Human Rights and Popular Education Center
São Paulo - Brazil

Courses and Work with Restorative Practices in:

◘ Schools – Southern Zone of city of São Paulo

◘ Intervention Service Networks - Children and Adolescents

◘ Community Centers of Restorative Practices – 3 cities

◘ Prison System - São Paulo e Rio Grande do Sul

TWO CASE STUDIES

Responsibility-building and responsibility-taking:
  How to individually and collectively build responsibility and accountability among adolescents in conflict with the law and intervention services.

Practice: *Use of restorative practices in strengthening informal and formal safety networks that guarantee youth and children´s rights.*

André:

➤ Family history

   - Years living on the street as a child

   - City shelter

➤ 16 years old entered juvenile justice sytem

   - 2 months- Juvenile Detention Center

   - 1 year with Probation Services

Perceived Problem by Intervention Services:

Aggressiveness and lack of follow-through.

Restorative Practices

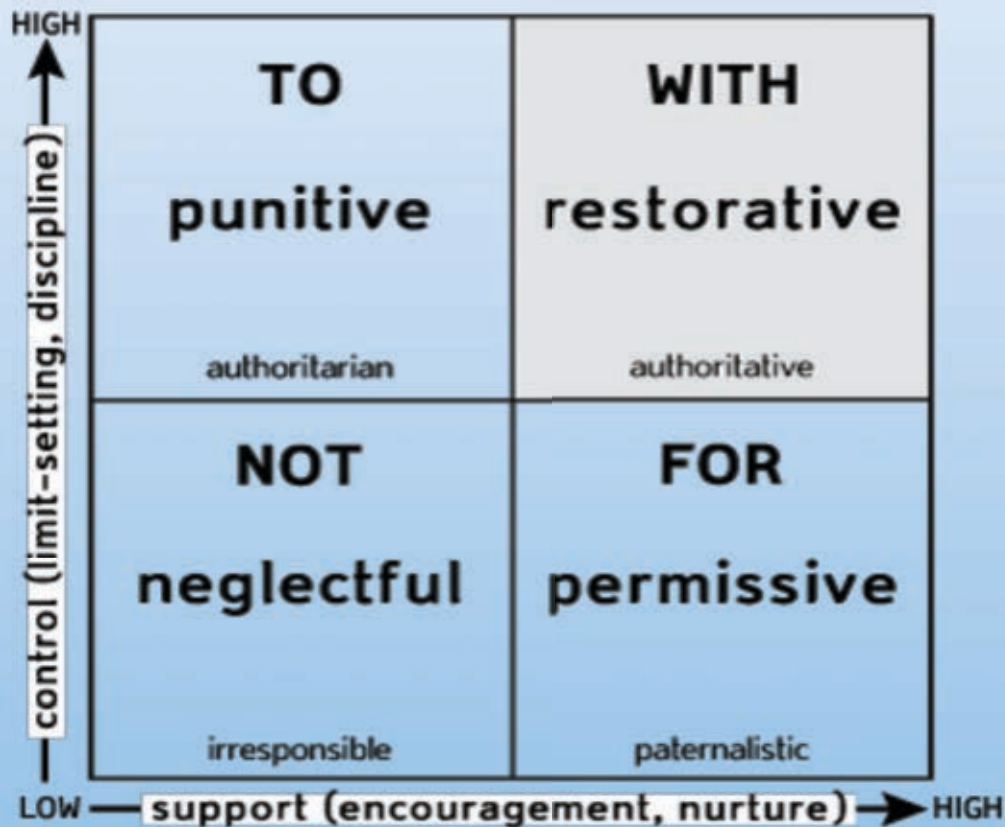*In pre-circles, it became evident that there were problems with* **SERVICE PROVIDERS more than with André***:*

- ❖ *LACK OF TRUST*

- ❖ *POOR COMMUNICATION*

- ❖ *CONFLICTING INTERVENTION STRATEGIES AND COMPETING VISIONS*

Participants:

Shelter Staff, Probation Service Staff, Supervisor and staff of Municipal Services for Children and Adolescents

CENTRO DE DIREITOS HUMANOS E EDUCAÇÃO POPULAR DE CAMPO LIMPO

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Social Discipline Window
(Fig.1 McCold & Wachtel - 2003)

Restorative Questions

- Two service providers: punitive

- Another: permissive and, at times, restaurative

Use of restorative questions and proactive, circles to create climate of trust and respect, surface the difficulties and work together in a restorative manner with André.

