Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

11 December 2003 [shall come into force on 1 Jaunary 2004];

3 June 2004 [shall come into force on 1 January 2005];

17 March 2005 [shall come into force on 7 April 2005];

15 December 2005 [shall come into force on 12 January 2006];

19 December 2006 [shall come into force on 1 January 2007];

22 April 2010 [shall come into force on 26 May 2010];

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28 April 2016 [shall come into force on 1 June 2016];

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15 December 2022 [shall come into force on 1 January 2023].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

and the President has proclaimed the following Law:

**On the Imposition of Compulsory Measures of a Correctional Nature on Children**

**Chapter I**

**General Provisions**

**Section 1.**(1) This Law prescribes the types and the procedures for the imposition of compulsory measures of a correctional nature.

(2) Compulsory measures of a correctional nature shall be imposed to achieve the following objectives:

1) the formation and reinforcement of a value orientation of a child that corresponds to the interests of society;

2) an orientation of a child toward refraining from illegal activities;

3) re-integration of a child with social behaviour disorders into society.

**Section 2.**Compulsory measures of a correctional nature may be imposed on a child if he or she has committed such offence or violation for which the laws and regulations provide criminal liability or administrative liability (hereinafter – the offence or violation).

[*28 April 2016*]

**Section 3.**Compulsory measures of a correctional nature may be imposed on children from 11 to 18 years of age, unless otherwise specified in this Law.

[*22 April 2010*]

**Section 4.**Compulsory measures of a correctional nature shall be imposed on children who have committed:

1) a criminal offence and who have been released from the imposed sentence by a court;

2) [22 April 2010];

3) an offence provided in the Criminal Law as regards which the decision to terminate criminal proceedings and to send materials to the court has been taken;

31) an offence provided in the Criminal Law as regards which a procedurally authorised official has established that it has been committed by a child who has not attained 14 years of age and as regards which the decision to refuse to initiate criminal proceedings and send materials for a departmental examination has been taken;

4) a violation.

[*19 December 2006; 22 April 2010; 18 April 2016*]

**Section 5.**(1) In criminal cases, compulsory measures of a correctional nature shall be imposed by a court (Clause 1 of Section 4).

(2) Materials of terminated criminal proceedings and materials regarding an offence (Clauses 3 and 3.1 of Section 4) shall be examined and compulsory measures of a correctional nature imposed by a district (city) judge sitting alone.

(3) Administrative violation cases and materials regarding the violation (Clause 4 of Section 4) shall be examined by a local government administrative commission (hereinafter – the administrative commission). A local government may form a separate administrative commission for the examination of such cases.

[*19 December 2006; 22 April 2010*]

**Chapter II**

**Compulsory Measures of a Correctional Nature**

**Section 6.**(1) The following compulsory measures of a correctional nature may be imposed on children:

1) the giving of a warning;

2) to impose the obligation to apologise to the victims if they agree to meet with the guilty party;

3) to place the child in the custody of parents or guardians, as well as other persons, authorities or organisations;

4) to impose the obligation to eliminate the consequences of the harm caused with his or her work;

5) for a child who has reached the age of 15 and who has income – to impose the obligation to reimburse the harm caused;

6) [19 December 2006];

61) to determine behaviour restrictions;

7) to impose the obligation to perform community services;

8) to place the child in an educational institution for social correction;

9) probationary observation.

(2) The compulsory measures of a correctional nature referred to in Clauses 1, 2, 3, 4, 5 and 6.1 of this Section may be imposed for a violation.

(3) If a child who has committed an offence or violation has entered into settlement and fulfilled the provisions provided therein, a compulsory measure of a correctional nature need not be imposed on him or her. If criminal liability is provided in the Criminal Law for the relevant offence, the settlement shall be organised and managed by the State Probation Service.

(4) If the settlement has been entered into under management of a trained intermediary of the State Probation Service, upon expiry of the time limit for the fulfilment of the settlement provisions, the State Probation Service shall notify the court of the fulfilment of the settlement provisions. The time limit for the fulfilment of the settlement provisions may not exceed six months.

(5) In other cases, the victim or his or her representative shall notify the court or the administrative commission of the fulfilment of the settlement provisions upon expiry of the time limit for the fulfilment of the settlement provisions.

[*19 December 2006; 22 April 2010; 16 June 2022* / *Clause 9 of Paragraph one shall come into force on 1 January 2023. See Paragraph 9 of Transitional Provisions*]

**Section 7.**(1) The compulsory measures of a correctional nature specified in Section 6, Paragraph one of this Law may be imposed as basic compulsory measures.

(2) Additionally, the obligation to undergo treatment for addiction to alcohol, narcotic, psychotropic or toxic substances or other addictions may be imposed on a child in accordance with the procedures specified in Section 14 of this Law.

