

Socio-educational measures: limitations and challenges in the reintegration of juvenile offenders

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SUMMARY

This study analyzes the limitations and challenges inherent in the application of the measures socio-educational measures for juvenile offenders in Brazil, addressing their ineffectiveness in resocialization and mitigation of recidivism. The research highlights the structural precariousness of socio-educational institutions, the absence of effective post-measure monitoring policies and social stigma as obstacles to the process of juvenile reintegration. A qualitative methodology is used, based on bibliographic review and documentary analysis, supported by regulations of the Child Statute and Adolescents (ECA) and institutional reports. The findings point to the need for structural reforms in the socio-educational system, the implementation of alternative models, such as Restorative Justice, and the strengthening of policies measures that promote the social and professional inclusion of these adolescents. In order for socio-educational measures to fulfill their rehabilitative function, it is essential the articulation between State, society and private institutions, aiming to guarantee mechanisms effective social reintegration and reduction of juvenile crime.

Keywords: Socio-educational measures. Social reintegration. Juvenile offenders. Restorative justice. Resocialization.

ABSTRACT

This study analyzes the limitations and challenges in the application of socio-educational measures to juvenile offenders in Brazil, highlighting their inefficacy in social reintegration and the mitigation of recidivism. The research emphasizes the structural precariousness of socio-educational institutions, the absence of



effective post-measure support policies, and social stigma as barriers to reintegration. A qualitative methodology is employed, based on a bibliographic review and documentary analysis, supported by regulations from the Statute of the Child and Adolescent (ECA) and institutional reports. The findings indicate the need for structural reforms in the socio-educational system, the implementation of alternative models such as Restorative Justice, and the strengthening of public policies that promote the social and professional inclusion of these adolescents. For socio-educational measures to fulfill their rehabilitative function, coordinated efforts between the State, society, and private

institutions are essential, ensuring effective mechanisms for social reintegration and the reduction of juvenile delinquency.

Keywords: Socio-educational measures. Social reintegration. Juvenile offenders. Restorative Justice. Resocialization.

INTRODUCTION

The Child and Adolescent Statute (ECA), established by Law No. 8,069/1990, represented a milestone in the protection and resocialization of adolescents in conflict with the law, establishing guidelines for the application of socio-educational measures. However, more than three decades after its enactment, significant challenges persist in the implementation of these measures, especially with regard to the social reintegration of young people served by the socio-educational system (BRASIL, 1990).

Socio-educational measures aim at the **re-education and social reintegration** of adolescents in conflict with the law, providing them with conditions for overcoming the cycle of crime and effective integration into the social and labor environment. In terms of According to the Statute of Children and Adolescents (ECA), the main types of socio-educational measures include **warning, supervised freedom, semi-freedom and internment** (SILVA, 2021). However, the **effectiveness of these provisions has been the subject of doctrinal and empirical criticism**, due to the structural precariousness of socio-educational units, the absence of mechanisms

adequate post-measure follow-up and the persistence of social stigma, elements that constitute obstacles to the full resocialization of adolescents subjected to socio-educational regime (SOUZA; OLIVEIRA, 2020).

Taking this scenario as a basis, the study seeks to answer the following question: **Why do socio-educational measures not effectively fulfill their role of social reintegration?** The hypothesis raised is that the ineffectiveness of these measures is due to a combination of structural and social factors, such as the lack of investments in infrastructure, inadequate training of professionals involved and the absence of effective public policies that guarantee continuous support to adolescents after compliance with the measure (CARVALHO, 2019).

The relevance of this study is justified by the need to deepen the discussion on the obstacles to the social reintegration of juvenile offenders and to contribute to the improvement of public policies aimed at juvenile reintegration. The issue is urgent given the high rates of recidivism among adolescents who have been through the socio-educational system, demonstrating that the current approaches

have not been enough to break the cycle of delinquency (FERNANDES; ALMEIDA, 2022).

