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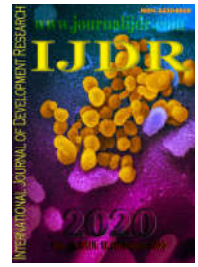
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## SOCIAL REINSERTION AND THE PERCEPTION OF POSITIVE IMPACTS: A CASE STUDY IN THE ARCOVERDE FORUM, PERNAMBUCO, BRAZIL

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### ABSTRACT

Sustainability must not be understood only as an issue of environmental preservation, but must encompass other aspects, consolidating a holistic view. Thus, it is understood that the concepts of social reintegration must be broad enough to encompass the various dimensions of sustainability. On the other hand, it is notable that awareness and sensitization is the best way for society to engage in the search for sustainable development, which is the way out to preserve current natural resources for the preservation of the lives of current and future generations. In view of this, the main objective of this work is to present the perception of the positive impacts of a social reintegration project that plans social inclusion, recently elected as the fourth pillar of sustainability, and reaps the fruit of sustainable justice, it can be said that it fits into a great success story of the Pernambuco Judiciary. This work in the form of a case study, carried out through semi-structured interviews and questionnaires, seeks to demonstrate the main gains obtained in the brilliant work developed in the Municipality of Arcoverde, more specifically in the Childhood Court, which is directly linked to the recommendations of the National Council of Justice and the Sustainable Logistics Plan of the Pernambuco Court of Justice. The results are expressed in terms of environmental, social, and economic impacts for society. It should also be noted that this is a win-win project, given that both the servants of justice and society win as the fruits of the sustainable garden of this program.

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## INTRODUCTION

In recent years, society mainly claiming the condition of subjects of law and changes in the care of children and adolescents in social vulnerability and in conflict with the law, received more attention and recognition from the 1988 Constitution, consolidated in 1990 through of the Child and Adolescent Statute - ECA (Law 8.069, of July 13, 1990). With regard to semi-freedom, it is defined as a socio-educational measure imposed by sentence on adolescents in conflict with the law by the Child Court, based on respect for the dignity and condition of the human person in a situation of vulnerability. These socio-educational measures are applicable to adolescents involved in infractions, provided for in art. 112 of the Statute of the Child and Adolescent (ECA), which

gradually presents the measures to be applied, from the warning to the deprivation of liberty, ensuring the adolescent the individual and procedural guarantees provided for in the national legal system. The Pernambuco Court of Justice, considering that the number of juvenile offenders increases with each passing year, it is necessary to use a device in an attempt to bring about change, seeking the social inclusion of these young people in society and improving integration and approximation partnership with the Judiciary. The socio-educational measures are didactic in character, giving the adolescent the opportunity to reflect on their conduct, experiencing new values and attitudes, helping to build a new perspective on life. They can be composed of a warning: obligation to repair the damage; provision of services to the community; assisted freedom; insertion in a regime of semi-

freedom and internment in an educational establishment (Federal Constitution / Statute of Children and Adolescents / Law of Guidelines and Bases of National Education 9.394 / 96). According to the ECA (Statute of the Child and Adolescent), hospitalization is a freedom-depriving measure, subject to the principles of brevity, exceptionality and respect for the peculiar condition of a person in development (SARAIVA, 2016, p. 1055). Within this scenario we have a huge environmental asset which leads us to discontent in not enjoying the environment, thinking about it can be used in a sustainable way, then why not recovering minors to walk in favor of an improvement in society's life instead that in recovering the smallest offender there will be a decrease in crime in society. This work seeks to analyze the gains and benefits in the light of the sustainability of a program that is being implemented that aims to contribute to the dissemination among its employees of the institutional value of Social and Environmental Responsibility. A project in progress, a vegetable garden in every corner that was implemented in Arcoverde, having obtained a positive response, should be expanded to other counties, putting the smallest offenders to work in the cultivation of healthy foods in addition to work they will be able to reap the results of the work.

