

Criminal Justice - JUST/2013/JPEN/AG/4498  
Project title: "ALTERNATIVE TRACKS – integrated approach to minor offenders and their families"  
"This project was funded by the European Union"



# REPORT

## Restorative Justice Practices in Portugal A Mapping Exercise

**WS1** **Mapping, Examination and comparative studies**  
**Activity** **Nber 3 – Country researches**

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**VERSION** 32  
**DATE** 05/12/2014  
**STATUS** Completed

**DISSEMINATION**  
**LEVEL:** Public



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## 1.0 Foreword

This report "Restorative Justice Practices in Portugal: A Mapping Exercise" is a country specific research component of the work stream 1 (WS1) "Mapping, Examination and comparative studies", embedded in the implementation of the project "ALTERNATIVE TRACKS - Integrated approach minor offender and their families" (ALTRACKS). As a consortium, it is understood it was important to document this exertion as a starting point, which key aim is to support the discerning on where each participant's countries are comparatively.

In recent years, the civil society has been hit by a significant increase of conflicting and deviant behavior associated with young people. This phenomenon, commonly referred to as "juvenile delinquency", translates into practice acts that are beyond existing social rules and those established by law. In other words, those are anti-normative behaviors that include, in itself, the practice of criminal justice offenses.

In Portugal, according to recent studies on the phenomenon of crime, the tendency is for an increase either in the intensity or degree of violence associated with its practice, or the related alleged intensity. The juvenile delinquent, that is the one who commits or is accused of committing a crime, is becoming younger and has characteristics of personality marked by the coldness of the action with a feeling of impunity, given their age.

The abstract concept of juvenile delinquency is a social construction based on values and beliefs of the environment. In fact, what for some is exercising, for others it is deviant. Group of teens serves simultaneously as a social bond for nonconformist youngsters and as agents of their aggressiveness. The juvenile delinquency installs itself when these gratuitous violence vanities begin to be addressed for a particular purpose. The cult of violence has ceased to be an end in itself, aiming at establishing of identity and personality within the group, to become a medium through which easy money can be obtained or instinctual impulses can be satisfied and which implementation is not rationalized.

Tackling juvenile delinquency need to aim at creating alternative measures and social alternatives, based on a thorough involvement into the environment surrounding the offender and a positive and effective task of social reintegration. A preventive work coordination of various fields of activity should be implemented, that allows a greater access to culture and sports in urban suburbs and at the same time, that provide the opportunity to remove the cultural poverty of families and the environment surrounding the offender.



The current report was led by Mr. Humberto Vital, President of the association and co-beneficiary Memória de Record Club, namely in terms of methodology and conceptualization, as well as related dissemination outputs.

Mr. Christian Brand has been supporting the global activity related to the elaboration of the current report, namely in terms of dissemination purpose on the project website and social network page.

Mr. Bruno Sales da Silva has been involved essentially in the desk research and field collection of data, acting as liaison with Mrs Filipa Duarte, Malam Seidi and Manuel Anselmo, in the geographical areas of Braga (North), Viseu (center) and Lisbon (as well as the great Lisbon area).

In addition, directly involved practitioners in the field in hand were consulted on the basis of their specific professional experience, educational background and knowledge in the field of juvenile delinquency and juvenile justice, namely:

- i. Mr. Manuel Anselmo, lawyer, gather a notable experience in Youth deviance and Youth violence and families' accompanying measures for procedural matters;
- ii. Mr. Malam Seidi, community leader and registered mediator on behalf of the City Hall of the city of Amadora (Great Lisbon area); as mediator, Mr. Seidi have been involved in an extended variety of field experience related to alternative measures applicable to juvenile delinquents, namely in the field of gardening, intercultural activities and events, sport activities, agriculture and construction and building;
- iii. Ms. Filipa Duarte, academic, owner of a EQF level 4 degree in the specific field of juvenile delinquency, specific department of deviance (sociology, deviance behavior);
- iv. Ms. Paula Pinto, trainer and facilitator, owner of a State Certificate for trainers of trainers, with an extended experience in the field of non-formal learning activities (more specifically with methodologies involving dance, music, and artistic expression globally.), and currently preparing workshops for the Child and Youth Protection Commissions (*Comissões de Protecção de Crianças e Jovens – CPCJ*) aiming at prevention and recovery activities;



The main aim of this report is to identify the extent of restorative justice practices that have been implemented over the past decade in Portugal, and more specifically to describe and categorize the structure of the Juvenile Justice System in the country, considering an historical background, the (European Union) EU applicable framework and alignment, and collecting good practices which are representative of positive contribution to related issues.

The motivation supporting the development of the project ALTRACKS is answering two tangible and emerging needs in EU:

- i. the need to categorize and characterize more accurately the needs of minors incorporated in the juvenile justice system, focusing on their protection regarding their capacity, their learning needs and their potencial in terms of competences;
- ii. the need to build and provide tangible alternatives to imprisonment, for minors offenders, their victims and family, considering background, individual and social perspectives.

The operational objectives of the project in hand is to map and scope good practices, build up innovative approaches for programmes and services as alternatives to strictly detention, and to build a Vademecum comprising:

- i. socio-educational services designed to promote the overall well-being of the deviant youngster, to foster self-expression, the respect for dignity and autonomy, to promote the reinsertion and social education of minors subjected to judicial penalties, reduce the risk of possible aggravations or relapse following the punishment;
- ii. identification and description of possible paths for motivational orientation and individualized work aiming at ensuring social inclusion;
- iii. definition of possible restorative justice frameworks aiming at guaranteeing the responsibility of the offenders and the recovery of the victim;
- iv. involvement of the offenders' families in the programme of re-education, re-habilitation and re-integration supported by a work-based tangible approach, all sustained by a variety of materials such as: open web platform, handbooks and tool-kits, and videos recording, in English and also in the participating countries languages.



As a structured consortium, we understand that this “mapping exercise” will provide a purposeful set of information which will also be the beginning of a continuous and sustainable process of observation, which should lead to identify:

- i. developing features of organic and innovative country-specific restorative models, values and practices;
- ii. “best practice” standards across the scope and diversity of restorative justice initiatives at EU level;
- iii. prospects to further develop restorative practices and platforms in areas of need, including strategic partnership, cooperation and funding possibilities;
- iv. the impact of the ALTRACKS project in the development of recommendations for restorative justice policy and practice in the EU globally, including possible future roles of participants in the process.

In Portugal, the implementation of a process of policy reform in the field of juvenile justice was initiated in the late 90’s, which clearly pointed distinction, until then inexistent, between young agents of crimes and children or young requiring protection. The following sections of the report will show that Portugal is nowadays notably active in the field of juvenile justice in the last decades, with restorative models and approaches being tested and implemented within a variety of sectors.



## 2.0 Methodological Approach

The collection of all information necessary to prepare, organize and elaborate the current report was realized with the support of a combination of tools and resources which are described in the following sections. Because the purpose of the work stream related to this research activity is strictly the collection of information, a specific comparative analysis was not conducted at this point.

### 2.0.0 The Internet

The Internet offers a preferred process for procurement of information in a resourceful and cost effective environment that lessens the need for additional instruments. An Internet investigation is usually easier to achieve and effortless to put in practices, using key words, tags and Search Engine Optimization (SEO) techniques.

### 2.0.1 Field experts

Direct exchanges were implemented with individuals and organisations who have competences in the field in hand, either during face-to-face meetings or video-conference, and email interactions as well. A non-exhaustive stakeholder's analysis was implemented prior to the realization of the contacts, aiming at identifying key targets. This nature of methodology strays outside desk research in the rigorous sense. However, a two-way interaction between sources (whilst identifying potential contacts) and expert interviewing (to further identify potential sources) is a means of achieving the most value from desk research.

### 2.0.2 Academia

A wide variety of sources of information can be easily gathered within the academic sphere, and a group of studies, investigations and surveys were collected to take stock from key findings applicable to the field in hand, and allowing cross-references and comparative analysis with other sources of information. Information from the academic field is considered relevant due to the structured approaches that are put in practice aiming at identifying key issues to be addressed, and consequently being a powerful instrument conceive and elaborate policy recommendations for policy decision-makers, the social and health care bodies, and the civil society more globally.



## 2.0.3 Government statistics

Government statistics are not a good source of data in the strict sense due to a variety of factors related to political and economic issues.

Nevertheless, key annual reports from the Ministry of Justice and from the Ministry of Internal affairs were taken into account in order to bring light on the current policy practices, priorities, agenda and trends.

It is important to mention that other sources of statistical data were also taken into account, namely from non-governmental bodies.

## 2.0.4 Online database and field data

Observatory bodies and national working groups active in the field in hand were identified and consulted through available database, such as the Permanent Observatory of Youth (*Observatório Permanente da Juventude*) which provide a specific database in its portal.

Also, other bodies stakeholders related with the field which provides a database as well were consulted, for instance the Office for Documentation and Comparative Law in the Internet (*Gabinete de Documentação e Direito Comparado na Internet*).



Picture 1 – Webpage of the database of the Permanent Observatory of Youth (Portugal).



### 3.0. Overview of the Portuguese juvenile justice system

This section introduces the development of the judicial sphere for children and Youth in Portugal, integrated into the international framework.

Year	Portugal	International	Observations
1911 27 May	Adopted the Childhood Protection Act " <i>Lei de Protecção da Infância</i> "		<i>Lei de Protecção da Infância</i> (1911). In <i>Diário do Governo</i> , of 27.05.1911, pp. 1316-1331
1919		Creation of the Committee for the Protection of Children in which it deals with the right to protect the child by The League of Nations (SDN) - international organization created after the First World War, the predecessor of the current UN -	
1925 15 May	Promulgation of the Law-Decree n.º 10 767, for the establishment of "Refuges", establishments similar to semi-boarding schools for observation, examination and anthropological diagnosis, medical and educational matters, for minors detained in guardianship, also reformatories and correctional colonies		
1959 20 Nov.		The United Nations Assembly approved the Declaration of the Rights of the Child, organized into 10 key principles. Decision that monitoring and verification of compliance with the above mentioned principles would fit the UNICEF.	Proclaimed by General Assembly Resolution 1386 (XIV)
1962	Promulgation of the Law-Decree n.º 44 288 for the establishment of the Organisation of Minor Guardianship		<i>Decreto-Lei n.º 44288 de 20 de Abril</i> , establishing the <i>Organização Tutelar de Menores</i>
1988 22 Nov.	Creation of the first telephone line, anonymous and confidential called SOS-Children		Established by the Portuguese Institute for the Support of Children which responsibilities is to protect children and youth
1989 20 Nov.		The UN General Assembly adopted the Convention and opened it for signature	Entered into force on 02.09.1990
1990 12 Sep.	Ratification by Portugal of the United Nations Convention on the Rights of the Child		Entered into force on 21.10.1990

See section 3.0.0 for detailed information on applicable laws after 1990.



### 3.0.0 Main legal framework

The present section of this report aim at providing information on the principles, definition and purpose of the Juvenile Penal Procedure in Portugal.

