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Identifying public policies: Public Defenders and men who broke the Maria da Penha Law

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The evaluation of the assistance services provided by the Public Defender's Office allows to identify demands and problems for public policies. This article presents the results of an observation research that evaluated the services of the *Núcleo de Atendimento ao Homem Autor de Violência Doméstica e Familiar* (Neah) (Support Center for men who committed Domestic and Family Violence), considering the testimonies of people assisted by the institution and their partners. From the results, it is possible to identify future actions and public policies aimed to prevent, promote self-reflection, and change the perception related to aggressive men. The results of the empirical observation highlight the paradox of the public policies of assistance to men accused of domestic violence, since the spouses' evaluation about the police assistance and the assistance services offered by the DP-PA shows a dissatisfaction with the results of the services their partners receive. Men who participated in the therapeutic group expressed during the interviews that they experienced a change in behavior toward their spouses and their view about women.

Keywords: Public Defender System of the State of Pará; domestic violence; evaluation of public services.

Identificando políticas públicas: Defensoria Pública e homens infratores da Lei Maria da Penha

A avaliação dos serviços de assistência prestados pela Defensoria Pública possibilita a identificação de demandas e problemas que constituirão a origem de futuras políticas públicas. Este artigo apresenta os resultados de uma observação na qual se avaliaram os serviços de assistência prestados pelo Núcleo de Atendimento ao Homem Autor de Violência Doméstica e Familiar (Neah), a partir de depoimentos dos assistidos e de suas companheiras. Como resultado, identificam-se futuros serviços e políticas públicas voltados à prevenção, autorreflexão e mudança de percepção dos homens agressores. Os resultados da observação empírica ressaltam o paradoxo das políticas públicas de atendimento a homens acusados de violência doméstica: enquanto a avaliação dos serviços de assistência prestados pela DP-PA e do atendimento policial por parte das mulheres cônjuges manifesta uma insatisfação pelos resultados do atendimento recebido na DP-PA, com relação aos seus parceiros. Os homens que participaram do grupo terapêutico manifestaram nas entrevistas haver experimentado uma mudança de comportamento com relação às suas cônjuges e sobre a visão da mulher.


Palavras-chave: Defensoria Pública do Estado do Pará; violência doméstica; avaliação de serviços públicos.

Identificación de políticas públicas: Defensoría Pública y hombres infractores de la Ley Maria da Penha

La evaluación de los servicios de asistencia prestados por la Defensoría Pública permite identificar demandas y problemas que constituirán el origen de futuras políticas públicas. Este artículo presenta los resultados de una observación en la que se evaluaron los servicios de asistencia prestados por el Núcleo de Atención al Hombre Autor de Violencia Doméstica y Familiar (Neah) a partir de testimonios de los asistidos y sus cónyuges. Como resultado, se identifican futuros servicios y políticas públicas dirigidas a la prevención, autorreflexión y cambio de percepción de los hombres agresores. Los resultados de la observación empírica resaltan la paradoja de las políticas públicas de atención a los hombres acusados de violencia doméstica: mientras que la evaluación de los servicios de asistencia ofrecidos por la DP-PA y de la atención policial por parte de las mujeres cónyuges manifiesta una insatisfacción por los resultados de la atención recibida en la DP-PA con relación a sus compañeros. Los hombres que participaron en el grupo terapéutico manifestaron en las entrevistas que habían experimentado un cambio de comportamiento con relación a sus cónyuges y sobre la visión de la mujer.

Palabras clave: Defensoría Pública del Estado de Pará; violencia doméstica; evaluación de servicios públicos.

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1. INTRODUCTION

Government in every country intends to evaluate the working of its public service. This fact supports the establishment of a range of complex and sophisticated proposals to provide data to politicians, manager, and to community, regarding the success or failure form of the governmental organization. Researchers focus their attention on the efficiency of public service and on the decisive parameters of the work in public organizations.