## MATERIALS AND METHODS

**Study Location:** The present study was developed at TJPE, more especially in the municipality of Arcoverde in the state of Pernambuco, Northeast Region of the country. He is a member of the Mesoregion of Sertão, Pernambuco, Brazil. It is located west of Recife, the state capital, 256 km away. It occupies an area of 350,899 km<sup>2</sup>. The work was developed at the Clóvis de Carvalho Padilha Forum, in the Arcoverde District. It is important to note that the building has more than 8 thousand m<sup>2</sup> and 9.9 thousand m<sup>2</sup> of built area, distributed over five floors, with 101 parking spaces for cars, 24 bicycle spaces and space for 10 motorcycles. It is also noteworthy that the building was designed with full accessibility seeking social inclusion, with access ramps to the ground floor and elevators that serve all floors. Both internal and external access have floors with tactile signage, accessible bathrooms, and parking spaces for people with special needs, as required by the new Brazilian Accessibility Standard NBR: 9050 (ABNT, 2015). The building has space for five Courts, two Civil, one Criminal, one Regional for Children and Youth (with a multiprofessional sector, which includes a psychology and social assistance room) where this project was more specifically developed. There is an auditorium for 151 people, the Jury Court, and the Central Custody Hearings. There are also spaces for the Public Ministry, the Public Defender's Office and the Brazilian Bar Association (OAB), the Central de Mandatos (Cemando) and the General Forum Protocol (Progeforo), among others. The TJPE is inserted in the tertiary sector since its area of activity is services and therefore can be classified as tertiary. For Andrade et al. (2004) the environmental impacts caused by the tertiary economic sector, which is services, in general, is of low level. In the neo-classical division of Economics, the Typology of companies can be classified according to: Degree of concentration (barriers to entry in the sector); Degree of product differentiation; and Potential environmental impact. The public services sector in the neo-classical division of Economics causes a varied potential environmental impact, has a degree of concentration with barriers to entry in the high sector; and low degree of product differentiation, defined by

the government itself. According to the PLS of the State Judiciary of Pernambuco (TJPE, s / a), the TJPE has 150 counties across the state, with approximately 10,800 employees, including magistrates, civil servants, and interns, in addition to outsourced service providers. The number of processes in process is over 2 (two) million per year, according to the data for the year 2014, as mentioned in the 2016 - 2018 PLS.

### Methodological steps

**Survey of primary data:** This work is configured in a mixed method research - procedure of collection, analysis, and combination of quantitative and qualitative techniques in the same research design (PARANHOS, 2016). Taking this statement as a reference, this work was delimited in two stages. The first involves the realization of a qualitative phase, with the gathering of information and theories related to the object of the research, through bibliography, from the legal literature in its broadest scope, doctrine, legislation, positions of authorities and scholars in the topics addressed, scientific articles, websites and journals specialized in the subject, for greater familiarity with the content and improvement of ideas, enabling the deepening and discussion of the studied topic, which also denotes an exploratory research. The second stage, follows the quantitative orientation, encompassing procedures for data collection, validation and analysis, with survey application, which is based on the questioning of users / participants (MALHOTRA, 2015), through questions about certain characteristics, way of life, their intentions, attitudes, behaviors, perceptions and motivations, etc., allowing the collection of a quantity of information about each respondent at once. Therefore, this research is aimed at data exploration, based on the application of structured questionnaires and the use of information collected from a sample of the target population (PINSONNEAULT; KRAEMER, 2016).

**Opinion Search:** The method used was mixed (qualitative and quantitative), with bibliographic research, to compose the theoretical basis, and with survey type research, to collect data and information from the characteristics and opinions of the chosen group, where the result found can be found. extend to the entire studied universe, considering the group that represents a certain population. The survey is widely used in academia, as it proves to be especially useful for scientific research, as highlighted by BABBIE (2016). In the desire to understand with precision the local reality of the TJPE regarding the topics verified in the present work, a structured opinion survey was conducted, based on 10 pre-formulated questions about the theme and with closed answers, and an open question, aimed at collecting suggestions to increase the number of information on the topic at the TJPE. This interview was carried out using a Googleforms tool, whose form was prepared using the Likert Scale, which allows measuring attitudes and knowing the interviewee's degree of compliance with the proposed statements. The investigated population is configured among the servants and magistrates of the Jaboatão Forum. The questionnaire was sent to 200 people, with a sample of 174 people, considering the users who participated in the survey, in the month of June 2020, with a confidence level of 95% and an error estimate of 5%. The following formula was applied:

$$n = \frac{0,25 \cdot 200 \cdot 1,96^2}{(199) \cdot (0,05)^2 + 1,96^2 \cdot 0,25} \quad (\text{Eq.1})$$

n = 132 samples

It targets audience of the opinion poll was composed of TJPE employees who are directly or indirectly involved in the topic and were selected exactly for this link to the article. The scope of the questionnaire also included managers and civil servants who act mediately or immediately with the childhood stick of these organ goods and services and, finally, other employees who study, who nourish or are unfamiliar with the subject also participated in the evaluation. To maintaining ethical confidentiality of the source, it was defined that the respondents would not identify themselves.

