

RESTORATIVE JUSTICE PROGRAM ANNUAL ACTIVITY REPORT

- 2018 -

Content

1. Restorative Justice within the framework of the TJDFT	3
2. Misdemeanor Mediation	5
3. Serious Crime Mediation	5
4. 2018 Facts and Figures	6
5. NUJURES Training Activities.....	9
6. Restorative Justice Training and Supervision	11
7. Technical Cooperation Terms.....	13
8. Project Planaltina da Paz.....	14

1. Restorative Justice within the framework of the TJDFT

The approach to Restorative Justice adopted by the TJDFT, represents a way of responding to crime inspired by accountability and reparation, resulting in the rationalization and simplification of the criminal justice system and, by its nature, the humanization of penal responses and equality in their enforcement, as well as reducing bureaucracy and enabling the parties to have a role in the proceedings.

The Restorative Justice Program of the Federal District Court of Justice and its Territories (TJDFT) commenced in 2005, pre-empting CNJ resolution 125/2010¹, a ruling to encourage consensual solutions to the conflicts of interest of the Judicial Branch. Program activities were exclusively held at Núcleo Bandeirante Court, but by 2016, they were expanded to the Planaltina Court.

In May 2016, the CNJ issued Resolution 225², containing guidelines for the implementation and dissemination of Restorative Justice in the Judicial Branch. In March 2016, the TJDFT once again anticipated a CNJ Resolution by setting up Restorative Justice at Planaltina Court.

At the time, the program was called the Judicial Center for Conflict Resolution through Restorative Justice (CEJUST), linked to the Department of Consensual Methods for Conflict Resolution (NUPECON), run by judges Catarina de Macedo Nogueira Lima e Correa and Pedro de Araújo Yung-Tay Neto. Clerks Júlio Cesar Rodrigues de Melo (supervisor), Paula Freire Coutinho da Rocha (deputy supervisor), Karina Rocha Machado Gurgel and Maressa Neris da Silva were also part of the team.

¹ Available at: <http://www.cnj.jus.br/busca-atos-adm?documento=2579>. Accessed 04/12/2018.

² Available at: http://www.cnj.jus.br/images/atos_normativos/resolucao/resolucao_225_31052016_02062016161414.pdf. Accessed 04/12/2018.

Following the publication of Joint Ordinance 81/2017³, the program was reformed, separating itself from NUPECON, to become a specific department designed to implement Restorative Justice policies in the TJDFT: The Department for Restorative Justice (NUJURES), connected to the 2nd Vice-Presidency. Led by Judge Catarina de Macedo Nogueira Lima e Correa and clerk Júlio Cesar Rodrigues de Melo, NUJURES had four centers: The Gama and Santa Maria Judicial Center for Restorative Justice (CEJURES-GAM-SMA), the Núcleo Bandeirante Judicial Center for Restorative Justice (CEJURES-NUB), the Planaltina Judicial Center for Restorative Justice (CEJURES-PLA) and the Taguatinga Judicial Center for Restorative Justice (CEJURES-TAG).

On March 9, Joint Ordinance 20/2018⁴ separated the Santa Maria Judicial Center for Restorative Justice from The Gama Judicial Center for Restorative Justice (CEJURES-GAM), resulting in the creation of a fifth CEJURES (CEJURES-SMA).

CEJURES-TAG, provided for in Joint Ordinance nº 81/2017, will only be implemented in 2019 owing to the challenges related to securing suitable physical space at Taguatinga Court and the shortage of clerks within the TJDFT staff. Furthermore, due to the ongoing installation of the Electronic Information System (SEI), the Sobradinho Judicial Center for Restorative Justice (CEJURES-SOB) is planned for 2019, as well as the Brasília Judicial Center for Restorative Justice (CEJURES-BRA) at Leal Fagundes Brasília court.