[*3 June 2004; 22 April 2010*]

**Section 8.**When imposing compulsory measures of a correctional nature, the purposes, the nature and causes of an offence and violation, child’s age and living conditions, the degree of his or her participation in the offence shall be taken into account, as well as his or her behaviour in an educational institution or a place of employment and in domestic activities.

**Section 9.**(1) A compulsory measure of a correctional nature – the obligation to eliminate the consequences of the harm caused with his or her work – may be imposed if a child has reached the age of 15 and if the work does not involve an increased risk to his or her safety, health, morals and development.

(2) The obligation to eliminate the consequences of the harm caused with his or her work may be imposed on a child under the age of 15 if the consequences can be remedied by work in which children of such age can be employed.

**Section 10.**

[19 December 2006]

**Section 10.1**(1) When imposing a compulsory measure of a correctional nature – behaviour restrictions – the obligation to perform certain activities or to refrain from certain activities shall be imposed on a child.

(2) Behaviour restrictions may be determined for a child for a period from 30 days to one year.

(3) The following behaviour restrictions may be determined for a child:

1) the prohibition to visit certain public areas;

2) the prohibition to meet with certain persons;

3) the imposition of the obligation to be at his or her place of residence during a specific time of day;

4) the imposition of the obligation to arrive for registration in the State Police on a regular basis (one to four times per month);

5) the imposition of the obligation to participate in social correction or social assistance programmes;

6) the imposition of the obligation to continue the acquisition of basic education;

7) the imposition of the obligation to visit and consult a psychologist, physician or another specialist.

(4) When applying the compulsory measure of a correctional nature provided for in this Section, a judge or the administrative commission may determine one or several of the behaviour restrictions referred to in Paragraph three of this Section. The behaviour restrictions referred to in Paragraph three, Clauses 1, 2, 3 and 4 of this Section shall be imposed only by the judge.

(5) Expenses arising from imposing the behaviour restrictions – the obligation to arrive to a consultation with a psychologist, physician or other specialist – shall be covered in accordance with the procedures specified in the laws and regulations regarding the right of children to medical treatment.

[*22 April 2010*]

**Section 11.**(1) The obligation to perform community services may be imposed on a child for a period from 10 to 40 hours.

(2) Community services is the involvement of a child in services necessary for the public which the child performs without remuneration in the area of his or her place of residence during the time off from regular employment or studies. The Cabinet shall determine prohibitions and restrictions for the employment of a child while performing community services.

(3) The Cabinet shall determine the procedures for community services.

(4) The investigation and registration of an accident that has occurred during the performance of community services shall be conducted in accordance with the laws and regulations regarding the procedures for investigating and registering accidents at work.

(5) A person who employs a child shall ensure the provision of instructions in respect of the particular work and training in the field of labour protection before the commencement of community services. Such instructions shall also be ensured in case when the work to be performed changes significantly during the performance of community services.

(6) If a child attains 18 years of age during the execution of the compulsory measure of a correctional nature – the obligation to perform community services – the child shall continue the performance of community services until the compulsory measure of a correctional nature is fully executed.

[*17 March 2005; 15 December 2005; 19 December 2006; 22 April 2010*]

**Section 12.**(1) A child may be placed in the custody of parents or guardians, and also another person, institution or organisation for a period from six months to one year but not longer than until reaching 18 years of age.

(2) The compulsory measure of a correctional nature specified in Paragraph one of this Section may be imposed if:

1) another person, institution or organisation agrees to raise and supervise a child and these persons do not have any negative effects on the child; and

2) the child agrees that he or she is placed in the custody of the person, institution or organisation specified in the custody agreement, promises to respect the opinion thereof and follow the prescribed procedures.

**Section 13.**(1) A child may be placed in an educational institution for social correction for a period from one to three years, but not longer than until attaining 18 years of age, but if the child has attained 18 years of age, execution of this compulsory measure of a correctional nature may be continued in accordance with Section 35.2 or Section 36, Paragraph 1.1of this Law no longer than until attaining 19 years of age.

(2) When determining the end and length of the compulsory measure of a correctional nature – placement in an educational institution for social correction – a judge shall take into account, as much as possible, the beginning and end of the academic year, and also the education level of the child and his or her necessity to continue education.

(3) If there is basis to consider that a child would avoid placement in an educational institution for social correction or the life and health of the child or other persons are endangered until his or her placement therein, a judge shall take the decision to temporarily place the child in the State Police prophylactic institution for children for a period of up to 10 days.

[*22 April 2010* / *The new wording of Paragraph three shall come into force on 1 January 2012. See Paragraph 4 of the Transitional Provisions*]

**Section 13.1**(1) Probationary observation may be imposed for a period from one to three years.

(2) Probationary observation is the observation of the behaviour of a child and involvement of a child in measures for the social correction of behaviour and social rehabilitation that are appropriate for his or her age, psychological characteristics, and level of development.

