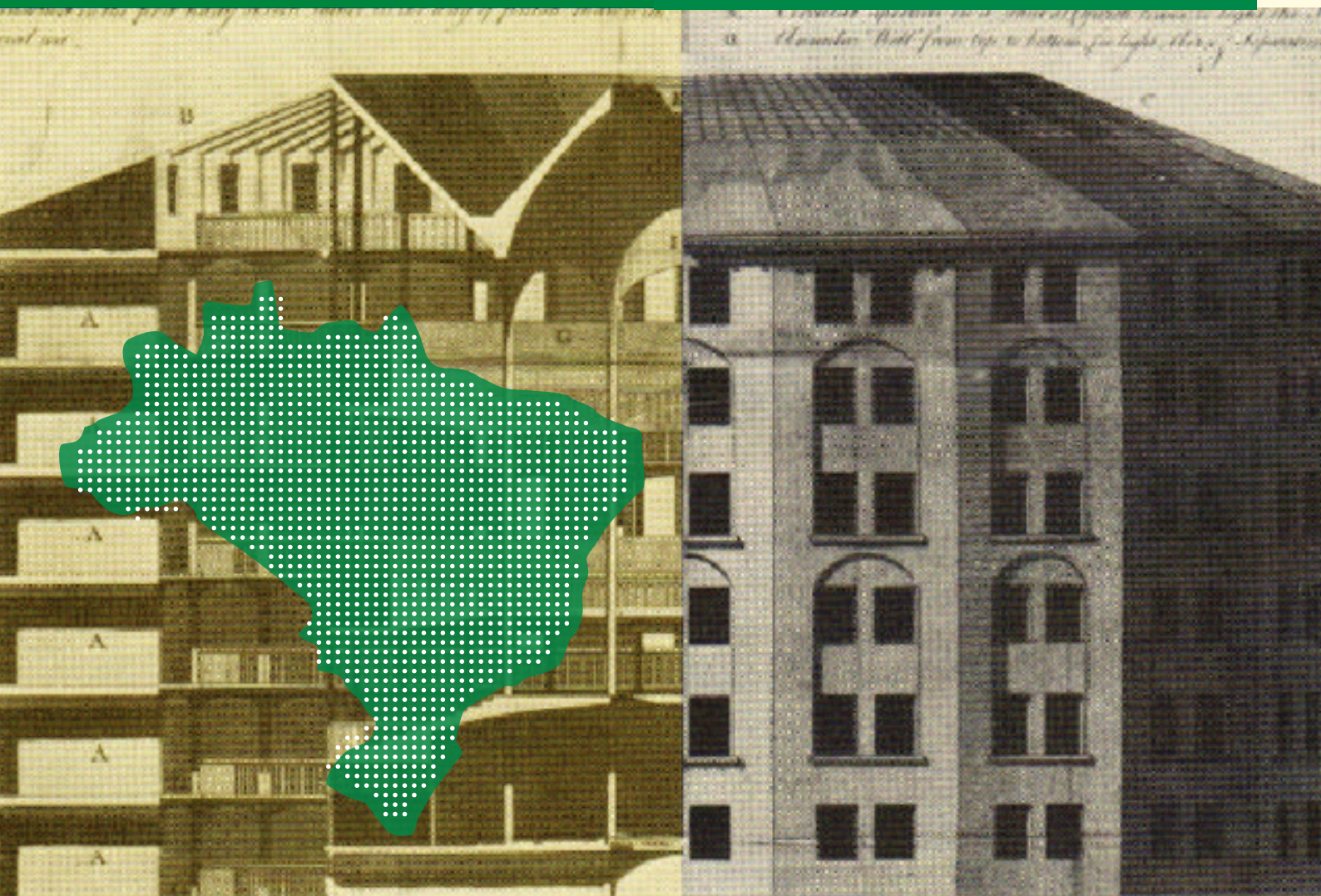


WORKING PRISONERS IN BRAZIL: LAWS, POLICIES, AND PRACTICAL REALITIES

BRIEFING PAPER

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Executive summary

This briefing describes the law, policy and practice of prison work in Brazil and offers an analysis of official statistics on working prisoners. It explains how prison work is framed and governed under federal law and describes the challenging operating context in which work and training are provided in the 1,382 state prisons of this leading Latin American economy.

The briefing draws on the extensive datasets published biannually by the federal government, which provide information on the numbers of prisoners reported to be working (broken down by state), the economic sectors in which work is provided, the extent of private, public and voluntary sector involvement, and whether prison work is remunerated (as is required under federal law).

Federal law contains the most important legal provisions on working prisoners, but individual states are also competent to legislate and develop policy in this area. There is great diversity between states in the amount and type of work done by prisoners; and some states have reported large increases in the number of working prisoners in recent years. To provide a richer understanding of these regional disparities and the factors underlying them, our briefing provides information on three contrasting states (São Paulo, Santa Catarina and Maranhão), exploring the ways in which they resemble or are distinct from Brazil as a whole.

Section 1 begins by charting four decades of extraordinary prison population growth fuelled by increasingly punitive responses to drug-related and other forms of criminality linked to organised crime. This has left many prisons severely overcrowded and ill-equipped to provide safe, decent regimes, let alone meaningful work and training. This section also explains Brazil's rules on sentence progression through the closed, semi-open and open prison regimes, which to some extent impact the work prisoners do. Although the regime progression system is intended to prepare those sentenced to custody for their return to society, it has not been fully operational for decades because of the chronic shortage of places across all three regimes. The resulting operating context presents significant challenges for prison administrations.

Brazil's federal Penal Code and Penal Execution Law each contain important rights and duties relating to prison work, which is described as a 'condition of social dignity' which should have 'educative and productive' purposes. Prisoners have a legal right to work (as well as a duty to do so) but, in practice, they will only work if senior staff have seen sustained good conduct and can manage risk factors connected with criminal factions. While the law requires working prisoners to be paid at least three quarters of the statutory minimum wage, the additional legal right to one day's remission of sentence for every three days worked is, in practice, more significant and more widely implemented.

Section 2 provides examples of the distinct legal rules in place in the three states we focus on in this study: one example which has been followed by several other states is the financial model Santa Catarina pioneered, known as the 'revolving fund'. This system operationalises federal law on the deduction of portions of prison wages, both for use in prison running costs and as a sum to be held on deposit until the prisoner is released. This model has since been adopted in four other states.

The expansion of prison work and training and improving ex-prisoners' access to labour markets have been policy priorities for the federal government and some Brazilian states for around two decades.

Section 3 covers the key policy initiatives, including the release of federal funds to set up prison factories and workshops, the use of tax incentives for private companies hiring prison labour, and the establishment of community 'social offices' where prison-leavers can get help finding employment.

These initiatives must be placed in the wider context of Brazil's social and political economy: around 40% of workers are engaged in informal or subsistence labour, doing low paid manual jobs in construction, textiles, domestic or janitorial services and agriculture. These workers are more likely to be Black or mixed race, and to have had limited access to education. This picture is reproduced in custodial populations and the work offered to prisoners. The make-up of Brazil's prison population itself reflects Brazil's structural inequality, with 64% of prisoners being Black or mixed race, compared to 52% of the total population.

Since 2016 the federal government, through its prisons agency SENAPPEN, has published biannual aggregated datasets on the prison populations of every state, which are available via an open access portal and include information on numbers of working prisoners and types of work done by prisoners in all prisons across all states. In Section 4 we present and analyse these data, highlighting that just over a quarter of all prisoners in custody were reported to have been working in the second half of 2024: the highest number since records began in 2016. Apart from a dip in 2020 when Covid lockdowns reduced activities across the board, the number of working prisoners reported in official data has steadily increased year on year. This increase has not been seen evenly across all of Brazil, however: some states report very high rates of work, while in others very few prisoners are engaged in work.

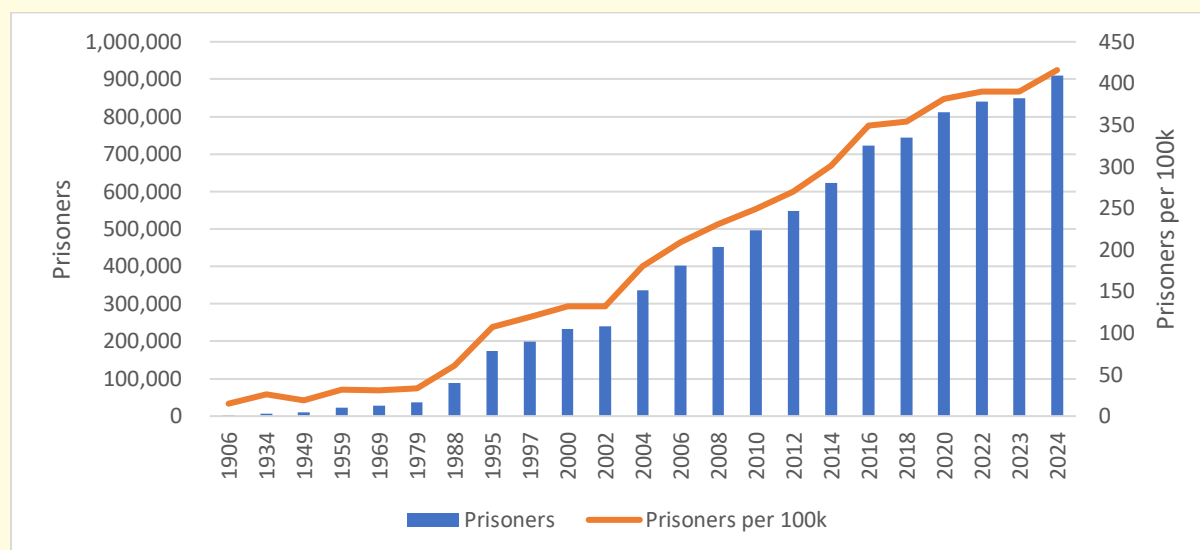
Government data also reveal that prisons themselves are the main provider of work to people in custody, rather than private or public sector partners; that most prison work is unpaid or paid below the statutory minimum required for prisoners; and that over half of the jobs prisoners do are in the category of 'prison services', covering cleaning, maintenance, and similar tasks. This kind of work may be preferable to life in cramped, often dangerous communal prison cells; and it has the obvious advantage of earning remission on the sentence. However, it does little to equip prisoners for employment in the formal economy on their release. In general, there remain formidable obstacles for Brazil's prison-leavers to access the labour market.