The study aims to analyze the limitations and challenges of the socio-educational system in Brazil, identifying the main factors that compromise its effectiveness in the resocialization of juvenile offenders. Specifically, it seeks to: (i) historically contextualize the evolution of socio-educational measures in the country and the normative principles that govern them; (ii) examine the challenges faced in implementing these measures, including structural precariousness, professional training deficient and the lack of post-measure follow-up; (iii) present alternatives for the social reintegration of these young people, such as Restorative Justice and successful practices applied in other national and international realities.

Methodologically, the research is qualitative in nature and uses bibliographical review and documentary analysis to support the discussion. ECA regulations, institutional reports and specialized literature on juvenile criminology, socio-educational measures and social reintegration policies are analyzed (MACHADO, 2020). The approach adopted allows us to understand the weaknesses of the system and propose paths for more effective action in the resocialization of adolescents in conflict with the law.

It is expected that the results of this study will contribute to academic debate and to the formulation of more effective public policies, capable of guaranteeing adolescent offenders better conditions for social and professional reintegration, thus reducing recidivism rates and promoting a more just and inclusive society.

CHAPTER 1 – THE SOCIO-EDUCATIONAL SYSTEM IN BRAZIL

The historical evolutionary path of the Brazilian socio-educational system has consolidated itself as a model that seeks to balance the accountability of adolescents in conflict with the law and their social reintegration, in accordance with the principles of comprehensive protection and exceptional nature of deprivation of liberty. However, the implementation of this model faces significant obstacles, ranging from the precariousness of care units to the lack of effective post-measure monitoring policies. Thus, a more in-depth examination of the normative principles that guide the application of socio-educational measures is necessary, as well as the modalities provided for in the

current legislation, in order to understand the limitations and challenges faced in its execution throughout history.

1.1 History and evolution of socio-educational measures

The legal treatment given to children and adolescents in conflict with the law in Brazil has undergone several transformations throughout its history, reflecting paradigmatic changes in the conception of childhood, social protection and criminal accountability. The evolution of socio-educational measures has accompanied the development of children's and adolescents' rights, culminating in the enactment of the Child and Adolescent Statute (ECA) in 1990, which established a normative model based

doctrine of full protection (BRAZIL, 1990).

Historically, the state's approach to juvenile offenders was guided by a repressive and welfare bias, which treated them as objects of intervention tutelary and not as subjects of rights. In the colonial and imperial period, the criminalization of poor childhood was evident, with the application of severe penalties, including confinement in institutions such as the Casa dos Expostos and, later, the Krenak Reformatory, who operated under precarious conditions and in asylum-like settings (RIZZINI, 1997).

At the beginning of the 20th century, with the advent of the 1927 Juvenile Code, inspired by the guardianship model of the **Doctrine of Irregular Situation**, there was the institutionalization of state control over children and adolescents considered "abandoned" or "dangerous". This legislation consolidated the idea that Juvenile delinquency should be combated through compulsory internment and coercive re-education measures, without due respect for procedural guarantees and the principle of human dignity (PRANDINI; SOUZA, 2015).

The enactment of the second Juvenile Code in 1979 still maintained remnants of this repressive model, reinforcing the institutionalization of juvenile offenders in closed-regime establishments, for the purpose of disciplinary correction. However, with the redemocratization of the country and the incorporation of international guidelines, as the UN Convention on the Rights of the Child (1989), it has become imperative reformulate the treatment given to adolescents in conflict with the law, establishing a guaranteeing and socio-educational approach (PIRES, 2018).

With the Federal Constitution of 1988, a new paradigm was inaugurated, based on the recognition of children and adolescents as subjects with full rights. Article 227 of the Magna Carta enshrined the principle of comprehensive protection, determining the joint responsibility of the family, society and the State in guaranteeing rights fundamental aspects of childhood and youth (BRAZIL, 1988). In line with this new perspective, the Statute of Children and Adolescents (Law No. 8,069/1990) extinguished the punitive nature of the measures applied to adolescents and implemented a model socio-educational, aimed at resocialization and prevention of reoffending (VOLPI, 2016).