The justice system of children and Youth is based on three important legislation endorsed by the Parliament in 1999, and encompassing:

- i. Law n.º 133/99, of 28.08.1999, which amended the Law-Decree n.º 314/78 of 27.10.1978, in what is concerning the part related to civil tutelary trials;
- ii. Law n.º 147/99, of 01.09.1999, which endorsed the Law on Protection of Children and Young People in Danger (LPCJ);
- iii. Law n.º 166/99 of 14.09.1999, which endorsed the "*Lei Tutelar Educativa*" (LTE), e.g. the Educational Guardianship Law;
- iv. Law-Decree n.º 401/82, of 23.09.1982, which define a special legal framework applicable to young people aged between 16 and 21 years old practicing acts qualified by the criminal law as crime;
- v. Law-Decree n.º 314/78 of 27.10.1978, which define the organization of the tutoring for minors (*Organização Tutelar de Menores – OTM*), and the related Law n.º 133/99, of 28.8.1999, which provide a reform for civil processes (see point i.).

The LTE (Law n.º. 166/99 of 14.09.1999) applies to every young person aged between 12 and 16 years old, who practice an act qualified by the law as crime, and who show needs for education in term of law.

Although the legal system differentiates children in danger from young authors of practices considered as crime by the law, there are bridges linking the LTE and the Law on Protection of Children and Young People in Danger (Law n.º. 147/99 of 01.09.1999).

It is the Public Prosecutor which ensures this connection and it shall, at any stage of educational guardianship proceedings, inform the competent authorities about the situation of the youngster who lacks social protection and require the application of protective measures (Article 43, paragraph 1 of the LTE).



The table below summarizes the main legal framework.

Age	Law	Date
12-16	Educational Guardianship Law n° 166/99	14.09.1999
16-21	Law-Decree n.º 401/82	23.09.1982

Table 1 – Main legal framework related to the age of the delinquent.

The Educational Guardianship Law (EGL) – acronym LTE in Portuguese – is processed after the complaint is filed and consists of two main stages:

- i. Inquiry stage;
- ii. jurisdictional stage.

This process in two stages might also encompass two further stages:

- iii. the appeal (optional stage);
- vi. the execution of tutelary measure (any stage).

The details of the main framework referred in this section is provided in the present report, and correspond to a direct non-official English translation of the information provided by the section of Social Reinsertion of the Directorate General of Social Reinsertion (*Direcção-Geral de Reinserção Social – DGRS*) which is embedded and supervised by the Portuguese Ministry of Justice.



A detailed description of the main legal framework is developed hereafter. As mentioned before, in the process of the reform of the Law of Minors in Portugal two new laws came into force on January 1, 2001: the Law for the Protection of Children and Youth at Risk endorsed by the Law n.º 147/99, of 01.09.1999 and the *LTE* endorsed by the Law n.º 166/99 of 14.09.1999.

Whereas the intervention on promotion and protection expressed in first is implemented in relation to cases where there is a threat of the essential rights (civil, social, economic and cultural) of the child or young person, the *LTE* in another form of intervention fundamentals the motivation for the tutelary intervention not only in practice, and subsequent proof of an illicit, but also the need to educate the young to the values and standards essential to life in the community in terms of its accountability in manifesting antisocial and delinquent behaviors.

The *LTE* applies to young people up to 21 years who, between 12 and 16 years old, have practiced acts qualified as crime by the law. The tutelary measures provided in the law aim at educating the young in the field of right and at its insertion in a dignified and responsible manner, in the life of the community life, being this concept the cornerstone of all official action. There is no intervention when there are no facts or where there is insufficient evidence, when there is no identified need for education in the field of right or when the non-responsibility due to mental illness is proven.

The DGRS, of the Ministry of Justice is, under the terms of the mentioned law, a subsidiary body of the administration of Justice responsible for defining and implementing public policy administration regarding crime prevention, and social reintegration of young people and adults. Embedded in this framework, the implementation of measures of internment through the management of Educational Centers for the development of a programme ensures the rehabilitation of youngster who are recognized as agents of crime facts qualified by law as criminal action.

For its character of deprivation of liberty that is the most severe measure of *LTE* and is enforceable in three different regimes: open, semi-open or closed. Its length can vary from three months (open) and two years (open and semi-open), exceptionally three years (closed).



Interactivity between systems of punishments and measures can be practiced, and offenders can be put in closed regime if they cumulate, simultaneously, the fulfilment of a guardianship measure and preventive imprisonment.

The decision regarding the referred arrangements is in the hand of the Court, that take into account the assessment of the personality of the youngster, the identified educational need in terms of rights, and the comparison of the illicit acts in hand with the criminal corresponding framework.

Each Educational Centre has its own instruments of organization among which are:

- i. the design of the project for educational intervention and;
- ii. the code of conduct;

both defined in the light of legal frameworks that provide a basis for the respective activities in the system.

Since it is a progressive and phased model of practice, the intervention is structured around educational and therapy treatments programmes considering different areas (schooling, vocational guidance and initial vocational training, social and cultural activities, sports, health education and therapeutic programmes, as well as others activities related to delinquency and deviant behaviour.

In addition to these drivers, there are also everyday life programmes focusing on basic daily routines that seek to strengthen personal and social competences starting precisely with the experience of day-to-day context of custody. In these programmes there is a range of mandatory training activities under the personal educational project designed with each student and endorsed by the Court.



### 3.0.1 Complementary legal framework

The legal framework presented in this section is related to the main legal framework regarding the operational instruments and institutions responsible for implementing, managing or monitoring the procedural processes.

The details of the main framework referred in this section is provided in the present report, and correspond to a direct non official English translation of the information provided by the section of Social Reinsertion of the Executive Office for Social Reinsertion (*Direcção-Geral de Reinserção Social – DGRS*) which is embedded and supervised by the Portuguese Ministry of Justice.

#### 3.0.1.0 Educational centers

The *LTE*, according to Article 4, encompasses several measures, the most serious one being the lodging of the young in the Educational Center.

The applicable laws are the following:

- i. Joint Decision (*Despacho Conjunto*) n.º 998/2003 of October the 27<sup>th</sup>, 2003 from the Ministry of Justice, Education, Social Security and Employment; this decision determines that the basic education, the educational and professional qualifications of learners of the educational centers integrated in the Institute of Social Reintegration (IRS) are ensured by the Ministry of Education, through the regional Directorates and Clusters of education, in accordance with this joint decision.
- ii. Law-Decree (*Decreto-Lei*) n.º 190/2000 of August the 16<sup>th</sup>; establishes an exceptional framework for carrying out works in buildings intended for educational centers, procurement of goods and services and recruiting staff for the Institute for Social Reinsertion.
- iii. Law-Decree n.º 323-D/2000 de 20.12; approves the general and disciplinary rules of the Educational Centers.



In this way, the measure of internment for young offenders is aiming at the "temporary leave from their usual environment and the implementation of programmes and teaching methods, the internalization of values conforming to the law and the acquisition of resources that will allow the young offender, in the future, to lead his or her life in a socially and legally responsible way.

#### 3.0.1.1 Related to the *LTE*

The applicable laws are the following:

- i. Law-Decree nº 5-B/2001 de 12.1; endorses the norms of transition related to the development of the framework established in the *LTE*;
- ii. Law-Decree nº 323-E/2000 de 20.12; regulates the law nº 166/99, of September the 14<sup>th</sup>, which endorses the *LTE*;
- iii. Law nº 166/99 of September the 9<sup>th</sup>, endorses the *LTE*, annexed to the present law of which it is integrated.

#### 3.0.1.2 Measures and duties in favour of the community

The applicable laws are the following: articles 4<sup>o</sup>, nº 1, paragraph d) and 12<sup>o</sup> of the *LTE*. This measure, for which the fundamentals of the laws requires the agreement of the minor, consists in the realization of activities, with no salary, of social interest or in favour of a person in critical situation, during a certain number of sessions. The aim is to associate the nature of such activities with the nature of the jurisdictional act done by the minor.



### 3.0.2 The National Plan for Rehabilitation and Reintegration 2013- 2015

The Council of Ministers approved the National Plan for Rehabilitation and Reintegration 2013- 2015 (NPRR) and the National Plan for Rehabilitation and Reintegration - Juvenile Justice - 2013-2015 (NPRR-JJ), which is based on the fundamental principles of human dignity and building one free, just and solidary society and the State to ensure everyone the right to freedom and security. The plans are endorsed by a the Resolution of the Council of Ministries n.º 46/2013, published in the Official Journal of the Republic of Portugal under the 1<sup>st</sup> series — N.º 140 — 23.07.2013.

These plans are instruments of strategic planning activities of the execution of sentences and measures in Portugal, acting as a pillar of justice, both framed in national policies and in conjunction with international guidelines on the enforcement of sentences system, and provides pre-conditions for the adoption of a set of 96 measures structured around 12 key areas.

The National Plan for Rehabilitation and Reintegration 2013-2015 is based on three fundamental operating principles:

- i. the principle of rehabilitation of criminal behaviour;
- ii. the principle of rehabilitation and social responsibility;
- iii. the principle of sustainability of the execution of sentences and measures system.

Designed as a programmatic line of action, the NPRR aims to increase opportunities for individual change and social reintegration, intervening with its environment, before internment, while accomplishing a sentence, and after his/her release.



In turn, the NPRR-JJ, includes a set of 16 measures that are articulated independently, given the specificity of the target population, around three structural principles:

- iv. the principle of qualification assessment and intervention directed at the criminal conduct;
- v. the principle of consolidation quality responses and levels of efficiency of operating units;
- vi. the principle of intra joint and interagency.

A non-official English translation of the information provided by the Official Journal of the republic of Portugal is provided in the **Error! Reference source not found.**



## 4.0 Bodies of juvenile justice system in Portugal

### 4.0.0 Ministries

Ministry of Justice – Office of the Secretary of State of Justice (and related ministries such as Ministry of Internal Affairs, Ministry of Education, Ministry of Employment and Social Affairs, etc.) is the constitutional legislator and expressly endorse the prosecution service, that is The Public Ministry to "(...) represent the State and defend the interests determined by law, and (...) to participate in the implementation of the criminal policy defined by the sovereign bodies, exercise action criminal guided by the principle of legality and defending democratic legality". The Statute of the Public Ministry gives it a special authority to represent the unable.

#### 4.0.1 The Public Ministry (*Ministério Público – MP*)

The MP is the Portuguese body of autonomous magistrates formed of public prosecutors. It is a body of the Portuguese judicial system which includes the Prosecutor General's Office (*Procuradoria-Geral da República*).

The Portuguese criminal investigation police (*Polícia Judiciária – PJ*), is supervised by the MP and is called for inquiries processes.

The Public Ministry intervenes under the law-Decree n.º 272/2001 on the authorization to practice actions related to children and youngsters, and pronounce on agreements related to parental responsibilities in divorce processes that run in the Civil Registries (*Conservatórias*).

Embedded in the Public Ministry, the Central Department of Investigation and Penal Action (*Departamento Central de Investigação e Acção Penal – DIAP*) is a body which coordinates and directs the investigation and prevention of violent crime, highly organized or particularly complex.

It consists of a Deputy Attorney General, who acts as the executive manager, and prosecutors, in constant number of staffs who are approved by ordinance of the Minister of Justice, after consulting the Superior Council of the Public Ministry.



#### 4.0.2 The Juvenile and Family Courts

Are competent to prepare and prosecute the voluntary proceedings relating to spouses, separation actions of persons and property in divorces, inventories required as a result of separation actions of persons and property in divorce, as well as precautionary procedures with those related, actions and executions of subsistence between spouses and between ex-spouses, lack of or civil marriage annulment statement actions, claims relating to marriage annulled contracted in good faith by both spouses.