(3) Probationary observation shall be conducted by the division of the territorial unit of the State Probation Service in the operational territory of which the child resides.

(4) The Cabinet shall determine procedures for the probationary observation.

[*16 June 2022* / *Section shall come into force from 1 January 2023. See Paragraph 9 of Transitional Provisions*]

**Section 14.**(1) A judge or an administrative commission may, with the consent of a child or child’s parents (guardian), or the consent of the Orphan’s and Custody court if the child or his or her parents (guardian) do not provide consent, impose an obligation on the child to undergo treatment for addiction to alcohol, narcotic, psychotropic or toxic substances or other addictions if that was the cause of committing the offence or violation. When a child is placed in an educational institution for social correction, compulsory treatment for addiction to alcohol, narcotic, psychotropic or toxic substances or other addictions must be provided to the child.

(2) Compulsory treatment shall be performed in accordance with the procedures specified by the Cabinet.

[*3 June 2004; 22 April 2010*]

**Chapter III**

**Investigation of Offence and Violation**

**Section 15.**(1) Facts regarding an offence committed by a child shall be verified by a procedurally authorised official in accordance with the procedures laid down in the law, but the facts regarding the violation – by authorities (officials) authorised to commence proceedings in an administrative violation case or to examine administrative violation cases.

(2) If the violation is committed by a child who is from 11 to 14 years of age, an authority (official) shall verify the facts regarding the violation in accordance with the procedures laid down in the Latvian Administrative Violations Code.

[*19 December 2006; 28 April 2016*]

**Section 16.**(1) The following documents shall be appended to offence inspection materials and criminal cases which are prepared for sending to a court to decide on the imposition of compulsory measures of a correctional nature:

1) a statement from the Punishment Register on previous violations of the law committed by the child (who has attained 14 years of age);

2) a statement from a general practitioner on the state of health of the child;

3) a characterisation from an educational institution if the child attends an educational institution, or a workplace if the child is working;

4) a statement from a local government social service office on the household conditions of the child.

(2) The documents referred to in Paragraph one of this Section shall be requested by a procedurally authorised official.

(3) The documents referred to in Paragraph one of this Section shall be appended also to the administrative violation case or inspection materials of the violation if they are of significance for correctly deciding the case. The documents shall be requested by the authority (official) which (who) is authorised to commence proceedings in the administrative violation case or examine the administrative violation case.

[*15 December 2005; 19 December 2006; 22 April 2010; 28 April 2016*]

**Section 17.**(1) The decision to refuse to commence criminal proceedings and the decision to terminate criminal proceedings due to sending the materials to a court for deciding the matter on the imposition of compulsory measures of a correctional nature on a child shall be taken by a procedurally authorised person who shall send the offence inspection materials or the terminated criminal proceedings to a district (city) court.

(2) The decision to send an administrative violation case or inspection materials of the violation to an administrative commission shall be taken by the authorities (officials) authorised for the commencement of proceedings in the administrative violation case or to examine administrative violation cases.

[*19 December 2006*]

**Chapter IV**

**Examination of Matters in a Court and in the Administrative Commission**

**Section 18.**(1) A judge shall examine the offence inspection materials or the materials of the terminated criminal proceedings which have been sent to the court for deciding the matter on the imposition of compulsory measures of a correctional nature on a child in accordance with the procedures laid down in this Law.

(2) An administrative commission shall examine the inspection materials of the violation or the administrative violation cases which have been sent to the administrative commission for deciding the matter on the imposition of compulsory measures of a correctional nature on a child in accordance with the procedures specified by the law insofar as it corresponds to the procedures specified in this Chapter.

[*19 December 2006*]

**Section 19.**Cases on the imposition of compulsory measures of a correctional nature on children shall be examined by a court or administrative commission based on the place of residence of a child.

**Section 20.**(1) A judge and an administrative commission shall examine cases on the imposition of compulsory measures of a correctional nature and take a decision within 15 days after the receipt of the inspection materials or the case.

(2) If settlement provisions are not fulfilled within the specified period, a judge shall examine the case within 15 days after receipt of the notification of the State Probation Service, victim or his or her representative.

(3) If settlement provisions are not fulfilled within the specified period, an administrative commission shall examine the case within 15 days after receipt of the notification of the victim or his or her representative.

[*22 April 2010*]

**Section 20.1**(1) If a child has committed an offence, the reconciliation of him or her with the victim or representative of the victim and entering into settlement may be facilitated by an intermediary trained by the State Probation Service.

(2) If the judge considers that a settlement is possible in the case and it is useful to involve an intermediary, he or she may inform the State Probation Service thereof.

[*22 April 2010*]

**Section 21.**(1) A prosecutor, the child, one of his or her parents (guardian), or a representative of the Orphan’s and Custody Court, an advocate, a specialist from an institution for the protection of the rights of the child, and a police inspector shall participate mandatorily in the court hearing.