³ Available at <http://www.tjdft.jus.br/publicacoes/publicacoes-oficiais/portarias-gsvp/2016/portaria-gsvp-81-de-06-09-2016>. Accessed 04/12/2018.

⁴ Available at <https://www.tjdft.jus.br/publicacoes/publicacoes-oficiais/portarias-conjuntas-gpr-e-cg/2015/portaria-conjunta-20-de-04-03-2015>. Accessed 04/12/2018.

2. Misdemeanor Mediation

The TFDT CEJURES manages the needs of the Misdemeanor Courts requiring a restorative focus, enabling the conciliation of social relations, offender accountability, reparation of harm to the victims and future commitments so that the events do not recur. The facilitators therefore encourage the victim and offender to meet through respectful communication, enabling a discussion of the emotional and material damage arising from the crime, supplying the needs of the victim that could be dealt with by the offender and also those that could be satisfied by public and private programs.

The procedure allows for lawyers to be present, as well as supporters – people from the same community or the family, who are directly or indirectly involved in the conflict, and have an interest in participating in the meetings, in compliance with Article 1, paragraph I of CNJ Resolution 225.

3. Serious Crime Mediation

The Restorative Justice Program also develops mediation within the area of serious crimes. It employs the Victim Offender Community Encounters (EVOC) methodology, which fosters dialogue among the victim, offender and the community, focused on restoring the social fabric through offender accountability, the healing of emotional and material losses suffered by the victim and the community, and the establishment of guidelines to be followed by the offender so that the events do not recur.

For serious crime cases, restorative intervention occurs alongside traditional proceedings. The focus is on restoring emotional and material harm caused to the victim and the conciliation of relations for those involved in the crime, directly or

indirectly. It is important to note that Restorative Justice seeks offender accountability and the victim's return to a state of order and control that existed prior to the crime.

Today, owing to the reduced number of clerks, serious crimes are only managed by CEJURES-PLA. However, it is able to handle cases arising from any criminal court within the TJDFT.

Considering the impact that serious crimes cause to the victim and within society, in April 2018, NUJURES requested the granting of space at Planaltina Court for the Federal District State Secretariat Program called "Pró-Vítima".

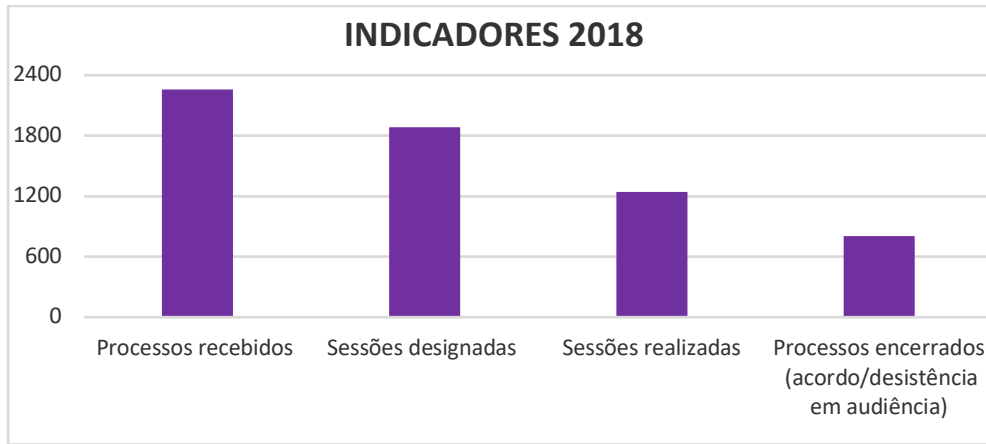
Focused on supporting victims of violence, the program offers the necessary social and psychological support for the personal esteem of the victim, conforming to the main objectives of Restorative Justice: the inclusion of the victim's needs in the criminal procedure or giving a voice to the victim in the criminal procedure.

