

Probation in Latvia: ‘For a Safer Society’

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Summary: The Republic of Latvia is a small country in Northern Europe, with an area of 64,589km². It is one of the Baltic States, with a population of approximately 1.9 million. The Republic of Latvia was established on 18 November 1918; however, the country’s de facto independence was interrupted at the outset of World War II. From 1944, Latvia remained part of the Soviet Union for the next 45 years. The restoring of de facto independence occurred on 21 August 1991. Since then, the country has been a democratic, unitary parliamentary republic. Latvia became a member of the European Union in 2004. On 1 January 2014, the euro became the country’s currency. Latvia is divided into 43 territories, which are administered by a local government.

The State Probation Service of Latvia works with offenders at all stages of the criminal process. Across all functions, the Service worked with a total of 17,787 people in 2019 and 16,850 in 2020. This paper tracks the development of probation practice in Latvia from its earliest configuration, through the development of regional structures under the Ministry for Justice up to the current structure for service delivery. The core functions of Probation Officers are outlined with a focus on programmed activities. The article concludes with some reflections on challenges for the Service and opportunities for future development.

Keywords: Latvian Probation Service, probation system, community service, community supervision, case management, Victim–Offender Mediation (VOM), restorative justice, Electronic Monitoring (EM), volunteers, Circles of Support and Accountability.

History of the probation system in Latvia

The beginning of the probation system in Latvia can be traced to the first period of independence (1918–1940), when assistance to prisoners and suspended sentences were introduced. During Soviet times, some community sanctions and measures (like suspended sentences, correctional work and early release from imprisonment) existed.¹ At that time, the supervision of

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¹ A more detailed description of the development of probation during the period of first independence and the Soviet period is available in A.M. van Kalmthout, J. Roberts and S. Vinding (eds) (2003), *Probation and Probation Services in the EU Accession Countries*, Nijmegen, The Netherlands: Wolf Legal Publishers, pp 185–9.

offenders in the community was organised by the police. The development of the probation system in its Western European sense took place after Latvia regained its independence in 1991.

The term 'probation' appeared in the Sentence Execution Code² with the amendments of 14 October 1998. These amendments provided for the creation of the Probation Service, whose main task was assistance to persons released from prison. In 2001, a working group under the auspices of the Ministry of Justice developed a policy paper on the development of a probation service and draft legislation to underpin the establishment of the State Probation Service (SPS). In order to inform that development, various models of probation services from around the world were reviewed. From 1998 to 2004, the Canadian International Development Agency (CIDA) funded several projects focused on different aspects of the criminal justice sector, including expertise on the development of new legislation on Criminal Procedure to underpin a statutory probation service. The probation working group visited Canada and European countries that included Sweden and the United Kingdom. At the same time, CIDA funded several pilot projects in local municipalities, which were aimed at juvenile crime prevention. Some of those projects went on to develop specific programmes for juveniles. Canadian experts were the first trainers of Probation Officers in Latvia. In accordance with the Concept Paper on Development of the State Probation Service (SPS), SPS was founded as an institution under the Ministry of Justice in October 2003. Legislation for the State Probation Service was enacted on 1 January 2004.

The Concept Paper on Development of the State Probation Service (adopted in 2002) provided for the gradual introduction of a probation system in Latvia in two ways — territorial development and the development of competent practice. The Concept Paper provided for the gradual creation of regional offices throughout Latvia over a number of years up until 2007. In fact, SPS completed its territorial development by 2005, creating headquarters and 28 regional offices (five in 2003, five in 2004, 18 in 2005). During 2003 and 2004, SPS had developed its competence in a number of areas — the delivery of aftercare to ex-prisoners (on a voluntary basis), preparation of pre-sentence reports at the request of judges and prosecutors, and the co-ordination of community service. Since 2006, SPS also supervises

² The law which governs the provisions and procedures for the execution of criminal sentences, the legal status of convicted persons, and the competence of state and local government institutions in the execution of sentences.

persons during probation periods in the community and prepares parole reports. Community supervision was gradually transferred from the State Police, with sentences coming into force after 31 December 2005 being managed by the SPS, while the Police continued to oversee older ones.