Involvement of different actors (primary and secondary networks)

INFORMAL RESTORATIVE PRACTICES

Practices used:

- Affective statements and questions to create a safe environment that engaged people.

- Active listening and open questions.

- Sharing on a personal level that helped to build empathy and valued diversity

- Encounters of small groups – story telling to break down "one truth"

Major difficulties of Service Providers:

-High turnover rate in personnel

-Inconsistent training of facilitators of services

-Interference of bureaucratic demands

Gradual Cohesion of network teams:

Initial resistance of shelter staff overcome by participating in the circles = feeling valued.

Consistent meetings and communication.

Result for all services involved:

- reflection on daily practices of their work;

- Creation of stronger ties with Andre;

- taking of responsibility and building group accountability process.

Informal and Formal Restorative Practices

- Strenghtened partnerships and improved quality of interventions. Flaws and omissions of safety network become evident.

- Process included critiques and collective construction of responsibilites.

- Space of commitment and creativity.

"The restorative ethic proposes a concept of *active responsibility* in which individuals and communities are strengthened in order to assume the role of pacifying their own conflicts and interrupting the cycles of violence." (Leoberto Brancher e Beatriz Aguinsky).

To build responsibility and to help others to assume responsibility implies empowerment. In this process, Andre solidified his identity as an independent, responsible person - he became an active subject who is now creating his own future—working and studying. The service providers also were transformed in this collective process and more fully assumed positive obligations that led to better relations and more effective services.

Victor: From fear of retribution to responsibility, accountability and restoration

CDHEP

- Victor, 17 years old, arrived at probation service after completing 1yr. 2months in juvenile detention center for armed assault.

- Unscheduled encounter with victim at school – fear or retribution and violence.

- Work with Restorative Practices at Adolescent Offender Center---affective and restorative questions, empathy, etc.
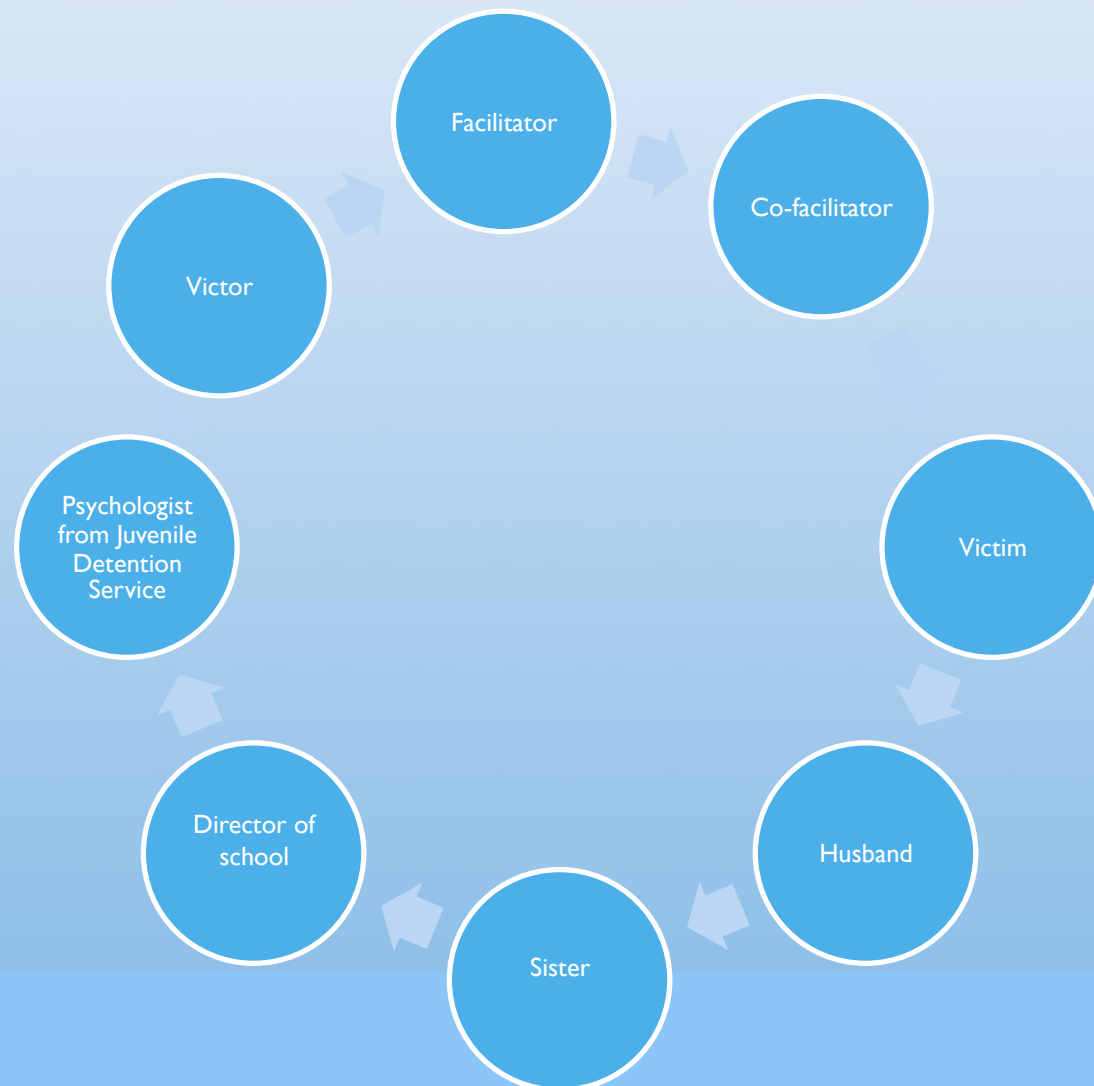
Formal Circle Process