These courts also have jurisdiction to enact measures for children who have completed 12 years and prior to attaining age 16, and who are in any of the following situations:

- i. show serious difficulty in adapting to a normal social life, by their situation, behavior or tendencies they have revealed;
- ii. if they engage in begging, vagrancy, prostitution, debauchery, abuse of alcohol or illicit drug use;
- iii. are agents of acts qualified by criminal law as a crime, transgression or offense.

The power of these courts extends to minors under the age of 12 when the parents or the legal representative do not accept tutelary intervention or re-education from official institutions or non-judicial. Except in the cases where the competence lies, by law, to such institutions, regardless of age, these courts are also responsible for:

- iv. to take measures for minors who are victims of abuse, abandonment or helplessness or are in situations which could endanger their health, safety, education or morality;
- v. take measures for children who have reached the age of 14 are deemed severely unsuited to the discipline of family, work or education and assistance establishment in which they are admitted;
- vi. take measures for minors that are engaged in begging, vagrancy, prostitution, debauchery, alcohol abuse or drug use, where such activities do not constitute or are not connected with criminal offenses;
- vii. consider and decide applications for child protection against abuse of authority in the family or in the institutions to which they are delivered.

When during the realization of the measure, the minor with more than 16 years old commit any criminal offense, it can be reported to the court, with the purpose of reviewing the extent of the measure in execution, if the minor's personality and the inconsequential circumstances of the act so advise.

The court's jurisdiction cease when the process is registered at the court after the minor reach 18 years, and in this case the process is filed.

#### 4.0.3 The Commission for the Protection of Children and Youngsters (CPCJ)



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Commissions for the Protection of Children and Youngsters (*Comissões de Proteção de Crianças e Jovens – CPCJ*) and hereafter referred as *CPCJ* are non-judicial official institutions that protect children and young people in danger, involving parents or legal representative, to prevent or delay the intervention of the courts. The committees aim to promote children's rights and young and prevent or put an end to situations that could endanger their safety, health, training, education or full development.

These commissions were established with the publication of the Law-Decree n.º 98 of 18.04.1998, and for the purpose of planning the intervention of the State, and also, the coordination, monitoring and evaluation of the operation of public bodies and of the community of bodies with an intervention in the field of the protection of children and young people at risk.

These commissions have the following powers:

- i. participate in legislative changes that respect the scope of its mandate;
- ii. foster, particularly in the context of the cooperation pact for social solidarity, the protocols between child protection committees (*CPM*), the state departments with intervention in this area and private charities or other private entities;
- iii. foster the establishment of interdisciplinary teams of minors and adoption and their specific training;
- iv. foster the creation of emergency hosting centers in the geographical areas where proven necessary and where issues are identified;
- v. Prepare and coordinate the transition of minors and human resources, physical and financial means which are in the justice system and that will be transferred to the social welfare system;
- vi. request and coordinate audits and diagnostic studies and needs assessment, measures and social responses;
- vii. foster, coordinate and monitor the preparation of the situation diagnosis of institutionalized children and or hosted outside the family;
- viii. coordinate the activities of all public and private entities, structures and intervention programs in the area of children and youth at risk, in order to strengthen cooperation strategies and rationalization of resources;
- ix. accompany and support the child protection commissions, enabling them to improve the quality of their performance.



#### 4.0.4 The Police of Public Security

The Police of Public Security (*Polícia de Segurança Pública – PSP*) abide a specific protocol which defines precisely its intervention.

The annex 4 indicates in details the specific protocol for this purpose.

#### 4.0.5 The Social Security

The *Segurança Social* provide financial support if the family of the young offender cannot afford the costs of some of the processes.

#### 4.0.6 The Civil Registry

The Civil Registry (*Conservatória do Registo Civil*) provide administrative procedures with regards to the parents' obligations related to their duties concerning measures applied to their children.

#### 4.0.7 The office for social rehabilitation

The General Directorate of Rehabilitation and Prison Services (*DGRSP*) was officially established by the Law-Decree n.º 215/2012 of 28.09.2012, in substitution of the now extinct General Directorate of Social Rehabilitation (*DGRS*).

The *DGRSP* services assume a particularly significant role regarding the *LTE*, which mission is to assist the court in the task of assessing the actual situation of the minor and the need for education to the law and monitor the implementation of educational measures to be applied.

The thoughtful and careful evaluation of each situation, the individual monitoring of each minor and the interdisciplinary work of several technical teams that make up the services are therefore key elements to achieve the goals the *LTE* proposes to achieve.



## 5.0 Procedural system and guarantee the rights

In addition to the explanation of the process development embodied by the procedural system, it is paramount to underline that if the minor is in danger - and without prejudice to the civil providence that must be put in place immediately - the prosecutor monitors and supervises the intervention of the Child and Youth Protection Commissions (*Comissões de Protecção de Crianças e Jovens – CPCJ*), requires the Court's intervention whenever the *CPCJ* cannot proceed with its activity (because, for example, the parents opposed this intervention), and when the life or physical integrity of the minor is in danger, directly before the Court requires urgent action to remove this danger.

It is the intervention foreseen in the Law for the Protection of Children and Youth in Danger (*Lei de Protecção de Crianças e Jovens em Perigo*). If the youngster over 12 years and under 16 commit acts that criminal law qualifies as a crime, the prosecution, under the *LTE*, directs the safeguard investigation and requires the measures to educate the young on the matter of the law.

As introduced in section 3.0.0, the *LTE* is processed after the complaint is filed and consists of two main stages that are detailed hereafter.

### 5.0.0 Inquiry stage

It is the Public Prosecutor's Office (*MP, Ministério Público*) which manages this phase and determines its opening after accepting a complaint. This phase seeks to investigate the existence in law of a crime and determine the need for education of the young offender. To this end, steps are promoted with the aim of supporting the decision as to whether this is a case which warrants a custodial measure. The maximum duration of the inquiry phase is 3 months, extendable for another 3 months in cases of particular complexity (article 75, paragraph 3 *LTE*, "Educational Guardianship Law").

In the investigation phase, the Public Prosecutor's Office may ask for collaboration from police force criminal investigators in particular as to the facts and from social reintegration services (territorial jurisdiction on the basis of area of residence - see teams) to develop services for information, reports or social skills on personality (see Advising Courts). It is also possible to request any representations and / or information to any public or private services.



The young offender should be heard in the shortest time period after the opening of the Inquiry. Hearing the young may be waived when the injunction case filing and may be delayed in their interests (article 77, paragraph 2). Optionally, the Public Prosecutor's Office may decide to carry out a joint test session, with the obligatory presence of the youth, their parents, or legal representative who has his de facto guardian.

The prosecutor may suspend the proceedings for a maximum period of one year. In these circumstances the MP may refer the youth to join the mediation program and repair of probation services in order to access a process of mediation and / or support for the elaboration of a plan of conduct (see mediation and reparation).

If during the period of suspension the young meet commitments the lawsuit is filed. Otherwise the prosecutor determines the continuation of the proceedings.

At the end of the investigation stage and considering the results, the investigation stage can end with a decision to file an application or opening of the judicial stage (article 86 and 89 of LTE).

#### 5.0.1 Jurisdictional stage

The judicial phase begins after prosecutors request its opening and is presided over by a judge. This phase comprises the legal proof of the facts, assessing the need for the application of safeguard measures, determining the extent and protect the implementation of safeguard measure.

The judge can dismiss the case - whether you agree with the proposal of the Public Prosecutor in the sense of being unnecessary the application of safeguard measures (Article 93, paragraph 1 b) of LTE). If it is decided not to archive, the judge designates a day for holding a preliminary hearing or determines to continue the procedure with a view to holding the hearing.

Continuing, the decision must be substantiated, may be closed or the application of a safeguard measure can be opted. In that case, the measure shall contain, inter alia, the public or private entity to whom it is granted its implementation and monitoring.



Continuing, the preliminary hearing. In cases where the prosecution proposes to request the opening of the Constitutional stage, the application of non-institutional safeguard measures and appropriate treatment of the abbreviated proceedings, the Judge may appoint to hold a preliminary hearing. The preliminary hearing shall have the obligatory presence of the prosecutor and the defender of young (n art.101.º 1 and 2 LTE).

Continuing, the parents of the youngster are called, the victim or any person whose participation is relevant. If the preliminary hearing, the judge did not consider the institutional safeguard measure proposed by the proper prosecutor seeks consensus in applying the same hearing the young parents or legal representative, advocate and offended.

If there is no agreement, the judge may refer the couple to agree to seek mediation services to other non-institutional action and suspend the hearing for a period not exceeding 30 days (Article 104 paragraph 3 of LTE).

If we get everybody to agree the Judge approves the proposal of MP or guardian applies to the proposed measure obtained under the assistance of mediation services.

If the judge considers the proposal by prosecutors as inappropriate or disproportionate, or no consensus exists about the same, the judge determines the production of evidence, two different situations may occur: if the judge feels that you are not in possession of the necessary elements to the final decision orders the continuation of the process of conducting due diligence as may be appropriate for the hearing (Article 93 paragraph 1 and 2) if it considers that the file contains all elements required Judge makes decision basing it (article 104, paragraph 5).

Continuing, the hearing, takes place in the following situations: when, although prosecutors have proposed a non-institutional safeguard measure (see measures in the community), the nature and seriousness of the situation and the urgency of the case does not warrant a preliminary hearing; when the preliminary hearing was performed, there was no consensus as to apply, and produced the evidence, the judge deems not to be in possession of all the necessary elements will be final decision; and when it was proposed by the prosecutor an institutional safeguard measure (see institutional measures).

The youngster, its parents or the legal guardians are notified and advocate for the hearing, which may indicate evidence to produce at the hearing and call witnesses, experts or probation officers or other evidence.



## 5.0.2 Possible additional stages

This process in two stages might also encompass two further stages which are described hereafter.

### 5.0.2.0 The appeal

The Public Prosecutor, the accused youngster, the parents of the accused, the legal representative or guardian, and anyone who has an interest in the legal outcome of the court decision has the right to appeal to the Court of Appeal within five days.

The decision may be appealed when the outcome:

- i. terminates of the proceedings;
- ii. applies or holds a precautionary measure;
- iii. applies safeguard measures or review;
- iv. absence or incapacity of the Judge or prosecutors;
- v. orders the payment of any monetary sums;
- vi. affects personal or property rights of the child or others.

### 5.0.2.1 The execution of the tutelary measure

After the final judgment of the final decision, the Court may state entities to ensure the monitoring of the implementation of the guardianship measure applied.

These entities are required to periodically report on the progress of the educational process of the minor and of all circumstances likely to require a review of the educational guardianship measure applied.

At any stage of the guardianship proceedings precautionary measures might be taken in order to prevent the escape of the minor or the practice by him of new acts qualified by the law as a crime.



Review of measures not institutional: non-institutional guardianship measures might be amended as often as:

- i. enforcement has become impossible, for reasons not attributable to the young;
- ii. execution has become excessively burdensome for the young;
- iii. during implementation, the measure has become erroneous for the minor, frustrating the its purposes;
- iv. the continuation of its implementation be unnecessary due to educational progress of the minor.

In these situations, the Court may keep the applied measure, modifies the conditions of implementation of the measure, substitute by another more appropriate, reduce the duration of the measure or terminate the measure.

The non-institutional guardianship measures may also be reviewed whenever the young:

- i. intentionally impede the fulfilment of the measure;
- ii. violates, in a coarse or persistent manner, the duties inherent in the application of the measure;
- iii. having aged 16 years commits a criminal offense.

In these situations, the Court may solemnly warn of the seriousness of the minor's conduct and for possible consequences thereof, modify the conditions of implementation of the measure; replace the measure with another, equally non-institutional, or order confinement in semi-open regimen for a period of one to four week-ends.



