

ISSN: 2230-9926

Available online at http://www.journalijdr.com



International Journal of Development Research Vol. 10, Issue, 12, pp. 42972-42978, December, 2020

https://doi.org/10.37118/ijdr.20708.12.2020



RESEARCH ARTICLE OPEN ACCESS

# CASES OF SEXUAL VIOLENCE AGAINST CHILDREN AND ADOLESCENTS REGISTERED AT A SPECIALIZED POLICE STATION IN THE CITY OF BELÉM, PARÁ, BRAZIL

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#### ARTICLE INFO

#### Article History:

Received 20<sup>th</sup> September, 2020 Received in revised form 18<sup>th</sup> October, 2020 Accepted 29<sup>th</sup> November, 2020 Published online 30<sup>th</sup> December, 2020

## Key Words:

Sexual abuse of children and adolescents, Sexual crimes, Police station, Public security.

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# **ABSTRACT**

The objective was to analyze the characteristics of sexual crimes against children and adolescents, registeredat the Police Station Specialized in Child and Adolescent Assistanceof Santa Casa de Misericórdia, from 2016 to 2017, based in the city of Belém-PA. It is a documentary, descriptive, and quantitative study, with secondary data from the Secretariat of Intelligence and Criminal Analysis of the Public Security and Social Defense Office of the State of Pará. Variables regarding the form of recordwere: type of crime; type of record; type of procedure. As for the victim and the perpetrator: age group; sex; degree of kinship. Regarding the criminal fact: day; city; neighborhood. It was found that 48.21% of the reports are for crimes against sexual freedom, and 46.88% of the procedures are for rape crimes; 37.95% for statutory rape. The dominant type of procedure was the police investigation "by ordinance" (71.58%). Most of the victims were females (83.16%), with ages between0and 11 years old (53.68%), andmost of the offenders were males (91.05%), aged 12 to 17 years old (13.68%). Most cases of abuse occurred within the victim's family life: the offenders were their stepfather (13.63%), and father (11.58%). Most crimes occurred on Monday (24.21%), in October (13.16%), inBelém (90.53%). Those occurred in Belém were mostly in peripheral neighborhoods: Pedreira (13%), Terra Firme (9.88%). Crimes of sexual offense prevails.

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Citation: Natasha de Fátima Silva Reis Magalhães and Katiane da Costa Cunha. "Cases of sexual violence against children and adolescents registered at a Specialized Police Station in the city of Belém, Pará, Brazil", International Journal of Development Research, 10, (12), 42972-42978

## INTRODUCTION

The Constitution of the Federative Republic of Brazil of 1988 recognizes children and adolescents as subjects of rights, and puts them safe from all forms of negligence, discrimination, exploitation, violence, cruelty and oppression (BRASIL, 1988). However, these children and adolescents are still subjected to various forms of violence which are, in many cases, practiced by those who would have a legal duty to protect and respect them (ALBERTON, 2005). Violence against children and adolescents can thus be defined as an action or inaction perpetrated by a person with superior physical and psychological development, that causes them any type of pain (PFEIFFER *et al.*, 2011).

Among the various types of violence is sexual abuse, which consists of using the body of a child or adolescent to perform any sexual act, in which the aggressor aims, exclusively, to satisfy his own desire (SOUZA, 2017). Understanding the process of sexual violence that children and adolescents suffer, with all its difficulty and plurality, means to refuse concepts that follow linear understandings, and to address all the developments that arise from the event itself (VIEIRA et al., 2017). According to reports made through Dial 100 (Dial 'Human Rights'), a "public service, considered the 'first aid' of human rights, through which violations that have just occurred or are still ongoing can be reported", of a total of 137,868 complaints received in 2018, 55% (76,216) correspond to violence against children and adolescents, a prevalence also observed in 2017, revealing that these are the most frequent victims of rights violations (BRASIL, 2019, p. 07). Still regarding the national scenario in the year 2018, 11.22% (17,093) of the records correspond to reports of sexual violence, of which 78.5% constitute sexual abuse. The State of Pará, on the other hand, concentrates 5.4% of the records in relation to the total number of complaints received through Dial 100 in that same year (BRASIL, 2019). In this regard, the report highlights thatit is an indicator that deserves attention, as it has a low index of records of violations and one can assumed that it does not reflect the reality of the region, given that in that geographical space there is an incidence of riverine and indigenous communities, and human trafficking for exploitation because of the border areas. In addition, the space has recently withstood impacts of the Venezuelan migratory flow (BRASIL, 2019, p. 68).