1 Prison population

1.1 Number of prisoners

Brazil's prison population has surged in recent decades, and is currently the highest it has ever been: 909,067 as at December 2024 (see Figure 1). The pre-trial prison population at 214,447 accounts for 24% of this total. The prison population rate is 416 per hundred thousand of the national population. Brazil's relentless prison population growth took off in the late 1980s, largely fuelled by an ever more punitive response to drug-related and other forms of criminality linked to organised crime. A failure to match investment in prison places with prisoner numbers has left prisons in some areas of the country in an overcrowded, dilapidated state.

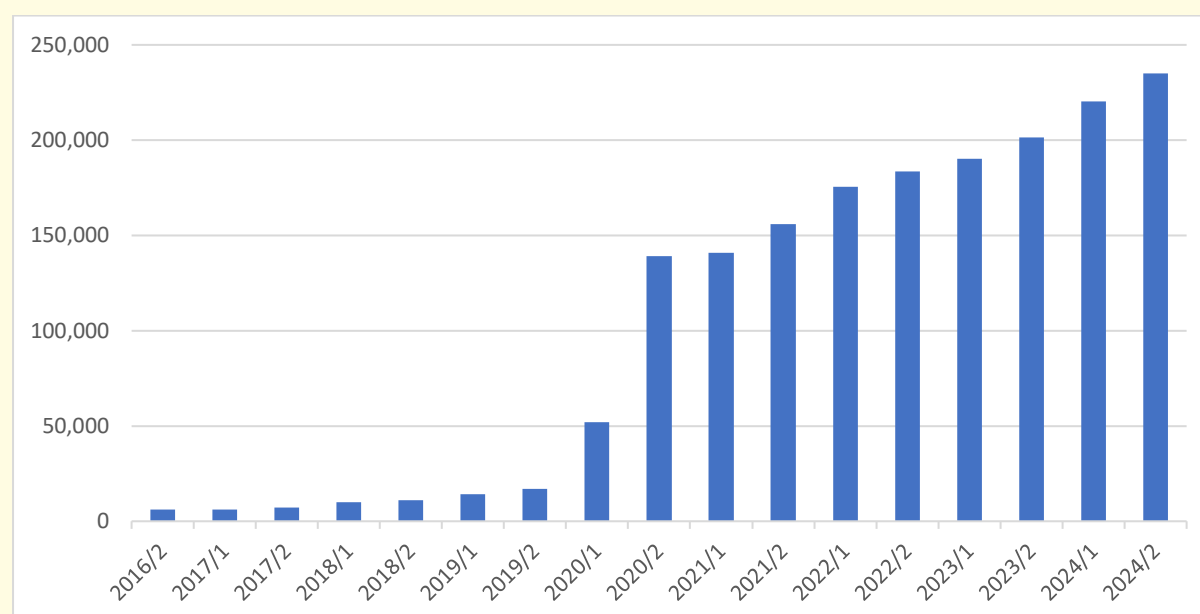
Figure 1: Long-term trends in Brazil's prison population, 1906 -2024¹



Due to this chronic shortage of prison places, increasing use has been made in recent years of 'residential custody', whereby people subject to a custodial sentence are permitted to serve or complete their sentence at home, with or without electronic monitoring (see Figure 2). Less commonly, people awaiting trial or final sentence can also be subject to residential custody.

The number of people held in physical custody peaked at 738,039 in 2019, and now stands at 674,016. The rest of the prison population (235,051 people) are subject to residential custody, just over half of them electronically monitored.

Figure 2: Increased use of 'residential custody', 2016-2024²



Prison regimes

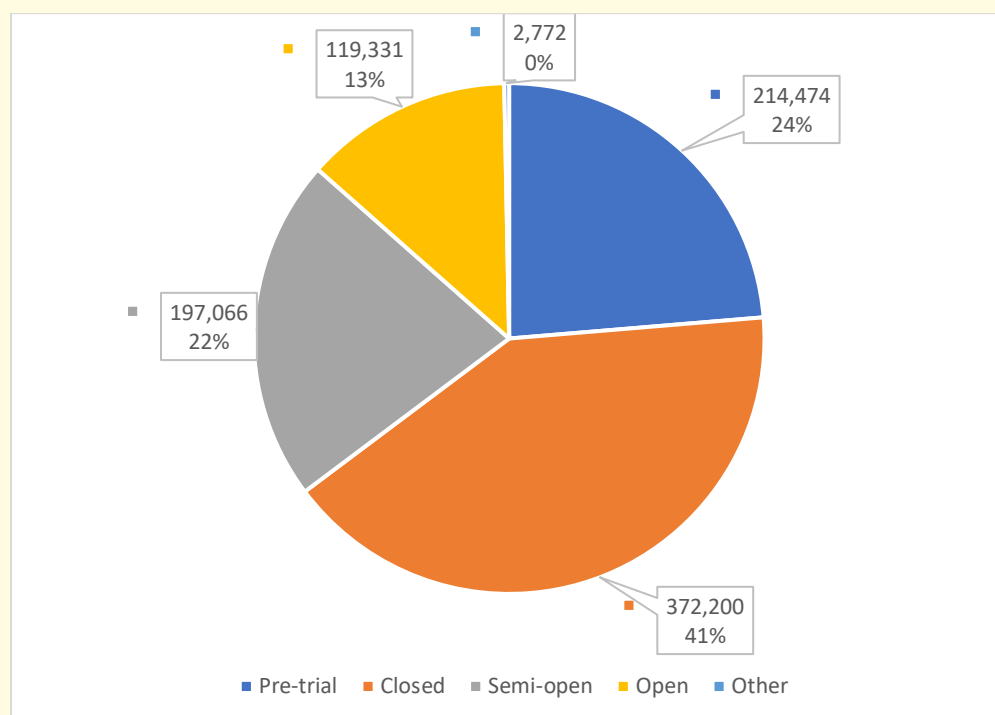
Brazil's federal Penal Code 1940 provides for three alternative security regimes for people sentenced to deprivation of liberty—closed, semi-open and open—through which prisoners are required to progress in the course of their sentence.³ Which regime a prisoner is in has consequences for the type of work they will be eligible for (as explained further in Section 2).

Closed regime prisoners are held in maximum or medium security facilities. Semi-open regime prisoners are required to work or attend supervised training or education during the day, either on or off prison premises, but return to the prison at night. In this regime, prisoners are also entitled to a 'temporary leave' of up to seven days, with or without electronic monitoring (as determined by the penal execution judge), four times per year, intended for family visiting or to aid participation in education or other activities with a resocialising purpose. In the open regime, prisoners are expected to attend courses, work, or engage in other authorised activities unsupervised, and to stay in hostels (*casas do albergado*) outside working hours.

Initial regime placement is prescribed by the sentencing court and depends partly on sentence length: sentences of more than eight years must begin in the closed regime; those of between four and eight years generally begin in the semi-open regime; and those of less than four years, in the open regime. Progression from more secure to less secure regimes is authorised by the penal execution judge (who is a member of the judiciary, not part of prison staff), progression decisions being based on the individual's conduct in custody and other criteria that vary depending on the offence, and whether there are any previous convictions. In practice, the federal provisions on regimes and progression are not fully operational due to a shortage of places across the prison system (as explained further in Section 1.3 below).

Figure 3 shows the numbers of prisoners nationally in Brazil, subdivided by regime type, and including both those held in physical and in residential custody.

Figure 3: Prisoners by regime as at December 2024, including those in physical and residential custody⁴



1.2 Prison places and occupancy levels

There are 1,387 prisons in Brazil, providing an official capacity of 494,379 places. 1,284 of the country's state prisons (including all five of its federal prisons) are managed by the state. A further nine prisons are privately run, 34 are co-managed by state and private entities, and 60 are managed in partnership with non-profit organisations. The five federal prisons hold a total of 530 high-risk prisoners under exceptional security regimes involving routine isolation, where work opportunities are not provided.

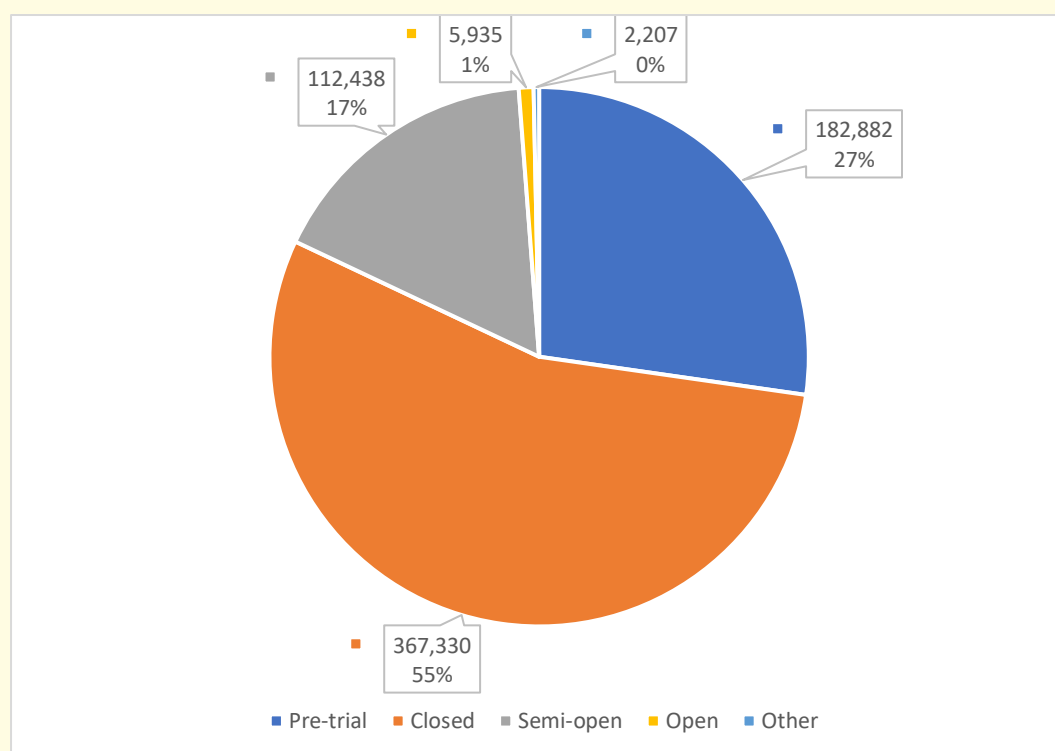
Because of the lack of prison places across all three regimes, the staged sentence progression required under federal law has not been fully implemented for decades. The open regime is essentially defunct:⁵ there are very few open regime hostels, and most prisoners eligible for open conditions are instead ordered into 'residential custody'—conditional freedom, enforced with electronic monitoring in around half of all cases. Even progression from closed to semi-open regimes as envisaged by law is sometimes substituted by release straight from closed conditions into residential custody, due to the lack of places for semi-open regime prisoners. In total the number of people in 'residential custody' is now 220,221, representing almost 26% of the entire (sentenced and pre-trial) prison population.⁶

The national prison occupancy level is reported as 36% above capacity. However, many prisons frequently operate at much higher occupancy rates than this.