### 5.0.3 Guarantee of rights

The Childhood Protection Law of 1911, more specifically the Decree of January the 1st, 1911 (published in the Official Journal in 27.05.1911), has made Portugal a pioneer in the protection of children, distinguishing the child from the adult, and the Criminal Law from the Juvenile Law. It was with this law that was established the first Tutoring Centers for Children (*Lei das Tutorias da Infância – LTI*), which later give rise to the current Juvenile and Family Courts and established the National Federation of Friends and Defenders for Children and the "Refuges".

The child protection in Portugal is considered as paramount and led to the publication of the Decree of 01.01.1911, which also created the Protection Committees. However, it was the Child Protection Act (*Lei de Proteção à Infância - LPI*) of 27.05.1911, which initiated the organization of a specific judicial system for the protection of children and young people.

If in 1911 and 1912, respectively, the Tutoring centers were established in the cities of Lisbon and Porto, the rest of the country had to wait for the 1925 law, which regulated the expansion of the legal framework, which was only completed during the "Estado Novo" (Second Republic of Portugal).

The Childhood Protection Law has only been the subject of reform when was published the "*Organização Tutelar de Menores (OTM)*", that can be translated as "Juvenile Tutelary Organization", in 1962. It is also important to note that in the 90's, an important mark was achieved in terms of children's protection, with the *LTE* and with the Law for the Protection of Children at Risk.

The new model for the protection of children and youth at risk, in force since January 2001 (with the publication of the Law n.º147/99, 1 September, referred in paragraph 3.0.0 page 10), calls for the active participation of the community, a new relationship of partnership with the State, accomplished and supported by the Commission for Children and Youth Protection (hereinafter referred CPCJ), able to stimulate local dynamism, aiming at enhancing and fostering social development networks.

The CPCJ are non-judicial official institutions with functional autonomy, which aim is to promote the rights of children and young prevent or terminate likely situations which affect their safety, health, training, education or full development.



The Food Guarantee Fund Due to Minors (*Fundo de Garantia de Alimentos Devidos a Menores*) can be ordered to pay maintenance to minors in the case that the offender do not have any source of income, or if the economic situation of their legal representatives fall within the provision of the law.



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## 6.0 Principles of education, prevention and protection in criminal proceedings between juvenile sanction and recovery.

As expressed in section 3.0.0 point (iii) page 12, the EGL, referred as *LTE* along this report, is the legal provision regulating the practice, from minors aged between 12 and 16 years of acts that are qualified as crimes. The carrying out of a crime by the minor gives rise to the application of an educational tutelary measure. The educational measures aim at ensuring education to the rights and their integration, in a dignified and responsible manner, within the community.

The guardianship measures are described in the following sections and presented in correlation with the articles of the Law n.º 166/99, of 14.09.1999.

### 6.0.0 Admonition

Article n.º 9 of the *LTE*. Non-institutional measure.

It is a solemn warning given by the judge to the minor, expressing of unlawful conduct (explaining that the minor committed a crime) and an order addressed to the minor to correct his behavior in order to abide the applicable rules and legal values of the community, and integrate, in a dignified and responsible manner, in the life of the community.

### 6.0.1 Driving license withdrawal

Article n.º 10 of the *LTE*. Non-institutional measure.

The withdrawal of the right to drive mopeds or get permission to drive scooters consists in the withdrawal or the prohibition on granting a license for a period between one month and one year.

### 6.0.2 Restoration to the victim

Article n.º 11 of the *LTE*. Non-institutional measure.

The restoration to the victim can present a variety of arrangements, such as the expression of excuses to the offended, economic compensation to the offended regarding the material damage caused, or the exercise for the benefit of the victim of activities related to the damage.



### 6.0.3 Community's duties

Article n.º 12 of the *LTE*. Non-institutional measure.

The realization of economic benefits or tasks in the benefit of the community consists of the minor in paying a certain amount of money, or delivering a certain amount of duties in benefit of a non-profit entity, public or private.

### 6.0.4 Conduct

Article n.º 13 of the *LTE*. Non-institutional measure.

The imposition of rules of conduct may be, among others, not being authorized to join certain circles, places or events, not being allowed to be or follow certain individuals, forbidden to drinking alcohol, or to be part of certain groups or associations, not allowed to have certain objects in his or her possession.

### 6.0.5 Obligations

Article n.º 14 of the *LTE*. Non-institutional measure.

The imposition of obligations which may consist for the minor to be ordered to attend an educational establishment with a specific control of attendance and evaluation, or a vocational training center, or to undergo medical treatment programmes.

### 6.0.6 Education and training programmes

Article n.º 15 of the *LTE*. Non-institutional measure.

The frequency and the typology, content and setting of the training programmes depend on the characteristics and needs of the minors, and shall include leisure activities, sexual education, road safety education, psycho-pedagogical orientation, to name but a few.



## 6.0.7 Educational mentoring

Article n.º 16 of the *LTE*. Non-institutional measure.

It is the implementation of a personal education plan prepared by the probation services, i.e. the services of social reinsertion.

## 6.0.8 Guardianship

Article n.º 17 of the *LTE*. Institutional measure.

This measure can be performed with an open regimen, semi-open or closed. These typologies mean the minor must remain in an Educational Center, and in a closed regimen, the minor always remains in the institution, the authorized leave-taking being under strict monitoring, and strictly limited to compliance of judicial duties, to the satisfaction of health needs or other equally ponderous and exceptional reasons. The option for the three types of systems/regimen depends on the severity of the crime.

The implementation and the review of guardianship measures is under the jurisdiction of Court of Family and Children. In districts where these courts and smaller, the district court will be addressed for the issues at stake.

There is a record, organized into central file, which contains the educational measures enacted. However information on registration is cancelled on the date on which the holder (the minor) reach 21 years old.

The minor has the right to be accompanied by a lawyer in every procedural step in which it participates.



## 7.0 The professionals of the juvenile justice system

### 7.0.0 The police officer

And related criminal and police investigation staffs.

Globally among the first jurisdictional element in the process of juvenile delinquency with regards to the public intervention, they are part of a national programme called “*Escolas Seguras*” (Safe Schools) which operational objectives are:

- i. promote a culture of safety in schools;
- ii. foster civility and citizenship, thereby contributing to the affirmation of the school community as a privileged space of integration and socialization;
- iii. diagnose, prevent and intervene in security issues of schools;
- iv. determine, prevent and eradicate the occurrence of risk behaviors and / or unlawful in schools and surrounding areas;
- v. promote, in concert with its partners, conducting awareness-raising and training on the issue of prevention and safety in schools;
- vi. collect information and statistical data and conduct studies to provide the competent authorities of objective knowledge about violence, feelings of insecurity and victimization in the educational community.

As indicated in the section 4.0.4 page 23, the police officer abide a specific protocol regarding the process of juvenile delinquency matters.

Web link of the programme “[Escolas Seguras](#)”.



### 7.0.1 The judge

The “*Juiz Desembargador*” (judge) is responsible for the administration of justice and enforce its decisions. The judges judge only according to the Constitution and the law. The judges, holders of the structures of sovereignty, are independent.

The independence of judges is ensured by the existence of a private organ of management and discipline of the judiciary, by tenure, the non-responsibility of their decisions, and the immunity from any orders or instructions except under the compliance of compliance to decisions ordered by higher courts.

Weblink for more detailed information on the jurisdictional professions, education and training settings: [profissões jurídicas](#).

### 7.0.2 The public prosecutor

And related Public Ministry staffs (executive agents, notaries, justice officials, judges of peace, etc.).

The “*Procurador da República*”, have the responsibility to represent the state, defending the interests determined by law, participate in the implementation of the criminal policy defined by the sovereign bodies, carrying out penal action according to the principle of legality and defending democratic legality.

Prosecutors are also represented by the following magistrates: the Attorney General of the Republic; the Deputy Attorney General's Office; the assistant attorneys general; the prosecutors; e) the Deputy District Attorneys. These magistrates are paid by the state.

Weblink for more detailed information on the jurisdictional professions, education and training settings: [profissões jurídicas](#).

### 7.0.3 The lawyer

The key act related to lawyers are all those resulting from the exercise of the right of citizens to be accompanied by a lawyer before any authority.

Only law graduates with entry into force of the Bar Association may, throughout the national territory, own practice of law acts. The specific acts of lawyers (and solicitors) the exercise of the forensic mandate and legal advice.



Acts of lawyers and solicitors are also: drafting of contracts and the practice of preparatory acts leading to the establishment, modification or termination of legal transactions, particularly those practiced together for protective and notary offices; the negotiation aimed to claims; the term of office under claim or appeal or tax acts.

Weblink for more detailed information on the jurisdictional professions, education and training settings: [profissões jurídicas](#).

#### 7.0.4 The guardianship tutor

And related educational center staffs (guards, administration, etc.).

Mentoring is globally applicable for students who require a specific orientation in school activities and / or in their behavior. Mentoring programs include a weekly schedule in which the teacher-tutor and the student meet. The number of hours of tutoring depends on the need of the student and is prepared carefully by the class council.

The tutor function is performed, whenever possible, by a member of the Class Council, aiming at closely monitor the learning process and curve of a student in particular.

Its main functions / objectives of the tutor is to: advise and guide the student in the study and school tasks; develop the student's integration measures in the classroom and at school; contribute to the individualized education favoring the development of all aspects of personality, identity and value system; promote the process of maturity and progressive decision making, as students are making choices in your life; articulate with family, support services and group director; promote cooperation between school and training activities.

#### 7.0.5 The psychologist

And related therapeutic staffs.

The psychology service and school guidance consists of a psychologist who works directly with the pedagogical management, within a time set which is defined at the beginning of the school year. For better monitoring of the minors, within previously examined situations, further contacts may be established with experts from the field of health or social care to name but a few.



## 7.0.6 The pedagogical department

The educator and related education and training staffs.

The special education department is a service that aims to contribute to inclusion and equal educational opportunities and success of the students, promoting the existence of adequate variety of pedagogic response to their special needs arising from limitations or failure, manifested systematically and in a long-term period, the level of activity and participation, particularly in learning and application of knowledge in the general tasks and demands, communication, mobility, self-care, autonomy and personal relationship.

These limitations or disabilities are due to endogenous limiting factors, which may be exacerbated by environmental factors resulting from loss or abnormality in terms of functions or body structures, in cognitive and communicative aspects, including the level of language and speech, movement and physical health.

The special education department staffs encompasses the psychologist and special education teachers. The special education department must work in close coordination with the pedagogical council and class council, where there are pupils with special and permanent educational needs.

The special education department conducts regular and special meetings at the beginning of each school year to plan, coordinate and prepare the school year, after meeting the pedagogical council and end of the school year.

## 7.0.7 The public bodies assistants

And related non-specialized staffs from the Social Security services as well as employment, education and training bodies (schools, vocational education centers).

School social action services are intended primarily to the needy students in terms of economical issues, and aim to minimize the differences and socio-economic inequalities between students, and prevent their exclusion from school. These services are translated by a diverse set of actions, such as sharing meals, books and other school supplies, merit scholarships and school insurance, according to what is legally established.



## 7.0.8 The mediator

This component of the jurisdictional process is not recurrent and systematic and only exists in some structures of City Halls in Portugal, for instance in the City hall of the city of Amadora, where Mr. Malam Seidi, president of the private non-governmental and not for profit association "Aldeia Lusófona" acts as intercultural mediator.

