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Restorative justice in Chile

A very recent and challenging adventure

National Symposium on Restorative Justice 2019
Thailand Institute of Justice

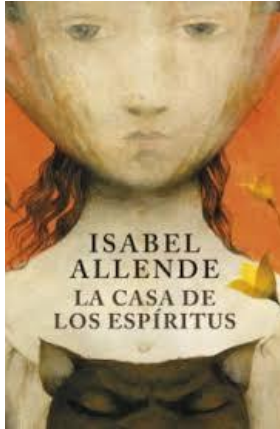
Daniela Bolívar F. PhD

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The Chilean context

- Dictatorship 1973-1990 –human rights violations
- Transition to democracy 1990-1994
- Democracy: Since 1994

- Legal procedural reform (2000): from an inquisitive to an adversarial system
- Juvenile justice: Law 20.084 (2007) (14-18 years old)



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What do we have at the moment?

- In the past: local, small and disconnected / interrupted initiatives with adult offenders and very minor serious crimes
- In the present:
 - 1) Pilot projects (2 + 1) focused on young offenders
 - 2) A project of law under discussion in the Parliament to reform our juvenile justice system

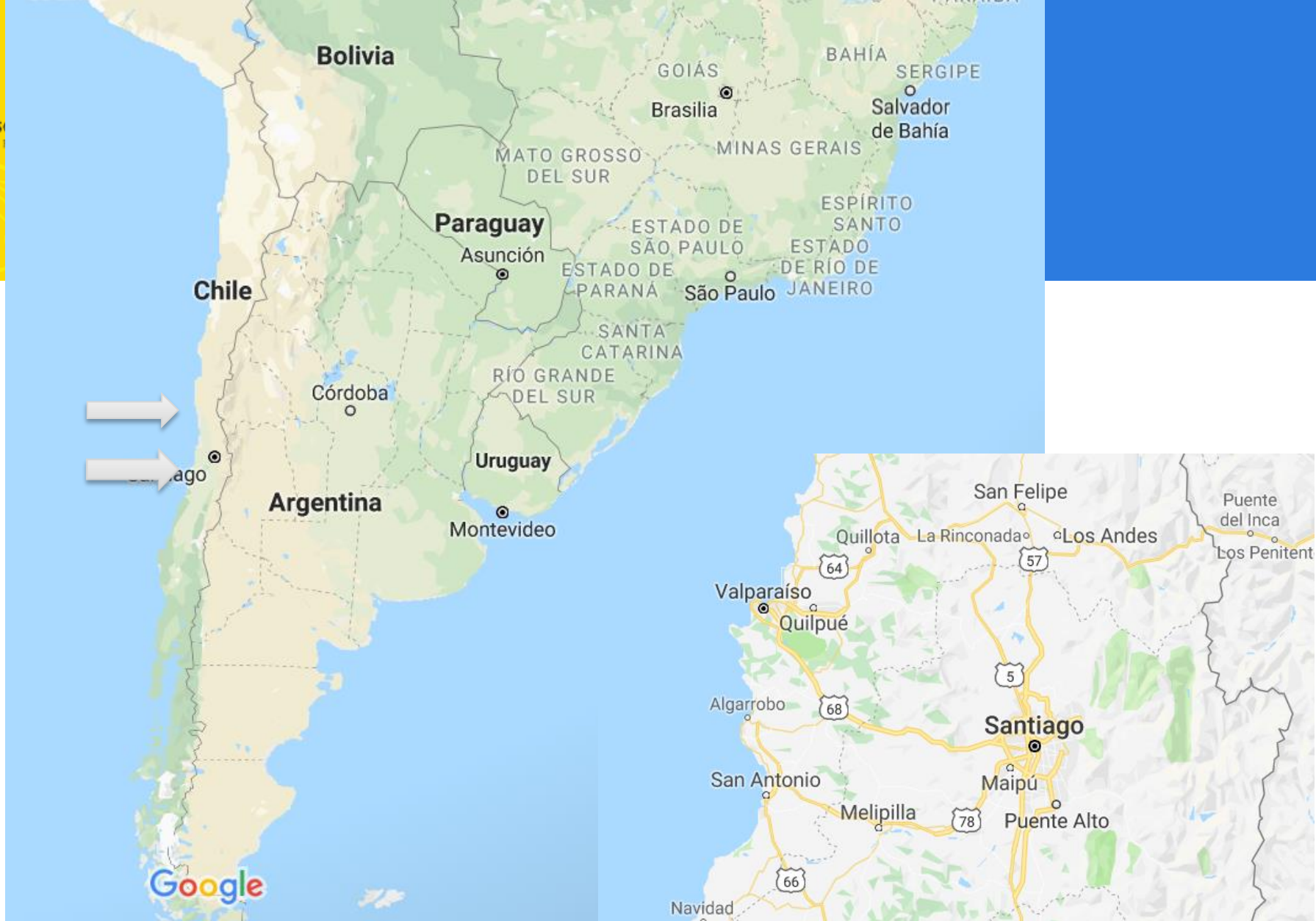


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Pilot projects

- Young offenders
- Diversionary nature
- Implemented from public services – independent of the CJS
- Three cities in three years