1.3 Operating context

Brazil's prison population is relatively young and contains a far larger proportion of working age people than that of the US or the UK: almost 60% of those in custody are in the 18-34 age bracket, and fewer than 3% are aged over 60.⁷ The most common offences of which people in physical custody have been convicted are property-related (37% of offences of people in custody), followed by drug offences (29%). The largest proportion of people in custody are serving sentences of between four and 15 years and will typically spend the first portion of their sentence in the closed regime before progressing to semi-open, and finally, open conditions. If one includes people in both physical and residential custody, 41% of all prisoners are subject to the closed regime; but closed regime prisoners make up 54% of prisoners in physical custody (see Figure 4).

Figure 4: Prisoners by regime as at December 2024, including **only** those in physical custody⁸

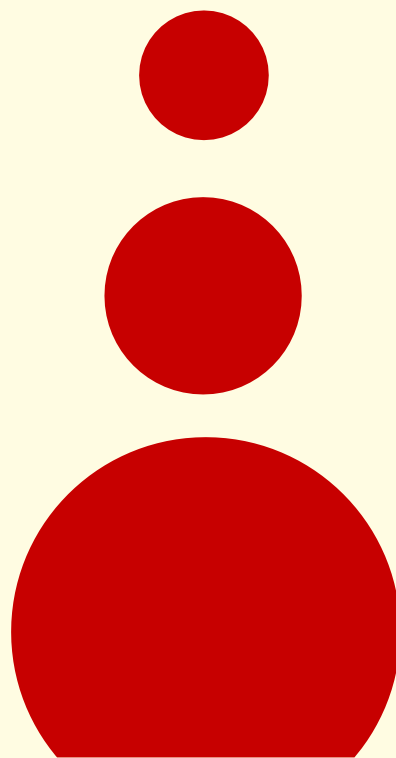


Research has revealed a complex form of inmate self-governance operating in most state prisons, which has taken on increasing importance in the absence of sufficient staff to maintain order and safety for an ever-larger number of prisoners.⁹ At the same time, criminal networks in Brazil have steadily expanded their operations, with easy access to weapons contributing to rising levels of violence, particularly in the northern and north-eastern states. In the south, networks allied with the main criminal factions are profiting from this region's alternative route for cocaine trafficking.

Within the Brazilian prison system at least seventy criminal organisations operate, most of them linked to arms and drug trafficking.¹⁰ Riots, extreme violence and massacres in Brazil's prisons have been regularly reported since the early 1990s. Some of the most serious incidents of prison violence have been linked to rivalry between criminal factions over control of the country's lucrative drugs trade, and

prison massacres in the states of São Paulo, Manaus, Roraima, Rondônia and Maranhão have left several hundred people dead.

In this context, prison administrations face enormous challenges in providing work and training opportunities to those in custody. In some parts of the country, such opportunities barely exist at all, whereas in others an increased policy focus and greater investment in staff and infrastructure have begun to produce higher levels of reported engagement in work and training. In the case of Maranhão, this shift came about soon after the notorious massacre at the Pedrinhas prison complex in 2014, with the newly elected state governor pledging to restore order and decency, and instituting a 'Work with Dignity' programme aimed at increasing work opportunities for serving prisoners. Today the state is among those with the highest proportions of prisoners reported to be working, as explained in Section 4.



2 Working prisoners and the law

2.1 International law

Brazil ratified the International Labour Organisation's Forced Labour Convention in 1957, and the Abolition of Forced Labour Convention in 1965. 'Forced labour' is defined in the Forced Labour Convention as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily". It is expressly outlawed. But compulsory work done by prisoners is stated as falling outside the definition of 'forced labour', provided two further conditions are met:

1. the prisoner was convicted of a crime by a court; and
2. the work is "supervised and controlled" by a public authority and the prisoner is not "hired to or placed at the disposal of private individuals, companies, or associations".

At the regional level, Brazil is a signatory to the American Convention on Human Rights (ACHR), which sets down binding rules for the ratifying states. Although the ACHR prohibits slavery and forced labour, it contains an exemption permitting forced labour if the person has been sentenced to imprisonment (ACHR, article 6(2) and (3)). Forced labour is not permitted to cause prisoners physical or psychological harm.

2.2 Federal law

Most of Brazil's law on prison work derives from the federal Penal Execution Law ('LEP') of 1984.¹¹ The LEP requires every sentenced prisoner to work to the extent of their capacity and aptitude for 'educative and productive purposes', and prison work is promoted 'as a condition of social dignity'. Allocation of work, and its remuneration, are listed as specific rights of all prisoners alongside essentials such as food and communication with the outside world. Prisoners, including those on remand, must be held in conditions that bring about their 'harmonious social integration'.

The Penal Code (1940), for its part, requires the sentencing judge to ensure a sentence is passed that is proportionate to the seriousness of the offence, and meets the aims of deterrence and retribution. The federal Supreme Court has held that, in addition to these statutory objectives of punishment, 'it's resocializing character cannot be forgotten, and the state should therefore be concerned with rehabilitation of the convict'.¹² The state also has a duty to support and guide prison-leavers to reintegrate into the workplace. The LEP requires that social services should support prison-leavers in obtaining work. This support is required to be offered for one year from the date of release or, if a person is granted conditional release, during the parole or probationary period.

2.2.1 Eligibility for work

Federal law requires work decisions about eligibility for work and the allocation of work to be taken by a multi-disciplinary body known as the CTC (loosely translating as 'technical classification committee'), which the LEP requires every prison to have. CTCs must have at least seven members including prison

officials, psychologists, health and social workers. They are to evaluate the prisoner's personal needs, conduct in prison, aptitude and fitness for work, then make decisions on eligibility accordingly.

In practice, by no means do all of Brazil's prisons have CTCs in place, and even when they do, the decisions on job allocation are ultimately at the discretion of senior prison managers rather than the outcome of transparent deliberations by fully constituted CTCs. Eligibility for work largely depends on a prisoner's record of compliance with authority and whether s/he is considered by the prison authority (or is self-declared) to be a member of a criminal faction. Belonging to a faction (or a specific faction considered more dangerous or disruptive) may operate as a bar to working as a matter of prison policy. More typically, it is not a complete bar but will influence decisions about where the prisoner will work or the types of work offered, considering factors such as the risk of violence if members of rival gangs encounter each other in work areas or while being escorted to work. Faction members are unlikely to be permitted to work on day release, even if they have reached the semi-open stage of the sentence.

2.2.2 Requirement to work and sanctions

Refusal to work can result in sanctions, including being held in isolation or denied progression to a less secure regime. In practice, however, the scarcity of work and competition for assignments means this rarely happens.

2.2.3 Remuneration

Under the LEP, working prisoners must be paid no less than three-quarters of the national statutory minimum wage.¹³ Deductions can be made for reparation or restitution for victims; family support; and to reimburse state expenses in maintaining the prisoner. Prisoners may access what is left to meet personal expenses in prison, with any remainder transferred to them on release. As explained in Section 4, there is much disparity across states in the extent of compliance with the right to remuneration, and many different practices exist in how deductions are made and what the funds are used for. The minimum pay rules for prison work do not apply where prisoners perform tasks voluntarily. In many states this is interpreted to extend to 'prison services' jobs (see Section 4).

2.2.4 Remission of sentence

A further entitlement—and, given the uneven implementation of the minimum prison wage, often the main incentive for working—is sentence remission. Prisoners in closed or semi-open regimes are entitled to remission of one day of their sentence for every three days worked.¹⁴ This not only motivates prisoners to work: it is also seen as an important tool for prison managers to control overcrowding by providing work to as many prisoners as possible. In this sense it may have an inflationary effect on official data reporting numbers of working prisoners (Section 4).

2.2.5 Working hours and working conditions

The LEP excludes working prisoners from national employment legislation, but it does require prison working conditions to be safe and hygienic. Prisoners are required to work for between six and eight

hours per day, excluding Sundays and public holidays; but those engaged in prison maintenance or domestic work can be required to work different hours.

Prisoners who work in the closed regime must either do so inside the establishment, or on public works projects outside it (e.g. building roads or public hospitals, in which case the work can be managed by private entities on state contracts). Federal, state and municipal governments may contract with the private sector to establish workshops, including as necessary to maintain the prison itself. The provision of labour to any private entity requires the prisoner's express consent.

There is no independent prisons inspectorate in Brazil and no routine inspection of working conditions in the prison system. Penal execution judges are responsible for overseeing all aspects of criminal sentences, including ensuring prisoners can progress through the security regimes and that their rights to remission, pay and safe working conditions are upheld. In many parts of the country, civil society is relatively weak in the area of detainees' human rights, but in others, prison authorities are held to account through the scrutiny and advocacy of pastoral or grassroots community groups, public defence lawyers, and activist judges seeking fair treatment for working prisoners.

2.3 Case law

As a civil law country, Brazil generates comparatively little case law but there have been higher court rulings on the remuneration of prison labour, and on entitlement to sentence remission for work in prison.

