



© Tdh | Alexandre Moreno

# VOICES

**What teenagers think about offenses  
and social-educational measures**

**Executive Abstract  
4th edition, 2014**

Voices about juvenile violence,  
restorative practices, accountability and peace.



**Terre des hommes**

tdh.ch

## Staff

Anselmo de Lima - **Tdh Brasil Delegate**

Renato Pedrosa - **Executive Director**

Lastênia Soares - **Education and Training Manager**

Carlos Neto - **Technical Assistant on Juvenile Justice**

Rejane Jesuíno - **Technical Education Assistant**

Joyce Silvério - **Social Worker**

Liam de La Torre - **Public Relations Advisor**

Bruna Santos - **Psychologist**

**Systematization:** Jamieson Rodrigues Simões

**Technical review:** Lastênia Soares, Renato Pedrosa and Anselmo de Lima

**Proofreading:** Rosanne Grippi

**Graphic Designer:** Dedê Paiva

**Photography:** Alexandre Moreno, Liam de La Torre/Tdh and Odile Meylan/Tdh

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# Presentation

Voices is a publication that has been developed by Terre des homes Lausanne in Brasil (Tdh) since 2008, and has the aim of promoting the act of listening to what children and teenagers have to say about issues that are pertinent to their interest. Three editions have been published: in 2008, *Voices about monitoring the International Convention on the Rights of the Child*; in 2009, *Voices: about what children and teenagers think about a safe place*; and



in 2012, *Voices: what teenagers think about offenses and social-educational measures*; The 2014 publication comes in a very special year, because this is the 25<sup>th</sup> anniversary of the UN Convention on the Rights of the Child.

Since the beginning, the participation expressed through the speech and images produced by children and teenagers has been widely spread through these publications. Starting in 2012, it has

focused more on listening to the voice of teenagers carrying out social-educational measures, as a strategy to understand, from their point of view, the issues that refer to them and that we have identified as recurring in our work.

The teenagers' speech, the reflections brought by the actors of the juvenile justice system, together with the connections established with the partners in the contexts where Terre des hommes operates (Ceará, Maranhão, Pará, Rio Grande do Norte e Piauí) prompted the new edition to aggregate new voices relating themes that generate dialogue: teenage, subjects of rights, juvenile violence, youth lethality, peace culture, accountability and future.

In order to achieve that, groups of teenagers carrying out social-educational measures -- in both deprivation of freedom (enclosed environment) and assisted freedom and community service (open environment) -- were listened to. They were listened by Tdh professionals, as well as by representatives from partner institutions (to whose collaboration we are grateful), using methodologies that prioritized the respect to the teenagers' identity and their right to participate with safety.

We would like to especially thank the teenagers who collaborated with their participation, offering their listening and their voices, to whom we express our immense gratitude to the trust in sharing their opinions, histories, happiness and sadness. It is through their participation that Tdh keeps working on their rights. We would like to emphasize that this version of *Voices* is only a summary – the entire publication can be accessed on our website<sup>1</sup>.

**Anselmo de Lima**  
**Tdh Delegate in Brazil**

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<sup>1</sup> <http://tdhbrasil.org/biblioteca>

# Theoretical and Methodological Support

*Voices* is built upon a methodological practice of effecting the right to participation. Promoting the right to participation is everyone's duty, depending, for that, on a collective effort so that this right is effected in what concerns children and teenagers. And when this effort is established in adults, the challenge is presented, which is how, through which instruments and methodological procedures, together with national rules, this right can be assured, in this case, for teenagers carrying out social-educational measures.

The Tdh experience with *Voices* always reassures how positive the strategy is of enabling teenagers to be the builders of this book, by writing their histories in a dialogue based on shared values. Even though it does not have a scientific intention in its applicability, *Voices* prioritized to follow an ethical rigour that could assure that teenagers felt confident and comfortable enough to participate in it.

The principal of voluntary participation was fundamental and, logically, coherent when it comes to right to participation. Volunteering as a principle was understood as when all teenagers are mobilized to meet with the purpose of getting to know the activity's proposal, the aim of *Voices*, and their

reach, they were explained the key points step-by-step, and were asked about their interest in giving their opinions and building the book. When they refused to do that, this was also often worked on with the purpose of understanding their reasons to not participate, not to convince them, but to understanding whether the decision was due to not wanting to or to some kind of fear or concern.

