

Restorative justice as a form of rehabilitation

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ABSTRACT

The present study aims to explain, essentially, the institute of restorative justice as a means of reestablishing a peaceful social coexistence between perpetrator, victim and community, taking into account that since the first forms of punishment based on the deprivation of liberty have been shown to be flaws in this sense. However, the Brazilian legal system is slowly changing its clothes when it comes to the adoption of punitive means for lawbreakers, straying from the penalty of deprivation of liberty as the solution to criminality. At this point, restorative justice emerges, opposing the frightening scenario of the penitentiary system embraced today. And it is in it that the mitigation of criminal recidivism, the attentive look at the victim, the necessary attention to the community and the right to education are sustained, all directed to the purpose of remaking the social relations broken by crime, and thus, finding true rehabilitation. In this overview, the primary source is the Law, followed by doctrinal positions. The research method taken is hermeneutic, exploratory, descriptive and inductive. In relation to the documentaries used, they are books, internet sites and the Penal Execution Law, for better portraying the execution of the deprivation of liberty sentence in Brazil.

Keywords: Justice, Penalty, Prison, Restorative, Retributive, Resocialization.

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