exclusion from social policies, Gomes & Adorno 1991). The *child* and the *minor* did not exist before the law; their condition as dependents deprived them of their attributes as citizens. However, the *child* (somebody's son) had his rights indirectly assured through his parents. But the *minor*, without the help of any parents, was not addressed in Brazilian legislation.

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The minor did not even receive tutorship from the government, which did not offer public services for such children in situations of social and personal risk (the so-called underrated infancy). This task was the church's responsibility. The social and educational work became the government's responsibility only during the first Republican period[1] (between 1889 and 1930). From that time on the minor began to be institutionalized, living in shelters or reformatories.

However, this change did not improve the situation because the minor continued to be stigmatized as a social problem. A president in that period delegated responsibility to the police to solve social problems. These were his words: 'social problems are police cases' (Moura 1997). This political convenience led to a repressive-correctional focus concerning the minor. The *minor*, whether an offender or not, began to be viewed by the public powers as a social menace. It was then necessary to correct him, make him inoffensive and 'abide the law, the order, the moral and the good customs' (Costa 1990).

An internment system was adopted with collective confinement and very strict disciplinary measures. Because of criticisms of the model, in 1964, after installation of the Military Regime, the Law (no. 4513) of Directives and Bases of the National Policy for the Minor's Well-Being – Funabem (National Foundation for the Well-Being of Minors) was created as well as the Febems (State Foundation for the Well-Being of Minors). Thus, the previous focus was substituted by a social service focus. The minor started being regarded as 'needy'. The service aimed to restore what had been withheld from the minor. But the operationality of the new service with the same human resources of the previous regime led to a mixed practice between the welfare model and the past repressive model (Costa 1990).

New principles were adopted, but the internment of minors in large reformatories continued to be the method used to shelter them.

Currently, children who live on the streets bear the brunt of these historical models of care for minors. Upon recounting their personal histories, they reveal the effects of a mentality shaped by social policies from previous decades.

According to data from an investigation conducted with 2765 street children, in the state of São Paulo, 57% of children on the street are victims of violence by the police and 36.7% by common citizens (Garbin 2000).

The Human Rights Watch has denounced the abuses against the human rights committed against street children by law personnel in Brazil and in others countries. It believes that the impunity and the slowness of law enforcement agencies to investigate and prosecute cases of violence against street children allow that the abuses continue unchecked (Human Rights Watch 2006).

The aim of this present study is to show how this mentality manifests itself in the relationship of the police with the street children. This paper is a secondary analysis of previously collected date coming from a thesis that was realized in 1999. The thesis sought to identify the life trajectory of some school-age street children to help the health professionals to identify their personal and social risk situation. Among the categories that came from the investigation's data analysis process, one concerned the relationship between the children and the police (Ribeiro & Ciampone 2001).

This topic had the objective of reflecting on an aspect of the street child's conditions existence, aiming to stimulate the health professional to search for alternatives to promote the development of children in this social condition (Scheper-Hughes 1992).

Method

School-age children who live in the city of São Paulo (the largest Brazilian city) and rely on the streets as a means for their survival and development participated in the investigation. The children at this age have the ability to narrate their thoughts through verbal language and through this way they can articulate their realities. Therefore, the taped interview, individual and semi-structured, was the strategy used to obtain the representation of the street children's reality in relation to themselves, their family or their environment. In this type of interview, the theme of the research is determined by the researcher but it develops without his or her influence. The interview flows as a spontaneous dialogue, allowing the report of significant daily experiences. The researcher's interventions only happen to explain obscure points and to obtain more information regarding the report.

The interviews were conducted in two shelters frequented by the children: a *refuge,* where the children can stay full time and a *shelter* where they only stayed overnight. All the children, who were between 7 and 12 years of age and available on the days scheduled for data collection, were invited to participate in the study. Of the total of 15 children approached, one refused to be interviewed. Ten boys and four girls were interviewed, and the median age of the boys and girls was 10.7 and 10.8, respectively. The interviews were limited because of the 'saturation criterion' where it is established that the number of interviews in a qualitative research study is considered to be sufficient when the last informants supply data very similar to the previous ones (Polit & Hungler 1995). Therefore, the data collection was limited to the

[1]The Republican regime has two periods: the Old Republic (5 November 1889–23 October 1930) and the New Republic (3 November 1930–1 April 1964). The turning point of the Republican Period was a military coup on the 3 November 1930 that installed tje ditador Getúlio Vargas on 3 November 1930.