All the methodological practice had, on the one hand, the legal support of its application, according to the prerogatives established by the Children and Teenagers' Statute (Law 8.069/90-ECA), by the National Social- Educational Service System (Law 12.594/12-SINASE) and by the International Convention on the Rights of the Child, about the right to participation, the expression of the teenagers' opinion and dissemination of their words and images. On the other hand, the participating adults were instructed about the conduct procedures based on Terre des hommes' Institutional Policy for the prevention and protection of teenagers under any situation of violence.

This 4<sup>th</sup> edition solidifies our mission and encourages us to permanently work on the defense of these youngster's rights, promoting accountability with protection. Whenever possible, we will make these voices come to several professionals, other teenagers and other nations.





NEIMAR JR

PARRAL  
FELIPAD

FRED  
HULK  
PAULIN  
RAMIRES  
MARCELO  
MAICON  
OSCAR

JEFFERSON  
VICTOR

JULIO CESAR

Jô  
MAXEL

HENRIQUE  
MILLIAN

IME

RME

121

JOA

BL

ADOLFIA

# VOICES

## about justice

"Justice is made with our own hands because the police doesn't do it, one is likely to die without the police doing justice." - **Luis**

"Justice is something very cool. It is when we have what we deserve. I've always dreamed of a fair society, where everybody has a place to live, what to eat, what to wear and someone to care for them. If there were justice, there wouldn't be so much violence and I wouldn't be here." - **Marcos**

"They say that justice never fails, but it's been more than like 15 days I should have been released, they only make promises, because they kinda like hope the documentation fails. But if we made a mistake, then we would have to pay for it, and they would do anything." - **E**

"I think that justice is when we pay for what we do... If we do something good, we receive something good. If we do something bad, we pay a price for it."  
- **João Paulo**

"Justice is to be happy. When we manage to do what is right, we are always happy. But many times we can't always do what is right, then they 'cut our heads off', they end "our trip" of being happy." - **Joana**

"I've never known what justice was." - **Pedro**

"If the guy has money... Or his family does... He can even be black, but, if he has money, he hires a lawyer and that's it!"  
- **Leão**



# VOICES

## about offenses

"What the judge explained to me is that an offense is everything that we do wrong. It the same as a crime, and that's why I'm here." - **Antonio**

"An offense is when we sell drugs to make money to give our family. An offense is when we beat people up to defend ourselves from those ruling the area. Even by defending ourselves we are already offenders, even by the way we dress." - **Eduardo**

"I didn't agree with having been imprisoned. Because I think that you should only be imprisoned when you kill. But when you kill in self-defense, or to avoid being assaulted, I don't think you should be imprisoned." - **Ana Paula**

"For flashiness, of course! In my case, I wish I had money, could wear band-name clothes, then I knew it would lead me knowhere. But I knew I was going down the road of crime anyway." - **Gabriel**

"Those who commit and offense and don't have money end up like us, who come from the *favela* — in jail." - **Dudu**

"If we do it with our own hands, it becomes an offense, it is a crime." - **Nogueira**

"Today I know why I'm here. Because I have to take part in these workshops. Now I'm better, I hope I don't go back to the world of drugs and violence anymore." - **Diego**

# VOICES

## about social-educational measures

"A measure is something we have to carry out, so that we can be free and do whatever we want." - **João**

"... the measure was extremely important to me, because it opened me doors to reflect about what I had done and try to improve myself and try to help other people, and it was good to meet other people, make new friends..." - **Jhon Lennon**

"... what I miss in the measures, ahem, they should have vocational training here: music, dance, hip hip..." - **Tupi**

"Re-education, kinda like to teach and correct the mistake someone has made, like, to not get back to the same path."  
- **Naruto**

"We're humiliated, called "crooks", "wrongdoers", and other much worse things." - **Luiz**

"If we say anything they don't like here, they beat up us with clubs until they get tired and we can't take it any more."  
- **Manoel**

