Restorative Justice Program "Amazônia da Paz": networking and multidisciplinary action to reduce vulnerability and prevent juvenile delinquency in the Brazilian Amazon

Abstract

The article presents the experience of a restorative justice program developed in a region of the eastern Amazon, that is a region where we find situations of social vulnerability that affect children, adolescents and young people, especially those who belong to the most impoverished segments of the local population. These conditions undoubtedly increase their susceptibility to risk situations, drug consumption and entry into the world of crime. Experience has shown that restorative justice has great potential to stimulate construction of networks, connect people and institutions, as well as encourage multidisciplinary and multi-institutional work, contributing to articulate the justice system with other services and public or private institutions/groups that act in various social sectors, such as schools, universities, prisons, police, social assistance services, assistance to adolescents in conflict with the law, community and religious groups. We believe that this type of coalition can contribute to reduce vulnerability and prevent juvenile delinquency.
Keywords: restorative justice; networking; multidisciplinary action; peacemaking circles; juvenile justice.

Restorative Justice Program "Amazônia da Paz": networking and multidisciplinary action to reduce vulnerability and prevent juvenile delinquency in the Brazilian Amazon

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We would like to greet everyone and externalize our joy in being here with you in this session. We are really glad to participate in the World Congress on Justice for Children, hosted by UNESCO. We are Brazilian and our native language is Portuguese, and for this reason we will resort to reading the text to facilitate our communication. We hope you can understand our presentation in another language and we ask your forgiveness if some ideas are not well placed or thoroughly expressed, because we know that language is finite and a limit for sharing thoughts, expressing feelings, listening and understanding one another. But this session and this Congress are spaces of diversity,
multiculturality, interdisciplinarity, and a place of many languages, so we feel comfortable to share our experience with restorative justice in the Brazilian Amazon, an experience that we have begun since 2008. It began with an investigation about the Brazilian policy of penal alternatives and its implementation in the State of the Amazon in which we live. At that time, we had only a theoretical experience with restorative justice. However, years later, the research on penal alternatives led us to developing a restorative justice program that we now call "Amazônia da Paz". The shift from a theoretical experience with restorative justice to a practical experience occurred when we started to work more specifically with juvenile justice in Santarém, one of the most important cities of eastern Amazon. Our presentation today will summarize this practical experience focusing on what it has taught us about how restorative justice can contribute to the formation of networks and multidisciplinary action aimed at reducing vulnerability and preventing juvenile delinquency. We will speak from two different positions, the position of a judge acting with juvenile justice and the position of a professor who acts in partnership with the justice system through research projects and university extension.

The restorative justice program in which we participate is developed in a region of the eastern Amazon known as Lower Amazonas. Before long, we believe it is important to remember that the Brazilian Amazon is internationally known for its natural resources and beauties, forests, immense rivers, as well as an extraordinary biological and ethnic-cultural diversity, with the presence of various indigenous groups, Afro-Brazilian communities and other traditional communities. For these reasons, it is a place that has been attractive for
national and international tourism, for the development of large economic projects, as well as for researchers, activists, observers, and important agencies, all interested in what happens with the environment and, sometimes, with some segments of the Amazon population. But, on the other hand, the Amazon is also one of the poorest regions of Brazil, with the lowest economic and human development indices, high levels of urban and rural violence, presence of child labor and assimilated to slavery, precarious housing, absence of basic sanitation infrastructure, difficulties of access to schooling and public health services, as well as still being one of the routes of international drug trafficking. Therefore, the Brazilian Amazon is a region where we find situations of social vulnerability that affect children, adolescents and young people who belong to the most impoverished segments of the local population. These conditions undoubtedly increase their susceptibility to risk situations, drug consumption and entry into the world of crime. So, any program or public policy that tries to deal with the issue of juvenile delinquency in the Amazon has to take into account these economic and social factors that are at the root of the problem of the growing practice of crimes by adolescents and young people in the Amazonian region and, certainly, in other regions of Brazil that have only differences in degrees of social vulnerability depending on the socioeconomic circumstances of each locality.

