

The Special Depositions and the protection of children's subjectivity as perceived by the technical team

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Abstract:

In this summary, we intend to present partial results of field research carried out with Psychologists and Judiciary Social Workers from the Court of Justice of Paraná (CJPR). This research aims to map the perception of those professionals concerning the protection of the children's subjectivity during their testimony in court as a result of sexual violence. Sexual abuse is increasingly present in the child population and the data signal that after the first report of violence, children go through processes of revictimization until they are brought to their deposition in court. Justified concerns are therefore raised due to the repercussions that such violence can cause in the lives of people in intense developmental stages. The connection of this submission with the theme of this conference is established and the importance of research about sexual abuse of children is reaffirmed. As of 2017, Law N^o 13.431/2017 establishes the rights guarantee system of children and adolescents who are victims or witnesses of violence, which in Article 8 adopts the Special Deposition (SD) as a hearing procedure for those children. The CJPR embraces such procedure and enacts Provision N^o 278/2019 that regulates it, which is put into practice by the Judiciary Psychologists and Social Workers, public servants of this court. This was done by applying a questionnaire using the Google forms platform, sent to all the Judiciary Psychologists and Social Workers via official communication, followed by a descriptive analysis of the data obtained. As a preliminary result of the perception of the professionals responsible for the DE procedures, 75% believe that such procedures protect the children's subjectivity in a situation of sexual violence, a minority states that such procedures partially protect and none of these professionals states that such procedures do not protect the children's subjectivity. Among the legal professionals who do not have this practice in their daily routine, approximately half stated that they have no parameters to evaluate the protective potential of such procedures, and a discrepancy was noticed in the perception of the remaining professionals, as 27.3% of the Social Workers state that such procedures are not protective of the children's subjectivity and, among the psychologists, 35.7% believe in the protective potential of such procedures. It can be concluded by deduction that the professionals who carry out the SD procedures believe in the importance of this work for the protection of the children's subjectivity. For this reason, there may be greater proximity between them and the SD proposal. At the same time, it is noticeable that among the professionals who do not carry out the SD, the result not only reflects an internal discussion between the two categories regarding such practices but also alerts us to the importance of the conditions that permeate such procedures within the justice system, as it is in capturing the contradictory movement of the legal processes and practices that the totality of the event is perceived, which in this case aims at protecting and not re-victimizing those children.