On July 14, 2018 "Pró-Vítima" was initiated at Planaltina Court, and it has significantly contributed, not only to cases from the Restorative Justice program, but also attending victims from serious crimes that are not suitable for the program, including domestic violence, homicide and other serious crimes, especially for those most vulnerable socially.

Finally, it is important to highlight the partnership between the Executive Branch and the Judiciary Branch on behalf of society, which is in harmony with the constitutional rules, and provides an effective response to social conflicts.

4. 2018 Facts and Figures

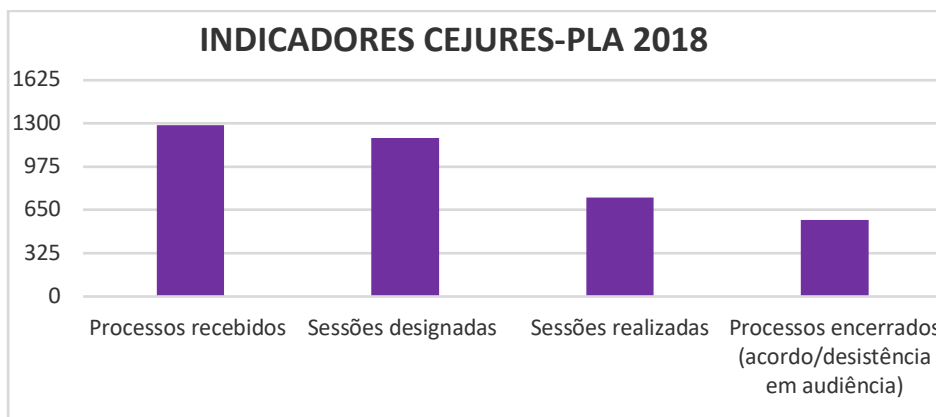
In 2018, the four CEJURES handled a total of 2,258 criminal procedures. Of these, 1,881 hearings were scheduled and 1,245 restorative meetings took place. 3,388 people participated in the program and 804 restorative agreements were completed.



The following tables show the breakdown of the 2018 figures by Judicial center.

4.1. Figures for CEJURES-PLA

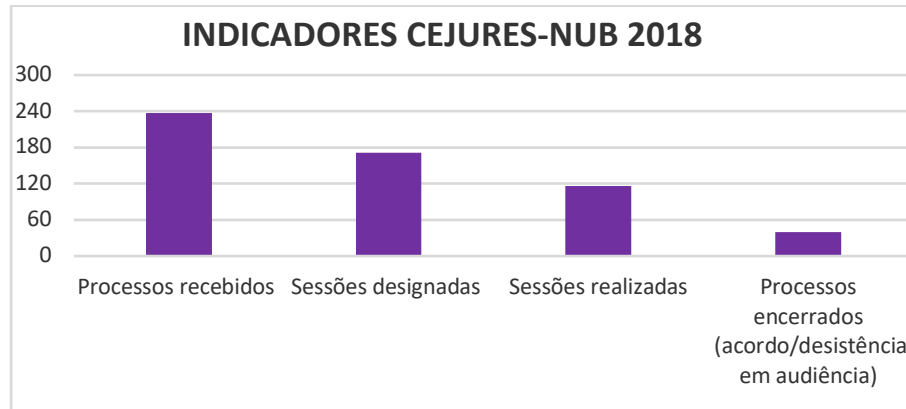
In 2018, the Planaltina Judicial Center for Restorative Justice handled a total of 1,286 criminal procedures. Of these, 1,190 hearings were scheduled and 742 restorative meetings took place. 1,571 people participated in the program and 577 restorative agreements were completed.



