

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe
Convention on the protection of children against sexual
exploitation and sexual abuse

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Replies to the thematic questionnaire

“Screening of professionals, volunteers and other
persons in contact with children”

REPUBLIC OF LATVIA

Replies received by the Secretariat on 9 July 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term “screening” is used in this questionnaire, this should be understood as “verification of criminal convictions for sexual offences against children”.

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

- a. Your name and position
- b. State Party in respect of which the questionnaire is submitted
- c. Entities and bodies which have been involved in responding to this questionnaire

The Republic of Latvia

The Ministry of Justice of the Republic of Latvia
The Ministry of Welfare of the Republic of Latvia
The Ministry of Health of the Republic of Latvia
The Ministry of Education and Science of the Republic of Latvia
The Ministry of Health of the Republic of Latvia
The Ministry of the Interior of the Republic of Latvia
The Information Centre of the Ministry of the Interior of the Republic of Latvia
The Office of Citizenship and Migration Affairs of the Republic of Latvia
The State Police of the Republic of Latvia

Persons concerned by screening requirements

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	X	X	X	X	
Education – Primary	X	X	X	X	
Education – Secondary	X	X	X	X	

Education – Tertiary	X	X	X	X	
Education – Extracurricular (e.g. language schools)	X	X	X	X	
Childcare (e.g. kindergartens, crèches, childminders)	X	X	X	X	
Institutional or residential care (e.g. foster homes, orphanages, closed residential facilities)	X	X	X	X	
Detention	X	X	X	X	
Migration facilities (e.g. reception centres)	X	X	X	X	
Sport	X	X	X	X	
Culture and leisure activities	X	X	X	X	
Entertainment sector	X	X	X	X	
Faith and religion	X	X	X	X	
Healthcare (including psychological and psychiatric services)	X	X	X	X	
Social protection services	X	X	X	X	
Law enforcement	X	X	X	X	
Judicial	X	X	X	X	
Civil society organisations	X	X	X	X	
Victim services (including Barnahus, domestic violence services)	X	X	X	X	

Any other sectors (please specify)	other such institutions where children are staying, organisers of events for children and such events in which children take part	other such institutions where children are staying, organisers of events for children and such events in which children take part	other such institutions where children are staying, organisers of events for children and such events in which children take part	other such institutions where children are staying, organisers of events for children and such events in which children take part	
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Here you can insert additional details or specify any exceptions.

According to **Law on the Protection of the Children's Rights**

(<https://likumi.lv/ta/en/en/id/49096-law-on-the-protection-of-the-childrens-rights>)

Section 72. Liability of Employees of Child Institutions and Event Organisers

(1) In child care, educational and health-care institutions where children stay, as well as at events organised in other places in which children participate, the head of the institution, the employer, the employee, the organiser of the event, as well as a person performing voluntary work or providing services, shall be responsible for the protection of the child's life, health and safety and for respect for the child's rights.

(2) For violations committed the persons referred to in Paragraph one of this Section shall be held disciplinarily or otherwise liable as laid down in law.

(3) Upon hiring persons for work as managers or employees of childcare, educational, health care, and other such institutions where children are staying, the employer has an obligation to request information on the previous activity, competence and experience of such persons.

(4) Managers and employees of child care, educational, health care, and other such institutions where children are staying, and also organisers of events, individual merchants, managers of commercial companies, and organisers of voluntary work have an obligation to ensure that such persons participate in organising an event and fulfil duties in the institution who comply with the requirements laid down in this Section. In order for a person to be able to fulfil duties in an institution or to participate in organising events, the organiser of events or the manager of the institution has an obligation to request information from the Punishment Register in order to ascertain the compliance of the person with the requirements referred to in Paragraphs five, six and (6¹) of this Section, and also to re-verify such information not less than once a year. The employer shall request the abovementioned information on the manager of the institution.

(5) Such persons shall not work in child care, educational and health care institutions where children are staying and in events organised in other places in which children participate, those persons shall not perform voluntary work, and also shall not provide services according to an agreement entered into (except for persons whose work or provision of services does not involve contact with a child, or where such contact is one-off or short-term):

1) who have been convicted of criminal offences that are related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside - except for the case when, after extinguishing or setting aside the conviction, the Child Protection Centre has assessed whether it does not harm the interests of children and has permitted such persons (except for pedagogues who are assessed in accordance with that laid down in the Education Law) to work, carry out voluntary work, and also, according to an agreement entered into, to provide services at childcare, educational, health care institutions and other such institutions where children are present, at children's events, and such events where children are participating. The Cabinet shall determine the procedures by which it shall be assessed whether the permission for such persons to work, to carry out voluntary work, and also, according to an agreement entered into, to provide services are not to harm the interests of the child;

2) who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside;

2¹) who have been punished for trafficking in human beings — irrespective of whether or not the conviction is extinguished or set aside;

3) to whom the court has applied the compulsory measures of a medical nature specified in the Criminal Law.

