



State Probation Service
Republic of Latvia

Restorative Justice in probation: Mediation and new promising practices in Latvia

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Main topics

1. Shortly about Latvia
2. State Probation Service (SPS)
3. Experience on Mediation and Conferencing
4. New practices



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Latvia

- Population 1,978 million
- 1/3 population live in Riga
- Ethnic groups:
 - 61.1% Latvian
 - 26.2% Russian
 - 3.5% Belarusian
 - 2.3% Ukrainian
 - 2.2% Polish
 - 1.3% Lithuanian
 - 3.4% Other
- Official language – Latvian, belongs to Indo-European language family
- Latvia has ethnic and linguistic ties to Lithuania





Some more facts about Latvia

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- Almost 50% of Latvia is covered by forests, and it's one of the most environmentally friendly countries on the planet
- Latvia has the 5th fastest internet speed in the world, ranking between Hong Kong and the Netherlands.
- Latvia holds one of the largest song and dance festivals in the world (approximately 30,000 performers altogether participate in the event).
- Latvia also has one of the largest collections of traditional folk songs in the world, numbering over 300,000.
- The most popular type of sport - ice hockey. Latvia is also known with very active and attractive hockey fans.





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State Probation Service (SPS)

SPS – public organization under the Ministry of Justice

Established in October 7, 2003

Law of SPS in force from January 1, 2004

28 Regional offices and 9 branches of regional offices

Year 2014

Staff - 378

Probation clients – 17290