14 children who agreed to participate in the study for their interviews supplied enough data for the study's purpose.

The authorization to conduct the interviews was given by director of the refuge (the legal guardian) and by the children themselves. Care was taken to explain the study's objective and confidentiality, as well as the procedure of the interviews. The children and the person responsible were duly informed of the use of their information such that they gave the informed consent defined by the ethical principles of research with human beings (Resolution 1996).

The interview began with a rapport about the reason of the investigation and it proceeded with an open question such as 'tell me about your experience in the street' or 'how do you feel about being on the street' and went along with the author's interventions (identified by the letter 'p' in the dialogues presented below) with the intention of stimulating the children to continue talking.

Thus, the interviews evolved into a spontaneous dialogue. The children were, in general terms, loquacious, and just a few needed prompting to express themselves. They were stimulated, whenever necessary, by questions coming from their own context focused by them, to clear up obscure points in their stories and to give more detailed information on the current topic. Besides this, there was care taken to use simple and concrete language, compatible with their developmental phase.

The researcher conducts the interviews according to the beginnings of the approach not directing, 'centred in the person' (Rogers 1995). These beginnings intend to avoid the induction of the speech, adopting empathy, authentic and coherent attitudes, to protect the children of the sensation of being judged or threatened.

The main instrument used to obtain the representation of an individual's reality is his speech. This, expressed through the language, allows its decomposition and reconstruction, making possible the comprehension of the contents of the message. The language is a resource that enables the revelation of thought. This is why the children's tales were registered by being put on tape and fully transcribed.

The analysis of the transcribed text was organized according to the validity norms of 'thematic analysis' (Minayo 1993), one of the techniques of contents analysis (Bardin 1979), defined as 'a set of techniques of communications analysis aiming to obtain, by systematic and objective procedures of the description of the contents of the messages of, indicators (quantitative or otherwise) that allow the inference of relative knowledge as to the production/reception conditions (inferred variables) of these messages' (Bardin 1979). Thus, the data were systemized so as to keep the meaning of the message as presented by the child.

The data were systemized keeping in mind the following steps of thematic analysis: 'exhaustiveness' (all the aspects of the norms were contemplated); 'representativity' (the representation of the themes in the intended universe was considered); 'homogeneity' (the choice-by-themes criteria were respected); and 'pertinence' (the coherent registers with the work objective were taken into consideration) (Minayo 1993).

The codification operation followed, determining the 'unit of meaning' (keyword), the 'unit of context' (passages of the speech about the unit of meaning), the 'cuttings' (more relevant parts of the unit of context), the 'categorization' (aggregation of the units of meaning, relating them to the respective context units) and the more general 'theoretical concepts' that guided the analysis (Minayo 1993).

This process of the decomposing and reconstructing of the interviewed children's discourses revealed that which was implicit in the discourse. This strategy of transforming the implicit in explicit enabled the researcher to recognize values, behaviour patterns and judgements relevant to the study proposal. This process gave rise to the 'police' category.

The analysis of the data was appraised with regard to the emerging themes that represented the reconstruction of the difficulties faced by the children in their development process. Thus, the inferred arguments were based on the perspective of Marxist dialectic (Prado 1979). This 'theoretical concept' considers that the individual conceptions of himself and the world is influenced by his social condition of existence, and contrariwise.

Findings

The thematic units that emerged from the analysis of the transcribed reports of the children gave rise to seven categories: family, street, friends, drugs, police, shelter and the future (Ribeiro & Ciampone 2001). The organization of data into categories made possible a description of the trajectory that led children to run away from home. The children referred to disturbances in family life as being the principal cause for their running away from home. This was the alternative to free themselves from aggressive or negligent treatment from their parents or caretakers. The children reported that they had been returned to their families many times by the authorities (the police and/or the court system) after having run away and then found on the streets. But at home they face the same problems that led them to run away in the first place, so they would return to the streets. On the streets they would establish important relationships (positive or negative) with friends, drugs and the police. When they needed their basic needs satisfied, they would return to the shelters. Actually some of the children, before running away from home, already had the experience of being on the streets all day every day, so this path followed the flow of coming and going:

from the streets they would return home or to the shelters, and from these they would run away again, following the path with no definite direction and without any future.

The police appeared in the children's stories as a fearful figure. The children represented the relationship with the policemen as one of the most agonizing street experiences. Rarely did the police have a positive image to them. The child who had 'friendly' relationships with policemen, when caught in the act, would be beaten up by peers and excluded from the group. Many children on the street have fled from home to escape from ill treatment by some family member, but, on the street, they found another aggressor, the police. Thus, instead of playing the role of protector, the police subjected the children, again, to violence.

