

## **VICTIMS OF DOMESTIC VIOLENCE AND RESTORATIVE JUSTICE IN BRAZIL:**

### **Notes from the “Periphery” to the “World Centres”**

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This presentation is based on part of the findings of a bigger research project, commissioned by Brazil’s National Council of Justice, which was generally aimed at understanding how domestic violence courts have been handling violence against women in the country. Perhaps more precisely, the aim was to understand the application of Brazil’s domestic violence law by the Brazilian Judiciary, over 10 years after its introduction, and, very importantly, in light of recent national debates on the need to go beyond the traditional punitive-retributive responses to violence against women to consider restorative alternatives. The study used various methods of data collection and analyses to assess a variety of themes, but the focus here will be to present a profile of female victims who had their cases dealt with by domestic violence courts located in six different Brazilian cities, as well as to discuss their expectations about, and experiences with, the criminal justice system. In this vein, documentary analysis of court files was performed to collect quantitative data on these women’s socioeconomic backgrounds. As for the qualitative component of the study, semi-structured interviews were conducted with victims who had entered the gates of these specialised courts. On the one hand, it was found that most victims in the domestic violence courts included in this study are ‘*pardas*’ (brown) or black, poor and working-class women, with little formal education and low-wage jobs or occupations. Moreover, most of them have knocked on the criminal justice system’s doors to grant protection and cease the situation of violence, rather than seeking the criminal punishment of the abuser. On the other hand, findings suggest that Brazil’s criminal justice system’s bet on retributive-punitive practices to deal with cases involving domestic violence against women often leads to processes of secondary victimisation. Indeed, victims report a lack of understanding regarding the procedures, they feel that they are not given the chance to speak out and be heard within the processing of their own cases, they report acts of sexism by poorly-trained criminal justice professionals, they suggest a failure of current procedures to consider the underlying conflicts that led to the reported violence, and so on. Such findings indicate the need for thinking violence against women outside the boundaries of retributive practices, suggesting that the time has come to talk about restorative justice and domestic violence in Brazil.

### **Biography**

Fernanda Fonseca Rosenblatt is Professor of Law at the Catholic University of Pernambuco (Brazil) and Assistant Professor at the International Institute for Restorative Practices (USA). In January 2014, she completed her DPhil in Criminology at the Centre for Criminology, University of Oxford. In 2005, she was awarded a Master’s degree from the Catholic University of Leuven, Belgium. She is currently a member of the Executive Committee of the World Society of Victimology, and a senior member of the Asa Branca Research Group of Criminology. She is also the Book Review Editor for The International Journal of Restorative Justice. Her research interests include restorative justice, community (justice), youth justice, domestic violence, as well as critical criminology and victimology. She has published peer-reviewed articles and book chapters in these areas, both in Brazil and abroad, and is the

author of *The Role of Community in Restorative Justice* (Routledge, 2015).