Due to the financial crisis in 2009, the SPS's budget was significantly reduced. Therefore, a general trend during this period was the reduction of probation activities in different areas:

- SPS sharply reduced financing to non-governmental agencies providing treatment and different rehabilitation services for probation clients;
- Aftercare was removed from the functions of SPS, with the decision to discontinue any institutionalised aftercare services (there is currently no agency responsible for aftercare services). Following release from prison, a person must apply for access to more general social services;
- Categories of clients for whom SPS delivered pre-sentence reports to courts and prosecutors were reduced (to include reports on sex offenders and juveniles only) until 2013;
- Supervision of persons who had been granted a conditional waiver by the public prosecutor was suspended until 2013;
- Victim–Offender Mediation in criminal matters carried out by Probation Officers was constrained to specific stages of criminal proceedings until 2013;
- Delivery of treatment programmes in prisons by Probation Officers was suspended until 2015, with the exception of treatment programmes for sex offenders.

Thanks to projects financed by grants from Norway and other financial processes, significant resources were invested in the development of Probation Officers' professional skills through various training activities during the years 2008–12. During this period also, a system for work with sex offenders was created. It includes specialised training for work with this category of probation clients, introduction of assessment tools Static-99R, Stable-2007 and Acute-2007, and cognitive behavioural treatment programmes in community and prisons. Work was started on the introduction of Circles of Support and Accountability for the work with sex offenders, and four pilots of Multi-Agency Public Protection Arrangements (MAPPA) were implemented.

The use of imprisonment was substantially reformed at the end of 2012. Since April 2013, it is possible to combine a suspended sentence with community service.³

With the end of the financial crisis in 2012, the wider role of SPS in the criminal justice area was reinstated and various functions renewed. New additional sanctions — including probation supervision — were developed, which replaced the former practice of increased police surveillance and control.

Since July 2015, Electronic Monitoring (EM) has been implemented in Latvia. The technological solution selected is radio-frequencies-based technology to control the location of a person in a specific place. In Latvia, EM is regarded as an alternative to imprisonment and is introduced as one of the additional conditions for parole (when granted at an earlier stage of a sentence). The court can order EM for a period of one to twelve months.

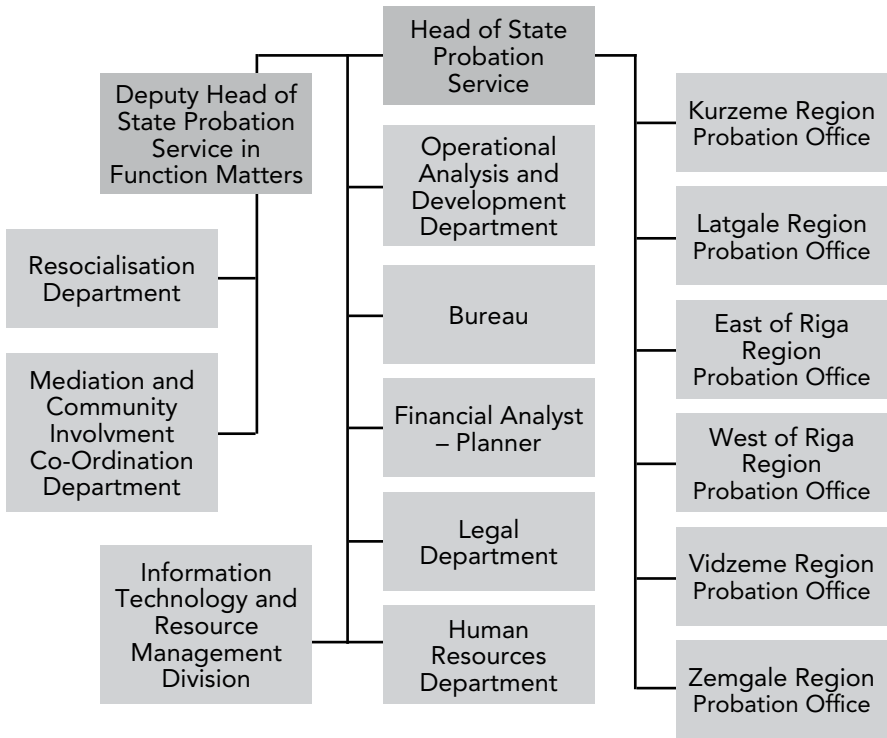
In November 2015, the first agreement between SPS, the Latvian Prison Administration and the State Police was concluded, ensuring the implementation of a new offender-management system — Multi-Agency Public Protection Arrangements (MAPPAs). Agreement was reached to facilitate the necessary exchange of information and to identify needs and risks to be addressed in joint meetings of representatives of the institutions, with the aim of preventing a new criminal offence. Based on that agreement, in all cases when a person has been convicted of a criminal offence against morality and sexual inviolability (sex offence) a MAPPAs is convened. In each case, the group will consider the work to be undertaken with the offender to address areas of risk; existing and potential victims, and particular safeguards that may be required; and the role and responsibility of each of the institutions. Since 2015, the range of offenders for whom MAPPAs meetings are convened has been extended and now also includes violent offenders.