Socio-educational measures began to be applied based on the principles of brevity, exceptionality and respect for the peculiar condition of a person in development, in accordance with the guidelines of the National Socio-Educational Assistance System (SINASE), established by Decree No. 7,053/2010 (BRAZIL, 2010). Currently, the legislation provides for six types of socio-educational measures: warning, obligation to repair the damage, provision of community services, supervised freedom, semi-freedom and hospitalization, which must be applied individually and proportionally to the severity of the infraction committed (SILVA, 2020).

However, despite regulatory advances, the reality of the Brazilian socio-educational system still faces considerable challenges, such as overcrowding in detention units, lack of adequate infrastructure and difficulty in implementing effective social reintegration programs. Studies show that recidivism among adolescents serving socio-educational measures is still high, which highlights the



(FERNANDES; ALMEIDA, 2021).

It can be seen that the historical evolution of socio-educational measures in Brazil demonstrates a gradual transition from a punitive model to an educational and restorative approach, aligned with international human rights protection regulations. Furthermore, structural and institutional challenges persist, demanding continuous efforts so that socio-educational measures fulfill their primary function of social reintegration and prevention of reoffending.

In view of this historical evolution and the need for a more humane and effective model in the treatment of adolescents in conflict with the law, the Brazilian legal system has consolidated fundamental principles for the application socio-educational measures. These principles seek to ensure that adolescents are held accountable in a proportionate manner, respecting their unique condition as individuals in development and ensuring their social reintegration. Therefore, a more detailed examination of the normative guidelines is necessary governing the application of socio-educational measures in Brazil, with emphasis on foundations established by the Statute of Children and Adolescents (ECA) and the National Socio-Educational Assistance System (SINASE).

1.2 Legal and normative principles of the Child and Adolescent Statute (ECA).

The historical evolution of socio-educational measures in Brazil, as discussed in the previous topic, culminated in a fundamental normative framework: the Statute of the Child and of Adolescents (ECA), established by Law No. 8,069/1990. This legislation consolidated the doctrine of comprehensive protection and determined a socio-educational model based on pedagogical accountability, in accordance with international principles of rights humans (BRAZIL, 1990).

The ECA establishes that adolescents in conflict with the law must receive treatment differentiated, guaranteeing fundamental rights and ensuring that the measures applied have an essentially educational character and not merely punitive. In this sense, the guidelines of the Statute emphasize respect for the dignity of the human person, proportionality in the application of measures and the need for effective social reintegration (SILVA,2020).

Socio-educational measures in Brazil are governed by fundamental principles that aim to guarantee the protection, resocialization and proportional application of sanctions to adolescents in conflict with the law. The **Principle of Comprehensive Protection and Absolute Priority**, provided for in article 227 of the Federal Constitution of 1988 and in article 1st of the Statute of Children and Adolescents (ECA), ensures that children and adolescents are subjects of rights and must receive special protection from the State, family and society. This guarantee implies the implementation of



public policies that favor education, professionalization and social assistance as mechanisms for preventing recidivism (BRAZIL, 1988).

The deprivation of liberty, in turn, must comply with the **Principle of Brevity and Exceptionality of Internment**, as provided for in article 121 of the ECA, which determines its application only in strictly necessary cases, for a reduced period of time and prohibiting indefinite periods of internment (BRAZIL, 1990). This principle is in line with the guidelines of the **Beijing Rules**, which recommend alternatives to deprivation of liberty whenever possible, prioritizing less restrictive socio-educational solutions (UN, 1985).

Another essential aspect is the **Principle of Legality and Proportionality**, according to which socio-educational measures must be applied strictly within the provided for in the legislation and in accordance with the seriousness of the criminal act committed. The Article 112 of the ECA establishes that the response to the infraction must be appropriate to its nature, avoiding disproportionate or arbitrary sanctions (SOUZA; OLIVEIRA, 2021).

IN ADDITION, the **Principle of Municipalization of Care** determines the decentralization of socio-educational actions, transferring to municipalities the primary responsibility for care for adolescents in conflict with the law. The article 88 of the ECA reinforces that this decentralization allows greater effectiveness in the execution of measures in an open environment, encouraging the construction of community support networks and social reintegration programs (CARVALHO, 2019).