The main role of this position is to facilitate a balanced dialogue between parties involved in the field of juvenile justice and delinquency, aiming at mitigate the conflicts between offenders, victims and the society, whilst accounting responsible the minor offender for its act.

We decided to separate this special occupation from the section 7.0.9 because we consider it illustrate a distinctive role, not only in terms of field work, but in terms of relationship with a public body as well.

## 7.0.9 Workers from Civil Society Organizations (CSOs)

Civic participation of citizens appears as a key element for social cohesion. In this context, voluntary or paid activities within CSOs constitute an enriching experience, enabling the development of social skills and competences that contribute to the strengthening of solidarity.

There are a very large variety of CSOs and CSOs networks in Portugal active in the field of Juvenile Justice, with different forms of responsibilities and distinct sets of objectives (see also section 9.0).

The great majority of workers in this field are integrated in non-governmental and not for profit private structures, sometimes with the specific statute of Private Institution of Social Solidarity (*IPSS*), and are generally referred in Portugal as Non-Governmental Organizations (NGOs).

The main goal of these structures are to contribute to the development of minors' potential and promote their autonomy. It also seeks to act in an integrated manner on the factors of social exclusion, favoring original responses to the identified needs that can help promote a more just and caring society. Projects are aimed at an audience between 12 and 35 years old, and are globally integrated into three main areas: education and training, health and community intervention.

Non-formal education has been the main working methods practiced over the years by the staffs of these structures.



We would like to mention, also as a good practice example in the field of structured networking for social responses the existing network “*Rede Social de Lisboa*” (Lisbon Social Network). Detailed information can be found on their web page at “[Rede Social de Lisboa](#)”.

Weblinks for more detailed information on specific aspects of the referred field of activities, namely education and training settings:

- i. [ACEGIS association](#);
- ii. [INTEGRAR association](#);
- iii. [The Portuguese Justice Society Psychiatry and Psychology](#)
- iv. [APPDAE association](#);
- v. [APAV association](#).



## 8.0 Statistical data

### 8.0.0 Introduction

Data from the security forces on reported crimes, that is, statements which in fact became the object of interest to the police or of which they were aware, is the main indicator for the first level of formal reaction of the mechanisms of social control regarding the Juvenile Justice sphere.

In Portugal, from a legal point of view, an individual is considered a person who is responsible for their actions in terms of the penal system only when aged 16 years old. Any offense committed under this age limit of criminal liability, even if in the light of criminal law it could turn out to be qualified as a crime, can only lead to the establishment of protective or guardianship educational measures, and never can the child or young person be subjected to criminal trial leading to the execution of a prison sentence. This approach stems from the fact that they understand that, until that age, the need to impose a code on the execution of a sentence does not arise, a sentence which is of a retributive character to the community, but rather a guardianship measure that enables the (re) education of the individual, and promote no recurrence by strengthening the social conformity.

This age demarcation is critical in differentiating between the concepts of delinquency and crime and depends on the understanding that a society makes about social categories, children and youth, neither the social reaction of them be separated. Delinquency is a plural phenomenon, diverse, encompassing many nuances. To distinguish it from the social contexts where it arises is one thing; to understand the processes that lead to its registration in official systems is another (Carvalho, 2010). Far from being able to act as an objective and complete fact that encompasses an entire social reality, official (i.e. governmental) statistics on crime of children and youth in Portugal are social constructions anchored to specific legal frameworks, variable in time and space, and no longer represent but some of its possible dimensions according to the sources of information on its origin. The acts recorded relate only to individuals to which the society attributed the offender "label", constituting the most visible faces of the problem because they are officially identified. The absence of a systemic model for collecting information from the base to the top of the pyramid of social and jurisdictional intervention in the country, do not allow to take a global view on this social problem, but only a fragmented prism, often hardly cross linkable between each other.



In Portugal there is an emergent need for adjustments in notation and tools for statistical data collection procedures in this area, as well as consideration of their timely public disclosure. Based on research conducted by academia in recent years about juvenile justice systems, the collection of data presents a summary of the census on delinquency officially in Portugal, providing an analytical framework that integrates data available from security forces, protection systems and the guardianship educational sphere.

The graph below illustrates the evolution of the facts qualified as crime by the criminal law, practiced by juveniles under 16 years old of age: facts registered by the police authorities between 1993 and 2011.

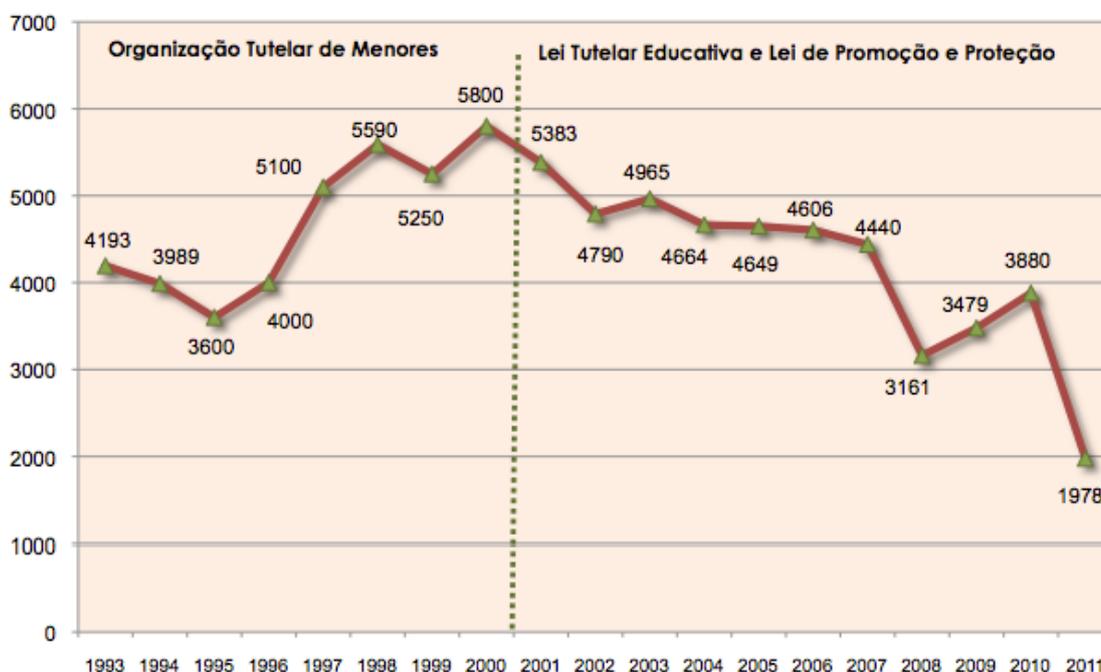


Chart 1 — Evolution of the facts qualified as crime practiced by juvenile under 16 years old.

**Source** Internal report of Home Security — Ministry of Internal Affairs (2000-2012); Lourenço, Lisbon, Frias e Rosário (2000).

#### Translations

*Organização Tutelar de Menores* for Guardianship Organization for Minors, the Juvenile Justice framework until 1999.

*Lei Tutelar Educativa e Lei de Promoção e Proteção* for EGL and Law for the Child and Youth Protection Commissions, the Juvenile Justice framework from 1999 onward.



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## 8.0.1 Reports and hearings

Compared with the same period in 2013, the total of reports and hearings received decreased by 9% (see Table 2).

	Criminal Law				Educational Guardianship Law				Total	Variant %
	Reports and hearings	Sentences and measures	Total	Variant %	Reports and hearings	Measures	Total	Variant %		
1º Semester 2014	39.655	20.668	60.323	-9,45	2.389	925	986	-16,10	63.637	-9,82
1º Semester 2013	44.133	22.489	66.622		2.746	1.204	1.286		70.572	

Table 2 – Summary of the cases received for the social rehabilitation sphere.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), preliminary data collected in 08.07.14 (table 1 page 2 of 21)

	1º semester 2014	1º semester 2014	Variant for the current year
Total	63.637	70.572	-9,82
North	18.620	19.715	-5,55
Center	15.680	18.016	-12,97
Lisbon area	19.823	22.786	-13,00
Alentejo and Algarve	5.078	4.947	2,65
Madeira Islands	946	1.282	-26,21
Azores islands	2.419	2.703	-10,51
Electronic vigilance	808	830	-2,65
Educational centers	263	293	-10,24

Table 3 – Summary of the cases received for the social rehabilitation sphere per geographical areas.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), preliminary data collected in 08.07.14 (table 2 page 2 of 21)



Sphere	Total number of individuals	Male		Female	
		Total	%	Total	%
Criminal law	17.506	15.591	89	1.908	11
Educational Guardianship Law	869	736	85	133	15
Total	18.368	16.327	89	2.041	11

Table 4 – Number of individuals subject to a request for social reinsertion.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), preliminary data collected in 08.07.14 (table 3 page 3 of 21)

	Social report	Social information	Social report with psychological evaluation	Expertise on personality	Personal Educational Project	Hearings	Others	Total
Received	1.368	397	159	43	245	148	29	2.389
Executed	1.146	338	144	39	188	127	16	1.198
%	57	17	7	2	10	6	1	

Table 5 – Number of individuals subject to a request for social reinsertion per type.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), preliminary data collected in 08.07.14 (table 7 page 6 of 21).



## 8.0.2 Condemnations and measures

Number of requests	Criminal law	LTE	Total
Received between January and June 2014	20.668	925	21.593
Total under execution between January and June 2014	41.238	2.317	43.555
Under execution on 30.06.14	25.326	1.451	26.777

Table 6 – Summary of executions (criminal law and guardianship measures).

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), preliminary data collected in 07.05.14 (table 8 page 8 of 21).

## 8.0.3 Educational Guardianship Law

Type of measures according to the principles of the Educational Guardianship law	Received in Jan/Feb 2014	Total cumulated under execution	Under execution in 28.01.14
Deferment of the process with and without mediation	115	160	74
Article n.º 12 – Monetary payment or duties in favor of the community	185	327	132
Article n.º 13 – Rules of conducts	152	427	293
Article n.º 15 – Education and training programmes	253	900	647
Article n.º 17 – Internment in educational centers (1)	213	491	297
Others	7	12	8
Total	925	2.317	1.451

Table 7 – Summary of the type of measures executed.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*) 10.03.14, preliminary information (table 11 page 11 of 21).

- (1) In addition to the internment in the educational center, the figures also include the admissions on weekend's basis, arrests as a precautionary measure of guardianship and custody in order to perform an expertise on personality.



	Total of youngsters	Internment for expertise		Educational guardianship		Measure of internment		
		Semi-open regimen	Closed regimen	Semi-open regimen	Closed regimen	Open regimen	Semi-open regimen	Closed regimen
Male	224	0	1	9	9	23	141	41
Female	27	0	0	2	3	7	13	2
Total	251	0	1	11	12	30	154	43
		0%		9%		91%		

Table 8 – Juvenile delinquent in educational centers.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*) 08.07.14, preliminary information (table 12 page 12 of 21). Those figures do not include week ends basis residents since it is a short duration (one to four week-ends, art. 148 of the LTE).