In Brazil, the number of studies published in recent years outweighs the possibility of their synthesizing by this work. In the specific context of accessing the legal system, this study highlights the legal operators' perceptions and the limits for the Maria da Penha Law (2006) enforcement (Dias, 2007; Paniato, 2015). The Public Defender's Office addresses the problem from a human rights perspective, that is, to the extent that they are respected, the women rights are respected as well. There are still few investigations in the Public Defender's Office, most notably those carried out by Schreiber, D'Oliveira, and Couto (2009), Medeiros and Guareschi (2009), Bentes (2013), and Vidal (2010, 2012, 2014). Regarding the relationship between gender-based violence and public policies, the Ibam (2015) and Garcia and Ribeiro's work (2007) are highlighted. In its defense legal action, the Public Defender's Office actions also allow identifying the work to prevent domestic violence and possible proposals for future public policies. The Public Defender's Office of the State of Pará (DP, Portuguese acronym) is an innovative experience, available to the Customer Care Center for Women Victims of Domestic Violence (Naem, Portuguese acronym) and the Customer Care Center for men who committed Domestic and Family Violence (Neah, Portuguese acronym) until 2016.

In this context, key questions arise: (a) "How were these care services provided by Neah and DP evaluated by the assisted men and their partners?"; (b) "Is the institutional coordination involving the Court, Neah (DP), and the reference Customer Care Centers efficient?"; and (c) "Which issues were found regarding the identification of future public policies?" It is clear that the complexity of the phenomenon and its subjectivity require special methodological care. Due to the complexity observed, this paper presents two levels, the methodological process and the results of the observation of the care services provided by Neah of DP from 2014 to 2016, in the city of Belém, Pará State, Brazil. The investigation focus was limited to the second level, the review of the care services provided by Neah in PD. At the conceptual level, the study was based on the recent input of public care evaluation and on the institutional coordination, showing that the cooperation from different parties involved is needed. The work of public defenders and technical personnel of services linked to the care of the male offenders allows the identification of a series of problems that are the basis of future public policies.

This article is structured in three parts: (a) exposition of the recent debate about the possibilities of a qualitative evaluation from public care; (b) description of the complexities of the methodological process of observation in PD; and (c) presentation of the results of the observation.

2. QUALITATIVE EVALUATION OF CARE SERVICES PROVIDED AND PUBLIC ACTIONS

The institutional capacity of public departments linked to the care of men who violated the Maria da Penha Law was analyzed, based on the reconstruction of the institutional structure of policies and the networking flow chart, whose purpose is to determine the institutional ability level and identify

future public policies. To this end, the institutional strengths, the degree of coordination of the performers to implement policies, and the possible problems in policy management were identified, aiming to suggest institutional actions for strengthening through the technical-administrative and management procedures evaluation.

The public programs and services evaluation are a needed tool to improve this kind of action and evaluate its impacts. The use of qualitative methods has gradually acquired relevance in the evaluations, since it allows exploring and perceiving details and precise information at great length, regarding the improvement of the care services quality and the professionals' work. Studies on the qualitative evaluation of policies and services in Brazil are, however, recent, with emphasis on health care (Uchimura & Bosi, 2002) and on social programs (Ala-Harja & Helgason, 2000; Gasparini & Furtado, 2014; Silva, 2001).

2.1 Customer care Center for Man from the Public Defender's office (Neah)

Neah is part of the Public Defender's Office in the State of Pará. The target group is composed by perpetrators of domestic and family violence against women. Most of them are referred to the Judicial Court of Domestic and Family Violence Against Women, the Judicial Court of Penalty Enforcement, and/or the Alternative Measures Execution Court. Neah aims to guarantee the defense of the aggressor man using psychotherapeutic approaches in therapeutic group for reflection (Group Cognitive-Behavioural Therapy (CBT) for Domestic Violence) (created in January 2012) and for overcoming the after-effects resulting of violence, as well as the option to take part in socio-educational activities aiming at their reeducation and rehabilitation and to prevent further violence practices. In these groups, reflection, activities, and discussions are promoted, regarding preventive actions stimulating a culture of peace.