□ **Pre-circles with Victor:**

➢ Fear of going back to Juvenile Detention Center

➢ Remembrance of victim -shaking with fear. Spontaneously created artwork about the assault and wrote a letter of apology to the victim.

➢ Process created identity crisis for him.

Formal Circle V-O-C

Participants

Victim-Offender-Community Circle

Present:

 *Victim (teacher), her husband and sister

 *Principal of Alternative School for Juvenile Offenders

 *Adolescent Victor and two support persons from the Probation Service (Victor's mother has mental health problems and he takes care of his younger brothers).

FORMAL CIRCLE

- Final testimony of victim after IIRP's Victim-Community-Offender Circle: "I believe in change and that you, Victor, have your whole life in front of you. Hearing your story, I believe that you were more of a victim in this perverse system of punishment. Today has helped me to overcome this trauma. Go after your life and search for a new story. It would be good if your mother were here so that she could be proud of you, of your courage to come here today. Your courage brought me here today. I even want to participate in your new story. I invite you to register at our school".

Restorative Process: Informal and Formal

- Shared understanding of the effect of the incident on all the participants. Reduced impact of trauma.

- Helped with responsibility taking and responsibility building.

- Created a space where all could transform their perspectives of each other and of the concepts of justice, truth and punishment.

- Involved individual and municipal/state 'accountability'.

TRANSFORMATION

Transformation in Process:

❖ Building individual and collective responsibility are integral to the restorative justice process.

❖ Informal restorative practices and formal conferences can deepen solidarity and responsibility.

❖ Changes are not linear, but more circular.

INTERVENTION NETWORK

- The restorative process brought to light the weaknesses of public institutions in dealing with juvenile offenders.

- When the network does not assume its responsibilities in regards to adolescents with integrated actions, it is not possible to construct a justice that restores relationships and helps adolescents return to their communities.

