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From corporate crime to domestic violence, the Sérvulo partner and president of the Fórum Penal shares her vision of the criminal justice system and her diverse legal practice

by glória paiva

What does ballet have to do with the courts? For **Cláudia Amorim**, partner at Sérvulo & Associados and president of the *Fórum Penal – Associação de Advogados Penalistas in Portugal*, everything. More than three decades on stage shaped her taste for exposure, tension and performance — elements she now recognises in the clashes of criminal litigation, from oral pleadings to cross-examinations. "The courtroom is the theatre of real life", she says in an interview with Iberian Lawyer. Her practice brings together economic and corporate criminal law with a constant attention to the human and social dimensions of justice, from domestic violence to the conditions of the prison system.

"There is a theatrical element to law. It requires mastery of oral advocacy, body language and the ability to adapt to the unexpected", the lawyer explains. At 46, Cláudia Amorim belongs to a generation that entered the legal profession at a turning point. Although she initially considered pursuing a judicial career, she began her professional path at PLMJ at a time when access to the judiciary became subject to temporal limits, leading many young jurists to opt for private practice. Litigation asserted itself from the outset. Her specialisation in criminal law was consolidated at Sérvulo, where she works closely with partner **José Lobo Moutinho** and of counsel **Teresa Serra**, and it has become her field of choice.

> **«Punishing is easy; rehabilitating is the real challenge»**

Today, her practice is divided between corporate crime — tax fraud, corruption, money laundering and offences linked to the exercise of corporate or public office — and the representation of individuals. This second strand includes crimes against honour, cases related to freedom of expression and reputation, as well as a significant number of domestic violence cases, primarily from the perspective of victims. Part of this work is carried out under the protocol that Sérvulo maintains with APAV (Associação Portuguesa de Apoio à Vítima), which provides for free legal support in certain situations. "I am motivated by contact with realities that are not only legal, but human, and by realising that we can make some difference in people's lives", she says.

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For Cláudia Amorim, these two dimensions are not contradictory. On the contrary, they reflect a vision of criminal advocacy that does not stop at the defence of economic interests. "Reconciling the social function with the logic of law firms is essential", she argues. This diversity gives criminal practice its own dynamic, marked by an intense proximity to clients, often at moments of great personal vulnerability.

Alongside litigation, the preventive side of criminal practice has been gaining ground – particularly compliance, says Cláudia Amorim. According to the lawyer, the experience accumulated in complex proceedings makes it possible to anticipate risks, especially in areas such as corruption and money laundering. "Criminal lawyers tend to be good at compliance because they are used to anticipating problems", she says. "We have received many requests from companies looking for robust policies, to which the experience of criminal practitioners can make a decisive contribution".

As president of the Fórum Penal, a position she has held since 2019 and whose second term is approaching its end, Cláudia Amorim has sought to establish the association as a qualified interlocutor in legislative debate and as a space for training and reflection for criminal lawyers across the country. One of the dimensions of her work has been the

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prison system, namely the defence of the rehabilitative function of sentences and the need to ensure effective legal assistance for people deprived of liberty.

Her time on the National Committee for the Prevention of Torture reinforced this concern. Despite some progress, she believes Portugal remains far from ensuring prison conditions fully compatible with European standards. The absence of a consistent public policy on rehabilitation, overcrowding and difficulties in accessing legal support are, in her view, structural shortcomings that undermine the objectives of the criminal justice system and influence rates of reoffending. "Lawyers organise themselves as civil society to fill gaps left by the State. There is still no consistent national public policy that ensures good conditions in prisons and a genuine rehabilitation strategy", she observes.

Domestic violence is another key axis of her professional intervention. While acknowledging

ABOUT CLÁUDIA AMORIM

- Litigation and arbitration partner at Sérvulo
- President of the Forum Penal – Association of Criminal Lawyers since 2019
- Former member of the Commission for Gender Equality and Domestic Violence of the Portuguese Bar Association
- Former member of the Working Group on the Reform of Administrative Offences of the Portuguese Bar Association
- Former part of the Committee for the Prevention of Torture
- Expertise in anti-money laundering, corporate crime, regulatory compliance and litigation

legislative and procedural advances over the past two decades, Cláudia Amorim stresses that the phenomenon remains alarming and cannot be tackled solely through criminal responses. Education, prevention and institutional coordination are, for her, indispensable dimensions. "This is a cultural issue. It is necessary to counter structural sexism and gender inequalities at their root, starting with younger generations", she says. As for the autonomous criminalisation of femicide, she calls for in-depth reflection, warning of the risks of reactive legislative reforms.

Critical of penal populism and simplistic punitive responses, she argues that a general increase in sentences does not solve the problem of crime. "Punishing is easy; rehabilitating is the real challenge. Even in countries with very long sentences, crime has not disappeared", she concludes. Criminal justice, she maintains, must be conceived as an integrated system in which law, sociology and public policy engage in dialogue to address problems that are, above all, human.

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