**Data analysis techniques:** The research method used was the survey, and the research instrument was based on the model of Ainin, Bahri and Ahmad (2016), combined with the dimension “ease of use”, of the TAM model, suggested by Davis (1989), the in order to assess the impact on end user satisfaction. The method is used, through a questionnaire, to collect information about the actions or beliefs of an established group of people, which represents a specific population to be studied. Models, on the other hand, consider constructs that impact user satisfaction in relation to the use of a given system.

**Case study:** According to Coutinho (2011, p. 293), the case study “is one of the methodological references with the greatest potential for studying the diversity of problems that are posed to a social scientist”. This author also states that “The characteristic that best identifies and distinguishes this methodological approach, is the fact that it is an investigation plan that involves the intensive and detailed study of a well-defined entity: the case” (COUTINHO, op. Cit ). The case study is a methodological approach that “consists of a detailed observation of a given context, or individual, from a single source of documents or a specific event” Merriam (1988). For the success of this work, it was used as a fundamental starting point with a bibliographic review on the topic and later for the development of activities, the research will consist of data collection: a case study was made in certain specific regions of the Court of Justice Pernambuco where the social inclusion and sustainable justice program is being implemented. After collecting these data, the analysis and interpretation of facts and phenomena were carried out that allowed a better way to develop the objectives established in the present study. In the investigation of contemporary events, the case study is the preferred approach in relation to historical investigation, although the case study uses techniques from which a story is used. However, in the case study, it is possible to add the observer's physical presence, direct observation and systematic interview, which makes it possible to attend to a wide variety of evidence, such as documents, artifacts, interviews and observations (MERRIAM, op cit, p. 4).

For some critics, the case study is seen as an investigation for beginners, as it is considered easier than other types of investigation: “It is not by chance that most researchers choose a case study for their first project.” (COUTINHO, 2011, p.89) As a research strategy, we opted for the development of a case study, which, according to Yin (2010), is preferred when the control that the investigator has over the events is very reduced, or even when the temporal focus is on contemporary phenomena. , within the context of real life. Godoy (1995, p. 25) further states that, “adopting an exploratory and descriptive approach, the researcher who intends to develop a case study must be open to his discoveries”. In addition to the

questionnaires, individual semi-structured interviews were later carried out, the script for the interviews was built from the theoretical framework. Commonly conducted in person, the semi-structured interview due to the social isolation measures that were imposed due to the pandemic of the new Corona virus, needed to be adapted and migrated to digital format so that the interviewee did not need to leave the house, thus obeying established standards. Thus, based on a pre-defined script, developed in a flexible way, it contained questions that allowed to extract from the interviewee's information about knowledge about the social inclusion project of the Arcoverde Forum. The interviewees were informed about the purpose of the empirical investigation and the importance of their collaboration for the study, as well as about the guarantee of confidentiality. For reasons of confidentiality, the names and positions of the interviewees are not mentioned. The analysis was of a qualitative and interpretative nature, based on the evaluation of the content of the responses of the interviews carried out, and on the comparison of the results with the items of the theoretical framework used (no statistical methods were used). In relation to the interviewees, participants linked to the “Horta em Todo Canto” (HTC) and legal learning programs were invited to participate in the semi-structured interview, composed of magistrates, psychologists, social workers, general coordinator of the program, IPA technicians. In total, 16 (sixteen) interviews were conducted, which were carried out during the second half of 2020. In relation to the population investigated for the second instrument applied, the opinion poll, the chosen population was configured among users who attend and work at the TJPE, that is, magistrates, civil servants who work at the Court of Justice of the State of Pernambuco, (civil servants staff, available, outsourced, commissioned), lawyers and the general public. As a sample, we considered the users who participated in the survey, from June 10 to June 20, 2020 (Chart 1).

**Chart 1. Characterization of respondents**

Interviewee	Company	Office	Occupation
1	SDDH/PE	Vegetable Garden Coordinator	Coordinator
2	TJPE	Judge	Judge of the Childhood Court
3	TJPE	Judge	Coordinator Child Court
4	TJPE	Psychology	Child Psychologist
5	TJPE	Social Worker	Childhood Assistant
6	TJPE	Pedagogue	Pedagogue of the Childhood Court
7	TJPE	Psychologist	Psychologist
8	IPA	Agrarian Technician	Agrarian Technician
9	TJPE	Social Worker	Childhood Assistant

Source: The Authors (2020).