From a police perspective, all types of abuse and neglect against children are considered to be some of the most complex and traumatic crimes to investigate, with some difficulties in guaranteeing the testimony of these victims (OLDEJAN *et al*, 2015). The present research is relevant because of the need to better understand the recurrent characteristics in cases of sexual violence against children and adolescents registered in Belém, State of Pará. Thus, the objective of the work is to analyze the characteristics of cases of sexual violence against children and adolescents, registered at the Police Station Specialized in Child and Adolescent Assistance (*DEACA*)/PARAPAZ INTEGRADO - SANTA CASA DE MISERICÓRDIA, in the period from 2016 to 2017, in the city of Belém, Pará.

## MATERIALS AND METHODS

The present research is a documentary, descriptive study, with a quantitative approach, based on secondary data. The research was carried out by consulting the data referring to cases of sexual violence against children and adolescents registered at DEACA/PARAPAZ INTEGRADO - SANTA CASA DE MISERICÓRDIA, concerning the period from January 2016 to December 2017. Such information was obtained from the Public Security and Social Defense Office of the State of Pará (SEGUP/PA), through the Secretariat of Intelligence and Criminal Analysis (SIAC). The data were requested to SIAC via email, and later made available by the same institution in May 2019. The chosen environment is justified by the fact that DEACA/PARAPAZ INTEGRADO - SANTA CASA DE MISERICÓRDIA concentrates the cases of sexual violence against children and adolescents sent from the interior and capital of the state. The time cut, in turn, is justified by the publication of Law 13,431 on April 4, 2017, which determines the obligation to perform specialized listening by the safety network when hearing child victims and witnesses of violence. a rule adopted by the Civil Police of the State of Pará (PARÁ, 2018). It is important to clarify that the "PRO PAZ" Program (currently PARAPAZ) was created in the 90's at the Santa Casa de Misericórdia do Pará Hospital, due to the existence, at the time, of a relevant number of hospitalizations for a type of accidental genital injury ("queda à cavaleiro"), which led children and adolescents to surgical procedures, assistance in the Legal Abortion Program and death caused by rape (PRO PAZ, 2017). A "queda à cavaleiro" consists of an accidental injury to a person's genital area, caused by falling against a hard object, such as a bathroom edge for example, which is the reason given for many hospitalizations of children and adolescents. After investigations, health professionals discovered that these injuries were, in fact, cases

of sexual violence (SANTOS et al., 2017). In view of the concern of hospital professionals, the increase in the number of cases, and the difficulties encountered in providing care, such as inadequate environment and physical distance between the responsible bodies, determining a re-victimizing and demotivating path for the victim and their families, the need for an integrated action arose, together with the institutions responsible for the rights of children and adolescents, integrating the technical team of Santa Casa de Misericórdia do Pará Hospital, the Health and Social Assistance Departments, the " Renato Chaves & quot; Scientific Expertise Center, and the Civil Police (name of the investigative state police forces), in order to create the PRO PAZ Program, which today constitutes the PARAPAZ Foundation, a direct administration entity linked to the Governor's Office (PRO PA, 2017). The variables analyzed are related to some characteristics of people suspected of practicing sexual violence and their victims (age and sex and degree of kinship between suspect and victim), as well as characteristics directly related to the crime, such as year, month, and day of the fact; city and neighborhood of occurrence, and type of record, crime and procedure. As an inclusion criteria, from the total number of police reports (541) observed in the period from 2016 to 2017, only those that led to procedures (224) were considered - and of these, only the ones related to the crimes of rape and statutory rape (190), which make up the crime of sexual abuse, and show themselves as predominant conducts. The data were tabulated in Microsoft Excel 2019 spreadsheets, and later analyzed quantitatively (by percentage and frequency).

#### RESULTS AND DISCUSSION

The theme of sexual abuse and the way to approach it is still very new in the scope of public activity (NEVES *et al.*, 2010). In addition, there is the fact that "violence against children and adolescents is an endemic and global process that has characteristics and specificities inherent to different cultures and social aspects" (NEVES *et al.*, 2010, p. 102). In this sense, the present research pointed out that 48.21% of the procedures registered at the police unit relate to the crimes against sexual freedom described in Table 1, which according to the Brazilian Penal Code are crimes of rape; sexual abuse by means of fraud; sexual assault and sexual harassment (BRASIL, 1940).