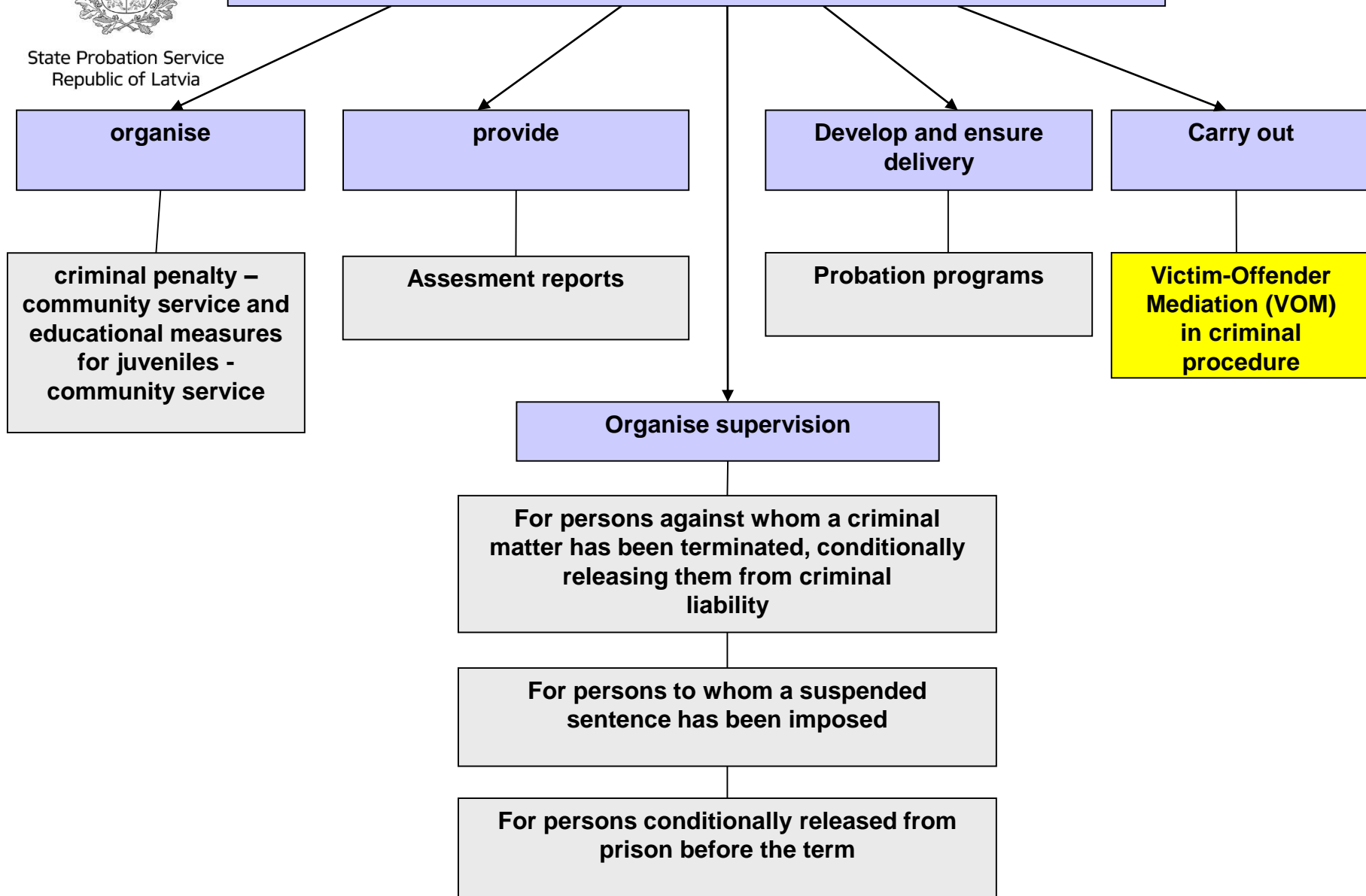
Budget - 5 878 454 EUR

Information - www.probacija.lv



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FUNCTIONS OF SPS





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Legislation on VOM

- Law on State Probation Service (2004)
- Criminal Procedure Law (2005)
- Regulations of the Cabinet of Ministers “Order of organization and Implementation of Mediation by the State Probation Service” (2007)
- Regulations of the Cabinet of Ministers “Order of certification of volunteer mediators in the State Probation Service” (2007)
- Regulations of the Cabinet of Ministers for probation volunteers of contractual tasks receive compensation, and amount of payment (2008)
- Law on compulsory measures of correctional nature for children (2002, amendment on Mediation 2010)



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Criminal procedure Law. Section 381

(amendments entered into force in 2013, April 1)

When a director of the criminal proceeding sees a possibility for mediation and it is appropriate to involve a mediator, he can inform the State Probation Service. **In all cases, except for case when mediation has already taken place, the director of the criminal proceeding must inform the State Probation Service, when a crime is committed by a minor.**



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VOM practices

Year 2005

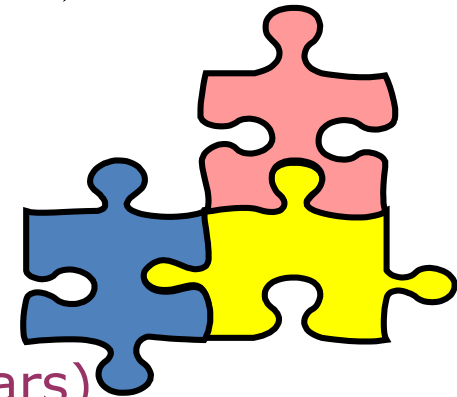
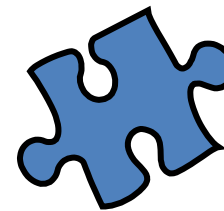
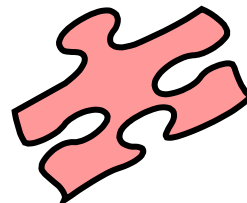
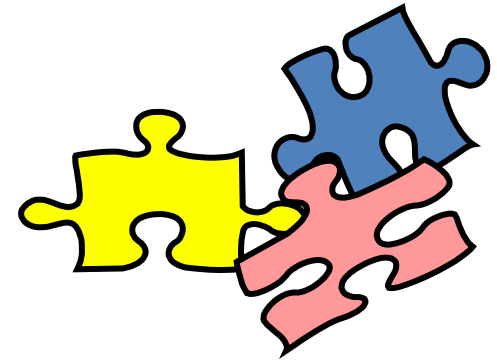
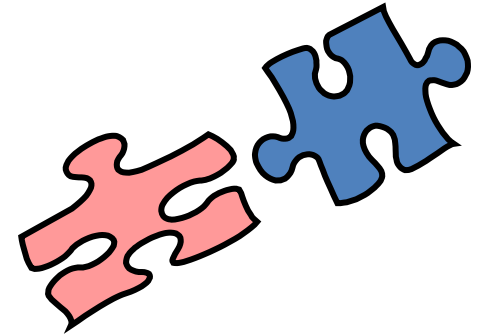
- established Mediation Division
- the first training (cooperation with Norwegian Mediation Service)
- first experience with VOM