"Re-education, kinda like to teach and correct the mistake someone has made, like, to not get back to the same path."  
- **Naruto**





# VOICES

## about internment measures

"I've already been beaten up during internment. I had my head put in a plastic bag, it was very sad." - **Pedro**

"I have no family. I've always lived in the streets, I was abandoned as a child. Those who looked after me taught me to do wrong things, that's why I'm here. Since I've gotten in, nobody has come to see me, I feel embarrassed on visits day, sometimes rejected..." - **Alberto**

"We have medical support sometimes. Sometimes it's one or two months before they come to see us. But there are psychologists at our disposal every week, whenever we need help. The psychologist is always with us during the workshops." - **Messias**

"in the unit, I don't talk to anyone... the only people I feel like talking to are the teachers who came, the janitors... only them... because it's kinda like, a lot of people there just don't care about your well-being, about what's going on with you... there just want to work their hours and go away."

- **Silvan**

"...inside there, we only get respect if we follow the jail rhythm – everybody is a felon, it's homicide, theft and murder..."

- **Elliton**

"I have a friend who always comes to talk to me. My family has abandoned me, I know I screwed it all up... But one day I'll show them I've changed and will get back the love of those who have always supported me." - **Paula**

"... I've seen some boys getting there confused, and coming out as criminals..." - **Washington**



# VOICES

## about social-educational measures in open environments

"My family always encourage me to be here. Many times I don't want to come, but they make me be here, almost forcibly." - **Priscila**

"My husband asks me everyday to carry out the measure. The closer it is to the end, the more he asks me to. He says that one of his biggest dreams is to see me totally free. There only one week before this dream comes true." - **Marina**

"That's really bad, I don't like to be here. I only feel good the day we have art classes. The teacher makes us think and dream. We put our thoughts in the drawings." - **Jorginho**

"I'm only here so that I don't go back to the Correctional Facility. I don't even want to think of going back there." - **Tomás**

"Bro, Correctional Facility – No way! It's bad here, a waste of time, but it's here I'm going to settle down!" - **Lucas**

"Sometimes there a good activity. It's nice because it's only two days a week, the rest of the time I'm free to do whatever I want." Only sometimes the prosecutor calls me to have a talk with her."  
- **Ygor**

"... my mentor was the right guy, he was always with me, helping me and supporting me in everything I needed." - **Wendell**



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# VOICES

## about juvenile violence

"They're sowing hate, what do you think they're gonna reap? They're gonna reap hate from us to." - **Tubarão**

"We're threatened. Our families are threatened out there. I know I'm not gonna live long if I leave here." - **Eduardo**

"I lived in Tancredo Neves, everyday there was a shoot-out on my street. Do you know what it is like to wake up in the morning, on the third day I'd been there, to wake up in the morning with the Forensic Institute removing a body across from my house, without opening my door, do you know?" - **Mouse**

"when we got arrested, the cops jailed us and beat us up..."  
- **Luiz Mário**

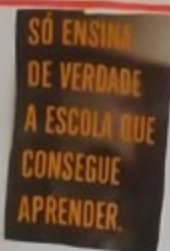
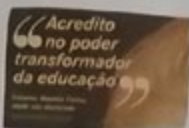
"To prevent violence, there's gotta be a lot more opportunities to us."  
- **Tailândia**

"Violence is what I went through as a child. My stepmom would tie me so that I wouldn't go out to parties. She would also burn my hand so that I couldn't mess around with her things, I was nine years old."  
- **José**

"There's a lot of violence in the media, it's in all strata, making it banal, a lot of egotism, family conflicts. There are TV shows that only talk about violence." - **Macleo**

# É a escola que queremos

- 1 ventilador.
- 2 Todos os pavilhões juntos
- 3 só ensinar a verdade <sup>Realidade</sup> ou a mesma coisa?
- 4 data show.
- 5 biblioteca
- 6 net com impressora
- 7 Queremos fazer cursos profissi<sup>onizantes</sup> música, mecânica de moto
- 8 Quadros novos e grandes.
- 9 Todos em grupo. ~~TOBINKA~~ FANKEM
- 10 Palestras educativas: sobre sexo, Saúde e direitos Erik  
TIO<sup>do</sup> Eduardo, Victor,  
JORDAN, PARDAL, Ariel,  
ANDRÉ