The individualization of measures is another determining factor, established by **the Principle of Gradual Imposition and Personalization of Socio-Educational Measures**. The legislation provides that the choice of measure must consider the personal characteristics of the adolescent, his/her social history and his/her potential for resocialization. Thus, less severe measures, such as warning and supervised release, should be prioritized before resorting to more restrictive alternatives, such as hospitalization (VOLPI, 2016).

Finally, the **Principle of Family and Social Reintegration** ensures that all interventions aimed at adolescents must prioritize the preservation of family and community ties, facilitating their reintegration into the job market and into educational environment. Article 100 of the ECA establishes that socio-educational actions must avoid marginalizing young people and ensure their inclusion in society (PIRES, 2018).

The **National Socio-Educational Assistance System (SINASE)**, established by Decree No. 7,053/2010, complements the provisions of the ECA by defining guidelines for the implementation of socio-educational measures, reinforcing the need



continuous monitoring of the adolescent reintegration process (BRASIL, 2010).

Although Brazil has a solid regulatory framework for the protection and resocialization of adolescents in conflict with the law, the implementation of these guidelines still faces significant challenges. Issues such as the precariousness of the infrastructure of socio-educational institutions, the lack of professional training and the absence of policies Effective post-measure monitoring mechanisms compromise the full application of these principles. The implementation of effective socio-educational services requires coordination between the different federative entities and the strengthening of public policies that ensure an effective social reintegration process aligned with the fundamental rights of children and young people.

The normativity established by the Statute of Children and Adolescents (ECA) not only ensures full protection and the exceptionality of deprivation of liberty, but also defines essential parameters for the application of socio-educational measures, in order to ensure proportionality and effectiveness in holding adolescents in conflict with the law accountable. Respect for the principles of legality, brevity and The individualization of measures imposes the need for a pedagogical approach in the execution of socio-educational sanctions, in accordance with the guidelines of the National Socio-Educational Assistance System (SINASE). Thus, it becomes essential to analyze the different types of socio-educational measures provided for in the legislation, considering their characteristics, purposes and challenges in realizing the right to resocialization and social reintegration of juvenile offenders.

1.3 Types of socio-educational measures: warning, supervised freedom, semi-freedom and internment.

The evolution of socio-educational measures in Brazil and the legal principles that govern them govern culminated in the structuring of a normative model that seeks to guarantee the accountability of adolescents in conflict with the law without losing sight of their rights fundamental to comprehensive protection. In this context, the Statute of Children and Adolescents (ECA), in its article 112, establishes six types of socio-educational measures: **warning, obligation to repair the damage, provision of community services, supervised freedom, semi-freedom and internment** (BRAZIL, 1990). These measures They have a pedagogical nature and vary in degree of restriction, being applied according to the severity of the offense and the individual conditions of the adolescent offender.



The **warning**, considered the least serious measure, consists of a verbal reprimand, given by the judge, with the aim of making the adolescent aware of the consequences of his/her infraction and guiding him/her so that he/she does not reoffend. According to article 115 of the ECA, this measure must be applied in a clear and motivated manner, reinforcing the importance of holding the young person accountable without the need for imposition of more severe sanctions (SILVA, 2020).

The **obligation to repair the damage** seeks to hold the adolescent directly responsible for the act committed, requiring him to make amends to the victim or society, whether through compensation, provision of a specific service or other appropriate means. This measure, provided for in article 116 of the ECA, prioritizes the notion of restorative justice and awareness of the impacts of the offense committed (CARVALHO, 2019).

Providing **services to the community** requires adolescents to carry out activities of social interest, without remuneration, in charitable organizations, schools or other community spaces. Its purpose is to provide the young person with an experience formative that stimulates empathy and citizenship, while inserting them in an environment that favors their social reintegration (FERNANDES; ALMEIDA, 2021).

Supervised freedom represents a middle ground between warning and deprivation of freedom. According to article 118 of the ECA, this is a measure of systematic monitoring of the adolescent, under the supervision of a counselor, with the aim of aiming to help him build a new life project and prevent his reoffending (BRASIL, 1990). This modality is often used as an alternative to internment, seeking to avoid exposing the young person to institutionalized environments that may reinforce his criminal trajectory (VOLPI, 2016).