(6) If the person referred to in Paragraph five of this Section has been convicted of the administrative offence referred to in Sections 79, 80, 82, 83, 84, and 85 of this Law, the administrative offence referred to in Section 14 of the Handling of Alcoholic Beverages Law, for selling tobacco products, herbal products for smoking, electronic smoking devices or refill containers for electronic smoking devices to a child, for intentional inflicting of insignificant bodily injury or for an intentional criminal offence which is not referred to in Paragraph five, Clauses 1 and 2 of this Section, the manager of the institution, the employer (on the manager of the institution), or the organiser of the event has an obligation to evaluate whether the person endangers the safety, health, or life of the child. If it does not endanger the safety, health, or life of the child, the manager of the institution, the employer (on the manager of the institution), or the organiser of the measure shall be permitted to work, to perform voluntary work, and also to provide services according to the agreement entered into with such institutions or organisers of measures.

(6¹) A person whose work involves direct, prolonged or regular contact with a child and who has been, or within the last five years has been, punished for the violation referred to in Section 81 of this Law, and to whom the additional punishment laid down therein has not been applied, shall comply with the following conditions:

1) within 10 days after the decision on the imposition of an administrative penalty has entered into effect, inform the employer or the head of the institution of the penalty imposed;

2) within six months after the decision on the imposition of an administrative penalty has entered into effect, receive a service for the reduction of violent behaviour in accordance with the procedures laid down in laws and regulations regarding the provision of social rehabilitation services to adult persons who have suffered from violence and adult persons who have committed violence;

3) until completion of the receipt of the service for the reduction of violent behaviour, may commence or continue employment legal relations or service relations;

4) if the service for the reduction of violent behaviour is not completed within the time period specified in Clause 2 of this Paragraph, employment legal relations or service relations with the relevant person shall be terminated.

(6²) A person whose work involves direct, prolonged or regular contact with a child and who has been, or within the last five years has been, punished for the violation referred to in Section 81 of this Law, and to whom the additional punishment laid down therein has been applied, shall comply with the condition laid down in Paragraph (6¹), Clause 1 of this Section. After serving the additional punishment, such person may commence or continue employment legal relations or service relations in a position involving direct, prolonged or regular contact with a child after completing the receipt of the service for the reduction of violent behaviour in accordance with the procedures laid down in laws and regulations regarding the provision of social rehabilitation services to adult persons who have suffered from violence and adult persons who have committed violence.

(7) If there are justified suspicions or the manager of the institution, the employer, or the organiser of the event has information at the disposal thereof that the persons referred to in Paragraph five of this Section have allowed violations of the rights of the child or criminal proceedings on the criminal offence referred to in Paragraphs five and six of this Section have been initiated against them, the manager of the institution, the employer, or the organiser of the event shall ensure that the relevant employees are suspended from their position (from the fulfilment of the duties) until the day when the decision taken by the competent authority or a court judgment has entered into effect and become not subject to appeal or until making of the final ruling in the criminal proceedings.

(8) Suspension of the persons referred to in Paragraph five of this Section may be requested by the Child Protection Centre if it has justified suspicions of the potential violations of the rights of the child. The request of the Child Protection Centre shall not be subject to contesting and appeal, it shall be executed without delay.

Pursuant to section 4 (Mandatory Requirements for Service) of the Law on the Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prison Administration (adopted on June 15, 2006), paragraph 1, clause 4, a person may serve who has not been convicted of an intentional criminal offence – regardless of whether the conviction has been expunged or quashed; as well as pursuant to

clause 41 – a person who has not been convicted of an intentional criminal offense and has been exempted from punishment; pursuant to clause 42 – a person who has not been held criminally liable for committing an intentional criminal offense, except in cases where a public official has been held criminally liable but the criminal proceedings against them have been terminated on rehabilitative grounds.

The second paragraph of the aforementioned section provides that clauses 4, 41 and 42 of the first paragraph of this section do not apply to cases where the State Fire and Rescue Service, based on the assessment referred to in section 7, paragraph 22 of this law, has accepted the person into the service.

In addition, **there is an assessment procedure for the employment of teachers who have previous convictions**: the mechanism ensures that individuals who may harm the mental and physical health and safety of children cannot work as teachers. When starting work as a teacher, individuals are required to provide a certificate regarding a person's criminal record from the Criminal Registry maintained by the Ministry of the Interior (the Cabinet of Ministers Regulation No. 414 of September 3, 2019, "Procedure for Assessing a Person's Suitability for the Position of a Teacher").

<https://likumi.lv/ta/id/309178-kartiba-kada-tiek-izverteta-personas-atbilstiba-pedagoga-amatam>

A commission established by the State Education Quality Service makes decisions regarding the issuance of permits to individuals with previous convictions, taking into account the stipulation in the Law on the Protection of Children's Rights that, regardless of the expungement or removal of a conviction, individuals convicted of crimes against morality and sexual inviolability related to violence or threats of violence are not allowed to work in educational institutions.

The Regulations on the education and professional qualifications required for teachers and the procedure for improving the professional competence of teachers (the Cabinet of Ministers Regulations of 11 September 2018 No. 569) **define also requirements for a vocational and interest-related education teachers** (point 6). If a person has a higher education degree or a person has a vocational education or obtained a qualification by the Latvian Chamber of Crafts - **it is mandatory to complete a pedagogical competence development programme** (at least 72 hours; there are other professional competencies, courses and programmes could be combined).