Year 2010

- first experience with Conferencing

Today

- Mediators – officers of SPS – 78
- Volunteer mediators – 33 (certified for 2 years)





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What is VOM in SPS



VOM - voluntary face-to-face negotiations between the victim and the offender, held by third person – mediator, who gives assistance to the parties involved to reach mutually acceptable and impartial solution.

VOM - based on principles of the Restorative Justice



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The main principles of VOM

- Face-to-face meeting (exception when victim is minor)
- Voluntary participation
- The offender admits that the crime was committed
- Legal representative participates in cases when a minor is involved
- Parties are free to refuse negotiations any time
- Supporters of the parties or other influenced persons may be involved
- Mediator observes ethical principles and confidentiality
- Both parties are active in negotiations and decision making
- Free of charge



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When is VOM possible



- In all types and stages of Criminal procedure
- Application may be required by:
 - police
 - public prosecutor
 - court
 - parties (victim, offender, parents)
 - judge (cases of Law on Compulsory Measures of Correctional Nature for Children)

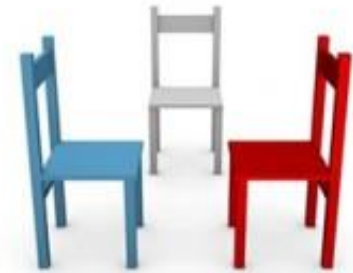


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VOM and Conferencing

VOM

Direct negotiations between Victim and Offender
One or two mediators



Conferencing

Negotiations is guided by a special script
Participate those who have been affected of the offense
Participate the wider range of actors
(social pedagogues, police, children protection officers e.tc)
Always two facilitators