4.2. Figures for CEJURES-NUB

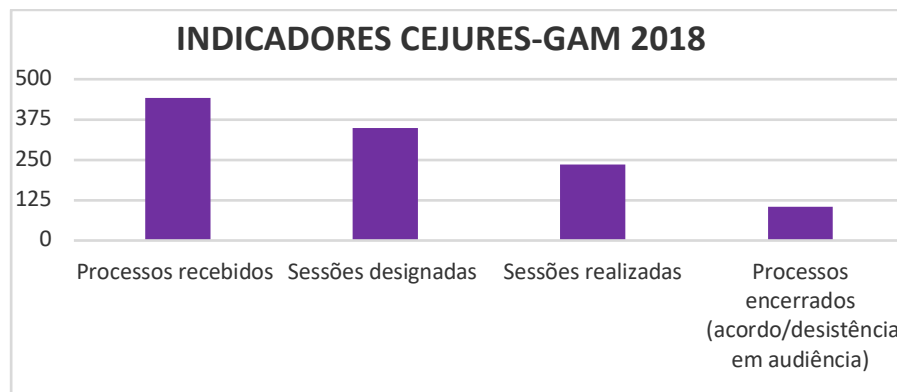
In 2018, the Núcleo Bandeirante Judicial Center for Restorative Justice handled a total of 237 criminal procedures. Of these, 171 hearings were scheduled and 116

restorative meetings took place. 428 people participated in the program and 40 restorative agreements were completed.



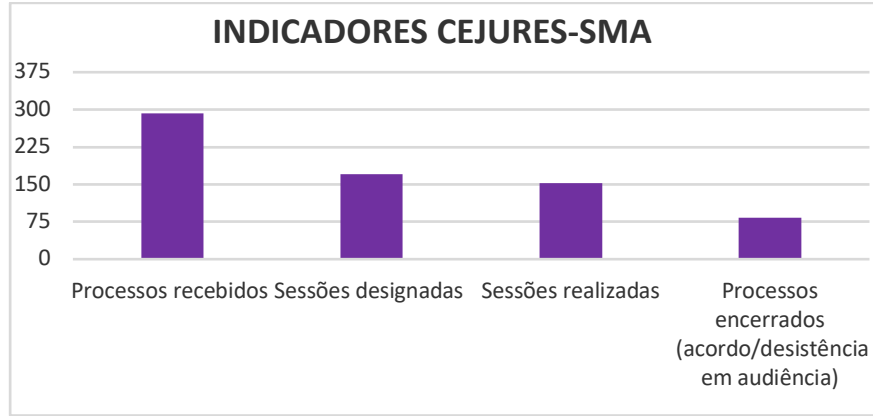
4.3. Figures for CEJURES-GAM

In 2018, the Gama Judicial Center for Restorative Justice handled a total of 442 criminal procedures. Of these, 349 hearings were scheduled and 235 restorative meetings took place. 773 people participated in the program and 104 restorative agreements were completed.



4.4. Figures for CEJURES-SMA

Since its inauguration in April 2018, the Santa Maria Judicial Center for Restorative Justice handled a total of 293 criminal procedures. Of these, 171 hearings were scheduled and 152 restorative meetings took place. 616 people participated in the program and 83 restorative agreements were completed.



5. NUJURES Training Activities

One of the responsibilities of the Restorative Justice Department, in accordance with Article 289, paragraph IV, of Joint Ordinance 81 is “to provide, via the court’s training schools, skills development, training and regular updates for judges, clerks and volunteers in the methodology and techniques of Restorative Justice, focused on the quality of the training, and comprising solutions to instances of crime, transgression, violence, vulnerability and infringements, within an interinstitutional and systemic flow of logic, in conjunction with the service networks and associations of other public policies and communities”.