In a survey conducted in Belém-Pará, municipal managers reported that cases of sexual violence committed against children and adolescents received and notified by the municipality's health network are referred to the Santa Casa de Misericórdia do Pará Hospital (FSCMP), managed by the state health network and considered a reference in the care of such cases, bearing in mind that the program called PARAPAZ (formerly PRO PAZ), an integrated service center (DESLANDES et al, 2016), operates in that hospital. Such facts not only justify the existence of a police unit installed in the Santa Casa de Misericórdia Hospital complex, but also reflect the predominance of the types of crimes registered by the unit, namely crimes against sexual dignity. More specifically, crimes against sexual freedom (48.21%), and sexual offense against people below the age of consent or mentally handicapped (39.29%), totaling the majority (87.5%) of the types registered at the police station under study, as shown in Table 1.

Table 1. Quantity/Percentage of procedures registered at DEACA / PARAPAZ-SANTA CASA DE MISERICÓRDIA, from 2016 to 2017, by type of crime and type of record

Variable	Category	Quantity	%
Typesof Crime	Crimes against sexual freedom	108	48,21
	Sexual offenseagainstpeoplebelowthe age of consente ormentallyhandicapped	88	39,29
	Lawful facts (not defined as crimes)	17	7,59
	Crimes described in the Child and Adolescent Statute (ECA)	3	1,34
	Midemeanors	3	1,34
	Crimes against honor	2	0,89
	Others	3	1,34
	Rape	105	46,88
	Statutory rape	85	37,95
Tipos de Registro	Communication for lawpurposes	8	3,57
	Lawful fact (not defined as crimes)	8	3,57
	Disturbance	3	1,34
	Sexual assault	2	0,89
	Produce, photograph and / or film explicit sex scenes	2	0,89
	Suspect of statutory rape	2	0,89
	Others	9	4,02

Source: SIAC, May 2019. Note: Police Station Specialized in Child and Adolescent Assistance- DEACA.

Table 2. Quantity/Percentage of rape/statutory rape procedures registered in DEACA/PARAPAZ-SANTA CASA DE MISERICÓRDIA, from 2016 to 2017, by type of procedure and year.

Variable	Category	Quantity	%
Types of Procedures	Police investigation by ordinance	136	71,58
	Notice of investigation	31	16,32
	Detailed occurrence term	15	7,89
	Detailed occurrence report	4	2,11
	Police investigation for detention in <i>flagrante delicto</i>	3	1,58
	Search and seize	1	0,52
Year	2016	87	45,79
	2017	103	54,21

Source: SIAC, May 2019. Nota: Police Station Specialized in Child and Adolescent Assistance - DEACA

Table 3. Quantity/Percentage of rape/statutory rape procedures, registered in DEACA/PARAPAZ-SANTA CASA DE MISERICÓRDIA, 2016 and 2017, by age group, sex, and degree of kinship.

Variable	Category	Quantity	%
Age of victim	Child (0 to 11 years old)	102	53,68
	Adolescent (12 to 17 years old)	83	43,68
	Adult I (18 to 24 years old)	2	1,05
	Adult IV (35 to 64 years old)	2	1,05
	Notinformed	1	0,54
Sex of thevictim	Female	158	83,16
	Male	31	16,32
	Notinformed	1	0,52
Age group of the offender	Child (0 to 11 yearsold)	3	1,58
	Adolescent (12 to 17 yearsold)	26	13,68
	Adult I (18 to 24 years old)	12	6,32
	Adult II (25 to 29 years old)	2	1,05
	Adult III (30 to 34 years old)	1	0,53
	Adult IV (35 to 64 years old)	24	12,63
	Elders (65 years old or older)	5	2,63
	Notinformed	117	61,58
Sex of the offender	Male	173	91,05
	Female	3	1,58
	Not informed	14	7,37
Degree of Kinship of the Offender	Stepfather	24	12,63
	Father	22	11,58
	Uncle/Aunt	21	11,05
	Cousin	16	8,42
	Neighbor	14	7,37
	Boyfriend/Girlfriend	7	3,68
	Grandfather/Grandmother	6	3,16
	Friend	5	2,63
	Brother	3	1,58
	Others	12	6,32
	Not informed	60	31,58

Source: SIAC, May 2019. Nota: Police Station Specialized in Child and Adolescent Assistance - DEACA

Table 4. Quantity/Percentage of rape/statutory rape procedures, DEACA/PARAPAZ-SANTA CASA DE MISERICÓRDIA, 2016 and 2017, by month, day of the week and city.