Non-formal Education Programmes (Education Law - Art. 46.)

Part 4. A permit for the implementation of a non-formal education programme shall be issued or cancelled by the local government of the relevant administrative territory in accordance with the procedures determined by the Cabinet. Non-formal education programmes shall be registered in the local government of the respective administrative territory. The persons who are not registered in the Register of Educational Institutions are entitled to implement non-formal education programmes after obtaining a permit.

<https://likumi.lv/ta/id/50759-izglitibas-likums>

Before a person begins performing duties in a medical treatment institution where children are present or where healthcare services are provided to children, the head of the institution is required to request information from the Punishment Register in order to verify the person's compliance with the requirements laid down in Section 72, Paragraphs five and six, of the Law on the Protection of the Children's Rights. With respect to the head of an institution, this

information is requested by the employer. The screening must be repeated at least once a year.

The requirement applies to medical practitioners, medical support persons, employees of medical treatment institutions, volunteers and persons who, pursuant to a contract or agreement, provide a service to a child in a medical treatment institution. It applies to both public and private sector medical treatment institutions where children are present or where a child is provided with a healthcare service, including a mental health service.

2. In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:
 - a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification
Yes.
 - b. distinguish between direct, indirect or online contact with children?
No.

If yes, please provide details.

Screening is not applied to persons whose work or whose provision of services does not involve contact with a child, or where such contact is one-off or short-term (please see Section 72 of Law on the Protection of the Children's Rights).

3. Is the absence of criminal convictions for sexual offences against children required to become:
 - a. an adoptive parent
Yes.
 - b. a foster parent
Yes.
 - c. a child's legal guardian (including for unaccompanied children)?
Yes.

Please provide details.

Civil Law, Section 163, Paragraph four, clause 2:

The adopter may not be a person:

- 1) who has been punished for criminal offences related to violence or threatening of violence – regardless of extinguishing of the criminal record or removal thereof;
- 2) who has been punished for criminal offences against morality and for sexual offences – regardless of extinguishing of the criminal record or removal thereof;
- 3) who has been removed from the performance of the duties of a guardian due to disorderly performance thereof;
- 4) whom the status of the foster family or host family has been removed, because he or she has not performed the relevant duties in conformity with the interests of the child;
- 5) whom the custody rights have been removed by a court judgment;
- 6) to whom a court has applied compulsory measures of a medical nature laid down in the Criminal Law for a criminal offence provided for in the Criminal Law and committed in a state of mental incapacity.

Civil Law: <https://likumi.lv/ta/en/en/id/225418-civil-law>

Cabinet Regulation No. 354, Adopted 26 June 2018 "Regulations for Foster Families", paragraph 14:

The status of a foster family shall not be granted if the following conditions have been applied in relation to at least one of the spouses (person):

- 1) the child custody rights have been discontinued or removed;
- 2) the court has applied the compulsory measures of a medical nature specified in The Criminal Law;
- 3) the person has been convicted of criminal offences related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside;
- 4) the person has been convicted of criminal offences against morality and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside;
- 5) the person has been removed from fulfilling the duties of a guardian due to disorderly fulfilment of the duties of a guardian;
- 6) the status of a foster family or a specialised foster family, or the status of a guest family has been removed because the duties were not fulfilled according to the interests of the child.

Section 242, Civil Law:

The following may not be guardians:

- 1) persons who parents have rejected by will regarding guardianship over their surviving minors;
- 2) persons whose interests manifestly are in conflict with significant interests of the ward;
- 3) the members of the Orphan's and Custody Court which monitors the guardianship concerned;
- 4) minors;
- 5) persons who have been punished for criminal offences related to violence or threatening of violence – until the date of extinguishing of the criminal record or removal thereof;
- 6) persons who have been punished for criminal offences against morality and for sexual offences – regardless of extinguishing of the criminal record or removal thereof;
- 7) persons who have been removed from the performance of the duties of a guardian due to disorderly performance of duties of a guardian;
- 8) persons to whom the status of the foster family or host family has been removed because they have not performed the duties in conformity with the interests of the child;
- 9) persons to whom the custody rights have been removed by a court judgment;
- 10) persons to whom a court has applied compulsory measures of a medical nature laid down in the Criminal Law for a criminal offence provided for in the Criminal Law and committed in a state of mental incapacity;
- 11) foreigners, except for the case when the guardianship passes to the kin or persons who are in a common household together with the minor.

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:

- a. persons carrying out professional activity in their home who are in contact with children

No.

- b. persons carrying out volunteering activity in their home who are in contact with children

No.

- c. persons wishing to become an adoptive parent, a foster parent, or a child's legal guardian?

No, but please see details.

Please provide details.