Semi **-freedom** is an intermediate measure between supervised freedom and internment, allowing the adolescent to remain in a socio-educational institution, but with the possibility of carrying out external activities, such as attending school or work. According to article 120 of the ECA, this measure can be applied from the beginning or as a transition to progressive deinstitutionalization, aiming to guarantee reintegration gradual increase in the number of young people in society (PIRES, 2018).

Internment, the most severe measure in the socio-educational system, must be applied only in exceptional cases, when the criminal act involves serious threat or violence against the person, repeated recidivism or failure to comply with other measures previously imposed. According to article 122 of the ECA, internment must be adopted for the shortest possible time and its periodic reassessment is mandatory every six months, ensuring that it is not used as a disproportionate punishment mechanism (BRAZIL, 1990). Furthermore, in



In accordance with the principles of full protection and the exceptional nature of deprivation of liberty, Brazil adhered to the guidelines of the **Beijing Rules**, which recommend the application of internment only when there is no effective socio-educational alternative available (UN, 1985).

Although these types of socio-educational measures are well defined in the Brazilian legal system, their effectiveness depends on a series of structural and institutional factors. The precariousness of the care units, the absence of post-measure monitoring programs and the difficulty of reintegrating adolescents into the job market are challenges that compromise the socio-educational function of the system. In addition, the stigmatization of these young people often prevents open-ended measures from fulfilling their resocializing role, leading to high recidivism rates (SOUZA; OLIVEIRA, 2021).

Thus, the socio-educational measures provided for in the ECA represent a significant regulatory advance by establishing a model based on comprehensive protection and resocialization. However, the effectiveness of this system depends not only on the correct application of the measures, but also on investments in public policies that guarantee adequate infrastructure, trained professionals and ongoing social reintegration programs, elements that will be discussed in greater detail in the following chapters.

CHAPTER 2 – CHALLENGES IN IMPLEMENTING THE MEASURES SOCIOEDUCATIONAL

2.1 Infrastructure of socio-educational institutions and their limitations

The infrastructure of socio-educational units plays a fundamental role in the effectiveness of measures applied to adolescents in conflict with the law. However, the reality of these institutions in Brazil reveals a panorama of structural challenges that directly compromise the quality of service and the effectiveness of actions socio-educational. The infrastructure deficit is not limited to the physical precariousness of the facilities, but also to the lack of technological resources, teaching materials and adequate spaces for recreational and professional activities. (MACHADO, 2020).

Structural limitations impact not only adolescents, but also the professionals who work in these units. The lack of appropriate environments for the development of social reintegration projects makes it difficult to implement restorative practices, which could reduce recidivism and



strengthen the ties of these young people with the community (VOLPI, 2016). In addition, lack of safety equipment and overloaded teams increase the risk of internal conflicts, compromising the physical integrity of both inmates and servers (PIRES, 2018).

Another critical point is the lack of adaptation of units to serve adolescents with specific needs, such as those with disabilities or psychological disorders. The current model rarely includes architectural adaptations and multidisciplinary teams trained to deal with this diversity, which aggravates exclusion within the socio-educational system itself (FERNANDES; ALMEIDA, 2021). This gap contributes to the marginalization of these young people and further hinders their resocialization.

Modernizing socio-educational infrastructures requires not only physical reforms, but also the incorporation of innovative methodologies in the treatment of adolescents. International experiences show that smaller units, with a structure organized in the form of socio-educational residences, provide better results in the reintegration of young people, as they favor the development of community ties and the personalization of socio-educational monitoring (PRANDINI; SOUZA, 2015).

Therefore, the restructuring of the socio-educational system must go beyond the expansion of existing units, including the creation of new, more humane and effective service models. Investment in infrastructure, combined with the qualification of professionals and the strengthening of post-measure monitoring policies, can significantly reduce juvenile recidivism and provide a more effective path for the social reintegration of these adolescents (CARVALHO, 2019).