Structure of the State Probation Service (SPS)

The organisation of SPS comprises a headquarters and local offices. In 2019, SPS went through regional reform in which six region probation offices have been formed. Local offices of SPS are located throughout Latvia. Each territorial division is divided into smaller divisions (see Figure 1).

³Judins, A., Jurevičius, I. and Klišāne, L. (2013), *Probation in Europe: Latvia*, part of A. van Kalmthout and I. Durnescu (eds), *Probation in Europe*, Utrecht, The Netherlands: CEP: Conférence Permanente Européenne de la Probation/The European Organisation for Probation, available at <https://www.cep-probation.org/wp-content/uploads/2018/10/Probation-in-Europe-2013-Chapter-Latvia.pdf> (accessed 7 July 2021)

Figure 1: Structure of the State Probation Service (SPS)



The staff

The total number of employees in SPS on 1 January 2021 was 401. These employees can be divided into three categories:

1. Staff working in headquarters,
2. Regional managers, and
3. Probation Officers.

The staff working in headquarters can be divided into two categories:

1. Those undertaking probation work with clients; this involves two departments — the Resocialisation Department, and Mediation and Community Involvement Co-ordination Department;

2. Administrative staff who have oversight of administration, record management and public and human relations, and the Operational Analysis and Development Department, which deals with research and the organisation of training for Probation Officers, etc.

Overall, the tasks undertaken in Headquarters are: planning and implementation of probation policy; recruitment of employees; delivery of training; drafting amendments to laws, and preparation of by-laws; oversight of internal regulations; monitoring standards and performance; provision and maintenance of technical equipment in local offices, and other resources necessary for work; managing budget and salaries; representation of the service in different working groups, and providing opinion on legal acts or policy documents prepared by other institutions.

Following regional reform in 2019, inspired by the Irish Probation Service, six regional probation offices of equal size were established, divided into local probation offices of equal size. The regional probation offices are led by regional managers, who are responsible for operations across local offices.

Local offices are staffed by Probation Officers. There are probation office managers, who are responsible for distribution of responsibilities among the staff. Probation office managers not only organise the work of the office, but also work with probation clients. Probation office managers' case management responsibilities amount to at least 20 per cent of their total workload. In all divisions, there are Senior Probation Officers who work with Probation Officers to deliver probation functions. There are some divisions where some Probation Officers work with a specific function, but Probation Officers' responsibilities generally include several functions (e.g. supervision, pre-sentence reports and community service). Six territorial divisions are divided into smaller divisions of five to ten Probation Officers. The caseload of Probation Officers varies depending on administrative territory, functions of the Probation Officer, and categories of probation clients (e.g. minors, sex offenders, violent offenders, etc.). Average caseload per Probation Officer is 25–30 clients at the same time.

Probation Service employees are civil servants or volunteers in the cases of mediation. Probation Officers are highly educated (highest education equivalent to at least a bachelor's degree) and the majority have an educational background in social work, social pedagogy, pedagogy, psychology or law; these might also be engineers or physicians. It is very important for Probation Officers to have the right competencies for practice, and these are assessed and tested during the recruitment process.

SPS has been a member of the Confederation of European Probation since 2004, and a member of the European Forum for Restorative Justice since 2017.

Functions of the State Probation Service

The State Probation Service of Latvia is involved in work with offenders at all stages of criminal proceedings. The tasks and functions of SPS are described in the Law of the State Probation Service (2004), Criminal Procedure Law (2005) and Sentence Execution Code of Latvia (1971).

Pre-sentence and parole reports

Pre-sentence reports are provided by SPS at the request of a court or a prosecutor for an accused person in criminal proceedings. Parole reports are provided at the request of the prison administration for those serving a sentence who apply for parole (including determination of EM).