According to section 72, Paragraph five of the Law on the Protection of the Children's Rights, such persons shall not work in child care, educational and health care institutions where children are staying and in events organised in other places in which children participate, those persons shall not perform voluntary work, and also shall not provide services according to an agreement entered into (except for persons whose work or whose provision of services does not involve contact with a child, or where such contact is one-off or short-term):

1) who have been convicted of criminal offences that are related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside - except for the case when, after extinguishing or setting aside the conviction, the Child Protection Centre has assessed whether it does not harm the interests of children and has permitted such persons (except for pedagogues who are assessed in accordance with that laid down in the Education Law) to work, carry out voluntary work, and also, according to an agreement entered into, to provide services at childcare, educational, health care institutions and other such institutions where children are present, at children's events, and such events where children are participating. The Cabinet shall determine the procedures by which it shall be assessed whether the permission for such persons to work, to carry out voluntary work, and also, according to an agreement entered into, to provide services are not to harm the interests of the child;

2) who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside;

2¹) who have been punished for trafficking in human beings — irrespective of whether or not the conviction is extinguished or set aside;

3) to whom the court has applied the compulsory measures of a medical nature specified in the Criminal Law.

According to section 50³, Paragraph two of the Law on the Protection of the Children's Rights the restrictions laid down in Section 72 of this Law shall be also applicable to the provider of child supervision services (its employees).*

* According to section 1, clause 17 of the Law on the Protection of the Children's Rights child supervision service is a qualified supervision and care service the purpose of which is to ensure that an adult is present with the child and to ensure safe, informative, and useful spending of time for a child, contributing to his or her comprehensive development.

According to section 50³, Paragraph three of the Law on the Protection of the Children's Rights a provider of child supervision services shall ensure at the place where the service is provided an environment corresponding for the child which does not cause threats to his or her safety, life, health, morals, and comprehensive development, and also ensure the legal representative of the child with an opportunity to become acquainted with documentation certifying conformity with the requirements laid down in Section 72, Paragraphs five and six of this Law.

The Orphan's and Custody Court is obliged to assess the household of a person who wishes to become an adopter, foster family, or guardian of a child as a whole. This also includes an assessment of other persons living in the household. The Orphan's and Custody Court must carry out a comprehensive assessment of whether the other household members pose any risk to the child. These obligations of the Orphan's and Custody Court are based on the following legal provisions:

ADOPTION

In accordance with Section 162 of the Civil Law of the Republic of Latvia, the adoption of a minor child is permitted if it is in the interests of the child. A minor child may be adopted if, prior to the approval of the adoption, he or she has been under the care and supervision of the adopter and the mutual suitability of the child and the adopter has been established, and there are grounds to believe that, as a result of the adoption, a genuine parent-child relationship will develop between the adopter and the child to be adopted. A child may be placed under the care of the adopter by a decision of the Orphan's and Custody Court for a period of up to six months in accordance with the adoption procedures determined by the Cabinet.

Sub-paragraph 17.1 of Cabinet Regulation No. 667 of 30 October 2018, Procedures for Adoption, provides that, in order to initiate the adoption process, a person who wishes to become an adopter shall present a personal identification document and submit the following documents to the Orphan's and Custody Court in whose territory of operation the declared place of residence of the person is located: an adoption application indicating the motives for adoption, the religious beliefs, ethnic origin, and language of communication of the adopter, the desired number, sex, and age of children to be adopted, and any other significant circumstances that may affect the life of the child to be adopted together with the relevant person.

Sub-paragraph 23.3 of Cabinet Regulation No. 667 of 30 October 2018, Procedures for Adoption, provides that within six months after receipt of the adoption application the Orphan's and Custody Court shall assess the suitability of the person for the status of an adopter. During the assessment, information from the Punishment Register shall be requested regarding the person and other persons living in an undivided household. Sub-paragraph 23.5 of Cabinet Regulation No. 667 of 30 October 2018, Procedures for Adoption, provides that if the person has permanently resided abroad during the last two years for more than one year, the Orphan's and Custody Court shall request the person to submit the information regarding the person that is included in the punishment register of the relevant country.

Paragraph 24 of Cabinet Regulation No. 667 of 30 October 2018, Procedures for Adoption, provides that after completion of the assessment of the suitability of the person and the family study, the Orphan's and Custody Court shall take the relevant decision. If the Orphan's and Custody Court decides to recognise the person as suitable for the status of an adopter, it shall indicate in the decision the number, age, and sex of the children to be adopted.

FOSTER FAMILIES

In accordance with Paragraph 16 of Cabinet Regulation No. 354 of 26 June 2018, Foster Family Regulations, in order to recognise spouses or a person as suitable for the performance of the duties of a foster family, the Orphan's and Custody Court shall assess the documents submitted by the spouses or person, namely an application and an opinion of a psychiatrist, and shall also:

- 1) assess the motivation of the spouses or person to become a foster family, the mutual relations between family members, and their knowledge and skills in childcare;

- 2) ascertain the financial situation of the family;
- 3) inspect the living conditions of the spouses or person and draw up a report on the inspection of living conditions;
- 4) request information from the Punishment Register as to whether: the court has applied the compulsory measures of a medical nature provided for in the Criminal Law; the person has been punished for criminal offences related to violence or threats of violence, irrespective of whether the criminal record has been extinguished or set aside; the person has been punished for criminal offences against morality and sexual inviolability, irrespective of whether the criminal record has been extinguished or set aside.