THIAVI/S/SO



Pop Magica

# VOICES

## about the right to education

"I haven't been to school for some time. I fought a lot, people were always mocking me. I didn't feel like going there anymore. It's been three years I haven't been to school." - **Pedro**

"I studied up to sixth grade, after that my school was crime and the streets." - **Leão**

"One course, if we had a vocational training course, we would go out and have another life. Have you thought about that? But then we're going out to the same thing, there's no choice..." - **Gabriel**

"I took part of the school council for 5 years, and the money the school received could barely buy rotating fans, chairs, etc. The investment is too low, what the school received was not enough to maintain it." - **Michan**

"My life is not one of the best... But even so I've never given up wanting to be a doctor, even if I think that's impossible..." - **Paula**

"Yeah, you see... I've always tried to learn something. I've only learned Grafith's songs. I went to school, but never felt like it. I skipped classes just to hook up with the cuties. I only learned at school things I can't say here." - **Rodrigo**

"I've learned a lot here. Even more than at school, both good and bad things." - **Joana**



# VOICES

## about protection

“one example, if you’re in a shoot-out other people, you’ve got to protect yourself from the bullets, don’t you? There are many kinds of protection.” - **Elano**

“there are people who only think about beating; ‘ah, he’s a thief, beat him up, kill him’; for us, that’s not protection, it’s kinda like a threat.”

- **Elano**

“there’s protection inside here? (laughs) two have already died here” - **João**

“... when there’s a riot here, ma’am, it’s not because we want to get out, no... it’s because we want to claim our rights and know what’s going on...” - **Rosemberg**

“protection of the society, of the citizen is the police when some boy is robbing around, but sometimes the cops are more of a criminal than all of us together.” - **Elano and Nogueira**

“we have to bear it silently, if we don’t want to be harmed... nobody believes us.” - **Cícero**

“... violence starts with our own mentors...”

- **Solânea**

# VOICES

## about restorative practices and accountability

"If I had the opportunity to see the guy's family, I would apologize, I know I've done something wrong."

- **Ana Paula**

"... there should be a meeting to solve that. To apologize, I just don't know if they'll accept it." - **Antonio**

"They'd better stay away from me, and I stay away from them. Otherwise..." - **Nicolas**

"If I had the opportunity to see the guy's family, I would apologize, I know I've done something wrong." - **Ana Paula**

I know what I did, I'm accountable for it... - **Carlos**

"Kinda like... forgive, isn't it? I've been leading this life for 5 years and the most beautiful thing I've seen is someone forgiving someone else, that shows you're a human being, have a heart. But if they were close to me, I'd have the courage to apologize." - **Agenor**

"We would have to go back in time, make it differently, I could apologize, but it wouldn't change anything, because nothing would bring that person back to fill that void in the mother's, in the family's heart." - **Tailândia**





## VOICES about peace

"To me, peace means being able to go out on the streets and not being afraid of being robbed, getting hit by a stray bullet. It means feeling safe on the streets. That's peace to me, being able to go to school, work, without looking at my mom and say 'I love you', fearing that I'll not come back home. Because nowadays you leave your home without being sure whether you'll come back."

- Victor

"It's easier to talk about violence, because wherever we go there's violence. The only place where you can see peace is in



rich people's neighborhoods. A lot of rap songs I listen to say that those who have money have peace." - **Soneca**

"Peace to me would be to stary under a tree, near a lake."  
- **Mariruada**

"A united family, full of love and affection to give." - **Pedrita**

"Peace is a world without drugs, violence, fights. It's necessary to invest more in teenagers, take them out of the streets." - **Mikael**

"Because in Brazil nothing generates peace, everything generates more violence. In order to generate peace, we have to make peace."  
- **Frajola**

"We pretty much can't talk about peace because it doesn't exist."  
- **Victor**

# VOICES

## about the future

"In the future, I see myself free, doing something good."

