



PROJECT No.JUST/2010/KPEN/AG/1546

“POSSIBILITIES OF SOLUTION OF TOPICAL PROBLEMS OF
RESTORATIVE JUSTICE IN THE EUROPEAN UNION”

CONFERENCE „COMMENSURABILITY OF HUMAN RIGHTS
AND CONCEPTION OF COERCIVE PREVENTIVE MEASURES”

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FUTURE ACTIONS TO IMPLEMENT PREVENTIVE MEASURES IN LATVIA

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NEW INITIATIVES

- Policy planning document “**Conception on coercive preventive measures**”

(legislation necessary to realize the conception are planned to be drafted till 2017).

- Package of draft laws introducing **preventive measures within civil proceedings.**

(draft laws should come into force on 1 January 2014)



POLICY PLANNING DOCUMENT “CONCEPTION ON COERCIVE PREVENTIVE MEASURES”

- **Aim of the conception** – to change the accent from preclusion of consequences of violence to the fight against the causes and expressions of violence.
- **Ground** – the understanding that the task of the country to protect the human rights means not only the duty to prohibit the breaches of human rights, but also to perform activities aimed to prevent these breaches.



POLICY PLANNING DOCUMENT “CONCEPTION ON COERCIVE PREVENTIVE MEASURES” II

- **Coercive preventive measures** – measures for violence prevention aiming to attain better security for particular persons and society in total.
- **Target group** – at least 11 years old persons causing the risk of violence.
- **Risk of violence** – threat to life, health, freedom or sexual inviolability and morality.



POLICY PLANNING DOCUMENT “CONCEPTION ON COERCIVE PREVENTIVE MEASURES” III

- The **range of preventive measures is wide**. Conception foresees the measures such as:

1) **supervision of the person**, inter alia:

- * obligation to report home, work and school address, as well as to report when leaving home for longer period of time;
- * obligation to be in particular place at particular time;
- * prohibition to approach particular places;
- * prohibition to participate in particular public or other kind of events;
- * prohibition to contact or approach to particular person or group of persons;
- * prohibition to use alcohol or other intoxicating substances;
- * obligation to participate in social rehabilitation;



POLICY PLANNING DOCUMENT “CONCEPTION ON COERCIVE PREVENTIVE MEASURES” IV

2) rehabilitating protection

This measure may be applicable to victims as well.

It includes: assistance regarding finding an employment, processing documents or finding the place of residence; psychological help.

3) preventive security deposit (Ls 50 – 5000).



POLICY PLANNING DOCUMENT “CONCEPTION ON COERCIVE PREVENTIVE MEASURES” V

- Coercive preventive measures will be applicable as long as the risk of violence exists – there will be **possibility to extend the maximum term of measure as many times as necessary**.
- **Application** from the victim **will not be necessary**. Governmental and local institutions itself will be authorized to initiate the appointment of preventive measures when there will be a reason to believe the risk of violence exists.
- Close **cooperation of various institutions** – every single case will be evaluated and decision on best solution will be made in a group consisting of all the competent institutions.



PREVENTING DOMESTIC VIOLENCE

- **Possibility to apply preventive measures immediately:**
- Provisional decision (valid for 10 days max);
- Decision made by **police officer**;
- Possibility to apply **supervision of the person**:
 - obligation to be in particular place at particular time;
 - prohibition to approach particular places;
 - prohibition to contact or approach to particular person or group of persons.
- Decision shall be revised by multi-institutional co-operation group (all the competent institutions together)



Thank you for your attention!

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