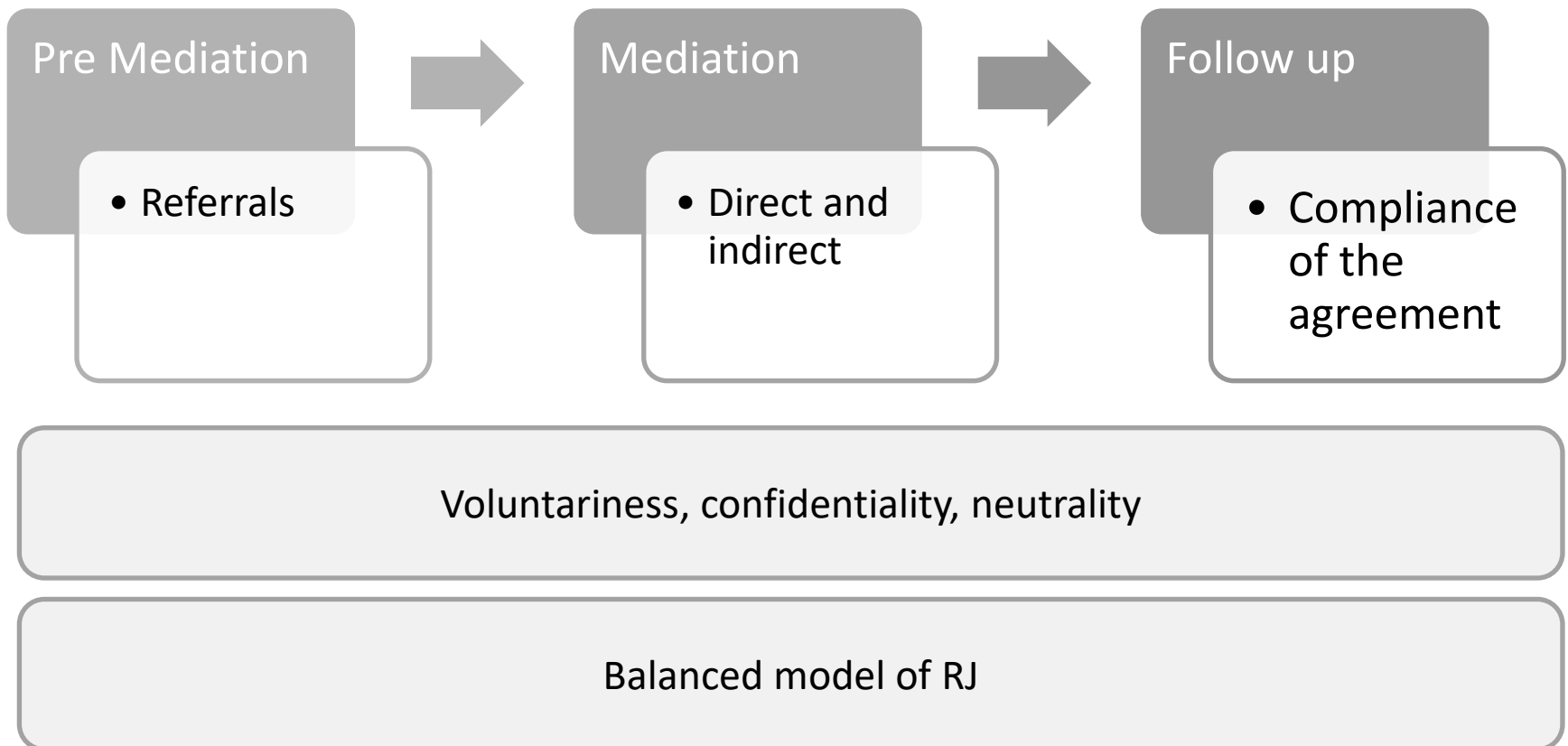
Cases referred in Santiago during the first year (2017)

Number of cases selected: 97 – Number of cases actually referred: 27

Categorías de delitos	Primera etapa	Segunda etapa
Lesiones	4	8
Robos	2	3
Robos no violentos	1	2
Hurtos	1	1
Cuasidelito	1	1
Delitos Contra la Libertad e Intimididad de las Personas	1	0
Otros delitos contra la propiedad	0	1
Otros delitos	0	1
Total	10	17



Model implemented: Victim-offender mediation





Introduction of RJ in Chile: Facilitating factors

Political interest

- Key actors of the Ministry of justice take initiative

Role of the academia

- Supervision
- Pilot evaluations

International interest and support

- Networks with other countries and organizations
- Eurosocial

Regional collaboration

- Policy makers / professionals / academics



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Key strategies

Pilot projects

Open seminars

Progressive
implementation

Strong sensibilisation
/involvement of
professionals and
justice authorities

Independent
evaluation

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Achievements

- Chilean experience - expertise
- Chilean evidence
- Progressive involvement of justice actors
- Development of quality standards – Involvement of supervision and evaluation as part of the structure of the service
- Progressive support of public and political actors



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Main lessons learned

- Relevance of international supervision
- Action-research
- Relevance of reflective practice
- Communicational and training strategies
- Agreements and protocols at national level
- Permanent feedback with all stakeholders
- Evaluation as part of (initial) implementation



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Next steps /challenges

- National implementation
 - Territory
 - Training
 - Supervision
- Cultural diversity
- Victim participation
- Involvement of judicial authorities
- Improve / increase referrals



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Thank you
dbolivar@uc.cl

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