POSITIVE INTERVENTIONS+INTEGRATED ACTIONS = TRANSFORMATION

Stakeholders
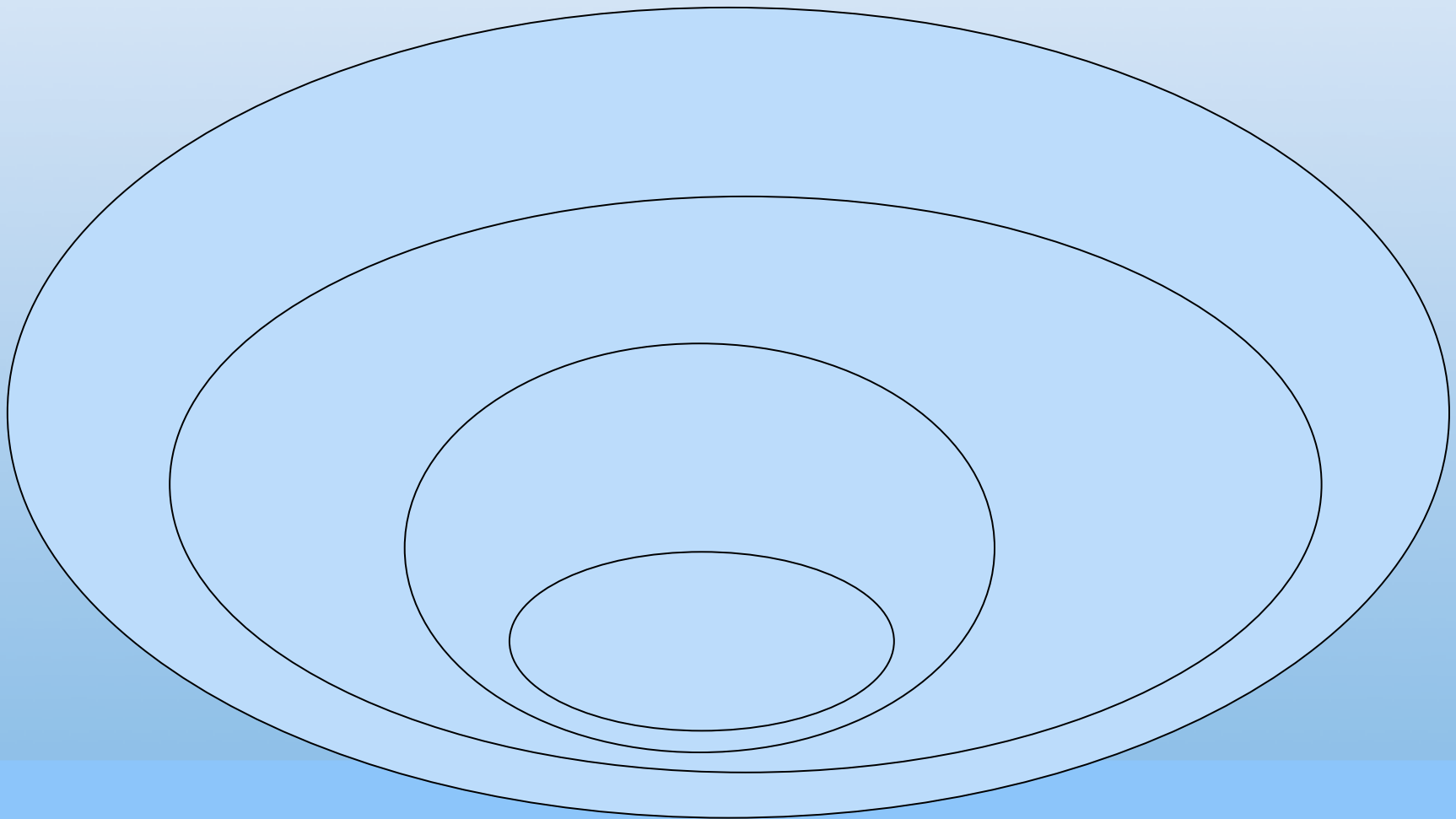
RESTORATIVE PROCESS

Movement of the process:

➤ From individual to collective

➤ From dependence to autonomy

➤ From blaming others to assuming responsibility

➤ From feeling a lack of power to positively influencing relationships in institutions and juvenile networks.

Process of Restorative Justice

A way of dealing with conflicts in which a facilitator helps those involved in conflict as well as members of their family and community to initiate a dialogical process that is capable of transforming a violent relationship into a cooperative one that leads to:

*greater responsibilty and accountability

*repair of the harm

*strengthening of community ties

*social reintegration

*prevention of future violence.

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