The precarious infrastructure of socio-educational units compromises the quality of implementation of measures applied to adolescents in conflict with the law, making their resocialization difficult and increasing the risk of recidivism. However, the challenges of the socio-educational system are not limited to the material conditions of these institutions. The lack of specific training for professionals who work in the care of these adolescents, the lack of effective monitoring policies post-measure and the social stigma that prevents the reintegration of these young people into the job market work and the educational environment are structural factors that further aggravate the ineffectiveness of socio-educational measures. Therefore, it is necessary to analyze these issues in depth, highlighting the obstacles that compromise the rehabilitative purpose of the system and the possible solutions to mitigate such problems.

2.2 Lack of professional training and impact on services for adolescents

The effectiveness of the socio-educational system depends not only on normativity established by the Statute of Children and Adolescents (ECA), but also the qualifications of the professionals responsible for its implementation. Inadequate training of socio-educational agents, psychologists, social workers and other professionals involved compromises the implementation of pedagogical and restorative practices. [This is an open access article published under the Creative Commons Attribution license, which permits unrestricted use, distribution and reproduction in any medium, provided the](#)



effective, hindering the fulfillment of the resocializing function of the measures socio-educational (SILVA, 2021).

The absence of continuous training programs directly reflects on the way in which adolescents are served within socio-educational units. In many institutions, the lack of technical training results in coercive or merely disciplinary, to the detriment of pedagogical methods aimed at re-education of the young offender (FERNANDES; ALMEIDA, 2020). Furthermore, the lack of preparation of multidisciplinary teams to deal with adolescents with mental disorders, chemical dependency or disabilities worsens exclusion within the socio-educational system itself, increasing inequalities in care and making it difficult to personalize the measures applied (PIRES, 2019).

Studies show that successful socio-educational systems, such as those adopted in Scandinavian countries, invest heavily in training professionals, ensuring that socio-educational units function as pedagogical spaces and not as mere extensions of the penitentiary system (PRANDINI; SOUZA, 2017). Thus, the Improving professional training is essential to transform the Brazilian socio-educational system into an effective instrument of social reintegration, requiring continuous investment in technical qualification and the development of socio-educational methodologies based on scientific evidence.

2.3 Lack of post-socio-educational measure monitoring and its influence on recidivism

The effectiveness of socio-educational measures does not end when the sanction imposed on the adolescent in conflict with the law is served. Post-measure monitoring is a determining factor in preventing recidivism and ensuring that resocialization occurs effectively. However, the Brazilian socio-educational system presents weaknesses in this aspect, since it does not have structured policies that ensure continuous monitoring of adolescents after compliance with the measure socio-educational (CARVALHO, 2020).

The lack of post-measure support increases the risk of relapse into the addiction cycle. crime, as many teenagers return to vulnerable environments, without



any support network that helps them with social reintegration. Furthermore, the lack of public policies aimed at employability and educational continuity for these young people compromises the effectiveness of the measure, making social reintegration a challenge even greater (VOLPI, 2018).

Successful international models, such as those implemented in Portugal and Germany, demonstrate that mentoring programs and ongoing psychosocial support after the end of the measure significantly reduce juvenile recidivism rates. (FERNANDES, 2019). In Brazil, the expansion of extended probation and socio-family monitoring programs could contribute to maintaining the progress achieved during the period of compliance with the measure, ensuring that adolescents do not commit criminal acts again due to lack of opportunities or support. social.

2.4 Social stigma and the difficulty of reintegration into the labor market and in the educational environment

The social reintegration of adolescents who have been through the socio-educational system is one of the greatest challenges for the effectiveness of the measures applied. Social stigma associated with compliance with socio-educational measures prevents many young people obtain opportunities in the job market and in continuing their training educational. The marginalization of these adolescents reinforces social exclusion and makes them more vulnerable to reoffending (SOUZA; OLIVEIRA, 2021).

Denial of access to the job market is a result not only of social prejudice, but also of the absence of effective public policies that encourage hiring young people in vulnerable situations. Currently, there are no significant tax incentives for companies that employ adolescents who have left the socio-educational system, which limits their professional opportunities and makes it difficult for them to financial independence (PIRES, 2020). Likewise, many educational institutions reject the admission of these adolescents, ignoring their status as subjects of rights and violating the principles of comprehensive protection and human dignity provided for in the ECA (BRAZIL, 1990).