The evaluation and monitoring process of the assisted people by the Public Defender's Office consists of different follow-up phases, aiming to perform a personal diagnosis of values and attitudes and analyze possible changes after their participation in the therapeutic group.

3. METHODOLOGICAL PROCESS

The quality of the service provided by Neah was evaluated in this paper under an observational exploratory perspective with a qualitative technique. Despite basic methodological care [stage of selecting the cases to be interviewed, stage for entry into the field (arrangement of interviews), and exit stage (the field interruption)], biases due to arbitrary analysis (conscious and unconscious) by the beholder always appear in an observation. To avoid them to the maximum, a strategy of multi-perspective methodology is proposed, combining segment and analysis of a focus group and semi-structured interviews among the assisted men and their partners.

The question formulated is a tool used for understanding the phenomenon in its complexity and uncertainty. The quantitative approach differs, therefore, from the qualitative approach in relation to what the strategy to get knowledge consists, how it was acquired, used, and understood, what the observer's role was, as well as the way in which data and information are described, using the content analysis technique (Vaterlaus & Higginsbothan, 2011).

The observation is based on a strategy of multi-perspective methodology that combines the segment and analysis of a focus group (therapeutic groups for reflection) concluded at Neah using structured interviews among the assisted men and their partners. Two types of qualitative methods are combined.

The “therapeutic group for reflection” in Neah was analyzed, specifically with regard to: (a) the use by the attendees of a “public value product”; (b) the attempt to directly influence those assisted by the public defender, not only as a defender, but also as an agent of changes in social relationships; and (c) the identification of public policies that could be focused on the prevention of domestic violence. Three explanatory variables were observed: (a) the subjective perspective of the assisted people who took part in the therapeutic group; (b) the evaluation of Neah’s work by the partners; and (c) the evaluation regarding the possibilities for the Care Center carried out by its own technicians and the linked defenders.

All the interviews were recorded in the presence of the researchers and therapist from the Neah. In this investigation, the advantages of these analytical techniques are clear, such as:

- a) *semistructured standardized interviews* - In this type of interview, the rigor of a standard or closed interview is not kept. The choice of this kind of interview is due to the complexity of the subject treated, as it involves deep emotional, affective, and psychological aspects in each one of the interviewees. It also allowed the interviewer the freedom to ask and formulate the questions, constantly stimulating the interviewee to talk, without imposing points of views or controversies, aiming to suppress resistances in the interviewee in a conversation; and
- b) *active observation of the therapeutic group* - The group management and organization were held by Neah’s therapists and observed through an exploratory analysis combined with the active observation technique (Martins, 2016), and, in a second aspect, by active observation. This technique allowed “focusing on multiple purposes” (Morgan, 1993, p. 227), among them, the one that concerns the way of the evaluation by the public service users.

The set of information allowed to describe and gather the necessary data on the epistemological and practical potential of the Care Centers and on the expectations of its work.

The observation is settled by three explanatory variables: (a) the subject perspective; (b) the perspective of their partners; and (c) the Neah’s evaluation by its own technicians.

The first variable refers to the subjective perspective of the assisted people participants in the Neah’s therapeutic group in 2015, focusing on its performance and evaluation. To gather the data, the following pre-established codes were created: (a) expectations to take part in the therapeutic group; (b) the group subjective importance; and (c) the Neah’s work evaluation of the so-called “therapeutic group for reflection” (Group Cognitive-Behavioural Therapy (CBT) for Domestic Violence)¹ by the partners. The interviews are set in three blocks of questions: (a) care evaluation in PD and Neah;

¹ The “therapeutic group for reflection” (Group Cognitive-Behavioural Therapy (CBT) for Domestic Violence) is settled with men accused of domestic violence, whose participants are required to participate by court order. The group is led by therapists in regular meetings for approximately 10 weeks.