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Organization of VOM

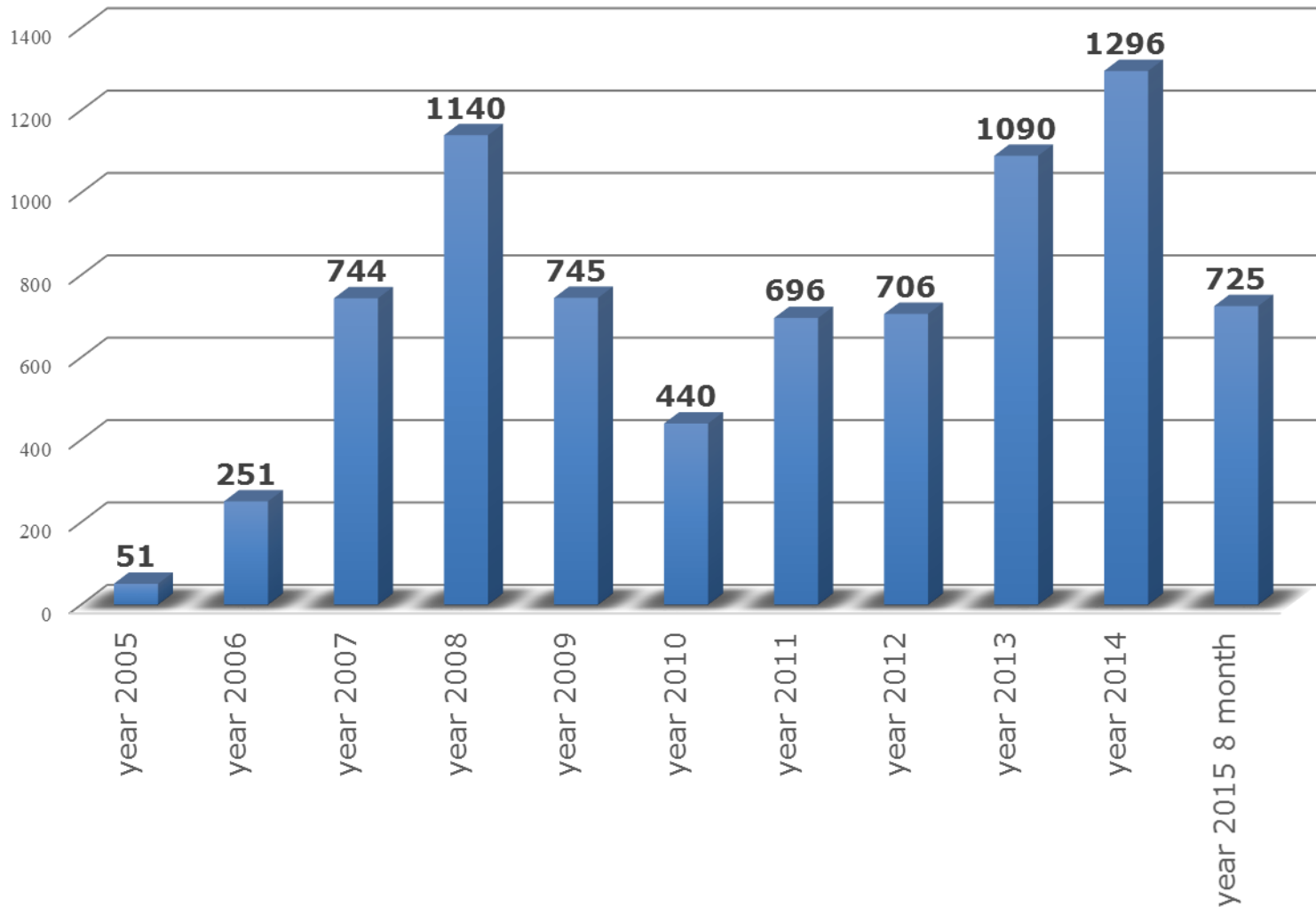
- Mediator contacts parties, other participants
 - explains the process, arranges an individual meeting
- Mediation
 - Introduction and ground rules
 - What happened?
 - How it has affected?
 - What can be done to solve and restore situation?
- Drafting and signing the agreement
- Informing police, prosecutor, court or judge about the results