Non institutional or community measures	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Article n.º 12 Duties in favor of the community	16	27	63	82	141	149	182	186	189	197	247
Article n.º 11 Restoration to the offended	0	3	3	2	4	3	12	6	6	5	10
Article n.º 12 Monetary payment in favor of the community	1	1	1	1	0	0	0	2	2	4	(1)
Article n.º 13 Rules of conducts	15	17	24	27	16	21	21	20	17	19	24
Article n.º 14 Obligations	34	94	166	267	301	343	345	280	298	328	451
Article n.º 15 Education and training programmes	20	49	62	69	58	50	44	38	25	21	47
Article n.º 16 Educational mentoring	860	514	539	572	486	446	489	385	343	402	564
Total	946	705	858	1020	1006	1012	1093	917	880	976	(2)

Table 9 – Evolution of the type of measures executed.

**Source** Statistical indicators, General Directorate of Rehabilitation and Prison Services (DGRSP), Ministry of Justice (2001-2011), *Maria João Leote de Carvalho*, Sociology Study Centre of the New University of Lisbon, Faculty of Social Sciences and Humanities (CESNOVA-UNL), March 2013. [Web link](#)

- (1) Not applicable.
- (2) The total is not presented in the original table from the referred source.



The graph below illustrates the evolution of the non-institutional (no internment) and institutional (internment in educational center) measures between 2001 and 2011. The figures refer to the number of measures under execution on the 31<sup>st</sup> of December of each year.

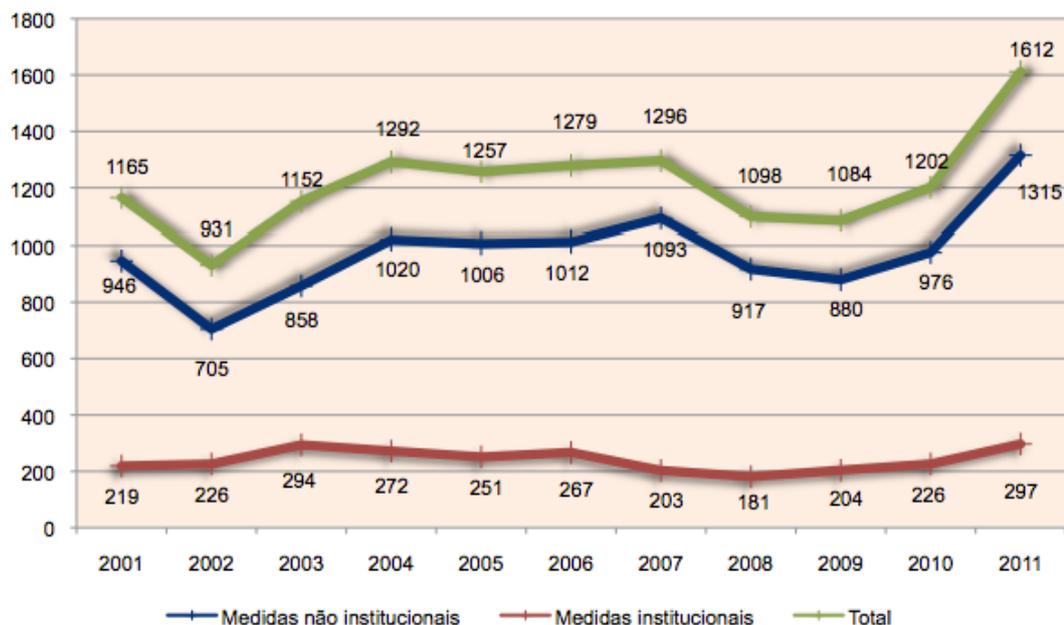


Chart 2 — Evolution of non-institutional and institutional measures.

**Source** Statistical indicators, General Directorate of Rehabilitation and Prison Services (DGRSP), Ministry of Justice (2001-2011).

Translations

*Medidas não institucionais* for non-institutional measures

*Medidas institucionais* for institutional measures



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The graph below shows the evolution of the type of institutional measure (internment in educational center) between 2001 and 2011. The figures refer to the number of measures under execution on the 31<sup>st</sup> of December of each year.

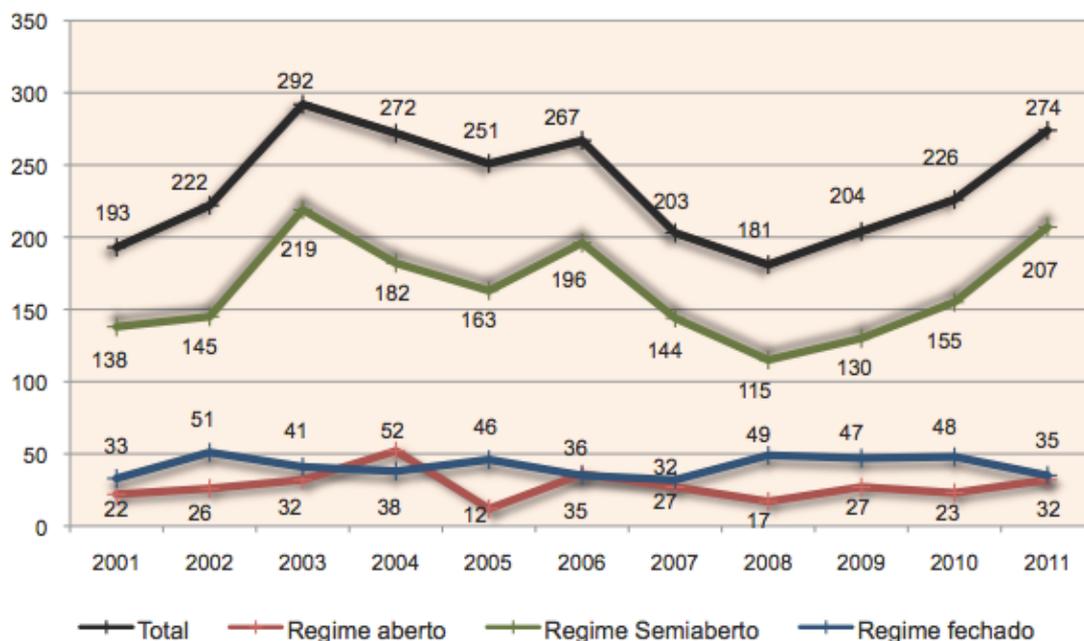


Chart 3 – Evolution of the type of institutional measures.

*Source* Directorate General of justice policy, Ministry of Justice (2001-2011).

Translations

*Regime aberto* for open regimen

*Regime Semiaberto* for semi open regimen

*Regime fechado* for closed regimen



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### 8.0.4 Profile of the offender

The principal source of available statistics for Juvenile Justice in Portugal is the Directorate General of Reinsertion and Prison Services (DGRSP) which does not provide a distinction between the criminal law figures and the EGLin term of profiles of the offenders, and more specifically in terms of marital status, socio-economic background, etc.

The chart below illustrates the evolution and the gender balance of juvenile delinquents that were referred to the Commission for the Child and Youth Protection for the practice of facts qualified as crime by the criminal law between 2001 and 2011.

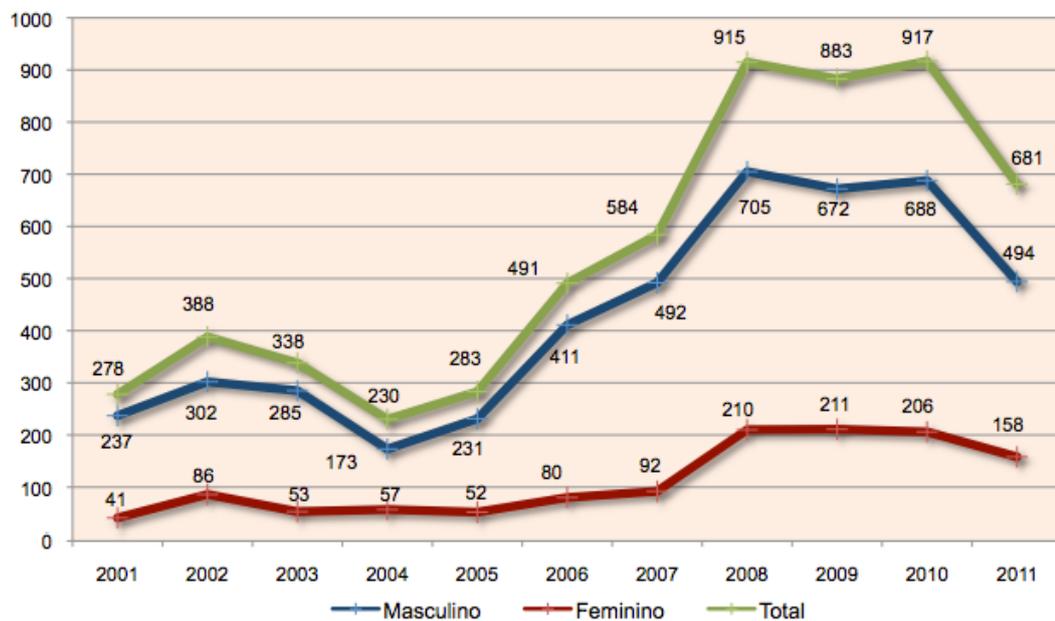


Chart 4 – Evolution and the gender balance of juvenile delinquents.

**Source** Annual reports of activities from the Commission for the Child and Youth Protection Commissions 2001-2011, National Commission for the Child and Youth Protection (CNPCJR); *Carvalho* (2010).

Translations

*Masculino* for Male

*Feminino* for Female



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The following charts and tables indicate figures including both criminal and juvenile justice.

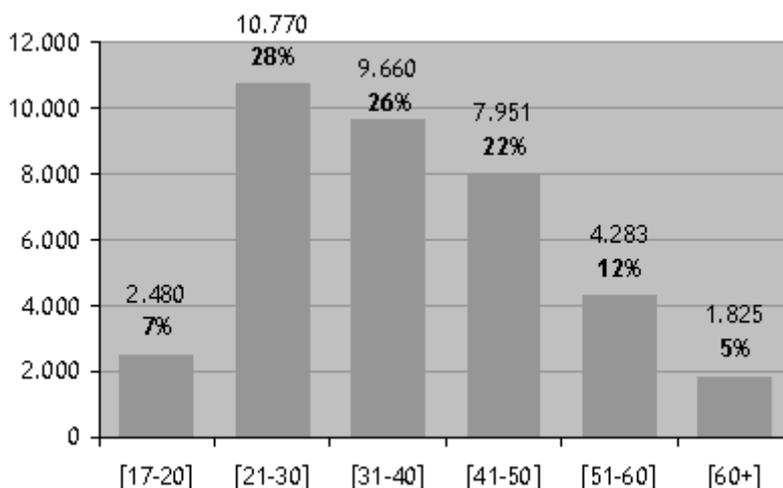


Chart 5 — Distribution of offenders according to their age.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) — Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social — SIRS*), preliminary data collected in 08.07.14 (chart 7 page 15 of 21)

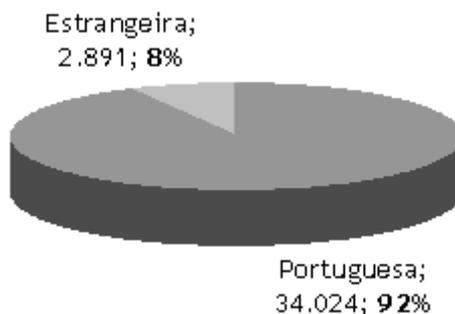


Chart 6 — Distribution of offenders according to their nationality.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) — Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social — SIRS*), preliminary data collected in 08.07.14 (chart 8 page 16 of 21)

Translations

*Estrangeira* for foreigner

*Portuguesa* for Portuguese



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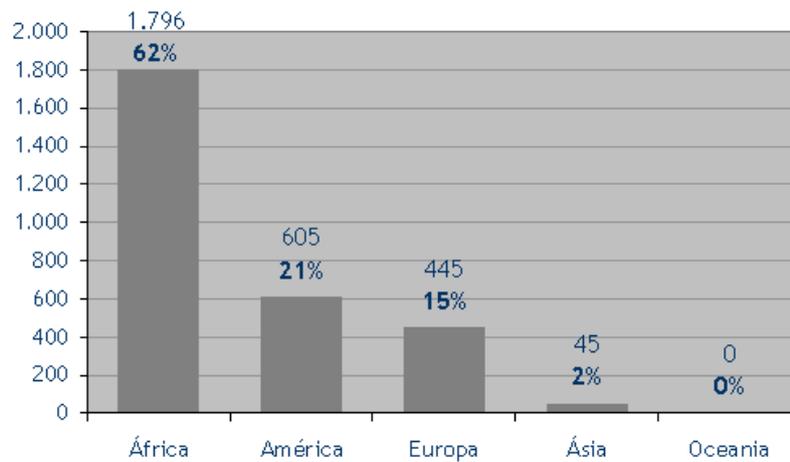


Chart 7 – Distribution of offenders according to their geographical area of origin.