In 2015 the High Court of the Federal District held that the only exception to working prisoners being entitled to the minimum remuneration laid down in federal law is where the prisoner provides maintenance or conservation services to the prison: the Court held that this work can be unpaid, but the prisoner must still receive sentence remission of one day for every three days worked. However, where such services are contracted out to a company and the company uses prison labour to perform the services, the company is required to pay prisoners the statutory minimum for their work.¹⁵

The Attorney General's office filed a case challenging the LEP provisions requiring prisoners to receive no less than three-quarters of the minimum wage, arguing that by not entitling prisoners to a full minimum wage, the LEP infringed the Constitution's guarantee of equality and human dignity for all. The challenge failed: in a ruling handed down in July 2021 the Federal Supreme Court held that there was no violation of the Constitution.¹⁶

A 2018 ruling of the Superior Court of Justice determined that a prisoner engaging in artisanal work (producing handicrafts: see further under Section 4) has the same entitlement to sentence remission under the LEP as any other working prisoner.¹⁷ The court noted that it was not for the judiciary (responsible at state level for determining entitlement to remission in individual cases) to place a contrary interpretation on the LEP, reasoning as follows:

The primary purpose of the custodial sentence is the resocialisation of the prisoner. Work done during a custodial sentence clearly constitutes a relevant tool for social reintegration. The [LEP provision] should be interpreted according to its purpose within the penal execution

system, as it aims to benefit the prisoner who chooses not to remain inert in prison in harmful idleness. (Judge Ribeiro Dantas)

A further ruling deserves mention, although it does not directly concern prison labour. In 2015 the Federal Supreme Court declared an ‘unconstitutional state of affairs’ in relation to human rights violations and poor conditions in Brazil’s prisons.¹⁸

2.4 State law

While much of the substantive and procedural criminal and penal law in Brazil derives from federal codes rather than state laws, states are also competent to legislate and develop policies to give effect to federal law relating to prisons and prisoners. Largely, the practice in this area has been for states simply to legislate to implement the provisions of federal policies and laws, such as the 2018 National Prison Work Policy (PNAT: discussed in Section 3).

One notable example of state-level lawmaking on prison labour is from Santa Catarina, the first state to legislate (in 1963)¹⁹ for the creation of a ‘revolving fund’ (fundo rotativo) to hold and re-distribute funds received through the remuneration of prison labour.²⁰ Today’s model of revolving fund is created under a 1997 decree²¹ amended in 2022.²² The revolving fund is intended to manage financial resources from partnership agreements between private companies and public bodies where prison labour is employed, holding and redistributing revenues from factories, workshops or agricultural production areas on prison sites which are then reinvested into the prison system. Under the Santa Catarina model, the prisoner’s wages are divided as follows: 50% for assistance to the prisoner’s family and meeting expenses of the prisoner in custody, preferably to be deposited in a digital bank account; 25% to a personal savings account, preferably to be deposited in a judicial account linked to the criminal enforcement process, and being released by court order (after release); and 25% to reimburse the state for the expenses incurred in maintaining the prisoner, which must be allocated by the prison unit to the regional revolving fund. (This policy is discussed further in Section 3.)

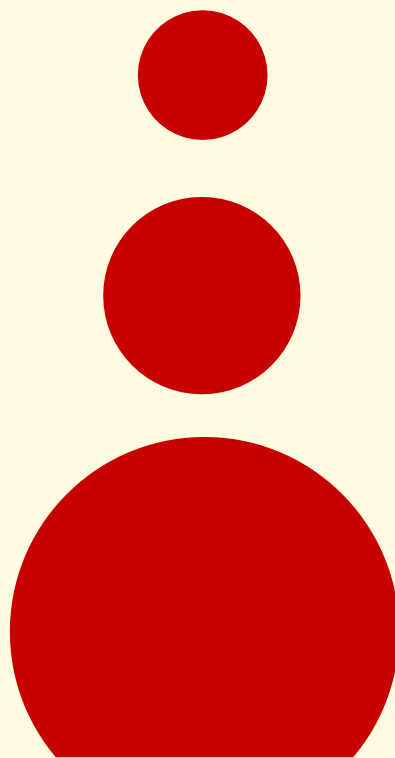
The revolving fund can be seen as a way of operationalising the LEP’s provisions about use and distribution of prisoners’ wages and the setting up of individual savings accounts to hold unused balances of prisoners’ earnings until their release. States not using this system commonly have laws establishing a ‘prison fund’, as is the case in Maranhão.²³ These funds hold amounts paid in criminal fines, prison budget contributions from the federal government, and in many cases revenues generated by prison labour. The surplus from prison funds can be used to maintain and modernise prison buildings and provide support for prison-leavers.

Fourteen states (including São Paulo and Maranhão) have recently legislated to establish social offices in cities close to prisons, to support prison-leavers into jobs and training. There is as yet no evidence base for their effectiveness or reach in terms of numbers entering the job market or reduced reoffending rates: it is clear that social offices in their current numbers cannot provide a service to anywhere near the whole population of prison-leavers.

Santa Catarina has not implemented social offices: some of the same functions are performed by a section of the state justice department which oversees community sanctions²⁴ but there are no specific initiatives relating to work for former prisoners.

2.5 Summary

Brazil's federal laws are relatively unusual in that they link work (and education) with the overall aim of resocialisation and ascribe to work a dignifying purpose. Federal provisions on progression from more to less secure regimes are also detailed in law. The right to have work allocated, to receive remission together with a minimum salary pro-rated to the national minimum wage, are clearly defined. The single greatest obstacle to the effectiveness of these laws and policies is Brazil's relentless prison population growth, which has rendered many of the law's aims and protections inoperative. In 1988, a few years after the key federal legislation (the LEP) came into force, the country's total prison population was one-tenth of the size it is today.²⁵ Investment and staff recruitment have not kept pace with numbers. As a result, the priority for most prisons is containing unrest, violence and organized criminality, rather than providing work and training opportunities.



3 Recent policy developments

3.1 Policy context

Despite being one of the world's major economies, Brazil has long struggled with high levels of social inequality. Over 85% of the population live in cities, with millions occupying homes in the informal housing areas or *favelas* concentrated in and around large cities. Skin colour and ethnicity exert much influence in Brazilian society, and unemployment and poverty disproportionately blight the lives of people of African descent. Violence is endemic and over 20% of the world's homicides occur in Brazil, a figure grossly out of proportion to the country's less than 3% share of the world's population. 78% of Brazil's homicide victims are Black, 50% are between 12 and 29 years old and over 90% are male.²⁶

There is great income disparity across Brazil's 27 states, with the lowest income per capita in the northeastern state of Maranhão, and some of the highest incomes seen in the rich, industrialised southeast of the country (the state of Santa Catarina ranking fifth highest in the country and São Paulo, third). Unemployment is high in the northeastern and northern regions of the country, whereas parts of the southeastern region have labour shortages in many sectors. Around 40% of workers are engaged in the informal or subsistence economy doing low paid manual jobs in construction, textiles, domestic or janitorial services, and agriculture, according to the Brazilian Institute of Geography and Statistics.²⁷ Workers in this category are more likely to be Black or mixed race, and of low educational attainment.

This picture is reproduced in custodial populations and in the types of work offered to prisoners (as described further in Section 4). Almost half of prisoners have not completed school to the level of 'ensino fundamental' (usually completed by age 14) and over 13,000 prisoners are recorded as illiterate in official data.²⁸ The make-up of Brazil's prison population reflects the structural racial inequality present in the country, with 64% of those in custody being Black or mixed race,²⁹ compared to 52% of the country's total population. The Afro-Brazilian population is reported to be more than twice as likely to be living in poverty as white Brazilians.³⁰

The barriers to (re)entering the legitimate labour market after release from prison are daunting and often last years. One factor at play here is the increasing use of fines in addition to custody when people are convicted of an offence. Criminal fines vary in amount: exceptionally high fines are often seen where the offence relates to drug trafficking or organised crime. Former prisoners are not allowed to hold a worker's card (or rejoin the electoral roll) until the entire fine has been paid. The lack of a worker's card can, in turn, severely limit available employment opportunities. The social stigma faced by people who have been in prison also constrains prison-leavers' prospects of legitimate employment.

3.2 Federal policies

The federal government issues and coordinates national policies and guidelines to be implemented by states and municipalities, and monitors minimum standards around use of federal resources. This applies as much in the penal context as elsewhere. Increasing the number of prisoners working and receiving training has been a major federal policy focus since at least 2009, when the *Começar de Novo* (New Start) programme was launched. This active labour market policy aimed to expand private sector involvement in prison work and training, enabling states to access federal funds to expand prison-based work and training programmes for prisoners and prison-leavers, thus incentivising private sector involvement in this area.

In 2012, a federal investment programme called PROCAP was launched (translating roughly as 'Programme for Professional Training and Implementation of Permanent Workshops'). PROCAP provides federal funding to state prison departments to establish prison production facilities and associated provision of skills training in a range of sectors including civil construction, food processing, technology, agriculture, textiles, and recycling.³¹ PROCAP is implemented in cycles, in which calls are issued for state governments to formalise agreements with federal government through SENAPPEN and the Ministry of Justice and Public Security. In the most recent cycle (issued in 2019) over BR \$58 million was provided to 22 participating states.

A further policy was introduced in 2014 to encourage state prison administrations to provide work and study opportunities in its facilities while respecting fundamental rights and taking account of personal characteristics relating to gender, ethnicity, nationality, sexual orientation, age, and disability.³²

In 2016, Brazil's federal Ministry of Justice and Public Security partnered with the UN Development Programme, accessing significant UN funds to develop the 'Doing Justice' Programme. This included a revised prison management policy and a more coherent national policy framework for prison work. The initiative resulted in the 2018 National Prison Work Policy (*Política Nacional de Trabalho no Âmbito do Sistema Prisional* or PNAT), introduced by federal decree.³³ The PNAT aims to expand opportunities for work and professional training for prisoners and prison leavers. It encourages states to give subsidies or tax incentives to private companies which hire prisoners or prison-leavers. It also obliges companies contracting to provide goods or services to the state above an annual value of BR\$ 330,000 (about £66,000) to employ a certain proportion of prisoners or ex-prisoners in their workforce. The PNAT requires state-level prison administrations to assess every person entering custody to establish their professional profile and any training needs.

The PNAT relies on collaboration between federal government and state or municipal agencies, given that most of Brazil's prisoners are in state custody. Every state is required to publish a biannual Work and Income Generation Plan, setting out how it has implemented the PNAT's prison labour provisions, and estimating the resources needed for further development. Several states have introduced laws aligned with the PNAT template. However, it has been reported that full implementation has been patchy.³⁴

In 2021 the federal government committed to increase the number of prisoners engaged in work by 185%, aiming to produce a total number of 363,414 by 2030.³⁵ In the same year a federal law was

enacted³⁶ requiring companies bidding for contracts with state agencies to ensure that a minimum proportion of the workforce hired to perform the contract be comprised of socially vulnerable individuals including prisoners and prison leavers, and victims of domestic violence. In 2023 a further national policy was published,³⁷ providing powers for state and municipal authorities to create policies and programmes designed to help ex-prisoners to access employment, including by obtaining the civil identification documents such as the worker's card, which are necessary for employment in the formal economy.