Consequences - Criminal case closed or mitigating circumstance in severe cases



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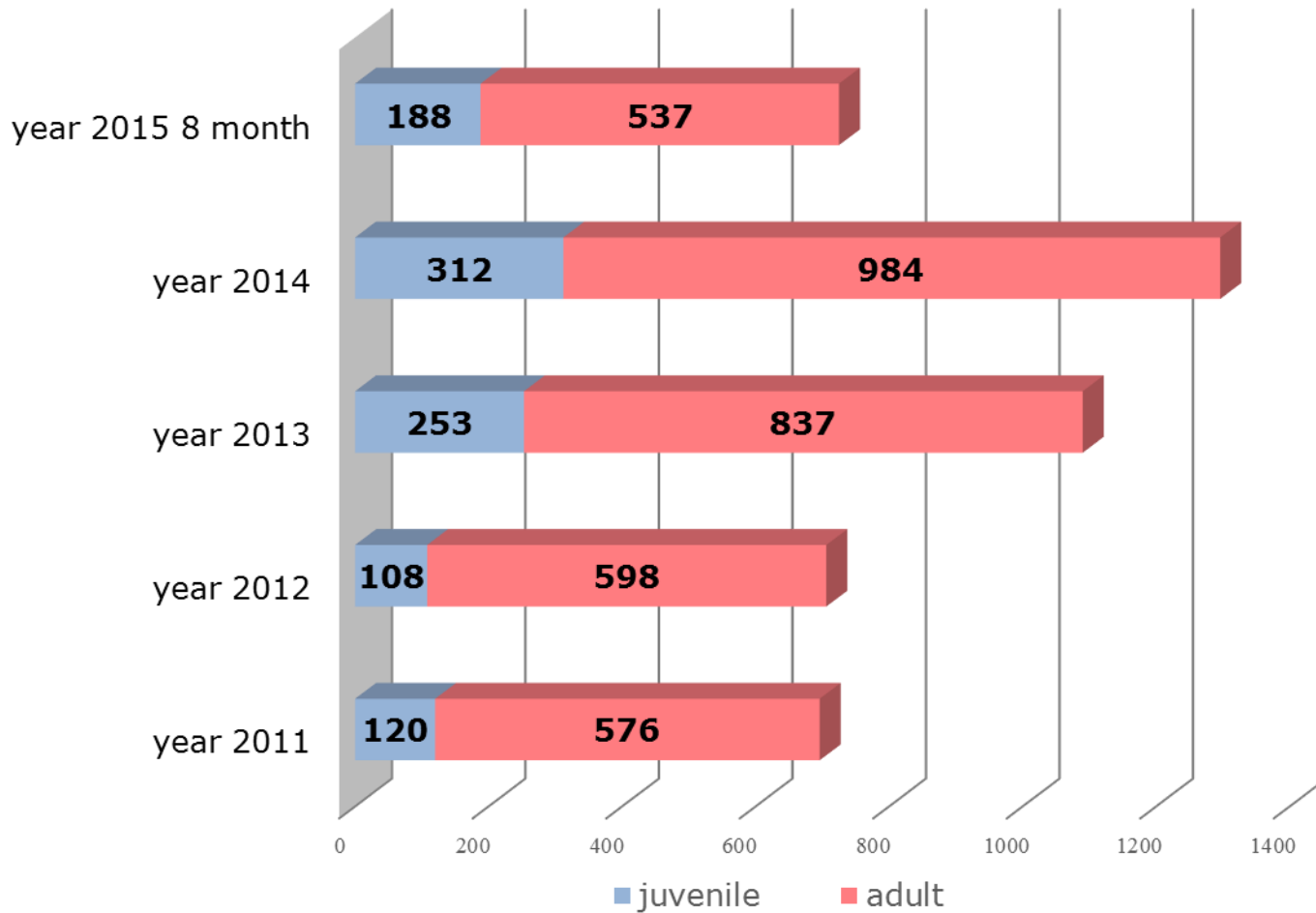
Dynamics of VOM over the years





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Juveniles and adults in VOM





Dynamic of refereed mediation cases

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	year 2008	year 2009	year 2010	year 2011	year 2012	year 2013	year 2014
Police	187	79	83	185	166	244	289
Procecutor	83	64	69	53	71	76	89
Court	68	7	0	0	0	22	72
Judge	0	0	4	3	7	4	9
Both parties	28	41	9	11	4	17	5
Offender	743	539	239	433	445	688	807
Victim	31	15	36	11	13	39	25
Total	1140	745	440	696	706	1090	1296