(11) The child, one of his or her parents (guardian), or a representative of the Orphan’s and Custody Court, a representative of the administrative commission, a representative of the local government institution which carries out work with children for the prevention of violations, and a police representative shall participate in the court hearing in which a request of the administrative commission for the imposition of a compulsory measure of a correctional nature is examined.

(2) The child, one of his or her parents (guardian), or a representative of the Orphan’s and Custody Court, social service office, or other local government institution which carries out work with children for the prevention of violations of law, and a police representative shall participate mandatorily in an administrative commission meeting.

(3) The administrative commission, if necessary, shall invite a representative of the Orphan’s and Custody Court, educational institution, social assistance institution or medical treatment institution and shall hear out his or her opinion on the compulsory measure of a correctional nature to be imposed.

(4) The persons referred to in this Section have the right to become acquainted with the case on the imposition of compulsory measures of a correctional nature on a child, to submit petitions, as well as to submit additions prior to the court hearing.

[*18 June 2015; 28 April 2016*]

**Section 22.**A judge or an administrative commission may also invite to a court hearing persons who can provide information on the child and the offence or violation he or she has committed in order to listen to the explanations by such persons.

**Section 23.**(1) If the legal representative of a child has not chosen an advocate for the child, a court shall ensure the participation of the advocate during examination of the case.

(2) A judge has the right to waive a child and his or her legal representative the fee for legal assistance entirely or partly in accordance with the procedures specified by the law.

**Section 24.**(1) A court and an administrative commission shall notify the persons referred to in Section 21 of this Law regarding the time and place of the court hearing.

(2) If a child does not appear in a court hearing due to a justified reason, the examination of the case shall be suspended.

(3) If a child avoids to attend a hearing upon a court invitation, a judge may decide on his or her forced conveyance which shall be ensured by the State Police.

(4) If a child avoids to attend an administrative commission meeting, the administrative commission shall impose a compulsory measure of a correctional nature without the presence of the child on the basis of the materials in the case.

[*28 April 2016*]

**Section 25.**Cases on the imposition of compulsory measures of a correctional nature on a child shall be examined in a closed court hearing or administrative commission meeting.

**Section 25.1**(1) A child and a victim or their representatives may notify of a settlement in the case provided for in the Criminal Law up to the retiring of the court to the deliberation room.

(2) A settlement shall be submitted in writing and attached to the case materials. It shall be indicated in the settlement that it has been entered into voluntarily and the victim or his or her representative understands the consequences and provisions of the settlement.

(3) If a child and victim or their representatives notify orally of a settlement during a court hearing, an entry shall be made in the minutes of the court hearing on the settlement, and the child and his or her representative, and also the victim or his or her representative shall sign the minutes. The parties may also submit a notarially certified settlement to the judge.

(4) If a child and victim or their representatives notify of a settlement until the retiring of the court to the deliberation room, a judge may take the decision to terminate the case regarding the imposition of compulsory measures of a correctional nature on the child without examining the materials of the case.

[*22 April 2010*]

**Section 25.2**(1) A child and victim or their representatives may notify of a settlement until the end of the meeting of the administrative commission.

(2) A settlement shall be submitted in writing and attached to the case materials. It shall be indicated in the settlement that it has been entered into voluntarily and the victim or his or her representative understands the consequences and provisions of the settlement.

(3) If a child and victim or their representatives notify orally of a settlement during a meeting of the administrative commission, the settlement shall be made in writing, and the child and his or her representative, and also the victim or his or her representative shall sign it. The parties may also submit a notarially certified settlement to the administrative commission.

(4) If a child and victim or their representatives notify of a settlement up to the end of the meeting of the administrative commission, the administrative commission may take the decision to terminate the case on the imposition of compulsory measures of a correctional nature on the child without examining the materials of the case.

[*22 April 2010; 28 April 2016*]

**Section 26.**(1) After the evaluation of all circumstances, a judge shall take one of the following decisions:

1) to impose one of the basic compulsory measures of a correctional nature specified in this Law or a basic compulsory measure and an additional compulsory measure. The time period for the commencement of execution of the compulsory measure of a correctional nature shall be indicated in the decision;

2) to send materials back to a prosecutor for an additional inspection; or

3) to terminate a case on the imposition of compulsory measures of a correctional nature on the child.

(2) After the evaluation of all circumstances, an administrative commission shall take one of the following decisions:

1) to impose one of the basic compulsory measures of a correctional nature specified in this Law or a basic compulsory measure and an additional compulsory measure. The time period for the commencement of execution of the compulsory measure of a correctional nature shall be indicated in the decision;

2) to terminate the case on the imposition of compulsory measures of a correctional nature on a child.