The pre-sentence report is one of the criminal procedural tools that can help the court or the prosecutor to obtain comprehensive and objective information about someone's personality and circumstances. This ensures the individualisation of a sentence that can support the effective re-socialisation of the offender and opportunities for reparation and restoration of justice.

Since 2 December 2015, in accordance with the Criminal Procedure Law, the prosecutor, as the person directing the proceedings, has a duty to request a pre-sentence report from SPS regarding a person who has been accused of a sex offence. Also, since 1 January 2019, the same obligation has been established with regard to requesting a pre-sentence report on a minor who has been accused of a criminal offence.

The pre-sentence report is a valuable tool in criminal proceedings because it provides comprehensive and objective information about the probation client (including information from state and local government institutions, the probation client themselves, their contact persons, including their employer, family members and others, and also information from the victim). This report provides valuable information for the court or prosecutor in decision-making regarding the sanction. Another goal of the pre-sentence report is to provide information about potential restorative interventions that can adequately meet the needs of the victim.

The basis of the pre-sentence report is a risk-and-needs assessment of the probation client, which provides the opportunity for the SPS employee to

assess the criminogenic needs of the client, the nature and pattern of the offending, and the possible resources/interventions required to reduce the risk of reoffending. The report can also provide an objective opinion on the sanction which could be imposed on the probation client.

The parole report is focused on similar aims — comprehensive and objective information about the probation client which will help the court to decide on parole, including conditions for EM. In the case of conditional early release, the preparation of an evaluation report is mandatory.

A convicted person may request conditional early release from serving the sentence, including with EM, if the following conditions are satisfied:

1. A significant part of the sentence has been served;
2. There is no recent history of breaches of prison rules;
3. The request complies with other criteria laid down in legislation (e.g. unless the convicted person agrees to EM, it cannot be considered).

All requests are reviewed by the Head of the Prison and, subject to meeting the conditions above, a request for a parole report is sent to the Probation Service. This is submitted to the prison within 15 working days of the request. This report, together with additional progress reports from the prison, is submitted to the local court in the area where the prison is located. The court then adjudicates on the application for conditional release.

The Criminal Law states that conditional release prior to completion of punishment may be considered if the convicted person meets several criteria:

1. They have demonstrated motivation to change anti-social patterns of behaviour;
2. As far as possible, they have voluntarily made compensation for the losses caused by their crime;
3. They can legally access the necessary finance to support community living;
4. They have addressed issues of drug and alcohol addiction and other psychological difficulties whilst in prison and are committed to accessing further supports in the community on release.

When a convicted person requests conditional early release from serving a sentence, with determination of EM, they must meet several technical and personal conditions. This includes confirmation that the probable place of

residence is suitable for the implementation of EM and there is agreement and understanding from others resident at that address. It is important that any plans for employment and the person's behavioural characteristics and management of substance abuse are aligned with EM conditions.

Community service

The State Probation Service organises community service and also oversees a compulsory measure of a correctional nature — community service, which is not a criminal sanction, but it can be applied to a child from 11 to 18 years of age if they have committed an offence or violation for which criminal liability is provided. This provides an opportunity to hold the child and the family accountable for unlawful behaviour, thus responding in a timely manner and reducing the likelihood that the child will repeat the offence.

Community service is compulsory participation in work that benefits society (public service). A convicted person, or a person for whom community service has been specified by public prosecutor's injunction, will serve the punishment by doing work in the area where they reside. Authorities implementing the community service will specify the work that has to be done in the person's free time — outside regular employment or study schedules and without remuneration.

The community service provider (employer) is a significant resource for ensuring the effective organisation of community service. Community service can be provided by state or local government institutions; state or local government companies; state or municipal agencies; associations; foundations; or religious organisations. Community service is usually organised individually; in some circumstances, it may be organised in groups. The type of work in which probation clients are involved depends on their education, skills, health problems, etc. The jobs tend to be those requiring fewer skills, such as seasonal jobs — leaf-raking, snow removal, landscaping in spring, cleaning — and those requiring specific technical skills, such as paving, welding, IT work, etc.

If a probation client, who is convicted with community service, and for whom community service has been specified by public prosecutor's injunction, evades serving the punishment without a justified reason, SPS will forward a submission to the court requesting the substitution of the unserved punishment with temporary imprisonment, calculating four hours of work as one day of temporary deprivation of liberty.