**Source** Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), preliminary data collected in 08.07.14 (chart 8 page 16 of 21)

Translations

*África* for Africa

*América* for America

*Ásia* for Asia



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Country	Individuals
1. Cape Verde	857
2. Brazil	560
3. Angola	409
4. Guinea	324
5. Ukraine	113
6. São Tomé and Príncipe	109
7. Romania	98
8. Mozambique	55
9. France	46
10. Spain	38

Table 10 – 10 most registered crimes per specific geographical area.

**Source** Directorate General of Reinsertion and Prison Services (*DGRSP*) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*)  
08.07.14, preliminary information (table 15 page 17 of 21).



Category/Subcategory of crime	Number of crimes
Total of registered crimes	43.004
<b>1. Crimes against individuals</b>	<b>10.747</b>
12. Crimes against physical integrity	6.830
13. Crimes against personal freedom	1.254
11. Crimes against life integrity	871
14. Crimes against sexual freedom and auto determination	796
15. Crimes against personal dignity	793
16. Crimes against private life	163
17. Other crimes against individuals	40
<b>2. Crimes against propriety</b>	<b>9.730</b>
28. Crimes against private propriety	8.728
29. Crimes against patrimony in general	783
2.10 Crimes against patrimonial rights	211
2.11 Other crimes against patrimony	8
<b>3. Crimes against cultural freedom and personal integrity</b>	<b>1</b>
3.12 Crimes against cultural freedom and personal integrity	1
<b>4 crimes against life in the society</b>	<b>8.716</b>
4.16 Crimes against security of communications	5.629
4.15 Crimes of common danger	1.910
4.14 Crimes of forgery	1.055
4.18 Crimes against public order	78
4.13 Crimes against the family	27
4.17 Crimes of hazardous anti-sociality	7
4.19 Other crimes against life in society	10
<b>5 Crimes against the state</b>	<b>2.136</b>
5.23 Crimes against the public authority	1.591
5.24 Crimes against the establishment of justice	450
5.25 Crimes occurred in the public service	75
5.21 Crimes against the establishment of the rule of law	4
5.26 other crimes against the State	16

Table 11 – Typology of crimes.

*Source* Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (Sistema Integrado de Reinserção Social – SIRS) 08.07.14, preliminary information (table 16 page 19 of 21).



Category/Subcategory of crime	Number of crimes
<b>6 Crimes against the state</b>	<b>2.136</b>
6.27 Crimes related to drugs	5.046
6.46 Crimes related to driving without licence	4.790
6.37 Crimes related to the IRS	233
6.33 Crimes against copyright and intellectual property	188
6.38 Crimes against the Social Security	131
6.34 Unbalanced cheques	99
6.41 Crimes related to betting and gaming	97
6.36 Crimes related to customs	72
6.30 Crimes to illegal immigration	69
6.40 crimes against the economy	31
6.43 Crimes related to computers	21
6.42 Crimes related to hunting and fishing	16
6.47 Other crimes	881

Table 11 – Typology of crimes.

**Source** Directorate General of Reinsertion and Prison Services (*DGRSP*) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*) 08.07.14, preliminary information (table 16 page 19 of 21).

Category/Subcategory of crime	Number of crimes
1. Driving with a alcohol rate equal/superior to 1,2 g/l	5.344
2. Driving with no licence	4.790
3. Drug dealing	4,190
4. Domestic violence against spouse or siblings	3.788
5. Other thefts with no physical aggression	2.059
6. Offense to physical integrity	1.728
7. Possession or trafficking of prohibited weapons	1.602
8. Other thefts with physical aggression	1.442
9. Thefts with physical aggression in public area	1.345
10. Thefts with no physical aggression in households	935

Table 12 – 10 most registered crimes.

**Source** Directorate General of Reinsertion and Prison Services (*DGRSP*) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*) 08.07.14, preliminary information (table 16 page 19 of 21).



## 9.0 Experiences of good practices

### 9.0.0 The programme "Escolhas" (choices) – Public initiative.

The programme "Escolhas" is a government program nationwide, created in 2001, promoted by the Presidency of the Council of Ministers and integrated into the High Commission for Immigration and Intercultural Dialogue (ACIDI), whose mission is to promote social inclusion of children and youngsters from vulnerable socio-economic backgrounds, to foster equal opportunities processes and to strengthen social cohesion.

Part of the juvenile population under non-institutional guardianship measures are integrated in this programme. Currently in its 5th generation, which will run until December 31, 2015, the program maintains agreements with consortia of 110 local social inclusion projects in vulnerable communities, with the option to fund another 30 projects, many of which are located in areas where are concentrated descendants of immigrants and ethnic minorities.

The program is funded by the Institute of Social Security, the General Directorate of Education and the European Social Fund through the Portuguese Operational Programme Human Potential - POPH/QREN. The Resolution of the Council of Ministers n.º 68/2012 renewing the programme for the period 2013-2015 and the Implementing Order n.º 17/2012, published in the Official Gazette, 2nd Series n.º 158 of 16.08.2012, which endorse the Regulation of the program, can be found in the following link: "[Enquadramento](#)".

The programme (4<sup>th</sup> generation) in fact and figures:

- i. 89.232 participants;
- ii. 759.819 work sessions;
- iii. 9.776 reintegration in schools, education and training and employment;
- iv. 86,7% of success at school in the year 2011/2012;
- v. 13.949 certifications in the ICT field;
- vi. 87% of the funding applied in projects;
- vii. Cost per capita and per day €0,42 per

Weblink: [Programa Escolhas](#)



### 9.0.1 Educational centre “*União Meridiana*” – Private initiative.

The Educational Centre of Madeira “*União Meridiana*” (UM) opened in June 2010 and is located in the autonomous region of Madeira, more precisely in the town of Santo António da Serra and has an area of 1573 m<sup>2</sup>. It was the first center of shared management in Portugal, namely the educational intervention project implemented and developed is the responsibility of the non-governmental organization Meridians Union Portugal (MUP). The center welcomes young men in compliance with guardianship internment measure in semi-open and open regimen and has a maximum capacity planned for 24 young people.

The education center project aims at rehabilitation of young offenders, through pioneering and innovative programs, enhancing in this way a positive change in behavior and life courses of these young people. To this end the Madeira Education Center develops training programs in the areas of Kitchen and Garden / Turf, as well as professional internships and volunteer programs. To put into practice the educational intervention project the Educational Centre of Madeira has a multidisciplinary and interdisciplinary team that develops and applies daily programs.

The MUP is a non-profit organization, founded in 2010, consisting of professionals from the fields of psychology, pedagogy and social services. Deeply committed to the promotion of social values and the future of young people, these professionals develop programs, services and performances of socio-educational intervention and preventive nature or social reintegration of juvenile offenders.

Examples of activity for reinsertion: the Educational Centre of Madeira, managed by MUP, agreed with the Pestana Hotels Group for the labor rehabilitation of young people in the some units of the group. This is an agreement that follows the educational model practiced by the educational center, which aims to give young people the tools for positive and effective reintegration into society. The signed agreement provides that young people, given their individual situation and trajectory in the educational centre, to develop pre-professional experiences in various areas: cooking, gardening and hotel maintenance. In addition to this training, young people will still be monitored and closely supported by the educators of the educational centre.

Weblink: [Meridian Union Portugal](#)



### 9.0.2 Project “*Este Espaço que habito*” (artistic expression)

Between 2014 and 2016, the Photographic Expression Movement (MEF) will again develop the project Integration through Art “*Este Espaço que habito*” (this space where I live in), with minor offenders institutionalized in educational centers, and in partnership with the Ministry of Justice and the Youth Justice Services, with the support of the funding scheme PARTIS, which support social projects for social integration through artistic practices, promoted by the Calouste Gulbenkian Foundation.

In this project the MEF will work with young people in compliance with guardianship measure of custody and will be held with six educational centers in Portugal, in 2014 and 2015: the educational centers of *Bela Vista* and *Paiva Navarro* both in Lisbon, of *Santo António* in Porto, of *Padre Antonio Oliveira* in Caxias (great Lisbon area), of *Mondego* in the city of *Guarda*, the educational center of *Olivais* in Coimbra, using the photo feature as technical tool and personal expression.

Weblink: [project \*Este Espaço que habito\*](#)

### 9.0.3 Project “*Hortas Biológicas*” (sustainable kitchen gardens)

The educational center of *Paiva Navarro* implement a training course of Gardening Operator, which is the occupation responsible for maintaining the kitchen gardens, along with the staffs *Mestre Américo* and teachers *Lydia Almeida* and *Ana Silva*. All products provided by the kitchen gardens produces is used in the kitchens of the center for consumption of the whole community, and allows enjoying a healthy and balanced diet. A major goal is to provide these young trainees, who have an academic course that are globally characterized by a lack of interest and incorrect work habits, a fact translated into a constant need to reinforce the positive aspects, the active participation in the tasks proposals and, concomitantly, to counter aspects of deviant behaviors.

The work in the garden, which is made from a specific organization of work groups and individual responsibility and also with a short and long-term planning, has allowed to develop personal and social skills of utmost importance in this context. Young people have the opportunity to see concrete results and impact in their daily lives, particularly in terms of nutrition.

Weblink: [project \*Hortas Biológicas\*](#)



## 10.0 Conclusions

The January 1, 2001 comes into force the Law on Protection of Children and Young People in Danger and the EGL. These statutory schemes will make up the distinction between the child victim and the offending child for the first time, and the victims are under the protection of the Ministry of Social Security and the latter are under the administration of the Ministry of Justice – Law n.º 147/99 of September, Children and Youth Protection Act in Danger – which aims to protect children and young people in situations of risk and danger, as well as deviant paths and behaviors.

The Law n.º 166/99 of 14 September approved the EGL and according to the article 1, "the practice of an act qualified by law as a crime, however the minor is aged between 12 and 16 years old, lead to the application of an educational tutelary measure in accordance with the provisions of this law.." The EGL has introduced a significant modification regarding the Organisation of Minor Guardianship – the law that was in force before the EGL – to the extent that the EGL points to the application of specific educational measures depending on the crime of nature committed, e.g., the fact committed is no longer considered as secondary, as it happened in OTM. In addition to the application of specific educational measures adapted to the offense it is still necessary "(...) *that at the time of the measure persists the need to correct the personality of the minor which in practice mean a necessary assessment of the need for education on the rule of law*" (Furtado and Guerra, 2001). Thus, the EGL aims to hold the minor accountable to the fact practiced but also aims to "*the education of the minor on the matter of rule of law and their integration, in a dignified and responsible manner, in community life*" (article 2 of the EGL). This learning need is conceived as a "(...) *process that leads young people to embrace basic values of the society, reflected in the judicial and legal values, so that their conduct is improved and they do not commit crimes*" (Meek, 2006).