[*28 April 2016*]

**Section 27.**An administrative commission shall take the decision to terminate a case on the imposition of compulsory measure of a correctional nature on a child if:

1) it shall transfer the materials for examination in accordance with the procedures laid down in the Criminal Procedure Law;

2) no incident occurred or no administrative liability was prescribed for the actions determined;

3) a child who has committed the unlawful act or failure to act is mentally incapable;

4) a child has acted in a state of absolute emergency or legitimate self-defence;

5) the legal act which provides for administrative liability has been revoked;

6) two months have passed until the day of taking a decision counting from the day of receipt of the administrative violation case or inspection materials of the case;

7) the decision of the competent authority (official) on the imposition of a compulsory measure of a correctional nature, the imposition of an administrative punishment, or the termination of a case of violation pertaining to the same fact with regard to the child has already been taken, as well as if criminal procedures have been commenced pertaining to the same fact;

8) a child against whom proceedings have been commenced is dead.

[*19 December 2006; 28 April 2016*]

**Section 27.1**(1) If after receipt of the materials of a case the judge considers that it is possible to terminate the case on the basis of a settlement, he or she shall prepare a proposal to enforce the settlement and send it to the State Probation Service, concurrently indicating the time period of entering into the settlement and the date of the court hearing. A copy of the proposal shall be sent to the child who has committed an offence and to the victim or his or her representatives. The time period for entering into the settlement may not exceed two months from the day when the proposal of the judge is received.

(2) If a judge receives information from the State Probation Service that the parties involved in the settlement cannot reach an agreement or refuse to participate in the settlement, he or she shall examine the case regarding the imposition of a compulsory measure of a correctional nature on a child within the previously specified period.

(3) If a judge receives information from the State Probation Service on the execution of the settlement until the court hearing, he or she may take the decision to terminate the case on the basis of the settlement, releasing the child from the imposition of the compulsory measure of a correctional nature.

(4) If a judge receives a notification of the State Probation Service or a notarially certified notification of a victim or his or her representative on entering into the settlement by the parties, he or she shall postpone examination of the case until the end of the period for the fulfilment of the provisions of the settlement. If the provisions of the settlement are fulfilled within the specified period, a judge may take the decision to terminate the case, releasing the child from the imposition of the compulsory measure of a correctional nature.

[*22 April 2010*]

**Section 27.2**(1) If after receipt of the materials of the case an administrative commission considers that it is possible to terminate the case on the basis of a settlement, it shall prepare a proposal to enforce the settlement and send it to the child who has committed an offence, and the victim or their representatives, concurrently indicating the time period for entering into the settlement and the date of the administrative meeting. The time period for entering into the settlement may not exceed two months from the day when the proposal of the administrative commission is received.

(2) If an administrative commission receives information from the parties that the parties involved in the settlement cannot reach an agreement or refuse to participate in the settlement, he or she shall examine the case regarding the imposition of a compulsory measure of a correctional nature on a child within the previously specified period.

(3) If an administrative commission receives information from the parties on the execution of the settlement until the meeting of the administrative commission, it may take the decision to terminate the case on the basis of the settlement by releasing the child from the imposition of the compulsory measure of a correctional nature.

(4) If an administrative commission receives a notarially certified notification of the victim or his or her representative on entering into the settlement by the parties, it shall postpone examination of the case until the end of the time period for fulfilment of the provisions of the settlement. If the provisions of the settlement are fulfilled within the specified period, an administrative commission may take the decision to terminate the case, releasing the child from the imposition of the compulsory measure of a correctional nature.

[*22 April 2010*]

**Section 28.**(1) A prosecutor may submit a protest regarding a decision of a judge, which has not come into legal force, but the other persons referred to in Section 21, Paragraph one of this Law may appeal this decision to a regional court within a period of 10 days after the adoption thereof.

(2) Lawful representatives of the child and the victim (if the victim is a child – his or her lawful representatives) may appeal a decision of the administrative commission to the district (city) court within 10 working days after taking thereof. The norms of the Latvian Administrative Violations Code shall be applied to examination of the complaint.

[*28 April 2016*]

**Chapter V**

**Enforcement of the Decision on the Imposition of Compulsory Measures of a Correctional Nature**

**Section 29.**(1) A judge or an administrative commission shall send the decision to impose a compulsory measure of a correctional nature – warning – on a child for information to the local government of the place of residence of the child.

(2) A judge or an administrative commission shall send the decision to impose a compulsory measure of a correctional nature – the obligation to apologise to the victims if they agree to meet with a guilty person – on a child for enforcement to the local government of the place of residence of the child.

(3) A judge or administrative commission shall send the decision to impose a compulsory measure of a correctional nature – placement into the custody of the parents or guardians, and also other persons, institutions or organisations – on a child for enforcement to the local government of the place of residence of the child and for information to the person, institution or organisation into the custody of which the child is placed.