At the same time, if community service has been determined for a period of at least 80 hours and if a person executes community service and other duties

imposed thereto in an exemplary manner, and if actually less than a half of the punishment imposed has been served, SPS may request the court to release the person from serving the rest of the sentence.

Community service is one of the harshest possible compulsory measures for children involved in criminal behaviour. Given that the SPS does not deal with the causes of criminal behaviour during community service, special attention is paid to attracting socially responsible employers, who could help change the child's values, encourage the child to spend their free time usefully and promote the acquisition of new skills.

Community supervision

The State Probation Service supervises various kinds of categories of person: those who have received a conditional discharge from the court, those placed on probation supervision, people who have received a suspended sentence with supervision, and those who have been conditionally released from prison.

The number of people on conditional charges who are supervised by the SPS is small. These are people against whom a criminal matter has been terminated, conditionally releasing them from criminal liability, where the prosecutor has imposed a duty to register periodically at SPS and to participate in probation programmes. If a person has been conditionally released from criminal liability and during the period of probation commits a new offence or does not fulfil the imposed duties or conditions, their criminal prosecution is reactivated.

Risk-and-needs assessment as a daily working method are used in jurisdictions across the world when planning and organising work with offenders. SPS has developed risk-and-needs assessment, and uses a number of assessment tools to work with the probation client, according to the nature of the criminal offences committed. SPS uses three risk-and-needs assessment tools — the general recidivism risk-assessment tool, the violence recidivism risk-assessment tool, as well as the sexual offence recidivism risk-assessment tool. All these tools are empirically validated for their predictive accuracy.

According to the risk-and-needs assessment, five levels of supervision and support have been identified: very low, low, medium, high and very high. Since SPS in supervision follows risk-needs-responsivity principles, more resources are invested in working with medium-, high- and very high-risk probation clients.

Under SPS supervision, probation clients have the following obligations:

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- To register at SPS within a certain period following the court ruling or release from prison;
 - To fulfil the obligations and lawful requirements determined by SPS;
 - To appear at SPS at the time specified;
 - To inform the official of SPS of their place of residence, workplace or educational institution, as well as, without delay (as soon as it has become known to the person) to notify of changes therein;
 - To request permission from SPS for departure outside of their place of residence for a period which is longer than fifteen days (this Clause shall not apply to a conditionally released person for whom EM has been determined);
 - To submit information to an official of SPS regarding the fulfilment of the imposed obligations and means of support.

In addition to the obligations specified above, a conditionally released person with EM has the following obligations:

- Not to change their place of residence without the permission of SPS;
- Not to use alcohol, narcotic, toxic or psychotropic substances;
- Not to damage electronic devices in any way that would hamper the management of restrictions on their freedom of movement and so ensure continuous operation of the system;
- To advise an official of SPS in the event of damage to electronic devices;
- To comply with the EM schedule prepared by an official of SPS;
- To advise an official of SPS of the persons permanently residing at their place of residence. Also, to inform SPS immediately if any additional person is planning to reside permanently at their place of residence after installation of electronic devices;
- To remove any possible obstacles which could hinder an official of the State Probation Service from accessing their place of residence at any time of the day.

In addition to previously noted obligations during supervision, SPS itself can impose several obligations on a probation client. This means that only the court determines the punishment and its period, but SPS is responsible for the content of the punishment, including additional obligations, e.g. to comply with the prohibition on leaving the place of residence at a specific

time of the day; to comply with the prohibition on visiting specific public places or on contacting specific people; to comply with the prohibition on abusing alcohol and other intoxicating substances; to participate in one or more probation programmes; to see a specialist identified by SPS for resolving issues of a criminal nature (if the probation client agrees to pay the additional expenses related to such visits or if it does not result in additional expenses for the conditionally released person, etc.). There are some opportunities for probation clients to receive free drug or alcohol treatment — for example, if a means test by local government has confirmed that the person is part of a low-income household. There are some projects where a person can get treatment if they have been in prison and are now under the supervision of SPS.

In carrying out community supervision, SPS uses both internal and external resources, depending on individual needs. The most widely used internal resources are probation programmes and SPS volunteers (mentorship). Volunteers are an important resource, particularly in work with children and juveniles. External resources include the MAPPA structure, social rehabilitation centres, and state or local government institutions. Social rehabilitation centres provide a range of services that can include temporary accommodation; initial medical care; free nutrition; the possibility of participating in household activities; consultations with a psychologist, a social worker, or counsellors in addiction-management programmes, etc.