The CNJ (National Judicial Council) plays a strategic coordination role in helping state bodies to implement the PNAT. In 2020, in collaboration with the Justice and Labour Ministries, it launched a national action to promote work and income for prisoners and prison-leavers.³⁸ This comprises a complex set of initiatives encompassing 1) setting parameters for the functioning and financing of work programmes inside and outside prison, 2) civil documentation to aid access to formal employment, 3) support for prison-leavers and 4) guidance to ensure that ex-prisoners can occupy job vacancies based on quotas laid down for companies contracting with state entities.

A CNJ initiative aimed at increasing prison-leavers' access to employment is the 'social office' (*escritório social*), a federally funded collaboration between state justice departments and civil society or public sector agencies geared around supporting compliance with post-release conditions such as electronic monitoring and accessing job vacancies, as well as identifying personal unmet needs and aiding access to health and welfare support.

3.3 State policies

State governments are autonomous in their implementation of federal penal policy and can develop policies and plans for prison labour programmes within the framework set at federal level. Most states have produced a Work and Income Generation Plan pursuant to the PNAT (above), which they submit to the Ministries of Justice and Labour. This is a requirement enabling them to access federal funds that can be used to expand supply of work and training across the state prison system. These funds are frequently allocated under the PROCAP scheme and used to build and equip prison factories, workshops, and other facilities.

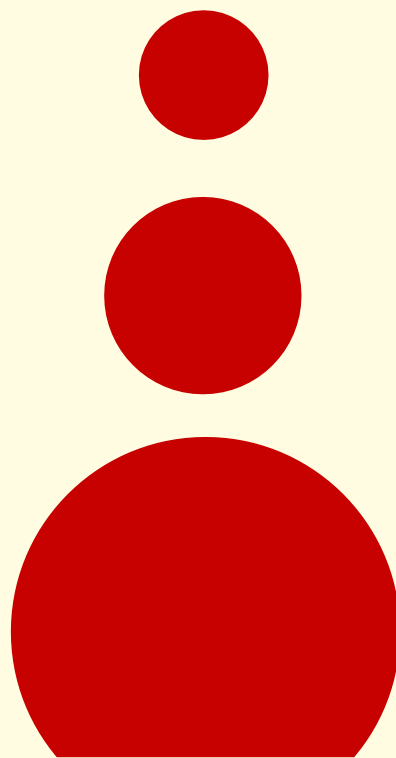
A further policy adopted in some states is the *fundo rotativo* or revolving fund, which is less reliant on federal funds than PROCAP. As discussed in the previous section, the earliest form of revolving fund was established in Santa Catarina, where several revolving funds have now been established serving different regions of the state. A recent study reported that in 2018 these funds had returned over BR\$ 24 million (then equivalent to around £5 million) for reinvestment in the state's prisons.³⁹

Santa Catarina's model is considered so successful that, in 2019, official delegations from sixteen states visited the state to learn about the initiative. A federal information bulletin and technical note followed, setting out its core elements and endorsing its widespread implementation.⁴⁰ The stated purpose of the federal agencies in promoting revolving funds was 'achieving efficiency and effectiveness in the Brazilian prison system using prison work as a tool'.⁴¹ Besides Santa Catarina, revolving funds have now been implemented in four other states (Acre, Rio Grande do Norte, Rio Grande do Sul and Tocantins).

In the state of São Paulo, which has the largest prison population of all Brazilian states, prison labour policy and provision is led by a foundation of more than forty years' standing known as FUNAP (the Professor Manoel Pedro Pimentel Foundation for the Support of the Prisoner).⁴² FUNAP is linked to the state prisons department and is responsible for developing and evaluating work provision in all 182 prisons in the state, which house around 200,000 prisoners. There are FUNAP-run production facilities and workshops in many of the state's prisons, making furniture, children's shoes, uniforms for public sector workers and other products.

FUNAP acts as a broker for involvement of private companies wishing to use prison labour, ensuring that they comply with applicable laws on minimum pay and workplace conditions. FUNAP also works to increase opportunities for working prisoners to receive professional qualifications (which is less common in other states). One example of this is the training provided at a diesel mechanics workshop, which serves a large prison in the interior of the state where agricultural production is high and trained mechanics are always in demand to maintain farm machinery. The scheme has a peer-trainer component meaning that scheme 'graduates' can help to train other prisoners, ensuring sustainability. Another initiative led by FUNAP is a solid waste recycling cooperative run in conjunction with local councils in cities where prisons are based. FUNAP has provided work to several thousand prisoners in such initiatives, other examples including work to maintain public roads, clean urban areas, paint public buildings and carry out tree-works.

A further policy recently adopted at state level in parts of Brazil is to form partnerships to apply for federal funds to establish one or more social offices (escritório social) in areas with large numbers of prison-leavers requiring assistance into training and employment. Around 40 social offices have now been established in 22 states. The CNJ has provided guidance and technical assistance for state agencies establishing these, and financial support has come from federal funds. More recently the CNJ has issued a directive⁴³ permitting the proceeds of criminal fines to be used to fund services provided by social offices or other agencies offering assistance to prison-leavers. Services provided, and sources of funding, vary from state to state. Maranhão's social offices aim to assist with access to employment for prisoners in semi-open or open regimes as well as people who have already completed their custodial sentence. In the state capital São Luiz, home to the state's largest prison complex (Pedrinhas), the social office is housed in the same building as the city's electronic monitoring centre.



4 Prison work in reality

Beyond the broad federal law provisions about prisoners having both a right and a duty to work, and for work to have a resocializing, purposeful, educative character, there is no statutory legal *definition* of what constitutes prison work.

There is, however, a substantial quantity of official data about the prison system, including data about numbers engaged in prison work. The federal body SENAPPEN has for several years published state-by-state, comparable, quantitative data covering many aspects of the entire country's prison system and prison population. The data is published biannually, referenced as at the first working day of December and June each year. It includes information on numbers of working prisoners and types of work done by prisoners in every state, which of three broad sectors the work is in (see table below), as well as information on the remuneration of prison work.

These data are derived from information every prison is required to submit to state-level prison administrations, which in turn send the data to SENAPPEN where it is aggregated before being published some months later.⁴⁴ Publication takes two forms: a report (RELIPEN) containing facts and figures on numerous aspects of the country's prison population along with several tables and charts;⁴⁵ and an interactive portal (SISDEPEN), which contains the same information but with additional detail at individual prison level, as well as trend data going back to 2016.⁴⁶

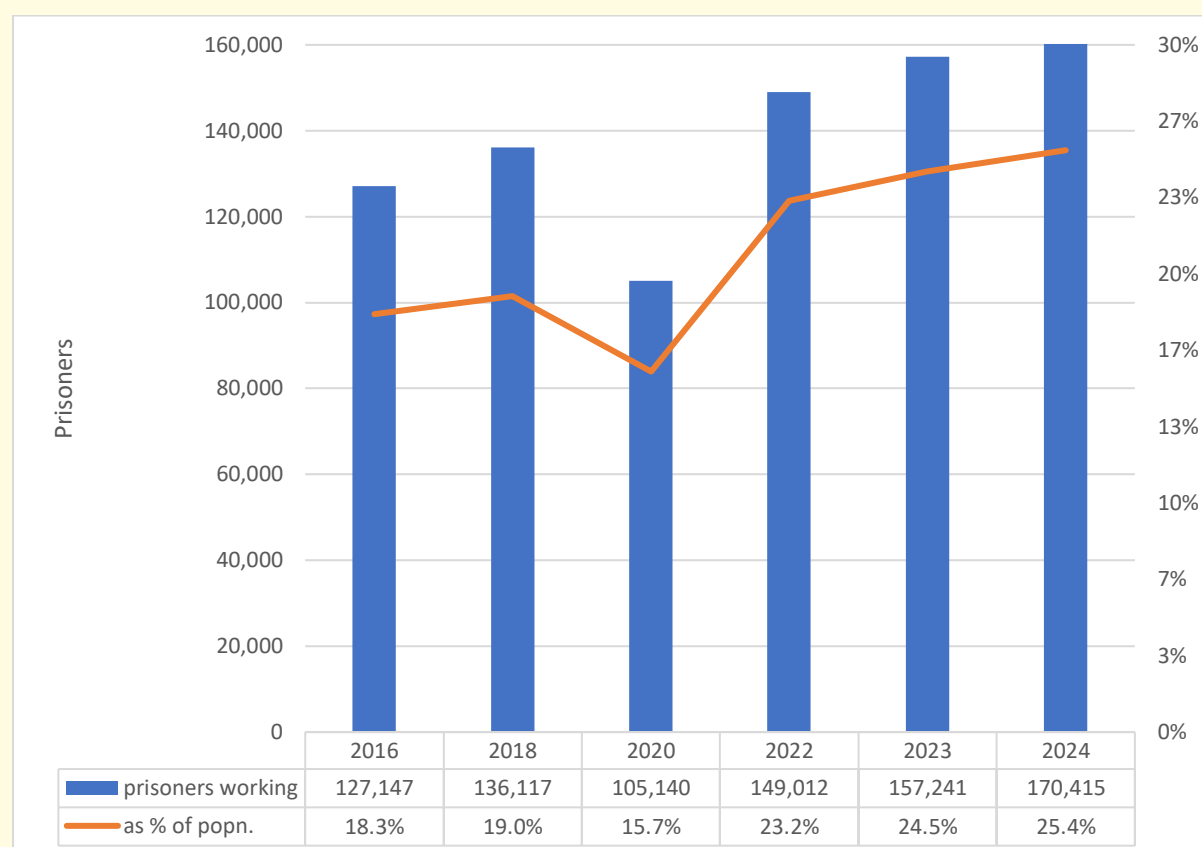
One weakness in the data on prison labour is that there is no information on the number of *vacancies* for work of different kinds at state, or individual prison level. A further weakness is that there is no systematic auditing of the data on numbers working that prison administrations compile and submit. For these reasons, the data should be treated with caution. The form on which prisons submit their data provides clarification on some questions, including in relation to how to count prisoners working in 'prison services' (stating that work maintaining one's own cell should not be included).⁴⁷ From this dataset, we can extract a definition of what the federal and state authorities consider to be prison work for purposes of reporting, but this should not be taken to mean all states interpret the SENAPPEN categories of work activity in the same way. For example, some states may include the making of prison uniforms as a workshop activity while others count it as 'prison services'.