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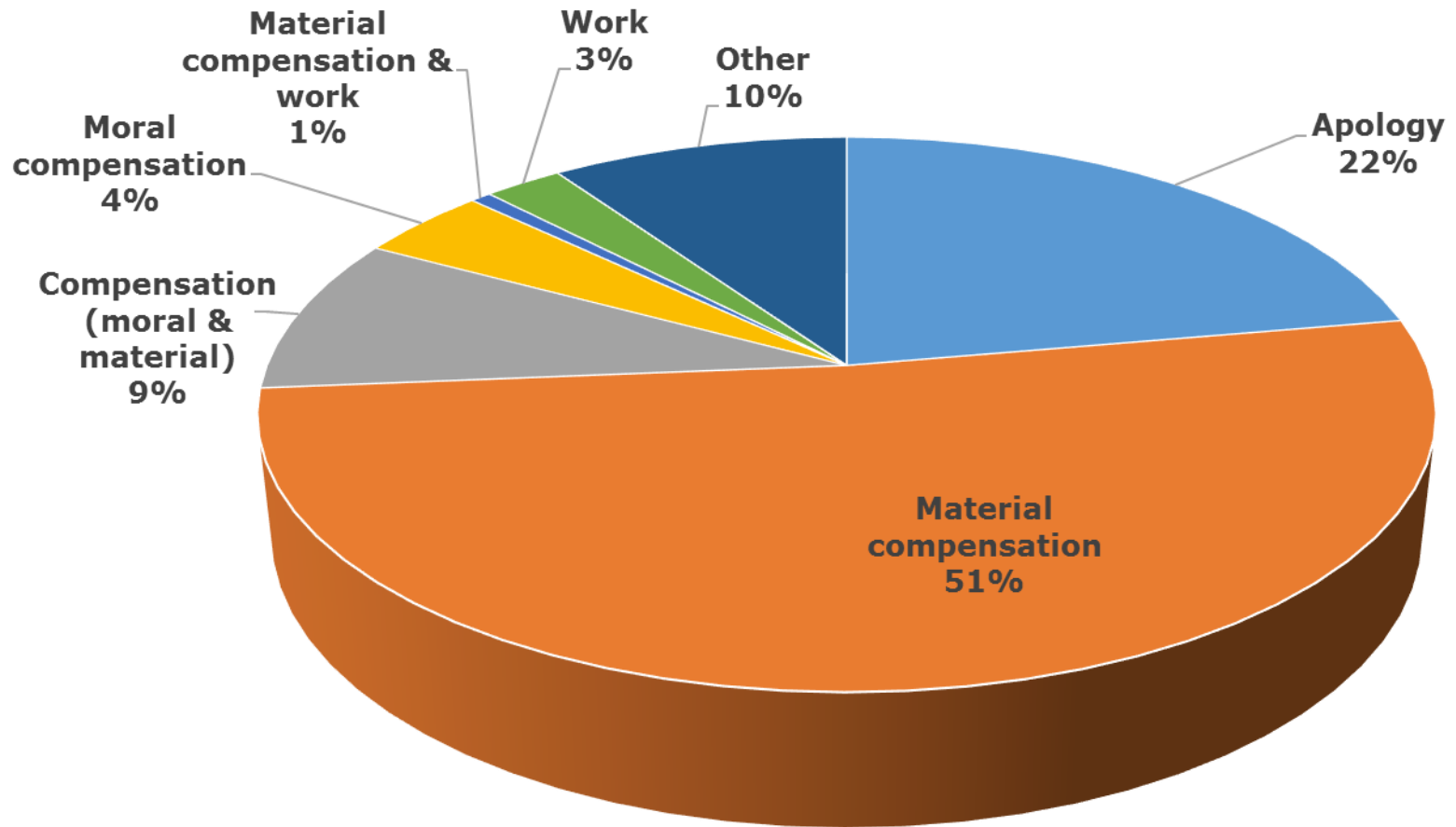
Type of crime

Different types of theft	803
Destruction of property of another person	217
Different types of bodily injury, including cases with serious consequences	139
Violations of road traffic	13
Hooliganism	10
Other	up to 10



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Main conditions





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Participant's satisfaction with VOM in 2014