(b) therapeutic group evaluation based on the possible changes in attitude of the partner; and (c) changes experienced by their male partners (Box 1).

BOX 1 OBSERVATION METHODOLOGY

Observed group	Neah's assisted men	Neah's Partners of men assisted	Focus Group	Neah: public defenders and technicians	Cras ² Creas ³	Neah's ssisted prople
Interviews / processes	6	4	Segment: 23 Mar. 2016 to 18 May 2016 Participants: 12	Public Defenders: 2 Therapists: 2	Social workers: 2 Coordinators: 3 Therapists: 2	Neah's 42 cases - 2015
Technique	Semistructured interviews Content analysis	Semistructured interviews Content analysis	Active observation -summary record notes	Semistructured Interviews Content analysis	Structured Interviews Content analysis	Analyze: Record in DP Process
Predefined codes	Evaluation Reflection Self-esteem Self-criticism	Evaluation Perception	Initial Expectations Subjective importance Evaluation	Evaluation	Process evaluation Management Institutional coordenation	Therapeutic group for reflection
Emerging codes	Self-esteem	Mistrust of the Police Station: PSS ⁴ and IOC ⁵	Subjective change in behavior	Interdisciplinary team	Family violence: the elderly, children (not analyzed)	Family situation (not analyzed)

Source: Elaborated by the author.

The domestic violence observation entails very complex subjective situations for women, implying limitations. The research scope was composed by 57 women, partners of attendees taking part in the therapeutic group, and access them was a challenging, thus, only five interviews were able to be carried out. The first challenge was their localization. Some of them have changed their residences (in many situations, to surroundings of the Belém Metropolitan area). The interviews among the assisted women were exclusively carried out by female researchers and scholarship researcher students, and those carried out among the man's participants in therapeutic group were all recorded and analyzed using the content analysis technique and carried out by a male researcher (Box 2). The interviews with the assisted women were exclusively carried out by female researchers and scholarship researcher students, and those carried out among the man's participants in therapeutic group were all recorded and analyzed using the content analysis technique and carried out by a male researcher (Box 2).

² Centro de Referência de Assistência Social (Reference Center for Social Assistance) (Cras, Portuguese acronym).

³ Centro de Referência Especializado de Assistência Social (Specialized Reference Center for Social Assistance) (Creas, Portuguese acronym).

⁴ Police Station Specialized in the assistance to Women.

⁵ Integrated Operations Center.

BOX 2**INTERVIEWS CARRIED OUT WITH THE PARTICIPANTS OF THE THERAPEUTIC GROUP**

Research ID	Location	Date	Recorded time (minutes)
João	Neah	March 2016	25
Pedro	Neah	April 2016	28
Luiz	Neah	April 2016	15
Edson	Neah	March 2016	17
Carlos	Neah	March 2016	18
Manoel	Neah	April 2016	15

Source: Elaborated by the author.

The second challenge was regarding the ones who started a definitive separation process and showed no interest in performing a narrative of recomposing their previous experience. Finally, some women did not want to be interviewed for some reasons. With this fact, the possibility of carrying out the interviews has greatly reduced, and only four interviews could be effective. The materialized interviews with the participants of the therapeutic group were all recorded and analyzed using the content analysis technique (Box 3).

BOX 3**INTERVIEWS WITH ASSISTED MEN'S PARTNERS**

Research ID	Location	Date	Recorded time (minutes)
Antônia	Neah	March 2017	10
Elaine	Neah	April 2017	9
Andrea	Neah	March 2017	44
Rosilene	Neah	May 2017	26

Source: Elaborated by the author.

The thematic approach made it easy for arising many questions related to the care and guidance received in PD. The gathered data had gotten special attention for the findings made (*serendipity*).