GUARDIANSHIP

Section 29, Paragraph one of the Law on Orphan's and Custody Courts provides that the Orphan's and Custody Court shall ensure that the person to be appointed as guardian has the abilities and qualities necessary for the performance of the duties of a guardian, and shall assess the person's:

- 1) motivation to become a guardian;
- 2) mutual relations between family members;
- 3) employment;
- 4) living conditions;
- 5) ability to represent the child in personal and property relations.

Section 31, Paragraph one, Clause 6 of the Law on Orphan's and Custody Courts provides that the Orphan's and Custody Court shall continuously supervise the actions of guardians in ensuring the personal and property rights and interests of the child, by inspecting each year the living conditions of the ward in the guardian's family.

Section 39, Paragraph three of the Law on Orphan's and Custody Courts provides that the Orphan's and Custody Court shall decide on the restriction of the right to maintain personal relations and direct contact between a child in out-of-family care and the child's parents, as well as brothers, sisters, grandparents, and persons with whom the child has lived for a long time in an undivided household, if this is harmful to the child's health and development or poses a threat to the guardian, foster family, employees of a long-term social care and social rehabilitation institution, or other children.

Section 44.¹ of the Law on Orphan's and Custody Courts provides that the Orphan's and Custody Court shall immediately inform the child's parent, guardian, foster family, or host family of the fact of conviction of a person with whom he, she, or they have an undivided household if that person returns from a deprivation of liberty institution after serving a sentence for a criminal offence referred to in Sections 159, 160, 161, 162, 162.¹, 164, 165, and 166 of the Criminal Law, where the victim was a minor. On the basis of the information obtained regarding the possible threat to the health, life, or full development of the child, the Orphan's and Custody Court shall immediately invite the child's parent, guardian, foster family, or host family to attend the Orphan's and Custody Court or shall visit them in person and inform the child's parent, guardian, foster family, or host family of the possible threat to the child and of the fact of conviction of the person posing such threat, and shall also provide information on the recommended course of action and the possibilities for receiving support services. Minutes of the conversation shall be drawn up regarding the informing of the parent, guardian, foster family, or host family. The parent, guardian, foster family, or host family shall be warned of liability in connection with the disclosure of the information referred to in this Section to third parties. The person whose fact of conviction is disclosed to the parent, guardian, foster family, or host family shall not be provided with information thereof.

5. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:

- a. children applying for professional or volunteer positions

Yes, children have not been excluded from this requirement.

- b. adults in respect of criminal convictions received before the age of 18?

Yes.

Please provide details.

Children and adults in respect of criminal convictions received before the age of 18, have not been excluded from this requirement.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

Please provide details.

According to Punishment Register Law, the data of the person's previous name, surname and personal identity number are also being processed: Section 4. Paragraph one, clause 1 and 2; Section 19. Paragraph 2¹, clause 2;

<https://likumi.lv/ta/en/en/id/261384-punishment-register-law>.

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

No, but please see details.

Please provide details.

Public Procurement Law does not request that access to public funds for projects implying contact with children is conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects.

At the same time the organisation that has received **public funds for projects implying contact with children (in setting and events established by section 72 of the Law on the Protection of the Children's Rights)** has to comply with the section 72 of the Law on the Protection of the Children's Rights. The organisation is not allowed to employ persons in the project implying contact with children who do not comply with section 72 of the Law on the Protection of the Children's Rights.

According to Section 72, Paragraph five of the Law on the Protection of the Children's Rights, persons shall not work in child care, educational and health care institutions where children are staying and in events organised in other places in which children participate, those persons shall not perform voluntary work, and also shall not provide services according to an agreement entered into (except for persons whose work or provision of services does not involve contact with a child, or where such contact is one-off or short-term):

1) who have been convicted of criminal offences that are related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside - except for the case when, after extinguishing or setting aside the conviction, the Child Protection Centre has assessed whether it does not harm the interests of children and has permitted such persons (except for pedagogues who are assessed in accordance with that laid down in the Education Law) to work, carry out voluntary work, and also, according to an agreement entered into, to provide services at childcare, educational, health care institutions and other such institutions where children are present, at children's events, and such events where children are participating. The Cabinet shall determine the procedures by which it shall be assessed whether the permission for such persons to work, to carry out voluntary work, and also, according to an agreement entered into, to provide services are not to harm the interests of the child;

2) who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside;

2¹) who have been punished for trafficking in human beings — irrespective of whether or not the conviction is extinguished or set aside;

3) to whom the court has applied the compulsory measures of a medical nature specified in the Criminal Law.

Information included in screening

8. Does the criminal record check include criminal convictions for:
- a. sexual abuse of a child (Article 18 of the Lanzarote Convention)
Yes.
 - b. sexual exploitation of a child ("child prostitution" Article 19 of the Lanzarote Convention)
Yes.
 - c. acts involving child sexual abuse material ("child pornography" Article 20 of the Lanzarote Convention)
Yes.
 - d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention)
Yes.
 - e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention)
Yes.
 - f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention)
Yes.
 - g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention)
Yes.
 - h. any other convictions (please specify)?
- ***criminal offences that are related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside*** - except for the case when, after extinguishing or setting aside the conviction, the Child Protection Centre has assessed whether it does not harm the interests of children and has permitted such persons (except for teachers who are assessed in accordance with that laid down in the Education Law) to work, carry out voluntary work, and also, according to an agreement entered into, to provide services at childcare, educational, health care institutions and other such institutions where children are present, at children's events, and such events where children are participating. The Cabinet shall determine the procedures by which it shall be assessed whether the permission for such persons to work, to carry out voluntary work, and also, according to an agreement entered into, to provide services are not to harm the interests of the child;
 - ***criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside;***
 - ***who have been punished for trafficking in human beings — irrespective of whether or not the conviction is extinguished or set aside;***
 - ***to whom the court has applied the compulsory measures of a medical nature specified in the Criminal Law;***

Please provide details.