4.1 Numbers working

In this section unless otherwise stated we draw on SENAPPEN data as at 2 December 2024, contained in the RELIPEN report for the six months from June to December that year.⁴⁸

The number of prisoners in physical custody⁴⁹ reported as working was 170,415—just over a quarter. This is the highest overall number (and the largest proportion) of prisoners in custody, since 2016 when data on working prisoners was first published (see Figure 5 below).

Figure 5: Prisoners in physical custody reported as working, Dec 2016 – Dec 2024⁵⁰



The proportion of prisoners reported as working varies greatly from state to state. In Maranhão 80% (n. 9,376) of prisoners are reported to be working, compared to 31% (n.8,360) in Santa Catarina and 21% (n. 42,937) in São Paulo (with a mere 3% (n.1,359) in Rio de Janeiro). The composition of a state's prison population is a key factor: smaller proportions of the custodial population are working in states where (as in São Paulo) larger proportions are held pre-trial. Also significant is the type of establishment: higher rates of work engagement are reported in 'colônias agrícolas' and 'colônias industriais' (agricultural or industrial colonies), facilities designed around production that typically provide prisoners with work both in the establishment and outside it, and which largely serve the semi-open category of prisoners. Such facilities do not exist in every state. Variations are also likely to exist between states in counting and reporting practices (see under section 4 above).

4.2 Types of work done by prisoners

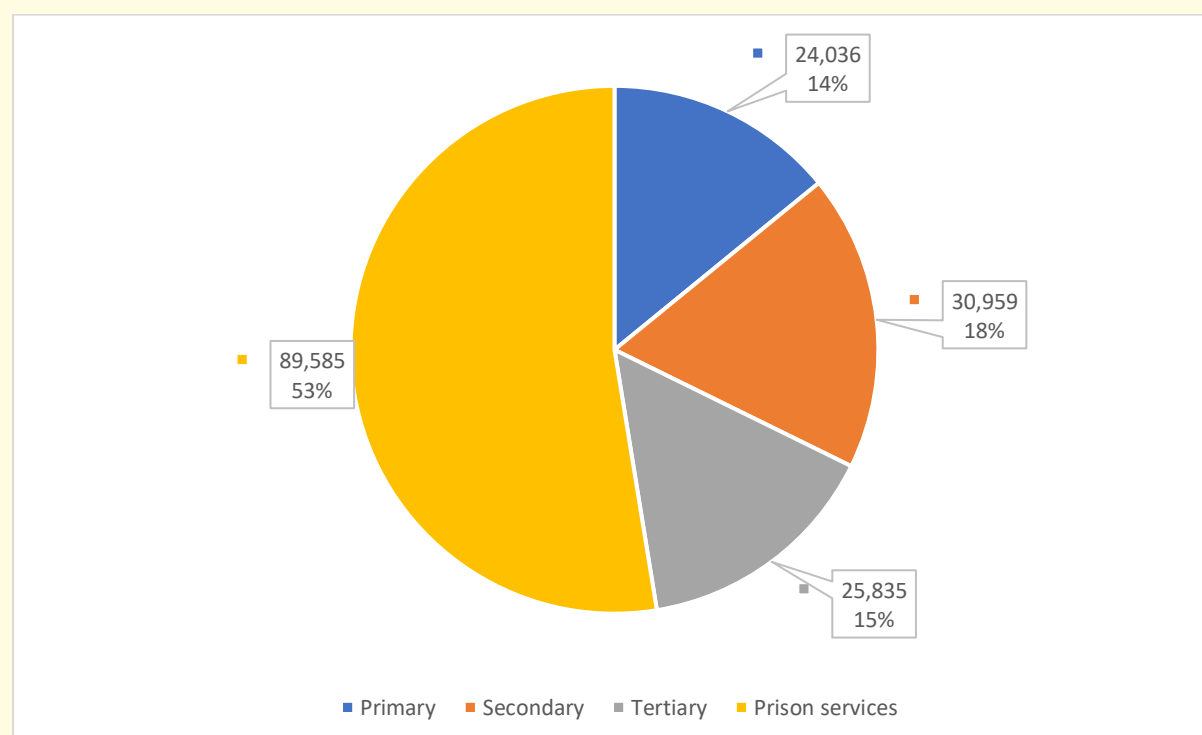
Work is classified in various ways in the official data: for example, by whether it is performed outside or inside the prison. Currently, 83% of work done by prisoners takes place inside prisons and 17% is performed outside. Work is further classified according to which of three defined sectors it serves, with an additional category, 'prison services', also listed: see Table 1 below.

Table 1: Prisoner jobs, by type or sector

Sector	Description
Primary	Rural, agricultural and handicrafts (artisanal): work is related to vegetable, animal and mineral exploitation, e.g. meat and milk production and mineral extraction, as well as its processing, where production can be either for the prison's own consumption or for external markets
Secondary	Industrial: focused on the transformation of raw materials, produced by the primary sector, into industrialized or processed products for external markets. Example: civil construction
Tertiary	Provision of services, i.e.. non-material products that meet certain needs. Examples: commerce, education, health, telecommunications, marketing, IT, cleaning, catering, administration
Prison services	Work to support the operation of the prison. Examples: food preparation, gardening, cleaning, administrative support, making prison uniforms

The national breakdown of prison jobs reported to be engaged in is shown in Figure 6 below.

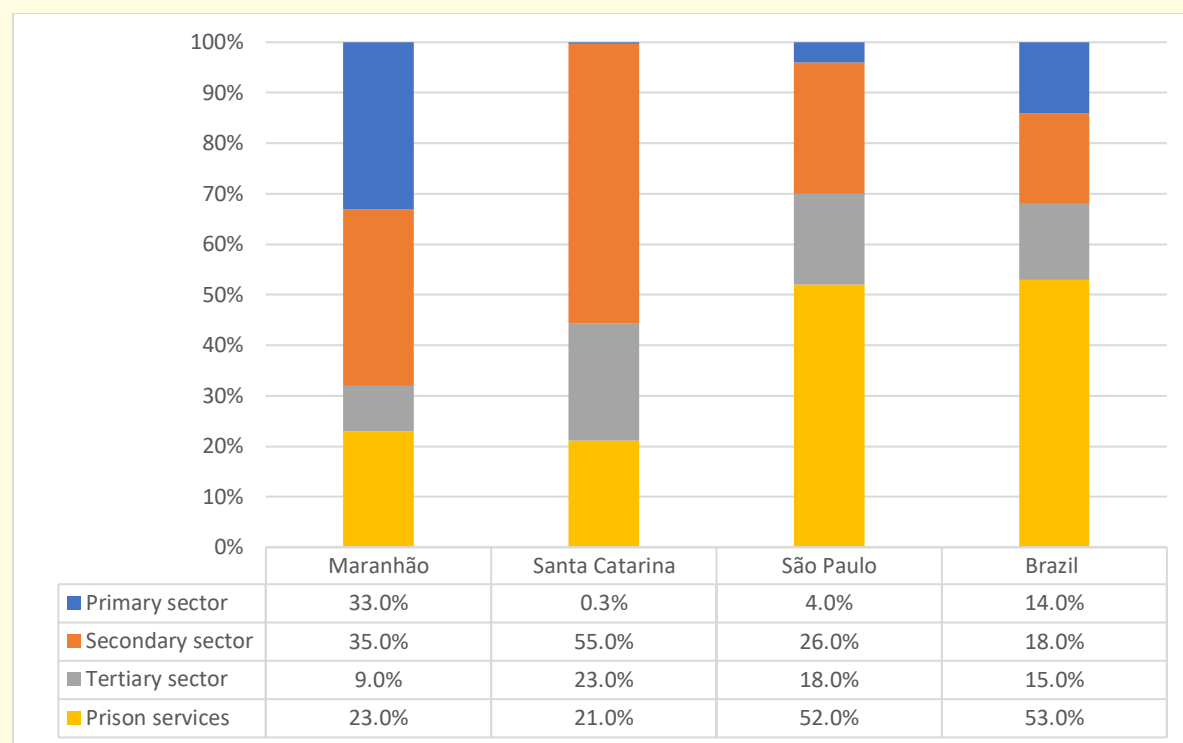
Figure 6: prison jobs nationwide, by sector (December 2024)



Again, there is much state-level variation in the types of work prisoners do, and whether the partnerships for its provision are formed mainly with public or private sector organisations. Figure 7 and Figure 8 exemplify the degree of variation between the three states examined in this study, compared with the national average. Note that the numbers in Figure 6 cover only prison jobs

generated by the prison administration: nationally this accounts for 87% of all prison work, with the remaining jobs found by prisoners themselves (the majority of these being external to the prison and performed by semi-open regime prisoners who return to custody at night and weekends).

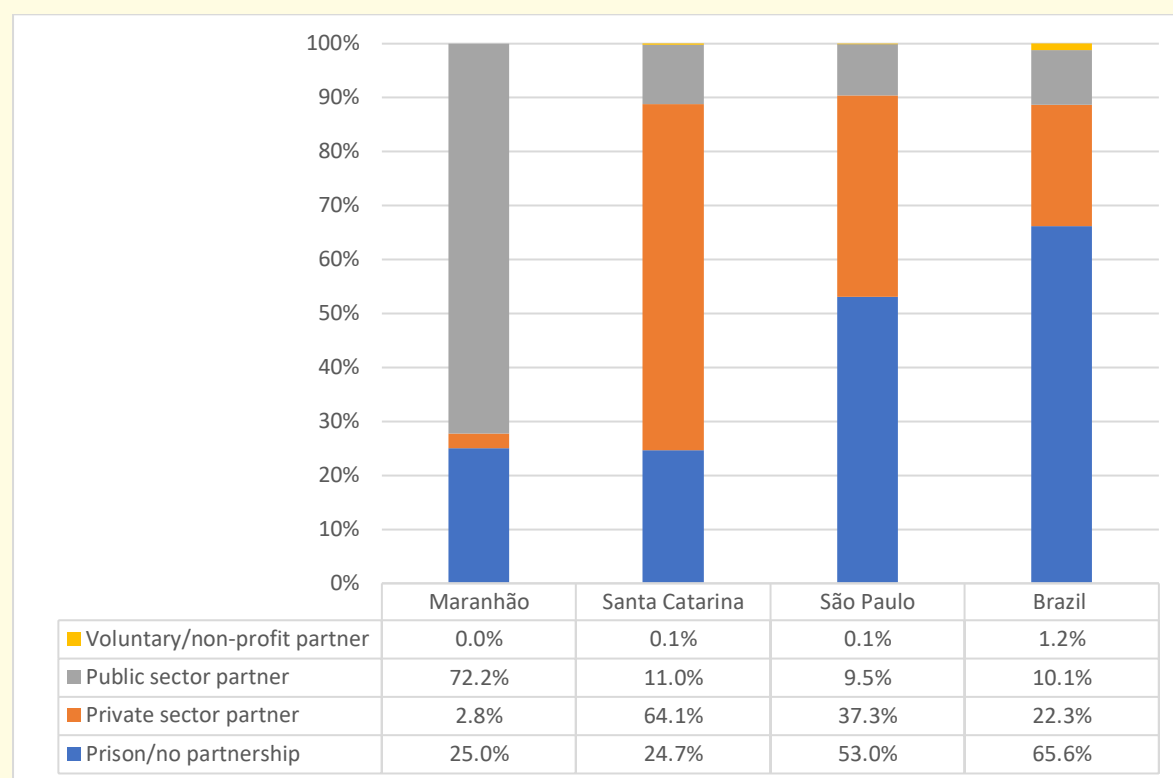
Figure 7: Types of work done by prisoners in three states, and nationally (December 2024)