4. THE OBSERVATION: EVALUATION OF THE SERVICE PROVIDED BY NEAH

Participation in the therapeutic group is not a voluntary decision but is determined by a referral from a court. Initially, the expectations to participate in the therapeutic group are high. The therapeutic

group is taken by the assisted ones as an opportunity for personal growth, the “growth, the change” (interviewed João). It also provides the opportunity to share anxieties and worries with other men or as a positive support.

Expectations are high and are at odds with the initial negative subjective image: “I thought it was crap, I thought” (interviewed João). Over time, the subjective change is expressed, although it is not certainly in which aspects. By expressing this behavior together with other assisted man, there is a positive psychological effect (Box 4).

BOX 4 IDENTIFICATION OF CARE SERVICES AND PUBLIC POLICIES

Group Cognitive-Behavioural Therapy (CBT) for Domestic Violence

“I have been reflecting on situations in which examples of mistakes from other colleagues in the group make it easier for us to reflect and have a little more respect”. Also, in their everyday relationships, “with other people all the people of one conviviality” (interviewed Edson).

“What I learned was a change of the way, the way I was, I have changed, I’m more different today” (interviewed Pedro). They take on an individual and subjective responsibility for their actions: “And good! Neah is different from the whole situation that I see impairing only myself” (interviewed Edson).

Participation in the group has a psychological support function to overcome their situation: “I’m sure that Neah is very valid ... by an attitude taken with these people who need support in the face of the situation that they are going through judicially” (interviewed Edson).

Source: Elaborated by the author.

4.1 Female partners or spouses: evaluation of care services provided by Neah

By evaluating the services provided by the DP, the female partners present two types of opinions. On the one hand, a general lack of awareness of DP as in the Elaine’s case, showing a lack of information of the Care Service and PD Centers. There is some disappointment with Neah’s assistance, by the lack of support received and the lack of effectiveness from the preventive measures. The criticism extends to the role played by DP and the legal limitations of the defender’s work. The defender is even seen as who defends and takes sides with the aggressor.

The subjective evaluation (or expectations) of the personal care received from the public defender varies according to the interviewee. For the interviewed Antônia, also the assistance of the defender was not enough: “He did not give me the expected answer”. Regarding the communications between the interviewees and Neah, they were not, according to the interviewee, “adequately fluid” (Box 5).

BOX 5 IDENTIFICATION POLICIES AND PUBLIC ACTIONS

Public defense	Police station
<p>“At the moment that they are in prison; because for me the defendant that attends the aggressor only was useful until today to then remove him from jail” (interviewed Rosilene).</p> <p>“It was not much support for that, no, they did not call me to attend a meeting, an orientation, nothing, nothing, nothing at all. I only have been there, I have made the register and was it [...]. DP continues to be an unknown institution, although not [unknown] unknowing* the Maria da Penha Law “(interviewed Elaine).</p> <p>“Not. I still did not know it, but I found it so, it was a way, so I found it so much for myself, to defend from him, I went to look for the defender [...]. When he attacks [...] doing things [...], intending to hurt us, then, there's a way, I found it. I throw him in the Maria da Penha Law” (interviewed Antônia).</p> <p>A certain disappointment with Neah's care and the lack of support received: “I only had the register itself, they just said that if I needed it again, that it was for me to look for [...] that they were going to arrest him, that's what they said” (interviewed Elaine).</p> <p>“No, I did not get called. I have come, I have come to this center through it, but they never called me for anything” (interviewed Antonia).</p>	<p>“Even with the protective measures I had, sometimes a week passed, and he come back, he ended coming back home” (interviewed Antonia).</p> <p>“I think it was a bit to be desired in this part” (interviewed Antonia).</p>

Source: Elaborated by the author.

5. SOME CONCLUSIONS

Results are showed on the evaluation of the care services provided by Neah from qualitative information, concerning the variables of the therapeutic group and the services provided. It is evident that the results presented are not conclusive; however, they offer only tendencies and references for future observations.

