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Restorative justice and the resolution of judicial conflicts: na analysis of the restorative justice Program of the General Department of Social and Education Actions (DEGASE – RJ).

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The analytical and practical field of restorative justice is linked to the debates on the new social conflict management that challenge the institutional design of criminal justice and the Brazilian legal system. When starting from the problematization of the Brazilian criminal justice, we assume that the penalty under neoliberalism presents itself as a societal project that is sustained by the paradox of the potentiation of the police and penitentiary State and the minimization of the economic and social areas of action of the State. Thus, restorative justice emerges as an efficient conflict resolution mechanism, mainly because its criminal approach is based on equating relationships and repairing the damage caused to individuals and communities. In this context, this research aims at analyzing the impact of the implementation of the Restorative Justice Program of the General Department of Social and Education Actions (DEGASE, abbreviation in Portuguese) established by Ordinance 441 of September 13, 2017, within the scope of the social and education units, as well as the challenges presented to those responsible for implementing the law in the state of Rio de Janeiro, Brazil (judges, public defenders, members of the Public Prosecution Service and the DEGASE System) in the management of restorative practices directed at juvenile offenders deprived of freedom. This problematization raises questions about the limits of the definition of crime and punishment; the relationship between criminal law; and the protection of human rights. The research is structured in three stages: systematic review of the academic field of restorative justice and the Brazilian criminal justice system; elaboration of a framework of the experiences of policies developed in the field of restorative justice in the state of Rio de Janeiro; and the elaboration of the sociodemographic profile of adolescents and their family structure – analyzing the variables: gender, infraction, age group, monthly family income, education, family structure, and territoriality. It is expected to obtain a critical view of the state of the art of literature on restorative justice in the Brazilian criminal justice system and the debate in the field of conflict resolution criminalized by juvenile offenders served by the Restorative Justice Program of the General Department of Social and Education Actions (DEGASE).

Keyword: Restorative Justice. Conflict Resolution. Socio-education.

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