When conducting this type of research, the researcher's interest is to select participants who are capable of relevant information on the researched topic (GIL, 2010).

## RESULTS AND DISCUSSION

**Socioeconomic and Environmental Impacts:** The implementation of the community garden at the Arcoverde Forum, allows for several environmental gains. One of the most important is the mitigation of greenhouse gases (GHG), more specifically carbon dioxide with the inclusion of plants

in the site. After the implementation of the program, fruit harvesting begins. Figure 1 shows the first fruits, the engagement of apprentices in the garden. Environmental education and social inclusion work. The project aims to promote the cultivation of food without the use of pesticides and to encourage the development of good environmental and civic practices in public institutions in the state. The magistrate recognizes that the implementation of “Horta em Todo Canto”, allowed the possibility of including adolescents in compliance with socio-educational measures, with a view to improving the quality of life of them and their families, based on the knowledge of a differentiated cultivation methodology. vegetables and a healthy diet, offering instruments capable of redirecting their life histories, since many come from rural communities. Thus, a partnership was also built with the Socio-Educational Service Foundation - FUNASE and with the Specialized Reference Center for Social Assistance - CREAS, which should indicate teenagers with a profile and interest in participating in this program. He also points out that at the official launch of the “Horta em Todo Canto” Program at the Arcoverde Forum on October 18, 2017, not only representatives of the judiciary were present, but also several bodies such as IPA, CAISAN, CREAS, FUNASE, in addition to the State Secretariats Health and Education.



Source: TJPE.

**Figure 1. Minors learning to care for the garden**

Another important issue was the encouragement of the consumption of vegetables without poison, thus contributing to the improvement of people's quality of life, in several aspects, not only in the physiological issue, but also in social, environmental and behavioral issues. In another technical analysis, it was found that the main environmental gain was the reduction of soil and groundwater contamination due to the absence of the use of poison, as well as the maintenance of natural biota, by not using pesticides. The needy community in the surroundings, as well as some servants of the building may have the opportunity to harvest some fruits from the garden. With that, they will have the opportunity to have quality food at no cost. In addition to having the opportunity to train and certify vegetable cultivation, it can open a new job door. The economic gains are due to the counterpart offered by the general coordination of the Program, through the intersectoral committee, such as: actions of food and nutrition education, involving good practices in handling food and its full use, reducing waste on healthy eating and, also, continued training, whether in the implementation of the vegetable garden, or in a perspective of socio-environmental education. The direct and indirect economic gains, by not buying some food while being grown and consumed by those who produce it, can also be a new source of income for those who learned to grow

vegetables and etc. and also the reduction of spending on medicines by to consume products without poisons, achieving less diseases by consuming poison in these foods that daily make up the table. Another important factor is the association of local agricultural production with the use of resocialized labor, which already helps in these pillars of preservation and inclusion. Professional training is one of the most important parts of the “Horta em Todo Canto” program, especially because it is training adolescents in social reintegration and within a Learning Law program. The project is seen as of great social relevance, as it works with social inclusion and the reintegration of young people into the community. In addition to training for a new youth profession. It is noticed that the social gains are countless. When gardens are implanted in public spaces, such as secretaries, schools, health units, among others, it becomes a space for coexistence and interaction among employees. When the vegetable garden is implanted in private spaces, people start to have contact with the act of planting, which is extremely beneficial, acting as therapy, extremely necessary and which has been lost a lot with the urbanization of the spaces.

### Questionnaire Analysis

To assess the degree of knowledge about the screening of the social inclusion of the body, an opinion survey was carried out within the staff of the Court of Justice of Pernambuco. The survey instrument was answered by 174 civil servants, with the following findings:

- a) The profile of TJPE civil servants involved in the survey shows that the vast majority are female (73%). The finding is pertinent with the data of the investigated reality, since the Agency has 6,741 effective civil servants, of which 3,793 are female and 2,948 are male.
- b) Regarding the position held at TJPE, most respondents are Judicial Technicians (37.4.8%). Then there is a Judicial Analyst (36.7%). Commissioned (10.8%). The greater number of Judicial Technicians corresponds to the historical reality of the training process of the Agency's workforce. Examples of this are the last two public tenders for the entry of civil servants, held in 2012 and 2019. In the first, 2,092 civil servants were appointed, of which: 1,153 Judicial Technicians and 939 Judicial Analysts. In 2019, 269 civil servants were appointed, until 07/23/2020, being 173 Judicial Technicians and 96 Judicial Analysts.
- c) As for the last education completed by the respondents, it is identified that 66.5% of the respondents have a Postgraduate course at the Specialization level. Following is the master's degree with 15.6%. From this diagnosis, compared to the total number of permanent employees of the TJPE, it appears that it results, among others, from the functional valuation policy defined by the TJPE, currently governed by Law No. 15,539, of 7/1/2015, regulated by Resolution n° 381/2015, of 04/11/2015, with changes brought by Resolution n° 386/2016, of 07/06/2016, encouraging permanent training as a criterion for functional progression (Figure 15).
- d) Regarding the length of service provided to the TJPE, it is identified that the highest percentage (44.8%) has worked in the Court for more than 20 years, followed