In order to accomplish this objective, the NUJURES team led by Judge Catarina de Macedo Nogueira Lima e Correa and Clerk Júlio Cesar Rodrigues de Melo, NUJURES, with the support of the 2nd Vice-Presidency of TJDFT, carried out the following training activities in 2018:

1. “Civil Conciliation for Damages in Misdemeanor Courts”, a training course for clerks, interns and volunteers for this court, January 29 to 31 and February 2, 5, 7 and 9;

2. “Instructor Training in Mediation and Conciliation”, held by the National Justice Council, (CNJ), a course for judges and clerks from the Courts of Justice and Regional Federal Courts of Brazil, February 15 and 16;
3. Curso “Victim-Offender Encounters in Misdemeanor Courts”, training course for TJDFT clerks and Federal District police officers, February 26, 27, and March 1, 2, 5, 6, 8, 9, 12 and 13;
4. Lecture to the Panel for Restorative Justice, sponsored by FONAJUC, March 16;
5. Lecture on “Restorative Justice as a response by the State towards crime”, held at the Brazilian Public Security Court, April 9;
6. Participation in the Round-Table for the International Seminary for Restorative Justice, sponsored by the São Paulo Lawyer’s Association on April 10;
7. Lecture to students at the 2nd edition of “Project Professions” – “When I grow up”, May 24;
8. Lecture to judges on the Training Course at the Rio Federal Justice School, May 28;
9. Class for the “Social Peace” course, sponsored by the TFDT Judicial Training School, June 7;
10. Lecture at the National Court for State Judges, June 14, in Amapá/AM;
11. Lecture - “Restorative Justice as a response by the State towards crime”, August 21;
12. “Restorative Justice Supervisor Training”, for supervisors from the TJDFT Restorative Justice Judicial Center, September 5, 6 13 and 14;

13. Restorative Justice Course for students of the Santa Catarina Judicial School, September 14;

14. “Facilitator Training in Restorative Justice in the area of misdemeanor courts, using the Victim-Offender methodology”, for clerks and interns from the TJDFT Restorative Justice Judicial Center and officers of the Federal District Military Police, November 7, 9, 12, 14, 19, 21, 23, 26, 28 and 30;

15. Lecture on “What is Restorative Justice?”, TJDFT Webinar event, broadcast live via the CNJ platform, 7 November;

16. Judicial Exchange at Harvard University, sponsored by the National Court for Criminal Judges, November 16;

17. Lecture at the IV Special Court, sponsored by the Judges’ School for the State of Rondônia November 27;

18. Class for judges, prosecutors and clerks from João Pessoa/PB, November 30;

19. Lecture on “Restorative Justice and Conflict Mediation”, held at the 1st Political Science International Congress, sponsored by the PMDF Superior Institute for Social Sciences, December 7.

6. Restorative Justice Training and Supervision

In the first semester of 2018, the NUJURES coordinator gave Restorative Justice training courses to TJDFT clerks, police officers from PCDF, a federal judge and 2 clerks from the Regional Federal Court – Região 1.

The following people participated in the course on Civil Conciliation for Damages: Clerks Alexandra Rodrigues dos Santos, Angelo Teixeira de Resende

Junior, Daisy de Sousa Duarte Andrade, Joilma Antonio Sousa Queiroz, Juliane Nunes Isidro, Luiz Henrique Farias Feitosa, Marcos Ludher Araújo Siqueira, Maxwell Kakoi Lelis, Natalia Guedes Siqueira, Nayara Cerqueira de Paiva, Priscila Lopes Rocha, Raquel dos Santos Nogueira, Rogério Wesley Duarte Macedo e Soraia Fonseca Oliveira, as well as colleague Maria da Conceição Ribeiro Silva e interns Gabriella Xavier dos Santos, Pristyle Nery Pereira e Wenderson Oliveira Barreto.

The following people participated on the course “Victim-Offender Encounters in Special Criminal Courts”: Police Officers Daniela Vitorino da Silva, Divino dos Santos Rabelo, Elizete Rodrigues do Lago, Gabriela Lima Sousa e Rebeca Severo Limongi; os delegados de polícia Antônio Eduardo Ruperez, Fernando Celso da Silva Rodrigues, Rodrigo Marques Mendez e Waldemar Antônio Tassara Junior; o Juiz Federal Osmane Antônio dos Santos; clerks from TRF1 Armea Vieira Delmondes de Almeida e Fernanda Vilazante Castro; TJDFT clerks Adoniram Pereira Ramos, Bárbara Rodrigues de Oliveira Bonifácio e Marília da Costa Arruda Gonçalves, who became team members for the CEJURES-PLA, CEJURES-NUB e NUJURES, Restorative Justice Centers respectively.