Although restorative justice is not a panacea capable of solving all social and economic problems, experience has shown us that restorative practices are ways of contributing to reduce social vulnerability and prevent juvenile delinquency in different contexts, especially in the Brazilian Amazon. We have learned that restorative justice is a philosophy, a theoretical compass
or a conception of justice that includes, to the possible extent, victim, offender, families, and communities in the process of constructing active responses to acts that violate people and relationships, generating obligations to repair and meeting human needs (sometimes basic needs and basic human rights) that may be addressed with the aim of avoiding the recurrence of similar acts and the damage they cause, e.g. how Howard Zehr often says, making things right. However, putting things right is only possible if the offender is held accountable, the victim receives reparation, and families and communities participate and share responsibilities. We have also learned that restorative justice is done through the use of collaborative and inclusive methodologies that bring to the process all stakeholders that can contribute in the construction of action plans, sharing responsibilities and assuming obligations aiming to meet the needs of victims, offenders, families and communities affected. Furthermore, in recent years, experience has shown that restorative justice has great potential to stimulate construction of networks, connect people and institutions, as well as encourage multidisciplinary and multi-institutional work, contributing to articulate the justice system with other services and public or private institutions/groups that act in various social sectors, such as schools, universities, prisons, police, social assistance services, assistance to adolescents in conflict with the law, community and religious groups, involving professionals from different areas of knowledge and members of communities.

Our practical experience with restorative justice began with a course offered by the Justice Court of Pará (TJPA) directed to interprofessional teams of jurisdictional units that worked with juvenile justice, carried out in 2011. After

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this course, we began the first actions of the program that came to be called later “Amazônia da Paz”. In 2012, from a partnership between people of the Juvenile Justice of Santarém, of the Federal University of Western Pará (UFOPA) and of the regional unit of Education Secretariat of Pará (SEDUC) – locally known as 5th URE –, a multidisciplinary group of studies and experimentation of restorative practices was formed concerned in the implementation of restorative justice in school spaces. This group was called Interdisciplinary Group for Conflict Mediation (GIMCE) and, despite suspended for a certain period, until today it continues to hold regular meetings to study and practice peacemaking circles, in accordance with Kay Pranis’ methodology\(^2\), who even taught some of the group members. Through the GIMCE, professionals who integrate various institutions of the justice system (including a judge, a prosecutor and members of their work teams) and the education system meet once a month in the building of Public Ministry of Pará (MPPA) – the agency responsible for criminal prosecution in Brazil – looking for thinking, experiencing and developing possibilities for the application of restorative justice in school contexts and, today, also in community spaces, because these contexts, in the social reality of the Amazon, are in fact very intertwined. The circles have been opportunities not only for study, methodological experimentation and construction of action strategies, but also for better meeting people, previously seen only as members of certain institutions, and for building deeper and more lasting relationships with them, relationships that often transcend strictly professional interactions. The GIMCE has revealed itself as a place where participants can take care of themselves

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and one another, offering mutual support in the existence challenges and in the problems about applying restorative justice. Undoubtedly, these are unconventional ways in the inter-institutional works that involve actors of the justice and education systems, but they are well-trodden paths and that many teachings have presented to us.

In 2014, the program changed its focus to the implementation of restorative practices in the services of execution of socio-educational measures in western Pará, measures applied in Brazil to adolescents practicing acts of infractions (i.e. another name that the Brazilian legislation gives to the crimes practiced by the adolescents), even teenagers deprived of freedom. In partnership with local agencies of socio-educational measures execution (the Pará Socio-Educational Assistance Foundation – FASEPA – and the specialized Reference Centre for Social Welfare in the municipality of Santarém – CREAS), the program started to train facilitators and encouraged performance in a multidisciplinary and multi-institutional network of actors aimed at building a restorative approach in the socio-educational service, counting for both the support of the Institute Terre des hommes in Brazil (Tdh), which offered the first training courses for facilitators and until today has offered training courses for multipliers/instructors in Santarém, thus ensuring the sustainability of actions related to restorative justice in the Lower Amazonas. Because of this coalition of people and institutions, all units in the city of Santarém that carry out socio-educational measures have formed facilitators who perform restorative practices and use the restorative approach in their professional activities, including the peacemaking circles in the daily life of their work with adolescents who practice acts of infraction and who fulfill the socio-educational measures.
More timidly, but in a dynamic of expansion, these actions reach other municipalities of the Lower Amazonas that have come to know the restorative practices in the socio-educational service through courses of introduction and formation of facilitators, as well as through contact with trained facilitators who act in the FASEPA and in the CREAS, who take adolescents to their hometowns and, sometimes on these occasions, make circles of reintegration to communities and families. Often, facilitators also perform circles celebrating the completion of the painful cycle of socio-educational measures.