by those who count between 11 and 20 years (29.1%), and those who have worked for up to 10 years (26.1%).

To investigate another social inclusion program, it was questioned about the “Partiu Futuro” program implemented in the Metropolitan Region and to the great surprise, the program is unknown by (93.5%) of those surveyed.

- f) Of the 174 respondents, almost (80%) agree that socio-educational measures are important, while (13.9%) neither agree nor disagree. A small percentage (6.4%) disagrees.
- g) Most of the participants find the inclusion of social inclusion programs relevant (82.3%), while (14.8%) remain neutral.
- h) A large part of the public (88.5%) believes that the preservation of the environment can be part of this re-socialization theme.

## Conclusions

The TJPE as a legal space, brings within it, a tense environment, of decision-making that in some way affect people's lives, and that is why there is no room for error or misunderstanding, and this overloads those who work in their units, and in this sense, Horta can be a huge partner in TJPE, incorporating as many employees as re-educating activities that are extremely beneficial in the act of planting, harvesting and consumption, whether in the physical spaces of TJPE or in the homes of those who participate in the program, because the environment needs to be placed as an international priority. Adding to that within social sustainability is the constant improvement in the quality of life in the most perverse environments. When people start to incorporate a vegetable garden, information about healthy eating, storage, and consumption of these products in an integral way in the daily dynamics of life, this list of information and activities reflects in behavior in a positive way. Through this analysis, it can be observed that through social inclusion, awareness, learning, planting skills and appreciation by the adolescent in relation to the environment were achieved. Adolescent offenders started to be valued not only by society but also by the family; start to have an occupation, there is (re) insertion in the labor market and valorization of citizenship. In terms of the Pernambuco Court of Justice, there was a positive result, generating a perspective of the expansion of the project by neighboring counties, because in addition to the initial perspective where social inclusion would occur, it also generated quality of life for employees, as they learned not only how to cultivate the garden, according to the central idea, but it went far beyond generating health and well-being. In analysis of the suggested texts, it is concluded that after the publication of the ECA Child and Adolescent Statute, there was a way of looking at adolescents, differentiating the approach; the criminal inimputability of minors under the age of 18 taking into account the impunity that exists in the Brazilian penal system; dividing into three moments. Initially, there were several questions about the penal minority and the reflexes in the Penal Code with the proposal to lower the minority due to the fact that the adolescents benefit from not receiving a sentence, thus encouraging the practice of crimes, it was found that the lowering of the minority would limit the punitive power. of the State leaving the law itself to determine that minors under 12 years of age apply only protective measures and to those over 12 years of age, socio-educational measures, already have

the legal capacity to respond seeing that such measures aim at resocialization and not only punishment differentiating from prison. When investigating the work experience of adolescents who fulfilled a socio-educational measure, it was observed that for both the young person and the family, there was a new meaning in family relationships. The institution of the National Social and Educational Service System started to refer to the adolescent accused of committing an infraction crime, as a young man in conflict with the law, recognizing his immaturity and guaranteeing the right without any discrimination. The defense of criminal non-imputability does not mean impunity, the policy of inclusion of socio-educators so that they are welcomed in processes of subjectivity and not just imputed to penalties; social equity makes ECA the means of respecting youth and protecting citizenship. It is obvious that projects of this nature are not intended to solve the problem of violence, which is extremely complex. The aim is to act on recidivism, reducing it as much as possible, in order to provide the construction of new life values and the acquisition of a resource that enables its reintegration through professional qualification in an expanding area such as This is precisely the objective studied. Therefore, it is of great social relevance, since in addition to working with social inclusion, it directly contributes to the environmental (composting), economic, social aspect; in short, with sustainable development. Demonstrate the importance of social inclusion and sustainable justice for sustainable development, as well as its importance within the Pernambuco Court of Justice in the recovery of young people. The potential to replicate this highly relevant practice in all spheres of the judiciary is also added.

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