The fundamental guiding principles of the EGL are:

- i. a minimum intervention, whereby what is requested from the minor offender is the compliance with the judicial and legal system;
- ii. the typicality, because the court shall indicate the most appropriate measure situation and less limiting minor freedom smaller;
- iii. finally, all the principles that give minor procedural safeguards - such as the right to contradictory and hearing and the principle of free evaluation of evidence (Agra and Castro, 2002).

A study by the Permanent Observatory for Portuguese Justice entitled "Between law and practice: support for a reform of educational tutelary law" warns that it is not necessary to introduce major changes in the legislation, but rather to create conditions for their full and effective practical application, performing some occasional adjustments in the law, arguing further that "the use of electronic surveillance should only be used as a substitute for custodial measures and never as strengthening non-institutional measures" (Santos, Gomes, Fernando and Portugal, 2010).



The legislation in Portugal, as in other countries, argues that young people between 16 and 21 must be subjugated to a Special Criminal Regime, under the article n.º 9 of the Portuguese Criminal Code and detailed by the Law-Decree n.º 401/82 in, of 23 September 1982. Calls to reform this criminal regime are increasing as young adults' criminality has been noticeably developing. Thus, it is argued that the ceiling of liability - 16 years - should be extended up to 18 years, thus avoiding a 16-year-old going to the conventional prison system (Santos et al 2010).



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### 11.0.0 Bibliography

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### Section 6 – Principles of education, prevention and protection in criminal proceedings between juvenile sanction and recovery.

### Section 7 – The professionals of the Juvenile Justice System



## Section 8 — Statistical data

*Direcção-Geral de Reinserção Social e dos Serviços Prisionais*, Directorate General of Reinsertion and Prison Services (DGRSP) — Statistical summary of the operational activity on social reinsertion, March 2014 (DSOPRE). Preliminary information.

Internal report of Home Security — Ministry of Internal Affairs (2000-2012); Lourenço, Lisbon, Frias e Rosário (2000).

Annual reports of activities from the Commission for the Child and Youth Protection Commissions 2001-2011, National Commission for the Child and Youth Protection (CNPCJR); Carvalho (2010).

Directorate General of Justice Policy, Ministry of Justice (2001-2011).

Statistical indicators, *Direcção-Geral de Reinserção Social e dos Serviços Prisionais*, General Directorate of Rehabilitation and Prison Services (DGRSP), Ministry of Justice (2001-2011).

*Direcção-Geral de Reinserção Social e dos Serviços Prisionais*, Directorate General of Reinsertion and Prison Services (DGRSP) — Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social — SIRS*) March and July 2014, preliminary information.

Carvalho, M. J. (2013), *Delinquência infantil e juvenil e justiça em Portugal: uma questão de olhar(es)?* — Article for the *Observatório Permanente da Juventude*, Faculdade de Ciências Sociais e Humanas da Universidade Nova de Lisboa (CESNOVA-UNL), Lisbon (Portugal).



## 11.0.1 Webliography

### Section 3 – Overview of the Portuguese Juvenile Justice System.

[http://opj.ces.uc.pt/site/index.php?id\\_lingua=2](http://opj.ces.uc.pt/site/index.php?id_lingua=2)

The Permanent Observatory for Portuguese Justice (OPJ) has been established since 1996 at the Centre for Social Studies (CES) from the University of Coimbra and is, nowadays, part of the research group Democracy, Citizenship and Law (DECIDe).

The main goals of OPJ are to analyse and unveil the judicial system in its multiple functional facets, to elaborate studies to support the development of public policies and reforms of justice and to evaluate and monitor ongoing reforms.

<http://www.opj.ics.ul.pt/>

The Youth Permanent Observatory (OPJ) is a research program and studies of the Institute of Social Sciences (ICS), of the University of Lisbon, the institution responsible for its operation and scientific coordination since 1989. Intending to enhance the production, exchange and dissemination of scientific knowledge about the diversity of youth groups in Portugal and in the world, the OPJ enjoys broad heritage and national and international research experience, who saw in 2010 added the inheritance of the School Permanent Observatory study program, in operation since 2004 in the ICS.

<http://repositorio.up.pt/>

The University of Porto Repository (UPR) is a service of the University of Porto which aims to aggregate its institutional repositories: the Open Repository, that collects, preserves and provides the intellectual production, in full text and open access, of the academic community of University of Porto (UP); the Thematic Repository, that stores, preserves and provides informational resources produced by the UP in definite areas or for specific audiences; and the Data Repository, that stores, preserves and shares datasets created by researchers of the UP.

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### Section 3 – Overview of the Portuguese Juvenile Justice System.

<http://www.dgpj.mj.pt/DGPJ/sections/home>

The General Directorate for Justice Policy (*DGPJ*) is a central service of the direct administration of the State, with administrative autonomy, whose mission and duties are defined in the Organic Law of the Ministry of Justice constant of the Law-Decree n.º 123/2011 of 29 December 2011, and its organic regime expressed in the law-Decree n.º. 163/2012 of 31 July, 2012.

<http://www.pgdisboa.pt/home.php>

The District Attorney General of Lisbon is one of the prosecution hierarchy of authority provided for in article 7 of the statute of the Public Ministry (*EMP*). The prosecutor in the order of the courts, is divided into four Attorneys General District, based in Lisbon, Porto, Coimbra and Evora. The area of competence of the District Attorney General Lisbon coincides with the Court of Appeal of Lisbon (*TRL*), covering 5 Counties, namely the Azores, Lisbon, Lisbon North, West Lisbon, Madeira.

<http://www.cej.mj.pt/cej/home/home.php>

The main mission of the Centre for Judicial Studies (*ECJ*) is the education and training of magistrates. In this context, it is the duty of the *ECJ* to provide initial and continuous programmes for judges and prosecutors to the courts, and the administrative and tax courts as well.

With regard to training of judges or candidates to the judiciary of foreign countries, the *ECJ* also ensure the implementation of training activities, within networks or other international training providers which it is part, and within cooperation agreements signed with foreign counterpart organizations, in particular with the Portuguese-speaking countries (*PALOPS*). The *ECJ* shall also ensure the implementation of international assistance and cooperation projects in the field of education and training of judges and technical cooperation agreements on judicial matters concluded by the Portuguese State.

It is also the mission of the *CEJ* to develop research and study activities in the legal framework and provide legal and judicial training activities aimed at lawyers, solicitors and other professional agents of the justice system, and to cooperate in actions organized by other related institutions.

<https://dre.pt/>

The origin of the official gazette lie in 1715, when it begins the publication of the Lisbon Gazette (so called from paragraph 2, because that paragraph 1 goes under the title News of the States: History annual Timeline and World Policy and especially in Europe).



## Section 4 — Bodies of the Juvenile Justice System in Portugal

<http://www.verbojuridico.com/>

The project and website aims to create a completely redesigned body of law cases, doctrine, legislation, thesis, information elements and interactive with the cooperation of the user.

<http://mediadoresdeconflitos.pt/>

AMC - *Associação de Mediadores de Conflitos*, Association of Conflict mediators.

<http://www.asjp.pt/>

ASJP - *Associação Sindical dos Magistrados Judiciais Portugueses*, Syndicate Association of Justice Magistrates of Portugal.

<http://www.advocatus.pt/>

Online portuguese website for information on Law and Justice

<http://www.redecivil.mj.pt/>

*Rede Civil Ministério da Justice*, the Portuguese Civil Network of the Ministry of Justice.

## Section 5 — Procedural system and guarantee of the rights

<http://www.dgrs.mj.pt/web/rs/index>

*Direcção-Geral de Reinserção Social e dos Serviços Prisionais*, Directorate General of Reinsertion and Prison Services (DGRSP) — Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social — SIRS*), Lisbon (Portugal).

The DGRSP is the department responsible for defining and implementing public policies of crime prevention management and social reintegration of young people and adults, in particular, the promotion and implementation of educational measures and alternatives to imprisonment. This body is under the authority of the Secretary of State and Justice.

<https://dre.pt/>

The official gazette of Portugal.



## Section 6 – Principles of education, prevention and protection in criminal proceedings between juvenile sanction and recovery.

<http://www.dgrs.mj.pt/web/rs/index>

*Direcção-Geral de Reinserção Social e dos Serviços Prisionais*, Directorate General of Reinsertion and Prison Services (*DGRSP*) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), Lisbon (Portugal).

The *DGRSP* is the department responsible for defining and implementing public policies of crime prevention management and social reintegration of young people and adults, in particular, the promotion and implementation of educational measures and alternatives to imprisonment. This body is under the authority of the Secretary of State and Justice.

<https://dre.pt/>

The official gazette of Portugal.

## Section 7 – The professionals of the Juvenile Justice System

<http://igfej.mj.pt/PT/Paginas/Default.aspx>

The Institute of Financial Management and Equipment of Justice IP (*IGFEJ*), is a public institution integrated in the indirect State administration, with administrative and financial autonomy and its own assets.

The *IGFEJ*, continuing powers from the Ministry of Justice (MJ), under supervision and authority of the Government members responsible for the justice area.

The *IGFEJ* has the task of managing the financial resources of the MJ, the affection asset management to the area of justice, infrastructure and technological resources, as well as the proposed design, implementation and evaluation of plans and computerization projects in coordination with other services and agencies of the MJ.

<http://www.redecivil.mj.pt/>

Portuguese Contact Point of the European Judicial Network in civil and commercial matters.

<http://iscte.pt/~apad/ACED/>

*ACED - Associação Contra a Exclusão pelo Desenvolvimento*, Association Against Exclusion through Development



## Section 8 – Statistical data

<http://www.dgrs.mj.pt/web/rs/index>

*Direcção-Geral de Reinserção Social e dos Serviços Prisionais*, Directorate General of Reinsertion and Prison Services (DGRSP) – Integrated System of Social Rehabilitation (*Sistema Integrado de Reinserção Social – SIRS*), Lisbon (Portugal).

The DGRSP is the department responsible for defining and implementing public policies of crime prevention management and social reintegration of young people and adults, in particular, the promotion and implementation of educational measures and alternatives to imprisonment. This body is under the authority of the Secretary of State and Justice.

## Section 9 – Experiences and good practices

<http://iscte.pt/~apad/ACED/>

ACED - *Associação Contra a Exclusão pelo Desenvolvimento*, Association Against Exclusion through Development.

[http://apav.pt/apav\\_v2/index.php/pt/](http://apav.pt/apav_v2/index.php/pt/)

APAV – *Associação Portuguesa de Apoio à Vítima*, Portuguese Association for the Support of Victims.

<http://mediadoresdeconflitos.pt/>

AMC - *Associação de Mediadores de Conflitos*, Association of Conflict mediators.

<http://www.asjp.pt/>

ASJP - *Associação Sindical dos Magistrados Judiciais Portugueses*, Syndicate Association of Justice Magistrates of Portugal.

<http://www.advocatus.pt/>

Online portuguese website for information on Law and Justice

<http://www.redecivil.mj.pt/>

*Rede Civil Ministério da Justice*, the Portuguese Civil Network of the Ministry of Justice.