During the 2nd semester of 2018, the NUJURES coordinator gave Restorative Justice training courses to TJDFT clerks and interns and officers from the DF military police, as well as supervising the internship of five clerks from the four TJDFT Judicial Centers for Restorative Justice.

Clerks and facilitators who participated in the Restorative Justice Training for Supervisors were: Alan Freires Cavalcante, Ângelo Roger Aroldo de França Costa, Bárbara Rodrigues de Oliveira Bonifácio, Izabel da Silva Messias e Maressa Neris da Silva. Currently, the five supervisors are in the final phase of internship and will be certified on the abovementioned course.

The following people participated on the course “Justice in the area of special Criminal courts, using the Victim Offender methodology: Officers from the Military Police: Elaine Lucas de Paiva, Genivaldo Oliveira Garcia, Maicol Coelho and Rayane Gomes Soares; TJDFT clerks Flauzeli Aparecida Gonçalves, Lusiel Lima, Nara Adriane de Araújo Almeida Richter, Rosa Grazielle de Oliveira Pessoa and Viviane Cardoso de Oliveira; and TJDFT interns Márcia Gadelha, Jéssica Conceição Correia, Izadora Braga, Gabriela Alves de Oliveira and Camila Vieira dos Santos.

7. Technical Cooperation Terms

Based on the implementation and expansion of the Restorative Justice approach in the National Judicial Branch, NUJURES is committed to establishing technical cooperation terms designed to facilitate the diffusion and refinement of restoration techniques through joint activities. Therefore, in the first semester of 2018, the following Cooperation Agreements were signed and published in **Sessão 3 do Diário Oficial da União:**

1. Center for Human Rights and Popular Education for Campo Limpo – CDHEP: agreement published on January 25, aimed at expanding Restorative Justice methodology beyond the criminal and judicial area, sharing inputs designed for teaching and research, by establishing methods to exchange knowledge and facilitating the expansion and strengthening of restorative practices as a means for conflict resolution.
2. The State of Bahia Justice Court – TJBA: agreement published on February 1, 2018, aimed at promoting joint activities in corporate education, permitting the participation of respective clerks on training courses for professional development, sharing inputs designed for teaching and research, by establishing methods to exchange.

Currently, NUJURES is also in the final stages of signing cooperation agreements with the Brazilian Bar association (OAB), the State Secretariat for Employment, Social Development, Women, Racial Equality and Human Rights Humanos (SEDESTMIDH), the State of Alagoas Justice Court Alagoas (TJAL) and the Federal District Military Police (PMDF).

8. Project Planaltina da Paz

NUJURES is working with DF State Secretariat for Education (SEEDF) on the ceremony for the Technical Cooperation Agreement. Although the agreement still has not been signed, some activities have already taken place, mainly focusing on the “Centro de Ensino Fundamental 3” elementary school in Planaltina/DF (CEF3) and the cooperation of Public Security secretariat and the DF State Secretariat for.

The fundamental objective of Project Planaltina da Paz is strengthen the community and stop the cycle of violence in the region through changing the approach toward instances of crime, infringements and violence. Thus, the project is being carried by way of promoting activities at CEF3 designed to teach children and adolescents who are vulnerable to the conflicts of the situation in the “Buritis II” region in Planaltina/DF.

For the purposes of promoting a new perspective on the reality in which they live, and the possibility of future projects outside of crime and violence, lectures were given and one-on-one meetings held with CEF3 pupils and families involved in instances of crime, and wished to participate voluntarily in the project.