(4) A judge or an administrative commission shall send the decision to impose a compulsory measure of a correctional nature – the obligation to eliminate the consequences of the damage caused by his or her action – on a child for enforcement to the local government of the place of residence of the child.

(5) A judge or an administrative commission shall send the decision to impose a compulsory measure of a correctional nature – the obligation to reimburse the harm caused – on a child for enforcement to the local government of the place of residence of the child.

(6) If a child has committed such offence for which the law provides criminal liability, a judge shall send the decision to impose a compulsory measure of a correctional nature – behaviour restriction – on a child (Section 10.1, Paragraph three, Clauses 1, 2, 3, and 4 of this Law) for enforcement to the structural unit of the State Police of the place of residence of the child and for further action to the local government of the place of residence of the child.

(7) A judge or administrative commission shall send the decision to impose a compulsory measure of a correctional nature – behaviour restriction on a child (Section 10.1, Paragraph three, Clauses 5, 6, and 7 of this Law) for enforcement to the local government of the place of residence of the child.

(8) A judge shall send the decision to impose a compulsory measure of a correctional nature – the obligation to perform a community service – on a child for enforcement to the State Probation Service and to the local government of the place of residence of the child.

(9) A judge shall send the decision to impose a compulsory measure of a correctional nature – placement in an educational institution for social correction – on a child for enforcement to the local government of the place of residence of the child. The head of the relevant institution shall supervise the enforcement of the decision to place in an educational institution for social correction.

[*22 April 2010; 18 June 2015*]

**Section 30.**[22 April 2010]

**Section 31.**A person who supervises in an executive body the enforcement of the decision to impose compulsory measures of a correctional nature on a child shall set up a file for each child which is updated regularly with information on the results of application of compulsory measures of a correctional nature.

[*22 April 2010*]

**Section 32.** (1) If a person who supervises in an executive body the enforcement of the decision to impose compulsory measures of a correctional nature on a child in case of the offence or violation determines that the child dutifully and with integrity fulfils the rules of the compulsory measure imposed on him or her and does not commit new violations of the law, he or she may submit a justified proposal to a court or administrative commission in writing regarding reducing the duration of the imposition of the compulsory measure of a correctional nature.

(2) If a person who supervises in an executive body the enforcement of the decision to impose compulsory measures of a correctional nature on a child in case of the offence or violation determines that the child does not properly fulfil the obligations imposed on him or her or deliberately avoids execution of the decision to impose a compulsory measure of a correctional nature, he or she may submit a justified proposal to a court or administrative commission in writing to extend the duration of the imposition of the compulsory measure of a correctional nature or to replace the compulsory measure of a correctional nature with a stronger compulsory measure.

(3) The performance of community services shall be suspended until examination of the case in a court in the cases provided for in this Section.

[*15 December 2005; 22 April 2010*]

**Section 32.1**(1) If a child is not able to perform community services due to sickness, his or her lawful representative shall notify the State Probation Service thereof which shall allow not to perform community services for the time period of sickness and make the relevant entry thereon in the personal file.

(2) If a child is not able to perform community services due to significant reasons for him or her not referred to in Paragraph one of this Section, his or her lawful representative shall notify the State Probation Service thereof which, upon recognising the reasons for non-performance of community services as justified, may allow not to perform community services for a period of time which is not longer than one month and make the relevant entry thereon in the personal file.

(3) The State Probation Service may refuse a submission of a child or his or her lawful representative with a request not to perform temporarily community services if:

1) the child has not applied to the State Probation Service for performance of community services within 10 days after entering into effect of the ruling and is notified thereon;

2) the child has received a warning during performance of community services regarding the violation of provisions and procedures for the performance of community services.

(4) The decision on the permission to temporarily not perform community services or the decision to refuse a submission of a child or his or her lawful representative with a request to allow to not perform temporarily community services shall be taken by the territorial structural unit of the State Probation Service. The child or his or her lawful representative may submit a complaint to the head of the State Probation Service regarding the decision of the territorial structural unit of the State Probation Service to refuse the submission of the child or his or her lawful representative with a request to allow to not perform temporarily a community service. The decision of the head of the State Probation Service may not be appealed.

[*18 June 2015*]

**Section 32.2**During the probationary observation, the State Probation Service shall attract services that are necessary to ensure the social correction of behaviour and social rehabilitation of a child and shall finance the costs of such services.

[*16 June 2022* / *Section shall come into force from 1 January 2023. See Paragraph 9 of Transitional Provisions*]

**Section 32.3**(1) A child on whom a court has imposed probationary observation has the obligation to:

1) apply to the State Probation Service within 10 days after the coming into effect of the ruling;

2) fulfil the obligations and lawful requirements determined by officials of the State Probation Service;

3) appear at the territorial unit of the State Probation Service at the time determined by the official of the State Probation Service;

4) submit information on the fulfilment of the imposed obligations to an official of the State Probation Service.