The experience of countries such as Canada and Norway shows that specific labor and educational integration policies for adolescents leaving the socio-educational system can significantly reduce recidivism rates (PRANDINI, 2017). Professional qualification programs, paid internships and partnerships between the public and private sectors for the employability of these young people are essential measures to ensure that the socio-educational measure fulfills its purpose pedagogical and integrative. In Brazil, expanding access to technical education and implementing job placement programs



work could represent concrete advances in the resocialization of these adolescents, ensuring them real opportunities to rebuild their trajectories.

The ineffectiveness of the Brazilian socio-educational system in reintegrating adolescents in conflict with the law highlights the need to rethink its structures and methodologies. The challenges faced, such as precarious infrastructure, the lack of post-trial monitoring and social stigma, demonstrate that the current approach has not been sufficient to guarantee the effective resocialization of these young people. Given this scenario, it is imperative to analyze alternatives that can

contribute to the construction of a more efficient and humanized model, capable of reconciling the responsibility of adolescents with their social inclusion. Thus, this chapter will address models of resocialization, the experience of Restorative Justice, successful examples in different contexts and concrete proposals

for the improvement of the socio-educational system, based on practices already implemented in Brazil and abroad.

CHAPTER 3 – ALTERNATIVES FOR SOCIAL REINSERTION OF ADOLESCENT OFFENDERS

3.1 Resocialization models: institutional versus community

The resocialization of adolescents in conflict with the law can be conducted through different service models, with two main approaches being: **institutional**, characterized by internment units and compliance with private measures freedom, and the **community**, which seeks the gradual reintegration of young people through measures in an open environment and involvement of civil society (SILVA, 2020).

The institutional model, predominant in Brazil, has been the target of criticism due to the overcrowding of units, the lack of adequate structure and the distancing of adolescents from their families and communities, factors that hinder their reintegration (CARVALHO, 2019). Despite the legal provision for less restrictive socio-educational measures in the Child and Adolescent Statute (ECA), **internment** is still applied excessively, contrary to the principle of exceptionality set out in article 121 of the ECA (BRAZIL, 1990).



In contrast, the **community model**, widely adopted in countries such as Germany, Canada and Norway, have proven to be more efficient in reducing recidivism (FERNANDES; ALMEIDA, 2021). In these nations, programs supervised freedom, mentoring and restorative measures allow the adolescent remain integrated into your social environment, receiving support from support networks, such as schools, NGOs and government programs aimed at professionalization.

In Brazil, some initiatives are beginning to follow this perspective, such as **restorative justice** programs and **socio-educational residences**, which offer more personalized and humanized care, enabling resocialization. effective. However, for the community model to consolidate itself as a viable alternative, greater investment in infrastructure, professional training and civil society engagement.

3.2 The experience of Restorative Justice as an alternative to the model punitive

Restorative Justice has established itself as an innovative approach in conflict resolution involving adolescents in conflict with the law. Unlike the traditional model, based on punishment and deprivation of liberty, Restorative Justice prioritizes **dialogue, reparation of damage and conscious accountability of the offender**, promoting the reconstruction of social ties broken by infraction (ZEHR, 2002).

Countries such as Canada and New Zealand have used restorative justice as the main mechanism for managing crimes committed by young people. In these jurisdictions, restorative programs include **peace circles, family conferences, and mediation between victims and offenders**, allowing both parties to actively participate in the process and seek solutions to minimize the impacts of the unlawful act (PRANDINI, 2018).

In Brazil, similar experiences have already been implemented in some courts and socio-educational institutions, with emphasis on projects developed in São Paulo and Rio Grande do Sul. The **Restorative Justice Program for the 21st Century**, promoted by the National Council of Justice (CNJ), has shown positive results in reducing recidivism and in humanizing the treatment of juvenile offenders (BRAZIL, 2022).