If a probation client who is under SPS supervision violates the obligations specified previously (including those imposed by SPS) without a justified reason, or commits a new criminal offence, SPS will forward a submission to the court requesting (a) the execution of the sentence determined in the judgement or extending the term of probation for up to one year, (b) the substitution of probation supervision with imprisonment, or (c) the execution of the unserved part of the sentence, depending on the supervision category.

At the same time, in some cases (for example, when a person is placed on probation supervision), if a probation client, who is under SPS supervision, has successfully served half of the term of probation and has exemplary complied with the duties provided by law and by the Probation Officer, and has resolved criminogenic problems, SPS may request the court to revoke the probation supervision or reduce the term of probation supervision.

Probation programmes

One of SPS's functions is to support the development of probation programmes and the implementation of licensed programmes.

As part of community supervision, SPS can implement two types of probation programme — social behaviour correctional programmes or social rehabilitation programmes. Social behaviour correctional programmes help probation clients to analyse the causes and consequences of different life situations, identify and reduce thinking errors, recognise various risk situations, and promote responsibility. Social rehabilitation programmes provide an opportunity for probation clients who have previously been in prison for a long time or who lack life-skills to develop the skills needed to deal with everyday issues, mainly to reduce the risk of social exclusion and the likelihood of reoffending. Selection for participation in particular programmes is based on individual specific risk and need.

Involvement of the probation clients in probation programmes during community supervision provides an opportunity to change their thinking, attitudes and behaviour; and helps probation clients to analyse the causes and consequences of various life situations, as well as strengthening their resources. Probation programmes also provide an opportunity for probation clients to develop the skills needed to deal with everyday issues after a long stay in prison, in order to reduce the risk of social exclusion.

Restorative justice

The Council of Europe Recommendation CM/Rec (2018)⁴ defines the term 'Restorative Justice' as follows:

'Restorative justice' refers to any process which enables those harmed by crime, and those responsible for that harm, if they freely consent, to participate actively in the resolution of matters arising from the offence, through the help of a trained and impartial third party ('facilitator'). Depending on the country in which it is being used and the manner in which it is administered, restorative justice may be referred to as victim-offender mediation, penal mediation, restorative conferencing, family group conferencing, sentencing circles or peacemaking circles, inter alia.

⁴ Available at https://www.euforumrj.org/sites/default/files/2020-01/pb_on_coe_rec_general.pdf (accessed 7 July 2021).

The term 'restorative justice' is itself difficult to translate directly into Latvian, and it is still a challenge to find the best version of translation and a term that can be used and understood by everyone.

Following reform of criminal proceedings in Latvia, it was decided to implement Victim–Offender Mediation (VOM) as an alternative in criminal proceedings. However, Latvia had no previous experience of the practice. A Ministry of Justice working group decided that the SPS would be the most appropriate professional institution for the development of VOM. Early training was provided by Canadian probation specialists on restorative justice, including Dr Liz Elliott, Founding Director of the Centre for RJ at Simon Fraser University.

In 2005, the Mediation Division in SPS was established, and the training of staff mediators was provided by specialists from the National Mediation Service of Norway. We have adopted the Norwegian model of VOM, involving both volunteers and SPS staff in service delivery.

In 2019, following the creation of the Mediation and Community Involvement Co-ordination Department, restorative justice was implemented more widely with offenders under supervision. The main restorative justice programmes are VOM and Conferencing, mostly in the case of juveniles.

VOM is a voluntary face-to-face negotiation/dialogue between the victim and the offender, managed by a third person — a mediator — who gives assistance to the parties involved to reach a mutually acceptable and impartial solution. Probation Officers are trained mediators, and volunteer mediators who have completed a two-year certification training programme also work with the SPS. In 2020, the Service organised 1,384 mediations, and 14 per cent of those cases were conducted by volunteer mediators.

Our Probation Officers wear two hats — one is Probation Officer and the other is Mediator in criminal proceedings. This task can be challenging, so not all Probation Officers are Mediators. Staff of the Mediation and Community Involvement Department identify the criteria for selection of the volunteers and Probation Officers to train as Mediators to ensure that the service is delivered to a high standard. Our Mediators also give information and support to victims of crime. In addition, SPS organises activities for European Day for Victims of Crime, on 22 February, and to mark International Restorative Justice Week each November.