Variable	Category	Quantity	%
Month of the Fact	January	20	10,53
	February	12	6,32
	March	16	8,42
	April	11	5,79
	May	13	6,84
	June	12	6,32
	July	14	7,37
	August	13	6,84
	September	24	12,63
	October	25	13,16
	November	24	12,63
	December	6	3,15
Day of the week	Sunday	20	10,53
,	Monday	46	24,21
	Tuesday	24	12,63
	Wednesday	26	13,68
	Thursday	33	17,37
	Friday	25	13,16
	Saturday	16	8,42
City/Municipality	Belém	172	90,53
,·	Ananindeua	7	3,68
	Soure	2	1,05
	Benevides	2	1,05
	Others	7	3,69

Source: SIAC, May 2019. Note: Police Station Specialized in Child and Adolescent Assistance – DEACA.

Table 5. Quantity/Percentage of rape and statutory rape procedures registered in DEACA/PARAPAZ-SANTA CASA DE MISERICÓRDIA, 2016 to 2017, by neighborhood

Variable	Category	Quantity	%
Neighborhood	Pedreira	22	12,79
	Terra Firme	17	9,88
	Condor	14	8,14
	Guamá	14	8,14
	Marco	13	7,56
	Marambaia	13	7,56
	Sacramenta	10	5,81
	Umarizal	8	4,65
	Telégrafosemfio	7	4,07
	Barreiro	6	3,49
	Batista Campos	5	2,91
	Cremação	5	2,91
	São Brás	4	2,33
	Curió-Utinga	3	1,74
	Maracangalha	3	1,74
	Tapanã	2	1,16
	Campina	2	1,16
	Fátima	2	1,16
	Canudos	2	1,16
	Nazaré	2	1,16
	Outros	6	3,50

Source: SIAC, maio 2019 Note: Police Station Specialized in Child and Adolescent Assistance – DEACA.

Among the listed procedures, it appears that 46.88% correspond to rape crimes (n=105), and 37.95% to statutory rape (n=85) (Table 1). These crimes were the predominant forms of sexual violence, regarding the police investigation carried out in the unit. Another survey, conducted in Feira de Santana, Bahia, indicates that out of 1,082 notifications of cases of sexual violence committed against children and adolescents, 404 are of the rape type (OLIVEIRA et al., 2014). In 2011, it was the most frequent type among the records of sexual violence against children and adolescents attended by SINAM/SUS (MINISTRY OF HUMAN RIGHTS, 2018). Rape is considered the act of constraining someone, by means of violence or threat of immediate force, into having carnal conjunction; or to practice or allow another libidinous act to be practiced with oneself. Statutory rape, on the other hand, consists of having carnal conjunction or performing another libidinous act with children under the age of 14 years old (BRASIL, 1940).

Among the procedures established at DEACA for the investigation of crimes of rape and statutory rape, most of them (71.58%) were formalized through a police investigation "by ordinance", as shown in Table 2, that is, "by administrative act of the police chief, which determines its establishment through an ordinance" (LOPES JR., 2015, p. 125). Right after the discovery or disclosure of the abuse suffered, it must be notified to the competent authority, by means of a police record, also called a police report, at which point the judicial police initiates the investigation of the *notitia* criminis, thus initiating the police investigation (PINCOLINI et al., 2012). This procedure, therefore, aims to elucidate and verify the facts narrated in the *notitia criminis*, as long as there is a possibility of the existence of a punishable fact (LOPES JR., 2015), unlike what happens in the flagrante delicto investigations, in which the flagrant situation consists of the visibility of the crime, and where the vizualition of the

criminal practice imposes a duty to act on the public authorities and a possibility of action to private individuals, in order to cease the criminal action, authorizing the arrest of the offender (LOPES JR., 2015). This justifies the low number of police investigations of sexual offenses (1.59%), as these are silent crimes by nature when practiced against children, without the presence of witnesses, which creates greater obstacles to the investigative process (BENIA, 2015). This result was also verified in the analysis of 229 cases from the Court of Justice of Rio Grande do Sul, in the period from 2009 to 2010, in which only 4.5% of the cases had their occurrences originating from a flagrant situation (PINCOLINI et al., 2012). As for the years referring to the reports of crimes described in articles 213 and 217-A of the Brazilian Penal Code (rape and statutory rape, respectively), 2016 (45.79%) and 2017 (54.21%) (Table 2), a variation of 18.39% was observed.