- **Maria**

"Working away from the world of crime, drugs, bad company..." - **Dandan**

"My time here made me learn that I should always follow the right path. In the right path, nobody hunts you down."

- **Carlos**

"What I want in the future... is to not do what I did in the past." - **Danilo**

"A better future is to change your life, leave this life, this is not a life, to be jailed, far from your family, good is to not commit offenses. Leaving the life of crime you can build a future." - **Princesa**

"I think of being with my family, it's just happiness, because the life of crime is not good. Some day I'll be someone in life. Either a drug dealer, or a politician, or a rich businessman. They all steal anyway, in order to get rich, and they all end up rich. Cool!" - **Alexandre**

"My wife, my son and I out of crime. Working. Going to church." - **Pardal**



DECK'N'  
-LCCI  
:IA  
-MAN

PEZÃO  
PIPÃO  
GIRAFÃO



# Recommendations

***“The International Committee on the Rights of the Child recommends that Brazil assure that children’s opinions are taken seriously, accorsing to article 12 of the Convention, within the family, in schools, courts, and in all administrative processes that concern them (...)”***

**(Recommendation 37 of 2004, referring to the Report on monitoring and assessment of the implementation of the rights of the child, submitted by the Brazilian government, society coalition and UNICEF).**

With this recommendation, we conclude the 2014 edition of *Voices*, but we do not end our mission of supporting Brazilian children and teenagers in order to guarantee their place to express and promote their rights. At the 25<sup>th</sup> anniversary of the UN Convention on the Rights of the Child, of which Brazil is a signatory, we still have a lot to do, despite the progress we have achieved in the defense of children's and teenagers' rights, including those who are in conflict with the law and carrying out social-educational measures.

We live in an increasingly social phenomenon of urban violence in which teenagers and young people are involved. The voices expressed here show us the context, the thoughts and feelings that permeate these teenagers' reality and the urgent need to listen to and understand them, so that the effective responses can be given. By this, we understand quantitative and qualitative spaces of education, culture and leisure, protection and accountability that give children and teenagers opportunities to their healthy development, problematization of the situations involving them, in which they are either offenders or victims, building assertive responses to positive changes in their lives, strengthening responsible behaviors and skills for social conviviality based on the respect for themselves and for each other.

In a special way, we would like to emphasize the importance of these voices being listened to by all who are part of the Brazilian Juvenile Justice System, including us, from Tdh Brazil, with the purpose of promoting and strengthening an effectively restorative justice. That is because the direction has already been set in many Brazilian states, whether by the implementation of the National Justice Council Resolution 15, dated 29 Nov 2010, or by the cooperation protocol signed in August 2014 by fifteen institutions<sup>2</sup>, together with the Brazilian Magistrates Association (AMB) and the National Justice Council (CNJ), providing for the expansion of Restorative Justice in Brazil.

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<sup>2</sup> To know more, <http://tdhbrasil.org/midia/noticias/22-terre-des-hommes-firma-parceria-com-amb-e-cnj-para-ampliar-a-justica-restaurativa-no-brasil> Accessed on: October 28th 2014."

Such trodden paths are in accordance with the recommendations given to Brazil by the UN Committee on the Rights of the Child, related to Juvenile Justice, specifically in recommendation 69, which states: *"... (that) the member State (...) continues its efforts to improve the Juvenile Justice system in all states of the federation pursuant to the Convention, especially articles 37, 40 and 39, and other UN standards related to Juvenile Justice, including the UN Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), the UN Rules for the Protection of Juveniles Deprived of their Liberty, and the Guidelines for Action on Children in the Criminal Justice System."*

We therefore understand that there is no need for more advanced legislation than those ruling the Brazilian Legal System for Juvenile Justice nowadays — the Children and Teenagers' Statute (Law 8069/90) and the National Social-Educational Service System (Law 12594/12). Fundamentally, there is this need for a correct application of these laws, one that meets the requirements, the desires, and the different interests expressed by the teenagers and the society, on the one hand, favoring the promotion and protection of the fundamental rights of children and teenagers, and, on the other hand, guaranteeing public policies that promote security, social discipline and the strengthening of healthy family and community bonds.



## Development of the Project



## Completion