According to the children, police violence occurs in three forms: (1) through systematic police persecution in an effort to remove the children from the streets against their will; (2) actions that had the deliberate intent to humiliate them with verbal or physical aggression; and (3) through alleged sexual abuse, revealed by the children in a veiled manner.

Police persecution

One of the measures attributed to the police consisted of pursuing the children who were on the street. The military police (PM), periodically, have the responsibility of removing the children from the street. 'Dragnet' was the expression they used when they referred to this police operation. This practice was performed without warning. On this day, those children in the street are pursued and sent to 'SOS Criança' (SOS Child – an official child-protection service). From there they are sent to a shelter where they remain under government's protection.

P. Has the police ever caught you?
J. Yes, several times.
P. Where did they take you?
J. To the SOS or some shelter.
E. Once, the police caught us. We went to our friend's house who lived next to the shelter, but the policemen entered, invaded, to catch us. When we entered, the policemen were already there and took us to the shelter.

Dangerous friendship

The child who turned policeman's friend was rejected by their peers. Because of the fact that the police was viewed as the street children's greatest enemy, whoever became their ally would be rejected by their group.

P. You said you were afraid of the police, but that now you aren't.
K. Right, I'm not afraid, no.
P. So, why aren't you afraid any more?

K. Because, now, I'm used to the police. So, when I talk to them, they (his peers) say that I'm a cop cajoler.
P. What does this mean?
K. Cop cajoler, that I like the police.
P. Do you like to talk with the police or not?
K. I like it but they say I'm a cop cajoler. The day that . . . Neco (fictitious name) was here, they said he was a snitch for the police; they beat the kid up until . . .
P. But, are the policemen good or bad to you?
K. There are some who are bad; there are some who are good.

Humiliation

A child told about the policemen's ostensive and omnipotent way of treating them, with a certain refinement of cruelty, with relation to the children on the streets. According to the child, the policemen were not satisfied with just beating them; they also wanted to humiliate them.

C. Many policemen there, you're not doing anything, they book you, they beat you, they humiliate you. They humiliate you, they call you a thief in front of everyone . . . they throw you to the ground . . . they take you . . . (he sighed) they take you to the rear . . . they take you to the darkness, they beat you, they give you black eyes, they leave you beaten up, with legs and back full of marks. And I wouldn't wish this on anyone. Have marks on the hand, the body, the face. The worst place to be beaten is the face. The worst place they always choose is the face. If they don't go for the face they shoot at us. We can be at that distance, they give us electric shocks.

Veiled revelation

During the interview, the children were wary of commenting on their personal experience with the PM. They showed fear when talking about what the police had already done to them. They avoided telling details when asked to clarify their stories. This was exposed in a veiled way.

P. What do they (the policemen) do?
K. There are some who beat, spread glue (shoemaker's glue) on our head. They even make us to swallow things . . .
P. To swallow what?
K. The Rota (military police) does this, makes to swallow thing.
P. To swallow what?
K. It's . . . (pause), cigarettes . . . it's . . . (pause) these things.

One of the children, during the entire interview, showed she was listening perfectly to the researcher's questions, however, when questioned on her personal experience with relation to the police, she answered appearing not to understand what was being asked.

P. You told me that, in the street, you beg and sniff glue. Do you also steal?

W. I've never stolen anything, I'll never steal. I'll never be afraid of the police, I've never been afraid of the police.

P. Did the police ever mistreat you?

W. What?

P. Did the police ever mistreat you?

W. If what?

P. If the police mistreated you.

W. (Pause) They beat me, but when I got to the precinct, I told the Minors' Court. He (a policeman) he got screwed, was arrested because the police can't beat up minors.

P. Certainly not, the police can't beat up anyone.

W. The police, the other day, let me see . . . that was May 25th . . . a policeman shot a small 10-year-old kid in the head 12 times, but the policeman was, in turn, beaten up and arrested.

It is presupposed that this reaction is as a result of a post-traumatic stress. In the post-traumatic stress situation, the victim lived, testified or was confronted with an event that it involved death or wounds serious, real or threatened, to his/her integrity, involving intense fear, impotence or horror. When the traumatic event is relived in the memory, there is an escape of the incentives associated to the trauma and a numbness of the general capacity of answer. This is a defence mechanism manifested with escape of the unpleasant elements of the reality. The victim ignores or refuses to recognize these elements. The denial is the simplest and the most primitive of all the defences (Stuart 2001).