In the study under analysis, most victims of rape and statutory rape crimes are children, aged zero to 11 years (53.68%), as described in Table 3. Such predominance was also found in 477 notifications of child sexual abuse made by a pediatric hospital in Florianópolis to SINAN (Information System for Notifiable Diseases), in which 67.7% were under 12 years old (PLATT et al., 2018). In contrast, other studies pointed out that adolescents are the predominant victims of sexual violence against children and adolescents (OLIVEIRA et al., 2014; ROCHA et al, 2017; SENA et al., 2018). In this understanding, a research carried out in 26 foster care institutions for children and adolescents at risk and in social vulnerability, conducted in four regions of the state of Pará (metropolitan region of Belém, Guamá, Caetés and Tocantins), identified that the older the child is the greater the chance of them enteringa childcare reception service, motivated by sexual violence, that is, the older the child, the more exposed they are to sexual violence (ROCHA et al., 2017). Regarding the sex of the victims, the research shows the prevalence of females (83.16%), in line with the vast majority of research conducted on the same theme (GUIMARÃES; VILLELA, 2011; JUSTINO et al., 2011; MIRANDA et al., 2014; OLIVEIRA et al., 2014; PLATT et al., 2018; ROCHA et al., 2017; SENA et al., 2018). This fact highlights the feminine vulnerability that exists in gender relations, be it physiological or cultural, especially among children and adolescents (SENA; et al., 2018). However, it is also worth considering that this same factor may justify the low rate of records of sexual violence suffered by boys, given that in many cases the sexual involvement of boys with older women is not seen as abusive, or there is a fear on their part of being considered "weak" or treated as homosexuals (ROCHA et al., 2017).

The present research also pointed out that 13.68% of the people that comitted the crimes of rape and statutory rape registered in PARAPAZ INTEGRADO - SANTA CASA DE MISERICÓRDIA are adolescents (Table 3), followed by adults IV (12.63%). It should be noted that, with respect to this variable, more than half of police investigations (61.58%) did not inform the offender's age group, thus making the analysis relatively unrelated. Nevertheless, some studies point to the prevalence of adolescents and young adults as perpetrators of this type of crime (OLIVEIRA et al., 2014; COSTA et al., 2018). As for the sex of the offender, the study revealed a predominance of males (91.05%), corroborating with the literature (GRIMALDI et al., 2018; JUSTINO et al., 2011; MIRANDA et al., 2014; PLATT et al, 2018; OLIVEIRA et al., 2014), which shows that the use of means of defense is

relevant in sexual abuse. To deny the abuse, the mother of the victim seeks to protect herself from intimate questions, in order to preserve what she understands by family union, which leads her to choose between the child and her partner, opting, as a rule, for the latter (JUSTINO *et al.*, 2011).

Regarding the degree of kinship between the offender and the victim, the data analysis found that, in the crimes of rape and statutory rape, the victim's stepfather prevailed (12.63%) as the perpetrator, though with little difference in relation to the father (11.58%) and uncle (11.05%) of the victim, allbeing people from the victim's family life (Table 3). The result pointed out in the research corroborates with the literature (DREZETT et al., 2011; FONTES et al., 2017; GUIMARÃES; VILLELA, 2017; GRIMALDI et al., 2018; OLIVEIRA et al., 2014; SENA et al., 2018; PLATT et al., 2018). It is important to note that, in this variable, the amount of not informed data was significant (31.58%), which can therefore compromise the analysis (Table 3). In cases of sexual abuse of children and adolescents, the so-called "intra-family" form predominates, which happens "when the aggression occurs within the family, that is, the victim and the aggressor have some kinship relationship" (SOUZA, 2017). The aggressions perpetrated by people unknown to the victim are less frequent in these types of crimes (JUSTINO et al., 2011), and consist of the form of abuse called "extra-family", that is, "when there is no relationship between the aggressor and the child or adolescent" (SOUZA, 2017). The study observed the predominance of sexual abuse in the intra-family form, showing that children and adolescents are considered the main victims of intra-family violence, opposing the ideal that home should be synonymous with safety and protection for these victims (GARBIN et al., 2011). The relationship of dependency that exists between the victims and their families, especially with the parents and other cohabitants of the residence, probably contributes to the high rate of this type of abuse (SENA et al., 2018). The research findings pointed to October (13.16%) as the month with the highest frequency of sexual abuse cases (Table 4), followed by November (12.63%), and January (10.53%). The months of October and November highlight attention to the greater occurrence of abuses concurrent with the school term, as also found in 328 records of cases of sexual violenceconfirmed by the Antônio Persivo Cunha Forensic Institute in Recife/PE (SENA et al., 2018).