A recent CNJ-commissioned study of prison work in nine Brazilian states (including Santa Catarina and Maranhão) showed that in practice the types of activity predominant in custody were: agriculture, construction, textiles, carpentry, and 'prison services'.⁵¹ Additionally, prisoners sometimes worked in mechanics, laundry, food preparation, document digitization and (where private businesses were involved as in Santa Catarina) plastics and electrical components.

Figure 8, meanwhile, presents data on how prisons generate work for prisoners, and the kinds of partnerships they use to do so. Again, the data are plotted by state with national averages for comparison. It is particularly noticeable how little involvement the voluntary sector has in prison work programmes.

Figure 8: How prisons generate work, in three states, and nationally (December 2024). The category marked 'prison/no partnership' will overwhelmingly involve prison services work.



Unlike São Paulo and Santa Catarina in the more prosperous south, Maranhão – one of the poorest states in Brazil – has very low levels of industrialisation. Unemployment is high and few companies use prison labour. Most jobs allocated to Maranhão's prisoners (beyond those simply supporting the prison's operation) are provided under partnerships with public sector entities: for example, producing school uniforms and desks for the state education department, or hexagonal blocks to pave urban pedestrian areas. Santa Catarina and São Paulo, by contrast, are highly industrialised states, and private companies in each of these states engage substantial numbers of imprisoned workers.

The 'prison services' jobs are commonly performed by a category of prisoner similar to that of a 'trusty' in the Anglo-American context, which has different names in different parts of Brazil. In Santa Catarina and other states the term used is 'regalia' (literally, 'perks') and in Maranhão and elsewhere the term 'faxina' (literally 'cleaner') is used. Trusty workers are selected by prison staff based on their record of compliance, perceived low risk and ability to circulate between staff and inmates with less risk of danger to themselves or others. These jobs are usually unpaid, earning only remission of sentence. The role can involve domestic tasks such as meal distribution and cleaning; it can also include work in prison maintenance, such as plumbing, electrical, painting and building jobs, as well as administrative and clerical roles.

Artisanal or handcraft work is still widespread in some states, and prisoners engaged in this activity will usually be counted as 'working' even if they are not producing items for sale or being trained in skills likely to result in employment after release. The raw materials for the handicrafts produced are usually provided by the prisoner's family, and the products can be sold by them. In states such as Maranhão where insufficient paid work is available for prisoners, artisanal work is seen by prison

authorities as better than nothing in that it keeps prisoners occupied, and enables them to earn remission, thus helping control prison population numbers.

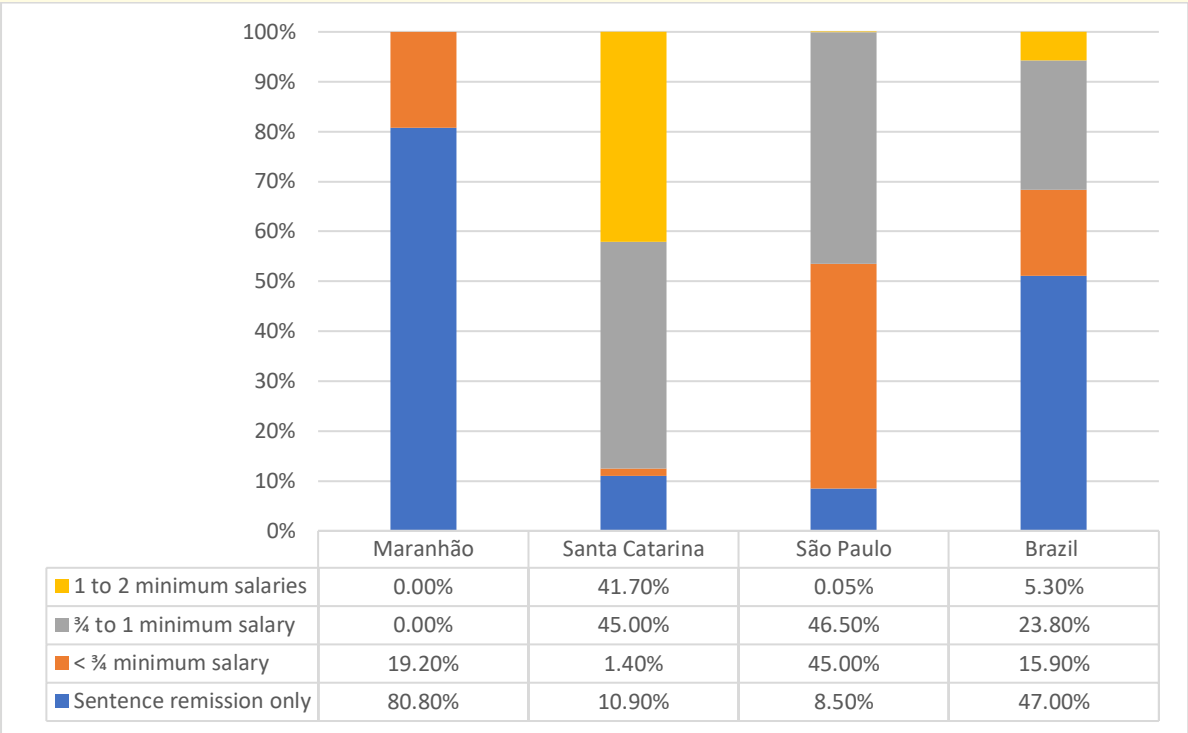
The type of work allocated to prisoners can be influenced by belonging to a criminal faction, as faction members are typically housed together and separated from non-gang members or rival factions. Depending on the make-up of the prison unit and the overall spread of work available, being in a gang may in practice limit work opportunities. In this context the role of the prison-based committee known as the CTC is important and the 'triage' carried out by CTCs in determining which prisoners will work and what opportunities will be offered can make the difference between working and not working, or having paid or only unpaid work. CTCs do not exist in every prison or even in every state in Brazil, despite the provisions of federal law requiring their establishment. Even where CTCs do exist, it is often impossible for prisoners to work until they have spent months on a waiting list, often making regular appeals to prison staff to be considered for any available work opportunity.⁵²

Being in the semi-open regime rather than the closed can also result in fewer opportunities for work, due to the lack of continuity between custodial work provision (whether under partnerships with public or private sector providers, or in 'prison services' roles) and access to employment support in the community. Systems and processes for the latter are under-developed compared to custodial work programmes, and consist in the main of social offices and electronic monitoring centres, alongside judicial oversight to ensure post-release conditions are observed during the remainder of the sentence.

4.2.1 Remuneration or remission?

Official data reveal that many working prisoners receive either no pay, or less than the statutory minimum mandated by the LEP. 47% received only sentence remission as at December 2024, while almost 16% were paid less than the legal minimum. Again, state-level variation is significant: in Maranhão over 80% of working prisoners received only remission; in Santa Catarina and São Paulo the proportion was around 10%. Figure 9 compares these three states with the Brazilian national figures.

Figure 9: Prisoner pay in three states, and nationally as at December 2024⁵³



Note: The Brazil total does not sum to 100% because the aggregated dataset published by SENAPPEN reflects the remuneration of only 93% of prison workers.

5 Conclusion

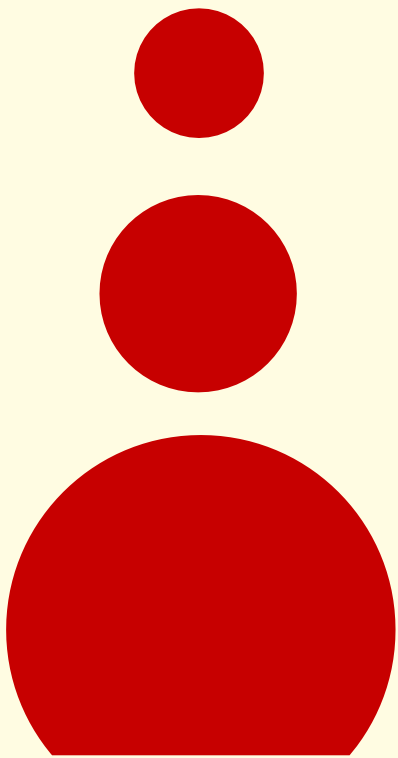
Brazilian law, alone among the countries examined in our project, specifically states a purpose for prison work. 'Educational and productive purposes' are prioritised, and prison work is promoted 'as a condition of social dignity'. Also uniquely, national law includes among prisoners' basic rights the right to work, and entitles working prisoners to receive as a minimum wage a proportion of the national minimum wage. However, this entitlement is only patchily implemented and, in some states, more prisoners work for remission alone than for both prison wages and remission. Although sentence remission is often framed—including by human rights courts⁵⁴—as an acceptable alternative to pay, and may be seen as such by prisoners, the practice amounts to exploitation given that prisoners can be sanctioned for not working.

Severe prison overcrowding has been a long-standing challenge, and managing prison space is one of the most pressing concerns for penal practitioners. In overcrowded, inactive closed-regime prisons, internal prison governance has been largely ceded to criminal faction members. In some states, such conditions have produced riots and massacres, for example in Maranhão in 2014. In the face of chronic overcrowding and ever-increasing demand for prison places, the entitlement to remission for days worked is more than just an effective incentive for prisoners to work, often without pay: it is also a tool for prison management to accelerate prisoners' progression through the system, thereby freeing up space and reducing overcrowding.