Criminal procedure states that a victim has the right to meet the offender and participate at the VOM, as well to receive information about VOM and the outcomes of any concluded settlement. According to the legal regulations,

the police must inform the victim about the possibility of taking part in VOM, which can feature in all types and stages of criminal procedure. An important detail is that criminal procedure law provides the possibility for VOM to be organised not only by SPS mediators, but also by the person directing the proceedings, during a court hearing, etc. Application for VOM may be requested by the Police, the Public Prosecutor, the court, any of the parties to the proceedings (victim, offender, parents) and the judge (relating to cases of Law on Compulsory Measures of Correctional Nature for Children). A very important regulation in Criminal Procedure Law, article 381, states:

If criminal procedure finds that a settlement is possible in the criminal proceedings and it is appropriate to involve a mediator, then he or she may inform the State Probation Service, but if the offender is a juvenile, the State Probation Service will be informed as a matter of course in all cases, unless the settlement has already been concluded.

In some cases, the VOM can take place online. In particular, online VOM has developed more widely during the COVID-19 pandemic. This is a short-term solution when it is not possible to organise face-to-face meetings. We believe that VOM is most effective when persons can be physically present in the same room, allowing greater and more visible emotional engagement. In particular situations, online VOM will continue into the future, e.g. if the parties live in different places, have some illness, etc.

One of the restorative justice programmes is a mentoring programme where SPS invites community members to act as volunteer mentors to probation clients, with a focus on social skills and use of leisure time. The main target group of probation clients is young people from age 14 (age of criminal liability) until 25; the mentoring programme is also available for probation clients in other age-groups. The main role here is played by the Probation Officer who is responsible for assessing and motivating the probation client for involvement in the mentoring programme, which is voluntary. There are currently 61 volunteer mentors in SPS. In 2020, there were 35 active mentors and 49 probation clients involved in the programme.

The Circles of Support and Accountability (COSA) programme was initially introduced in 2015 and has seen increased development since 2019. This programme involves groups of volunteers who provide support to sex offenders in their reintegration into society after their release from prison. There are six trained volunteers for COSA in SPS. Participation in this

programme is voluntary. The programme is in the early stages of development, and we hope to learn from best and more established practice in Europe and beyond.

Management of volunteers

SPS organises recruitment of volunteers, interviews and two days' training for mentors and also for COSA volunteers. The main topics of training for mentors are: Philosophy of Restorative Justice; Conflicts and their resolution; Portrait of probation client; Safety; Co-dependency and boundaries; and meeting with real mentors and exchange of stories about co-operation with probation clients. The main topics of the training for COSA volunteers are similar, with just a few differences: Philosophy of Restorative Justice; Conflicts and their resolution; Exercises for team building; Sexual deviances; meeting with COSA volunteers. Volunteer mediators are trained in one group with staff mediators. The training programme consists of 65 hours and practice of VOM, followed by a certification process with an exam.

SPS has more than 100 active volunteers (mediators, mentors and COSA volunteers). Since 2017, SPS in co-operation with the Latvian Prison Administration, within the framework of the European Social Fund project, organises a volunteers' conference entitled, 'Volunteering for a Safer Society'. However, the first 'Volunteering for a Safer Society' conference had already taken place in 2016 (having been organised with Norwegian grants support). The conference honours and congratulates both SPS Volunteers and Prison Volunteers. In 2019, for the first time, four volunteers received a vocational award from the Ministry of Justice — the 'Human being to Human being' award.

Challenges and future developments

Challenges and future developments will be considered under four distinct categories.

1. Work with juveniles and young adults

Given that a large proportion of probation clients are young people between the ages of 14 and 25, SPS has considered the findings of research and has implemented a number of initiatives, including the development and implementation of a specific probation programme for juvenile probation

clients — 'Ready! Set! Go!' The programme, for 17- to 25-year-olds, aims to promote the involvement of young people in group work, to help overcome fear and shame, to better understand their own needs, to develop new social skills as an alternative to criminal behaviour, and to strengthen their motivation and sense of competence to apply the skills acquired in everyday situations after the end of the programme. The philosophy of the programme is based on the Good Lives Model, which is determined by the belief that all human beings have similar goals in life, such as the pursuit of health, physical security, peace, happiness, joy, good relationships with friends, independence, success at work, belonging to a group, etc.