The work with restorative justice methodologies in the implementation of socio-educational measures is showing how we can humanize the treatment given to adolescents who practiced acts of infraction using a restorative approach and use of peacemaking circles to address vulnerability and increase the chances that adolescents and young people will not practice crimes again. In Santarém, we have observed the realization of circles involving adolescents in conflict with the law, their families and other people indicated by them (often technicians – psychologists, social workers or nurses – and monitors, i.e. those who, in the socio-educational service, exert work assimilated to the functions of prison agents in jails) directed to the strengthening of the family ties already weakened before the crime and wounded even more after the practice of infraction. The fragility of family ties, coupled with other risk factors that we speak above, contribute very much to the fact that adolescents and young people involved in crime practices are more susceptible to recidivism, given the lack of support, affection, and many times also of control in their families. The circles for strengthening family ties during the fulfillment of socio-educational measures have been shown as important ways to stimulate the compartment of
responsibilities with the families, the professionals of socio-educational measure execution, and the other members of the network of protection to children and adolescents. In addition to contributing to a more effective accountability of adolescents, the circles help visualize with more clarity the needs that need to be addressed and favor the construction of safe spaces for the development of strategies of confrontation of risk factors that increase the likelihood of recurrence of infractions. On the other hand, the circles are very pedagogical for all the participants and, through the use of simple techniques – such as opening and closing rituals, the identification of common values, the story compartment, the use of an object of the word, etc. – they stimulate the experience of respectful relationships and a more congruent and empathetic communication, which is to say, more connected with the feelings and needs of oneself and others. Such structured spaces are capable of encouraging people to establish healthy relationships, although in total institutions such as socio-educational units which, in Brazil, often not differ from prisons.

A very significant result that we have observed from the diffusion of the restorative practices in the socio-educational service is the enlargement and deepening of the channels of communication between the professionals and the institutions that are responsible for the application, execution and accompaniment of socio-educational measures in open and closed environments. We usually say that we learn to work in a network through the practice of restorative justice or, more specifically, through the use of circular processes in our daily work with socio-educational measures. As in the case of GIMCE, previously discussed, the circles have given the opportunity for professionals from different areas of knowledge – psychologists, social workers,  

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3 ROSENBERG, M., Comunicação não violenta: técnicas para aprimorar relacionamentos, São Paulo, Ágora, 2006.
nurses and law practitioners – and from several institutions to meet periodically to experience a safe space for dialogue, learning, mutual support, planning and/or coordinating actions aimed at the care and improvement of the treatment of adolescents in conflict with the law, as well as for the implementation and sustainability of the restorative approach in all stages of the socio-educational service, from the entry to the fulfillment of the socio-educational measure, going through its various moments, until the process of reintegration to the family and to the community. During the fulfillment of the measure, many moments are experienced in which they make use of the methodology of these circles. They are often promoted to create a dialogue on issues that are important to adolescents; celebration circles are held to accentuate conquests and significant passages, progressions of measurement, detachment; circles of strengthening family ties and engaging with the socio-educational measure are also made; individual service plans are constructed using circular processes; adolescents are received and returned to society through circles; conflicts and damages suffered during the fulfillment of the measure are addressed by a restorative methodology; in short, it seeks to use typical restorative justice strategies to work with adolescents for the time that they are under the tutelage of the State or under its supervision. And this has profound consequences not only for adolescents, their families and communities, but also for the professionals who work with them, who deepen their relationships in addition to the formal and heavily bureaucratic relations that normally characterize the interactions of the members of the State institutions.

Finally, there is something more to be said about the "Amazônia da Paz" programme. More recently, although starting from the justice system and the
university, the program has developed actions in other fields related to the protection and promotion of the rights of children, adolescents and young people, offering courses destined to train facilitators to act in psychosocial services, as well as to train professionals of other public equipment (including those who provide health services to adolescents and young people involved in drug use) and community sectors that work with vulnerable segments of the local population. Thus, in Santarém and other cities of the region of the Lower Amazonas, there has been an increase in the number of public welfare services that make use of a typical restorative justice methodology – peacemaking circles – and seek to adopt in their work the so-called restorative approach. This phenomenon has occurred, spontaneously, in the Centers of Reference in Social Assistance (CRAS) – that integrate the Single System of Social Assistance (SUAS) in Brazil –, public organisms that are closer to the communities and that are one of the first gates of entry of social conflicts involving the youth population and their families. In Santarém and other neighboring municipalities, the professionals of these public services of psychosocial care have become increasingly interested in the methodology of the circular processes with the aim of applying it to their contexts of action. Also there, the circles have favored network and multidisciplinary works, stimulating coordinated actions that involve these professionals and other members of the youth protection network. It seems to us that the circular processes still offer these professionals methodological tools that are very useful to the treatment of conflict situations that reach their work places, as well as helping in the facilitation of group processes involving families and other groups they attended, many of which are related to risk factors for children, adolescents and
youth, but we can no longer go ahead with this presentation, due to the depletion of our time.

Concluding: through the multiplication of services and the language of restorative justice in diversified spaces, the "Amazonia da Paz" programme has used multidisciplinary strategies and networking that contribute to the reduction of vulnerability and prevention of juvenile delinquency in a mesoregion of the Brazilian Amazon. No doubt these are initial steps, but we believe that, if we are here, this means that some road has already been opened.

Bibliography