Operational and policy priorities powerfully shape the provision of work opportunities. Despite ambitious active labour market policies at federal level, accompanied by investment in prison production facilities, only around a quarter of prisoners in physical custody are reported to be working. Of those who are, over 60% are engaged in activities involving no external public or private sector partner, but provided by the prison itself. Most of these will be doing unpaid 'prison services' work largely mirroring the unskilled jobs around 40% of workers do in Brazil's informal economy. Prisoners' selection for such roles depends on trust and good conduct: jobs are allocated at the discretion of management and without transparent criteria. For these jobs no formal training is provided. This calls into question how well the Brazilian prison labour system prepares most of its working prisoners for future employment in the free economy.

Local and regional economic conditions also shape the work opportunities available in prisons and whether they are remunerated. Private sector partnerships are evident in highly industrialised, market-oriented states like Santa Catarina, where companies are attracted by lower staff overheads, compliant workforces and subsidised production facilities. Such partnerships are absent in poorer states like Maranhão, where the public sector is the main contractor of prison labour. These economic variations are reflected in prisoners' remuneration. In Santa Catarina, most working prisoners are paid at or above the minimum prison wage; in Maranhão, none are, with over 80% reported as working unpaid, for remission only.

Despite policies and legislation aiming to secure better access to job markets after release from prison, there remain numerous obstacles, such as the bar on obtaining working papers where a criminal fine has not been repaid, and the widespread stigma experienced by formerly incarcerated people. Even those prison leavers who have worked while in custody are unlikely to have received formal skills training or qualifications to equip them for participation in the legitimate economy.



Notes

- ¹ All prison population figures are from ICPR, 'Brazil | World Prison Brief' (World Prison Brief) <https://www.prisonstudies.org/country/brazil> (accurate as at 15 May 2025), except where stated. Figure for 1979 shows convicted prisoners only.
- ² Secretaria Nacional de Políticas Penais (SENAPPEN), penal statistics portal 'Dados estatísticos do sistema penitenciário portal at: <https://www.gov.br/senappen/pt-br/servicos/sisdepen> (as at December 2024)
- ³ Código Penal 1940, <https://www2.senado.gov.br/bdsf/handle/id/648206>
- ⁴ Secretaria Nacional de Políticas Penais (SENAPPEN), penal statistics portal 'Dados estatísticos do sistema penitenciário portal at: <https://www.gov.br/senappen/pt-br/servicos/sisdepen> (as at December 2024) – see panel 'População'
- ⁵ Nunes, A, *Comentários à lei de execução penal* (Grupo Gen-Editora Forense 2016)
- ⁶ SENAPPEN portal (note 2 above)
- ⁷ Secretaria Nacional de Políticas Penais (SENAPPEN), penal statistics portal 'Dados estatísticos do sistema penitenciário portal at: <https://www.gov.br/senappen/pt-br/servicos/sisdepen> (as at December 2024) – see panel 'Perfil'
- ⁸ idem
- ⁹ For example, Darke, S. (2013) 'Inmate Governance in Brazilian Prisons', *The Howard Journal of Crime and Justice*, 52 (3),
- ¹⁰ SENAPPEN, [Relatorio do Mapa de Orcrim](#) (page 12), 2023
- ¹¹ Lei de Execução Penal 1984. <http://bd.camara.leg.br/bd/handle/bdcamara/766>
- ¹² *Supremo Tribunal Federal – Habeas Corpus no 107701 Relator Ministro Gilmar Mendes, DJe 23/06/2012*
- ¹³ Because of past periods of rampant inflation, salaries in Brazil are expressed not as fixed annual sums, but as multiples of the minimum wage (*salário mínimo*). One minimum salary is currently BR\$ 1,212 per month: around US\$216 as at 15 May 2025. Nearly two-thirds of the working population earn two minimum salaries or less.
- ¹⁴ The same applies to prisoners who engage in educational or training activities.
- ¹⁵ Superior Tribunal de Justiça (STJ), 22.2.2019, Recurso Especial REsp 1535909 DF 2015/0129361-9 (STJ)
- ¹⁶ ADPF 336, 02/27/2021, available at: [paginador.jsp](#)
- ¹⁷ Superior Tribunal de Justiça (STJ), 14.3.2018, Recurso Especial 1.720.785 RO 2018/0019270-9
- ¹⁸ Claim of Non-Compliance with a Fundamental Precept no. 347/DF (Arguição de Descumprimento de Preceito Fundamental - ADPF 347/DF)
- ¹⁹ Lei n° 3308 of 1963 was the first such legislation and applied only to the state prison, but subsequent laws have been passed to extend the system to all the prisons of Santa Catarina; a few other Brazilian states have followed its example.
- ²⁰ Santa Catarina now regulates prison work through Complementary Law No. 809, 2022 (Santa Catarina): <https://www.legisweb.com.br/legislacao/?id=441005>
- ²¹ DECRETO N.º 2.312, 15.10.1997 (Santa Catarina)
- ²² Complementary Law No. 809, 2022: <https://www.legisweb.com.br/legislacao/?id=441005>
- ²³ Decree number 33,249 of 2017
- ²⁴ The section is known as Centrais de Penas e Medidas Alternativas, located within the Coordenadoria de Alternativas Penais e Apoio ao Egresso.

- ²⁵ ICPR, 'Brazil | World Prison Brief' (World Prison Brief). At <https://www.prisonstudies.org/country/brazil>
- ²⁶ Fórum Brasileiro de Segurança Pública, 2022: at <https://forumseguranca.org.br/>
- ²⁷ As cited in Instituto Veredas, 2025, 'O trabalho de pessoas privadas de liberdade e egressas do sistema prisional: desafios e experiências estaduais na garantia de direitos fundamentais', Conselho Nacional de Justiça, at p.108: [O trabalho de pessoas privadas de liberdade e egressas do sistema prisional desafios Relatório.pdf](#)
- ²⁸ SENAPPEN portal ('Perfil') (see note 2 above)
- ²⁹ SENAPPEN portal ('Perfil'); the Brazilian 2022 census is available here <https://agenciadenoticias.ibge.gov.br/en/agencia-news/2184-news-agency/news/37245-between-2010-and-2022-brazilian-population-grows-6-5-reaches-203-1-million>
- ³⁰ IBGE, news: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/35467-pessoas-pretas-e-pardas-continuam-com-menor-acesso-a-emprego-educacao-seguranca-e-saneamento>
- ³¹ PROCAP (Projeto de Capacitação Profissional e Implantação de Oficinas Permanentes), Solicitação da Controladoria-Geral da União - CGU nº 845289: PROCAP was evaluated by SENAPPEN in 2022: the results can be found in technical note SEI/MJ – 17492626 at [SEI MJ 17492626 Nota Técnica.pdf](#)
- ³² Interministerial Ordinance No. 210 of 2014
- ³³ Federal Decree No. 9.630/2018
- ³⁴ Instituto Veredas, 2025, see note 27 above.
- ³⁵ Federal Decree No. 0.822/2021
- ³⁶ Law No. 14,133, 2021
- ³⁷ National Policy for Attention to Persons Released from the Prison System (Pnape), regulated by Decree No. 11,843
- ³⁸ Conselho Nacional de Justiça 2020, Plano Nacional de Geração de Trabalho e Renda: at <https://www.cnj.jus.br/wp-content/uploads/2020/10/Folder-Plano-Nacional-de-Geracao-de-Trabalho-e-Renda.pdf>
- ³⁹ Lazarotto, KR, Da Silva, DR, Zani, A, 'Fundo Rotativo do Sistema Prisional do Estado de Santa Catarina: *case* regional Chapecó', Revista Brasileira de Execução Penal, Brasília, v. 1, n. 1, p. 197-211, 2020: [1-9-PB-197-212-compactado-75b.pdf](#)
- ⁴⁰ Information No. 16/2019/COATR/CGCAP/DIRPP/DEPEN and Technical Note No. 28/2019/COATR/CGCAP/DIRPP/DEPEN/MJ
- ⁴¹ Idem, at p. 3
- ⁴² FUNAP's website: [Fundação "Prof. Dr. Manoel Pedro Pimentel" – Funap – Governo do Estado de São Paulo](#)
- ⁴³ Resolução CNJ no. 558, 6.5.2024
- ⁴⁴ The form used by prison administrations for making their data submissions can be found here: [formulario-sobre-informacoes-prisionais.pdf \(www.gov.br\)](#)
- ⁴⁵ Secretaria Nacional De Informações Penais (SENAPPEN), 'Relatório de informações penais (RELIPEN) - 2º semestre 2024' (SENAPPEN) 2024) [relipen-2o-semester-de-2024.pdf](#)
- ⁴⁶ 'Dados estatísticos do sistema penitenciário (SISDEPEN)' (Secretaria Nacional de Políticas Penais) [SISDEPEN — Secretaria Nacional de Políticas Penais](#)
- ⁴⁷ The form used by prison administrations for making their data submissions can be found here: [formulario-sobre-informacoes-prisionais.pdf \(www.gov.br\)](#)
- ⁴⁸ RELIPEN, see note 45.

⁴⁹ That is, excluding people subject to a sentence of imprisonment who are in 'residential custody', see Section 0.

⁵⁰ SENAPPEN, 'Dados estatísticos do sistema penitenciário' (Secretaria Nacional de Políticas Penais) [SISDEPEN — Secretaria Nacional de Políticas Penais](#) : panel 'Trabalho')

⁵¹ Instituto Veredas, 'O trabalho de pessoas privadas de liberdade e egressas do sistema prisional: desafios e experiências estaduais na garantia de direitos fundamentais', Conselho Nacional de Justiça, at p. 108: [O trabalho de pessoas privadas de liberdade e egressas do sistema prisional desafios Relatório.pdf](#)

⁵² Information obtained during field visits to prison complexes in Maranhão and Santa Catarina.

⁵³ SISDEPEN data portal: note 50 above.

⁵⁴ van Zyl Smit, D and Dünkel, F, 'Conclusion: Prison Labour - Salvation or Slavery?' in van Zyl Smit and Dünkel (eds), *Prison Labour: Salvation or Slavery? International Perspectives* (1st (reissued), Routledge 2018) 340–341