All the convictions that are mentioned in Criminal Law, Chapter XVI "Criminal Offences against Morality and Sexual Inviolability" are included (<https://likumi.lv/ta/en/en/id/88966-criminal-law>).

Criminal Law, Chapter XVI "Criminal Offences against Morality and Sexual Inviolability" encompasses the following criminal offences:

- 1) rape,
 - 2) sexual violence,
 - 3) Acts of Sexual Nature with a Person who has not Attained the Age of Sixteen Years,
 - 4) Leading to Depravity,
 - 5) Encouraging to Involve in Sexual Acts,
 - 6) Establishment, Maintenance, Management and Financing of Brothel,
 - 7) Involvement of a Person in Prostitution and Use of Prostitution,
 - 8) Living on the Avails of Prostitution,
 - 9) Sending a Person for Sexual Exploitation,
 - 10) Violation of Provisions Regarding the Demonstration of a Pornographic Performance, Restriction of Entertainment of Intimate Nature and Handling of a Material of Pornographic Nature.
9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:
- a. relevant administrative or disciplinary sanctions
Yes.
 - b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?
Yes.

Please provide details.

According to Section 72 of the Law on the Protection of the Children's Rights the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to relevant administrative sanctions.

Law on the Protection of the Children's Rights:

Section 72. Liability of Employees of Child Institutions and Event Organisers

(2) For violations committed the persons referred to in Paragraph one of this Section shall be held disciplinarily or otherwise liable as laid down in law.

(3) Upon hiring persons for work as managers or employees of child care, educational, health care, and other such institutions where children are staying, the employer has an obligation to request information on the previous activity, competence and experience of such persons.

(4) Managers and employees of child care, educational, health care, and other such institutions where children are staying, and also organisers of events, individual merchants, managers of commercial companies, and organisers of voluntary work have an obligation to ensure that such persons participate in organising an event and fulfil duties in the institution who comply with the requirements laid down in this Section. In order for a person to be able to fulfil duties in an institution or to participate in organising events, the organiser of events or the manager of the institution has an obligation to request information from the Punishment Register in order to ascertain the compliance of the person with the requirements referred to in Paragraphs five, six and (6¹) of this Section, and also to re-verify such information not less than

once a year. The employer shall request the abovementioned information on the manager of the institution.

(5) Such persons shall not work in child care, educational and health care institutions where children are staying and in events organised in other places in which children participate, those persons shall not perform voluntary work, and also shall not provide services according to an agreement entered into (except for persons whose work or provision of services does not involve contact with a child, or where such contact is one-off or short-term):

1) who have been convicted of criminal offences that are related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside - except for the case when, after extinguishing or setting aside the conviction, the Child Protection Centre has assessed whether it does not harm the interests of children and has permitted such persons (except for pedagogues who are assessed in accordance with that laid down in the Education Law) to work, carry out voluntary work, and also, according to an agreement entered into, to provide services at childcare, educational, health care institutions and other such institutions where children are present, at children's events, and such events where children are participating. The Cabinet shall determine the procedures by which it shall be assessed whether the permission for such persons to work, to carry out voluntary work, and also, according to an agreement entered into, to provide services are not to harm the interests of the child;

2) who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside;

2¹) who have been punished for trafficking in human beings — irrespective of whether or not the conviction is extinguished or set aside;

3) to whom the court has applied the compulsory measures of a medical nature specified in the Criminal Law.

(6) If the person referred to in Paragraph five of this Section has been convicted of the administrative offence referred to in Sections 79, 80, 82, 83, 84, and 85 of this Law, the administrative offence referred to in Section 14 of the Handling of Alcoholic Beverages Law, for selling tobacco products, herbal products for smoking, electronic smoking devices or refill containers for electronic smoking devices to a child, for intentional inflicting of insignificant bodily injury or for an intentional criminal offence which is not referred to in Paragraph five, Clauses 1 and 2 of this Section, the manager of the institution, the employer (on the manager of the institution), or the organiser of the event has an obligation to evaluate whether the person endangers the safety, health, or life of the child. If it does not endanger the safety, health, or life of the child, the manager of the institution, the employer (on the manager of the institution), or the organiser of the measure shall be permitted to work, to perform voluntary work, and also to provide services according to the agreement entered into with such institutions or organisers of measures.