(2) The legal representative of a child on whom a court has imposed probationary observation has the obligation to:

1) cooperation with the State Probation Service during the period of probationary observation imposed on the child;

2) participate in the measures of the social correction of behaviour and social rehabilitation determined for the child, including in such measures which provide for the direct participation of the legal representative;

3) eliminate obstacles which prevent or could prevent from the fulfilment of the obligations imposed on the child;

4) notify an official of the State Probation Service of the place of residence or educational institution of the child, and also immediately notify of changes therein.

[*16 June 2022* / *Section shall come into force from 1 January 2023. See Paragraph 9 of Transitional Provisions*]

**Section 32.4**(1) An official of the State Probation Service shall impose one or more of the following obligations on a child on whom probationary observation has been imposed:

1) to comply with the prohibition to leave the place of residence at a specific time of the day;

2) to comply with the prohibition to visit specific public places;

3) to comply with the prohibition to contact specific people;

4) to comply with the prohibition to use alcohol, narcotic or other intoxicating substances;

5) to participate in the measures specified by the official of the State Probation Service which are aimed at the social correction of behaviour and social rehabilitation;

6) to attend the specialist indicated by the official of the State Probation Service and comply with the instructions provided thereby;

7) to comply with the instructions of the official of the State Probation Service which are aimed at useful spending of leisure time.

(2) An official of the State Probation Service may completely or partially revoke the imposed obligations if it established the following during probationary observation:

1) the imposed obligations are no longer required;

2) the child will not be able to fulfil the imposed obligation in the future due to justified reasons.

(3) The decisions taken by the State Probation Service during the probationary observation may not be contested or appealed.

[*16 June 2022* / *Section shall come into force from 1 January 2023. See Paragraph 9 of Transitional Provisions*]

**Section 33.**(1) A judge or an administrative commission may, upon proposal of the person who supervises in an executive body the enforcement of the decision to impose compulsory measures of a correctional nature on a child, take the decision to shorten or extend the duration of the imposition of a compulsory measure of a correctional nature within the period laid down in this Law and in accordance with the procedures laid down in Chapter IV.

(2) If a child deliberately avoids the enforcement of the decision to impose the compulsory measure of a correctional nature, a judge or an administrative commission may replace the imposed compulsory measure of a correctional nature with a stricter compulsory measure.

(21) If a child deliberately avoids the enforcement of the decision to impose the compulsory measure of a correctional nature and an administrative commission has used the possibilities to impose a stricter compulsory measure of a correctional nature or there is no stricter compulsory measure of a correctional nature at the disposal of the administrative commission which could be imposed for the particular violation, it may submit a motivated request to a court to impose such compulsory measure of a correctional nature on the child the imposition of which is not within the competence of the administrative commission. The court shall examine the case in accordance with the procedures laid down in Chapter IV of this Law. When examining the case, the court shall assess whether the objectives of the compulsory measure of a correctional nature referred to in this Law will be achieved by imposing a stricter compulsory measure of a correctional nature on the child. In such case, the court may not impose the compulsory measure of a correctional nature referred to in Section 6, Paragraph one, Clause 9 of this Law.

(3) The court shall examine the cases regarding shortening or extension of the duration of staying in an educational institution for social correction according to the location of the institution.

[*22 April 2010; 28 April 2016; 16 June 2022* / *The supplementation of Paragraph 2.1 with a sentence shall come into force on 1 January 2023. See Paragraph 9 of Transitional Provisions*]

**Chapter VI**

**Additional Provisions for the Enforcement of the Decision to Place in an Educational Institution for Social Correction**

[*22 April 2010*]

**Section 34.**(1) [22 April 2010]

(2) [22 April 2010]

(3) The Cabinet shall determine the procedures by which a child is placed in an educational institution for social correction.

(4) The internal rules of procedure of the educational institution for social correction and the punishments provided for violating them shall be determined by the Cabinet.

[*22 April 2010*]

**Section 35.**(1) If a child endangers his or her own or other persons’ life or health, the educational institution for social correction may isolate him or her from other children for a period of time not exceeding 48 hours.

(2) The decision on the need to isolate a child shall be taken by the director of the relevant institution upon a justified proposal which has been submitted by the employee of the institution who is responsible for the education and care of the child.

(3) The reason for isolation shall be explained to the child.

(4) A reinforced observation and the appropriate conditions for his or her health as well as the physical and mental needs shall be ensured for the child during his or her isolation.

(5) All actions toward a child and the behaviour of the child shall be recorded in writing in chronological order.

(6) The director of an educational institution for social correction shall be responsible for the procedures of applying isolation to a child, the isolation conditions and the duration of isolation.