The therapeutic group is an essential measure for rehabilitation and reintegration into society, achievement of group work, and violence prevention. It is evaluated positively by the attendees. In observing such phenomenon, it is sought to evaluate a public service that interferes directly with the subjectivity and previous experiences of the assisted men and their female partners, as well as the conceptions regarding the image of the woman. Faced with the same problem as the “right to the defense of the assisted men”, the opinions both of man and woman vary diametrically. While men value the defense received, women consider that men accused of domestic violence should not receive this type of defense (Box 6).

BOX 6 EVALUATION OF DP CARE SERVICES AND POLICE RESPONSE

Evaluation	Men	Women	Therapists
DP work evaluation	Good	Very low	--
Neah work Evaluation	Good	Low	--
Therapeutic group work evaluation	Good	--	--
Neah's services evaluation	--	Low	Good
Police Station Customer Service evaluation	--	Very low	--

Source: Elaborated by the author.

Public policy analysts agree that public problems are not, at first, identifiable objects; an observer cannot pick them up. In this hypothesis, it is asked about the mechanisms that generate them and that generate the public action (intervention). The hypothesis can be valid for certain problems, although questionable before the domestic violence phenomenon. While the mechanisms that generate it are complex and multiple, the phenomenon itself is clearly identifiable.

Neah is the first step in identifying the problem of domestic violence with care services and actions, as therapeutic group, interdisciplinary care availability, previous intervention in family conflicts, and group care. The violence and its consequences are identified by themselves. Its questioning is, therefore, a collective decision and a demand to be solved (Box 7).

BOX 7 DEFINITIONS OF PROBLEMS FOR FUTURE POLICY SOLUTIONS (FROM THE PERSPECTIVE OF THE ASSISTED MEN AND THEIR FEMALE PARTNERS)

Problem definition	Possible collective solutions and associated policies
1. Low self-esteem (men)	1. Collective psychological and health care services for men
2. Inspectors and police not ready for care (women)	2. Special training policies to assist women in the Police Station Customer Service
3. Image of their partner (man)	3. Educational policies and actions aimed at adults and young people for another understanding of masculinity
4. Criticism of the Care Service Centers for man (women)	4. Different possibilities in the function of how the "defense of the accused" is defined and their rehabilitation and reintegration into society
5. Little known awareness of Public Defender (women)	5. Information actions on DP objectives

Source: Elaborated by the author.

The institutional evaluation claims that the institutional coordination between Neah and Centro de Referência Especializado de Assistência Social (Specialized Reference Center for Social Assistance (Creas, Portuguese acronym)) is agile and offers a response to the existing “great demand”. However, bureaucratic problems are identified which make it difficult to streamline processes (Box 8).

BOX 8 IDENTIFICATION OF COLLECTIVE PROBLEMS FOR PUBLIC POLICIES (FROM AN INSTITUTIONAL PERSPECTIVE)

Problem identified (according to interviewees)	Collective problems identification for public policies	Policies typology
1. Aggressor follow up	1. Cordenation policies for the aggressor	1. Collective health
2. Failures and problem in workflow	2. Optimization of internal flow management	2. Management improvement
3. Lack of agility in processes	3. Improvement of information technology and processes	3. Modernization of public services
4. Verification of the aggressor motivations	4. Follow up policies to the aggressor	4. Collective health
5. Women's empowerment	5. Income policies for women	5. Emancipatory policies
6. Low level of care services coordination provided to emancipate women	6. Employment, income, and vocational policies	6. Inclusive
7. Family aggressions (seniors and minors)	7. Improving family policies	7. Family Health

Source: Elaborated by the author.

In summary, the substantial progress of the Maria da Penha Law for the women's protection, who are victims of violence are evident. Nonetheless, issues such as the prevention and rehabilitation and reintegration into society of men accused of violence remain pending. A new reading of the law as public policy would allow such an important step towards the man's mentality changing on the gender view.

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