(6¹) A person whose work involves direct, prolonged or regular contact with a child and who has been, or within the last five years has been, punished for the violation referred to in Section 81 of this Law, and to whom the additional punishment laid down therein has not been applied, shall comply with the following conditions:

1) within 10 days after the decision on the imposition of an administrative penalty has entered into effect, inform the employer or the head of the institution of the penalty imposed;

2) within six months after the decision on the imposition of an administrative penalty has entered into effect, receive a service for the reduction of violent behaviour in accordance with the procedures laid down in laws and regulations regarding the provision of social rehabilitation services to adult persons who have suffered from violence and adult persons who have committed violence;

3) until completion of the receipt of the service for the reduction of violent behaviour, may commence or continue employment legal relations or service relations;

4) if the service for the reduction of violent behaviour is not completed within the time period specified in Clause 2 of this Paragraph, employment legal relations or service relations with the relevant person shall be terminated.

(6²) A person whose work involves direct, prolonged or regular contact with a child and who has been, or within the last five years has been, punished for the violation referred to in Section 81 of this Law, and to whom the additional punishment laid down therein has been applied, shall comply with the condition laid down in Paragraph (6¹), Clause 1 of this Section. After serving the additional punishment, such person may commence or continue employment legal relations or service relations in a position involving direct, prolonged or regular contact with a child after completing the receipt of the service for the reduction of violent behaviour in accordance with the procedures laid down in laws and regulations regarding the provision of social rehabilitation services to adult persons who have suffered from violence and adult persons who have committed violence.

(7) If there are justified suspicions or the manager of the institution, the employer, or the organiser of the event has information at the disposal thereof that the persons referred to in Paragraph five of this Section have allowed violations of the rights of the child or criminal proceedings on the criminal offence referred to in Paragraphs five and six of this Section have been initiated against them, the manager of the institution, the employer, or the organiser of the event shall ensure that the relevant employees are suspended from their position (from the fulfilment of the duties) until the day when the decision taken by the competent authority or a court judgment has entered into effect and become not subject to appeal or until making of the final ruling in the criminal proceedings.

(8) Suspension of the persons referred to in Paragraph five of this Section may be requested by the Child Protection Centre if it has justified suspicions of the potential violations of the rights of the child. The request of the Child Protection Centre shall not be subject to contesting and appeal, it shall be executed without delay.

Section 50 Paragraph one of the Education Law provides for that the following persons may not work as teachers:

- 1) a person who has been convicted for committing an intentional criminal offence (regardless of the criminal record having been set aside or extinguished), except when after setting aside or extinguishing the criminal record the State Education Quality Service has assessed whether it does not harm the interests of educatees and has permitted such person to work as a teacher. The Cabinet shall determine the procedures by which the head of an educational institution shall ascertain whether the person has restrictions to work as a teacher, and also the procedures for assessing whether the permission for such person to work as a teacher will not harm the interests of educatees;
- 2) a person whose capacity to act is limited in accordance with procedures laid down in laws and regulations;
- 3) a person who has failed to pass the examination of the proficiency in the official language after the State Language Centre has established that his or her proficiency in the official language does not correspond to the level of proficiency in the official language determined by the Cabinet for the fulfilment of professional and official duties. This provision shall not apply to that referred to in Section 9, Paragraphs two and 3.1 of this Law;
- 4) a person who has been deprived, by a court decision, of the right of custody;
- 5) a person who has been removed from the position of a teacher if a non-conformity with the requirements laid down in Section 30, Paragraph four, Section 48, Paragraph five, or Section 51, Paragraph one, Clause 2.1 of this Law has been found in his or her action in accordance with the procedures laid down in laws and regulations and one year has not passed since termination of employment relationship.

According to Section 11 of the Law on Orphan's and Custody Courts the Chairperson of an Orphan's and Custody Court, the Vice-Chairperson of an Orphan's and Custody Court, or a Member of an Orphan's and Custody Court may not be a person:

- 1) whose child custody rights have been terminated or removed;
- 2) who has been convicted of an intentional criminal offence (irrespective of whether the criminal record has been extinguished or set aside), except for the case where the Qualification Commission has assessed whether it is not detrimental to the protection of the rights and interests of children and persons under trusteeship and has authorised the person to perform work in the position of the Chairperson of an Orphan's and Custody Court, the Vice-Chairperson of an Orphan's and Custody Court, or a Member of an Orphan's and Custody Court;
- 3) who has been released from criminal liability, sentence or serving the sentence for committing an intentional criminal offence;

- 4) who has been held criminally liable for committing an intentional criminal offence, but the criminal proceedings have been terminated due to the limitation period, settlement, clemency or amnesty;
- 5) who is the convicted, the accused or a suspect in criminal proceedings for committing an intentional criminal offence;
- 6) who has violated the laws and regulations governing the protection of children's rights;
- 7) who is under trusteeship;
- 8) who is addicted to alcohol, narcotic, psychotropic or toxic substances.

The Office of Citizenship and Migration Affairs (hereinafter – OCMA) as a state institution under the supervision of the Ministry of the Interior, checks all of its employees for any criminal records, not only for offenses against children.

10. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:

- a. are they life-long?
Yes.
- b. if they are not life-long, please specify the time-limits applicable
-
- c. are they applied only to activities in the public sector?
-

Please provide details.

According to section 72, Paragraph five, clause 2 of the Law on the Protection of the Children's Rights, such persons shall not work in child care, educational and health care institutions where children are staying and in events organised in other places in which children participate, those persons shall not perform voluntary work, and also shall not provide services according to an agreement entered into (except for persons whose work or provision of services does not involve contact with a child, or where such contact is one-off or short-term), who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

Please provide details.