The questionnaire consists of 10 questions

In total, 468 questionnaires were analyzed

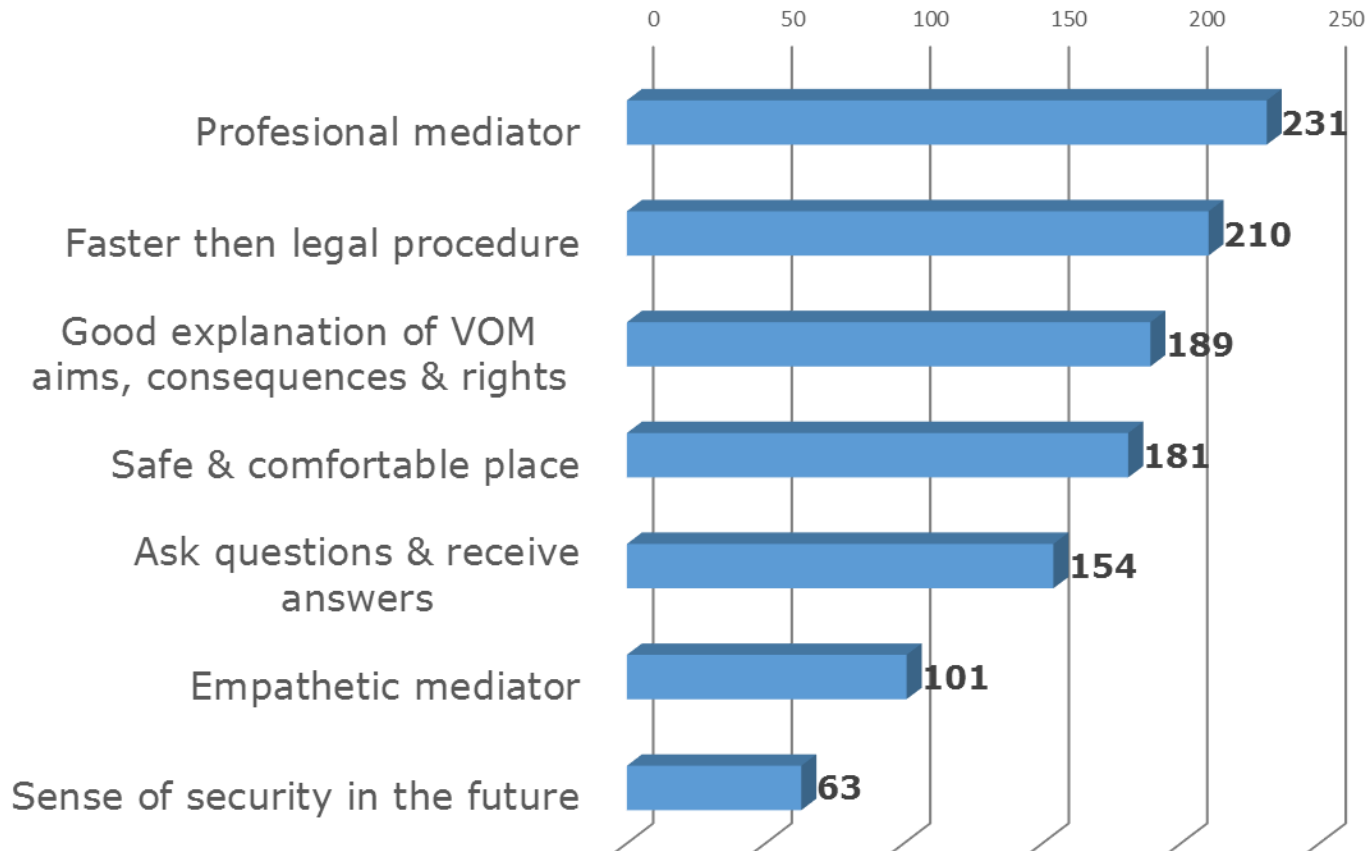
188 offenders, 157 victims and 127 support persons of both parties participated in VOM

Offenders mostly in age from 14 up to 25 and from 31 until 40, but victims in age from 40



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Import to parties





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Important activities . . .

Informative campaigns for society (RJ week)

Regular discussions and seminars for police officers, public prosecutors and judges on RJ and Mediation, Conferencing

Promoting skills of mediators through regular educational activities

Looking for new approaches (indirect mediation)

Strengthen institutional cooperation

Norwegian mediators meet Latvian mediators
(common seminar in Latvia in cooperation with Mediation Service of Norway)

Supervise the fulfillment of the conditions of the agreement after VOM.



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New practices

Project «Increasing the Application of Alternatives to Imprisonment (Including Possible Pilot Project on Electronic Surveillance)»:

- Mentoring programm for probation clients aged 14 to 25
- 5 regional seminars in Latvia on «follow-up» practice of Norway Mediation Service (institutional cooperation in work with young offenders)

SPS:

- Improving questionery about participant's satisfaction
- Study on recidivism



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Thank you for your attention!