SPS currently uses the same general and violent risk-assessment tools for working with adults and with children. When using the tools with children, staff consider the developmental and personality traits of minors and their differences from adults, in order to adapt a specific tool to their needs.

Since 2020, SPS in collaboration with the Latvian Prison Administration, as part of the European Social Fund project, is working on a new assessment tool for children and juveniles. This tool will be more focused on a child and adolescent's needs and strengths, not static risk factors. It is planned to use this approach not only for children (minors), but also for young people (up to 26 years).

A pilot project is currently underway for the implementation of Family Group Conferencing with minors, involving family members and significant others in problem-solving and the preparation of the supervision plan.

2. Electronic case management

Since 2019, SPS has a fully electronic SPS information system, which enables the more efficient management of client data. In addition, the judicial system in Latvia is moving toward an electronic case-management system, and it is planned to establish a centralised and integrated, permanent electronic platform by 2023, to improve the transfer and appropriate sharing of information.

'E-case' projects aim to introduce online systems at all stages of criminal justice proceedings — pre-trial and court proceedings — involving all institutions, courts, prosecutor's offices, and including SPS. This means that procedural documents, as well as the necessary information flow with other authorities, will take place electronically.

Within the framework of the project, communication with the persons involved in the process — victims, witnesses, accused persons, convicts —

will also be improved, providing an opportunity to become familiar with the case materials in an electronic database.

3. Probation supervision as an alternative to imprisonment

Probation supervision was adjudged as an additional punishment by a court or by a prosecutor to ensure the supervision of the behaviour of a convicted person or a person sentenced by a prosecutor's order, to facilitate their resocialisation and to prevent further criminal offences.

In December 2020, amendments were adopted in criminal law, which provide that probation supervision can be applied also as an alternative to custody as a basic punishment. If a person evades probation supervision, in bad faith, a court shall substitute deprivation of liberty for the unserved period, calculating one day of probationary supervision as one day of deprivation of liberty.

With the previously mentioned amendments in criminal law, it is stipulated that the primary purpose of punishment in relation to minors (children) will be resocialisation. The problematic behaviour of most juveniles is temporary, therefore punishment without resocialisation — that is, imprisonment — can potentially negatively affect the juvenile's identity and self-confidence, which is necessary for successful development. In order not to isolate the child from society, but to promote resocialisation and changed behaviour, the amendments to the law provide for the possibility, depending on the seriousness of the crime, for the court to impose probation supervision as an alternative to custody. If the child evades probation supervision, in bad faith, the deprivation of liberty as a substitute for the unserved period will be calculated counting two days of probationary supervision as one day of deprivation of liberty, thus establishing a more favourable substitution rate than for adults.

4. Development of Electronic Monitoring (EM)

Over five years, we have made some progress with the development of EM. The main technological solution selected for EM is radio-frequencies-based technology to control the location of a person in a specific place.

SPS had prepared amendments to the law (which came into force in June 2020) that provide the opportunity for SPS to reinforce the conditions for EM in cases where a person violates the EM schedule or other obligations related to being in a certain place at a certain time, by applying GPS technology for the

person. It follows that GPS technology will be used only as an additional tool for SPS to reinforce EM in cases where the probation client, without justifiable reason, fails to comply with restrictions on their freedom of movement.

Progress is also being made in relation to the prevention of substance abuse during the EM period. The amendments will include SPS's right to use devices for the remote determination of alcohol use if a person has violated obligations regarding the use of substances during EM. Still, there are some challenges related to solutions for remote alcohol monitoring. Furthermore, SPS did not succeed in purchasing a remote alcohol detection device/system in the last procurement contract (although it was planned to get them). This problem must be solved, as one of the main reasons for EM violation is the use of substances.

Another challenge for the future is the potential extension of the scope of EM. As noted previously, EM in Latvia is one of the additional conditions for parole. This means that EM can be applied only for inmates who are conditionally released on parole. In the future, it would be progressive to move to a 'front-door model' and apply EM before a person gets to prison.

Since SPS is still in the relatively early stages of its development, we are open to co-operation with other countries, and we are interested in learning the experiences of others in this field.