Discussion

The children's depictions of the policemen's attitudes towards street children suggest that the mentality of the repressive model of the first period of the Republican regime continues to permeate the daily practices of the police.

The power attributed to the PM to deal with social problems results in a repressive model of service for the child on the street, contributing to the maintenance of a hostile treatment for those who are not criminals as well. However, it still resides in the Brazilian culture's common understanding that the child on the street is, potentially, a future criminal. Before the negative perspective of this life project, from childhood, a child receives treatment 'worthy' of a criminal.

Operation 'Dragnet', a coercive act, is common when chasing criminals, but unacceptable as a protective measure for the street child. Police action regarding the street child and the complacency of Brazilian civil society show that there are still remnants from our history reflected in the present. Respectful service con-

sists of approaching the child in a way as to convince him or her to accept being placed in a shelter. The practice of removing children from the street cannot continue being a police responsibility, under the charge of professionals unqualified for this function.

The actions of the police demonstrate their prejudice towards the street children. The children continue to be branded by patterns of former regimes, or rather; they continue to be treated as minors by governmental institutions, the media and by citizens. This form of treatment, both institutional as well as personal, is manifested daily in a relatively discreet way.

The historical inheritance is more evident in relation to the child in conflict with the law. The service to the private child of freedom continues being the repressive focus of the past. The State still did not restructure the police services to this category, according to the social-educational focus referred in the Statute of the Child and Adolescent (ECA) (Garbin 2000).

This way of thinking is very convenient for the police who overstep the limits of their authority. When ignoring the children's rights as citizens, whether they are transgressors or not, the police attribute to themselves the power of judging and sentencing. The heedlessness of the authorities and the incompetence of society in handling human rights violations allow the free choice of those that persist with the idea that 'social problems are a case for the police'.

This situation is aggravated when encouraged by some political leaders. During the electoral process for mayor of São Paulo in 2000, one candidate said repeatedly during his campaign: 'I'm in favour of human rights for humans who are right'. This phrase explains his position contrary to the rights of individuals with criminal records, therefore authorizing free rein for those who deal directly with those who breach the law.

This attitude consists of conservative and reactionary values and discriminatory policies incompatible with democracy. Owing to the desperate public safety situation, the candidate was able to conquer the minds of the frightened and shocked population because of the extent of criminal activity in São Paulo. The candidate, a ruthless critic of human rights policies, coined the phrase that as far as rights are concerned, policies should be adopted that defend 'humans that are right', which sensitizes significant portions of the middle and lower classes (Toledo 2002).

The consequences of this conservative position affect not only those who break the law, but also those who are marginalized by society, because it gives the police the authority to decide who deserves respect. In this case, the inciting of public outrage against those marginalized perpetuating the vulnerable situation

of street children, given their state of social abandonment. Without anyone to protect them, street children are subject to all sorts of violence.

The 'half words', the interrupted sentences and the moments of silence (pauses) during the children's narratives, expressed (in a veiled form) situations of possible sexual abuse. The children revealed, in an implicit way, their experiences, leaving the suspicion they had been submitted to humiliating sexual practices.

In some moments of the interview, there were indications that the children wanted to make a revelation. Some indirect comments and observations of the children's behaviour suggested their having already been victims of sexual abuses or harassment. Comments such as the ones that follow below are the basis for these suspicions: (1) 'Many policemen there, (. . .) throw you to the ground . . . they take you . . . (he sighed) they take you to the rear . . . they take you to the darkness'; (2) 'The Rota does this, makes to swallow thing'. When asked to clarify what he was referring to: 'To swallow what?', he evaded the question by saying: 'It's . . . (pause), cigarettes . . . it's . . . (pause) these things'.

Another form of covert disclosure that points to the possibility of having been victims of sexual abuse occurred when one child, that during the interview showed good audition, but at a certain point of the interview, he seemed as if he wanted to gain time to think of an answer to the question: 'Did the police ever ill-treat you?/What? 'Did the police ever ill-treat you?/If what?' 'If the police ill-treated you' He became reticent and silent for a brief moment.

This caution is very common among school-age children. Because they are not capable of understanding the complexity of values that determine acceptable standards of sexual behaviour, they are hesitant to reveal their experiences.

According to Freudian theory on infantile sexuality, the school age coincides with a period of 'sexual latency'. During this period, the sexual impulses are repressed, generating interruption of psychosexual development, resulting in an apparent sexual disinterest (Freud w/d). But, in spite of the repression of the sexual impulses in the school phase, human sexual development is a progressive and uninterrupted process (Janus & Bess 1984).