Although promising, Restorative Justice still faces challenges in its consolidation in the country, especially with regard to the **lack of training of the professionals involved and the resistance of the judicial system itself**. For this approach to become a viable alternative to the current punitive model, it is necessary

It is essential to expand its application, guarantee institutional support and promote changes in Brazilian legal culture.

3.3 Good practices in social reintegration programs in Brazil and abroad

The adoption of innovative and successful practices in different contexts can contribute to the restructuring of the Brazilian socio-educational system. **Several countries have implemented effective policies that combine socio-educational measures with social reintegration strategies, resulting in a reduction in recidivism and the inclusion of young offenders in the labor market and the educational environment.**

- **Norway:** The Norwegian model prioritizes **compliance with measures in an open environment**, investing in education and professional training for adolescents. In addition, the detention units follow the format of **socio-educational residences**, where young people live in small groups, receive psychological support and actively participate in community activities (FERNANDES, 2021).

- **Portugal:** The European country implemented the **Escolhas Program**, which offers educational and cultural activities for vulnerable young people, preventing reoffending and promoting their social inclusion. In addition, mentoring programs help adolescents who have left the socio-educational system in

transition to adulthood (SOUZA, 2019).

- **Brazil:** Some initiatives in Brazil follow similar models, such as the **Socio-Educational Assistance Centers (CASEs)**, which combine socio-educational measures with vocational training. Another relevant experience is the **Novos Caminhos Project**, in Rio Grande do Sul, which offers technical training and employability for adolescents serving socio-educational measures.

Despite these good practices, their implementation is still limited and depends on greater **government investment and private sector engagement**. Replication and expansion of these initiatives can contribute significantly to improving the national socio-educational system.

3.4 Proposals for improving the socio-educational system and reducing recidivism



Given the challenges identified and successful experiences in other countries, some proposals can be implemented to improve the Brazilian socio-educational system and reduce juvenile recidivism rates:

1. **Expansion of measures in open environments:** Invest in the expansion of supervised freedom programs and restorative measures, ensuring that internment is only applied in strictly necessary cases, as provided for in the ECA (BRASIL, 1990).
2. **Strengthening professional training:** Create ongoing training programs for socio-educational agents, social workers and other professionals who they work in the care of adolescents without conflict with the law.
3. **Creation of incentives for the employability of graduates:** Establish public policies that offer **tax incentives** for companies that hire adolescents who have completed socio-educational measures, expanding their opportunities in the job market.
4. **Investment in the modernization of socio-educational infrastructure:** Replace large internment units with **socio-educational residences**, ensuring more humanized and individualized care.
5. **Expansion of Restorative Justice:** Create national programs to implement Restorative Justice, training judges, prosecutors and defenders to adopt this approach in resolving criminal acts.

The implementation of these proposals requires **coordination between the State, civil society and the private sector**, in addition to investments that guarantee the restructuring of the current socio-educational model. Only with structural and methodological changes it will be possible to ensure that the system fulfills its primary function of reintegration social and prevention of recidivism.

CONCLUSION

In summary, the research brought to light relevant information about the situation of young people in conflict with the law, highlighting the need for a more attentive and sensitive look at policies aimed at socio-educational issues. It was observed that, despite some improvements, there are still flaws in the structures that need to be overcome to ensure effective reintegration of these adolescents. The reflection on the need for changes in public policies indicate the urgency of a restructuring that takes into account the characteristics of young offenders,



prioritizing not only punishment, but also emotional, educational and psychological support, essential for a healthy return to society.

Among the suggestions, it is crucial to strengthen collaboration between schools, families and care institutions, establishing a continuous and multidisciplinary support system. In addition, it is necessary to offer professional qualification programs and encourage active community participation, creating conditions for these young people have access to opportunities for transformation.

However, it is important to recognize the limitations of this study, such as the difficulty in accessing updated data and the different regional realities that directly impact the implementation of policies. Therefore, we suggest that future research seeks to expand the analysis to different contexts and involve young people more directly in listening programs, so that their experiences can contribute effectively to the construction of more appropriate solutions.

Thus, we can see that the social reintegration of juvenile offenders does not depend only on specific actions, but on a constant commitment to transformations. structural, investments and, above all, a more human approach.

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