As for the month of January, with 10.53% of registered cases, the result is close to that found in a survey conducted with records of sexual abuse in the city of Maceió-AL, in 2009 and 2010, which pointed out the months of January and July as those with the highest occurrence of the crimes, which may indicate a possible relationship between the higher incidence of abuse and the period of school breaks (CANUTO et al., 2011). Regarding the day of the week on which the crime occurred, the survey revealed Monday (24.21%) as the one with the highest incidence. Being a working day, it is assumed that the members of a particular family are fulfilling their usual schedules and commitments, when everything is very predictable, and the knowledge of that routine by the offender - which, as found in the study, in most cases is someone from the victim's family life - tend to facilitate the criminal activity. The records of rape and statutory rape that gave rise to police investigations come, for the most part (90.53%), from the capital of the state of Pará, Belém (Table 4). The same concentration was observed in notifications of sexual violence from the pediatric hospital in Florianópolis, in which the existence of occurrences referred from other cities, is justified by that hospital being a reference in specialized pediatric care (PLATT et al., 2018). Another factor that can also contribute to the territorial concentration of cases is that generally there is a greater service structure in the capitals and metropolitan regions, a reality that is not observed in the interiors of the states. Therefore, the structure observed is greater in Belém and Ananindeua (metropolitan region), as opposed to the more distant municipalities (SILVA; HAGE, 2017). When observing the 172 investigated cases that occurred in the city of Belém, it appears that 12.79% occurred in the neighborhood of Pedreira, followed by the neighborhoods of Terra Firme (9.88%), Condor (8.14%), and Guamá( 8.14%) (Table 5). The predominant spatial origin (Table 5) of the reports of rape and statutory rape, exclusively from the capital Belém, are from neighborhoods called "peripherals", such as the ones mentioned above, which are "inhabited by people who belong to a lower income class" (SANTANA et al., 2011, p. 77).

# Conclusion

Among the records made at the Police Station Specialized in Child and Adolescent Assistance PARAPAZ INTEGRADO -SANTA CASA DE MISERICÓRDIA of Belém-PA, there was a great predominance of crimes against sexual dignity, more specifically the crime of rape (crime against sexual freedom), followed by the crime of statutory rape (sexual crimes against people below the age of consent or mentally handicapped). Therefore, in this unit, sexual abuse is the most recurrent type of sexual violence among the records, in 2016 and 2017. In the records of rape and statutory rape, specifically, the investigation took place mostly through investigations by ordinance, inferring that sexual abuse is a violence that happens "in the dark", without witnesses. The crime report comes to the attention of the police authority, almost always, only when the abuse suffered is revealed, either through medical assistance, or spontaneously by the victim. The results also show that sex and age are relevant characteristics of this type of victimization, highlighting social and cultural aspects, such as machismo, with the idea of submitting women to men; and the hierarchical relationship between children and adults. Females in the age group from zero to 11 years old were the most recurrent people among the victims of sexual abuse. On the other hand, men, more specifically male adolescents (12 to 17 years old), were the ones who most practiced abuse. In most of the registered cases, the aggressors were known to the victim, which points to the existence of a relationship of affection, coexistence and trust, a factor that facilitates the criminal practice and cover up of the violence suffered. Such characteristics are in accordance with the literature, and are similar to those identified in different regions of Brazil. The present research therefore contributed to give visibility to the phenomenon of sexual abuse suffered by children and adolescents, showing specific characteristics of the cases registered in a specialized police unit in Belém-PA, as well as the profile of the victims and the aggressors, contributing to the knowledge about the overall characteristics of abuse. As a limitation, the study points to the failure to collect information on the variables "age", "sex" and "degree of kinship" of the registered cases, which specifically concern the author of sexual abuse, since there are high rates of uninformed data, which can compromise the analysis of such variables, implying a difficulty of accurately verifying the profile of the aggressors. Therefore, we suggest the promotion of training and qualification courses for public agents, so that they have

conditions to correctly fill in the information, knowing how to identify those considered important and essential for the registration. Knowing the dynamics of sexual abuse, its context, particularities and characteristics is of paramount importance for the elaboration of effective measures to combat violence and its prevention, which are so necessary for the protection of children and adolescents.

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