**Section 35.1**(1) The period during which the child has been arbitrarily absent shall not be included in the period spent in the educational institution for social correction. The moment when a submission of the educational institution for social correction for the search for the child has been registered with the State Police shall be deemed as the beginning of arbitrary absence. Arbitrary absence shall end with the moment when the State Police has provided a notification to the educational institution for social correction that the child has been found, or the educational institution for social correction has withdrawn its submission to the State Police for search for the child.

(2) If a child has left the educational institution for social correction and is in arbitrary absence, and the police has determined his or her location, the child may be placed in the State Police prophylactic institution for children.

The child shall stay in the State Police prophylactic institution for children until the time when a representative of the educational institution for social correction arrives for him or her, but not longer than five days.

[*22 April 2010*]

**Section 35.2**If a child has attained 18 years of age and a compulsory measure of a correctional nature – placement in an educational institution for social correction – has not been executed due to arbitrary absence of the child, a judge shall, when examining the application of the head of the educational institution for social correction, decide on the continuation of the enforcement of the compulsory measure of a correctional nature in the educational institution for social correction or replacement thereof with a criminal punishment in accordance with the procedures laid down in Chapter IV of this Law.

[*22 April 2010*]

**Section 36.**(1) Not later than three months prior to the day a child is to leave an educational institution for social correction the head of this institution shall notify thereof the local government of the child’s previous place of residence and the State Police.

(11) After the time period laid down in the decision of the judge, the head of the educational institution for social correction may request the court, on the basis of a submission of the child and (if the child has not attained 18 years of age) one of his or her parents (guardians), to allow that the child (pupil) stays in the educational institution for social correction until the end of the study year. The judge shall examine the submission in accordance with the procedures laid down in Chapter IV of this Law.

(2) If necessary, the local government social service in co-operation with health care and other institutions shall take measures for re-integration of the child into the society.

[*22 April 2010*]

**Transitional Provisions**

1. With the coming into force of this Law, the law On Application of Compulsory Measures for Juveniles (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1993, no.24) is repealed.

2. [3 June 2004]

3. When developing a draft of the State budget for 2005, the Cabinet shall include therein the necessary financing for the implementation of this Law.

[*11 December 2003*]

4. Section 13, Paragraph three of this Law in the new wording shall come into force on 1 January 2012.

[*22 April 2010*]

5. An administrative commission of the local government may decide on the imposition of compulsory measures of a correctional nature also in those cases which have been commenced until 31 May 2016 and sent to the administrative commission for the application of the administrative punishment.

[*28 April 2016*]

6. Enforcement of the compulsory measures of a correctional nature – placement in the educational institution for social correction – shall be terminated on 1 July 2022, and it shall not be imposed from 1 July 2022 until 31 December 2024.

[*16 June 2022*]

7. The head of the educational institution for social correction shall, until 30 June 2022, notify the competent authority of the relevant local government and the State Police of the children on whom the compulsory measure of a correctional nature – placement in an educational institution for social correction – has been imposed and with which the work for the prevention of violations of law must be carried out. Information on the educational and correction measures provided by the educational institution for social correction shall be included in the notification. In accordance with Section 58 of the Law on the Protection of the Children’s Rights, a local government shall establish a prevention file and draw up a programme for social correction of behaviour for the abovementioned children by attracting the State Probation Service, the Orphan’s and Custody Court, and the State Inspectorate for the Protection of Children’s Rights, and shall ensure inter-institutional cooperation on a regular basis for the planning of measures for the prevention of the violations of law.

[*16 June 2022*]

8. The Cabinet shall, until 31 December 2023, develop and submit to the *Saeima* the necessary amendments to this Law in relation to the imposition and enforcement of the compulsory measures of a correctional nature – placement in the educational institution for social correction.

[*16 June 2022*]

9. Section 6, Paragraph one, Clause 9, Sections 13.1, 32.2, 32.3, and 32.4 of this Law and amendments to Section 33, Paragraph 2.1 of this Law shall come into force on 1 January 2023.

[*16 June 2022*]

10. The Cabinet shall, by 31 December 2022, issue the regulations referred to in Section 13.1, Paragraph four of this Law.

[*16 June 2022*]

11. Until the day of coming into force of the law on the State budget for 2023 and the budget framework for 2023, 2024, and 2025, the expenses incurred by local governments for the social rehabilitation and behaviour correction services provided for the children referred to in Paragraph 7 of these Transitional Provisions shall be covered from the funds of the budget sub-programme “Implementation of Probation” of the Ministry of Justice if the need for such services is indicated in the prevention file of the child.

[*15 December 2022*]

This Law shall come into force on 1 January 2005.

[*11 December 2003*]

The Law has been adopted by the *Saeima* on 31 October 2002.

President V. Vīķe-Freiberga

Rīga, 19 November 2002