The sexual interest is a continuous and growing process, but the school-age child's actions are governed by a moral conformation to the social order. According to Piaget's and Kohlberg's theories of moral development, the moral conception of the school child is related to the intentions of an action with the loyalty and maintenance of the social order (family, group or nation) (Mott 1990; Piaget 1977; Whaley & Wong 1987). The school child understands that to receive social approval, the expected 'natural' behaviour must conform to the norms. This means to him that the 'correct' behaviour is conditioned to obeying the rules of and respect for the authority.

The child of school age discovers that sexuality is something prohibited but cannot succeed in discerning the limits of this prohibition and still less able to distinguish his part of the responsibility for the acts of sexual nature in which he is involved. Fearing the moral depreciation and consequent reprehension, it does not show explicitly his way of conceiving sexuality.

The children feel responsible by their involvement in the sexual aggression, maybe, as they are unable to prevent the act. As the child grows up, he or she becomes more attentive to social norms therefore the older the child at the moment of aggression, the greater the probability of feeling guilt, fear or other feelings derived from his or her involvement in prohibited activities (Tsai et al. 1984).

In general the guilty feeling is irrational, because it is unjustified from the logical point of view, as the abused child did not authorize the act. But the emotions come from feelings, not reflection. That is why the children interviewed, who had suffered sexual violence, did not feel confident to relate their experience in relationship to the police, mainly because they are endowed with power over the common citizen and represent, at least theoretically, the maintenance of social order. Faced with the situation, it can be expected that the children would be subtle in their comments of this nature and that they are scared of revealing the ill-treatment received.

According to an investigation (from April 1970 to June 1992) on indiscriminate abuses by the PM, the Rota police officers committed many crimes, without suffering any punishment. The impunity derived from the fact of the PM is under military jurisdiction. The military authorities ignored the police officers actions or absolved them of the accusations that eventually surfaced. The PM was created in April 1970. That same year, in October, the Rota was created with the intention for tracking political activities. Later, with the establishment of democracy, the PM turned away from their target and started operating in the civilian society. Patrols became a job for the PM. The activities of the civil police were limited to the investigation of crime and the formation of inquiries (Barcellos 1997).

That investigation revealed alarming data of persons killed by the PM, including (the majority) persons with no criminal records. Of the victims that could be identified, 65% were not criminals and approximately 20% were under 21 years of age. 'Among the 680 cases of deceased minors in the data base, 148 were less than 15 years of age'. In addition to these deaths, there were 223 bodies of unidentified minors. Through a military

audit, it was discovered that the greatest killers were from the military command (Barcellos 1997).

In the face of data that causes so much indignation, it is possible to understand why some PM continue operating freely upon, mainly, those that have no one to back them up. The child in the street is still very vulnerable and exposed to the arrogance and disregard of unscrupulous policemen. The children who participated in this study are part of the whole and therefore are the expression of a picture of instability of the civilian society, where the police perform in unjustified situations.

Conclusion

The street children are daily discriminated against by the police and the common citizen, conditions that make them vulnerable. Therefore, it is necessary to organize assistance to the children in risk situation in the nursing schools and in the institutions of health, considering their specific needs and the characteristics of their development. The children have the right of to play and to live in peace and to deprive this right is to deprive them of the opportunity to grow and to develop with health.

The nurse's intervention and that of the other health professionals contribute to develop the children's capacities to overcome the adversities and acquire the maximum of autonomy. The main requirement to aid the children is associated to the capacity of the nurse of to establish an empathetic relationship with them. The nurse should apprehend the meaning of the child's experience according to their view, to evaluate their predominant feelings, to identify social support, to help them to identify fears and to elaborate adapted solutions to their demands. Any intervention must consider the phase of the child's life cycle and their social context to promote their integral care.

The child in the street has the legal right to be treated as a child. Therefore, he must be protected from professionals that do not respect this principle. The influence of the police in the scenario of the street child is the fruit of our history, but is also fruit of the country's political situation that is still unable to put into practice – a principle of article 227 of the Brazilian Constitution where it is established that 'children must be of absolute priority' (Estatuto 1990).

The performance of the police in questions that transcend the security limit, contributes to the worsening of the violations of the rights of children established in the ECA, Law no. 8.069, of 13 July 1990 (Estatuto 1990), which changed the minor into child, and this child into a citizen, a being with rights, a 'being in development'.

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