It is not relevant to check whether a criminal conviction is expunged or spend. Because the prohibition established by section 72, Paragraph five, clause 2 is for life (irrespective of whether or not the conviction is extinguished or set aside).

According to section 72, Paragraph five, clause 2 of the Law on the Protection of the Children's Rights, such persons shall not work in child care, educational and health care institutions where children are staying and in events organised in other places in which children participate, those persons shall not perform voluntary work, and also

shall not provide services according to an agreement entered into (except for persons whose work or provision of services does not involve contact with a child, or where such contact is one-off or short-term), who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside.

Screening procedure

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

Please provide details.

There is Law on the Protection of the Children's Rights which is considered as an "umbrella law" in the field of children's rights. However numerous branch laws (some of them were already mentioned in the previous paragraphs of the questionnaire) also include relevant legal provisions that are binding to specific professions or positions (for example Education Law for pedagogues (teachers), Law on Orphan's and Custody Courts for Chairperson of an Orphan's and Custody Court, the Vice-Chairperson of an Orphan's and Custody Court, or a Member of an Orphan's and Custody Court).

In accordance with section 7, paragraph 1, clause 1, of the Law on the Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prison Administration, a person's suitability for the minimum requirements laid down for the post is assessed upon appointment. If, however, a person is already in service but is found to be in violation of the mandatory requirements established for that service, such a person shall be discharged from service in accordance with section 47, paragraph 1, clause 4, of the Law on the Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prison Administration.

13. If screening is required, who is required to act?

- a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities

Yes.

- b. the candidate must provide proof of absence of convictions

No.

- c. another scenario. Please specify

No.

Please provide details.

According to section 72, Paragraph four of the Law on the Protection of the Children's Rights managers and employees of child care, educational, health care, and other such institutions where children are staying, and also organisers of events, individual merchants, managers of commercial companies, and organisers of voluntary work have an obligation to ensure that such persons participate in organising an event and fulfil duties in the institution who comply with the requirements laid down in this Section. In order for a person to be able to fulfil duties in an institution or to participate in organising events, the organiser of events or the manager of the institution has an obligation to request information from the Punishment Register in order to ascertain

the compliance of the person with the requirements referred to in Paragraphs five, six and (6¹) of this Section, and also to re-verify such information not less than once a year. The employer shall request the abovementioned information on the manager of the institution.

In addition, under section 19, paragraph 1, clause 7 of the Punishment Register Law, employers are entitled to request and receive information from the register – specifically, such information as is necessary to verify, when recruiting or employing a natural person, whether that person complies with the restrictions laid down in the legislation (specifying the legislation that provides for the relevant restrictions).

14. If screening is required, who bears the costs of screening procedures?

Please provide details.

Obtaining a certificate from the Penal Register is generally a paid service, but there are important exceptions where it can be obtained free of charge.

The certificate from the Penal Register is free of charge:

- electronically (for oneself): If a person requests information about herself or himself electronically using the e-service on the Latvija.gov.lv portal (choosing to receive it directly on the portal, via e-address, or email), the service is free of charge;
- for legal representatives of children. Parents or legal guardians can request information about their underage children electronically free of charge;
- for institutions designated by law: state and local government institutions, courts, and other law enforcement agencies for the performance of their official duties.

A state fee or service charge applies in the following cases:

- requesting the certificate in paper format (by mail or in person at the Information Centre of the Ministry of the Interior);
- requesting a certificate about another person (if there is a legal basis, for example, an employer checking a potential employee in cases specified by law);
- if a translation or special certification is required (e.g., for submission to foreign authorities).

A standard paper certificate about oneself usually costs around €4.27 (if collected in person) or more if postal costs are added. If the certificate needs to be prepared in a foreign language (English/Russian/German), the fee is higher (depending on urgency and format, usually around €10–20).

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

Please provide details.

Cabinet regulations of 19 December 2023 no.784 "By-law of the Children's Protection Centre", paragraph 4.17 establishes that the Child Protection Centre of the Republic of Latvia monitors and controls compliance with the Law on the Protection of the Rights of the Child and other regulatory enactments governing the protection of children's rights, as well as evaluates whether institutions and organizations comply with appropriate standards and procedures in the field of child protection.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

Please provide details.

According to section 72, Paragraph eight of the Law on the Protection of the Children's Rights suspension of the persons referred to in paragraph five of this section may be requested by the Child Protection Centre if it has justified suspicions of the potential violations of the rights of the child. The request of the Child Protection Centre shall not be subject to contesting and appeal, it shall be executed without delay.

According to section 72, Paragraph nine of the Law on the Protection of the Children's Rights disputes regarding suspending of the persons referred to in paragraph five of this section shall be reviewed in accordance with the procedures laid down in the Civil Procedure Law. In reviewing the abovementioned issue, the court may evaluate the validity of the request of the Child Protection Centre.

However, Child Protection Centre does not have such powers bestowed by law to apply sanctions against the manager of an institutions should the centre find that the manager does not recognise the screening requirement of the institution's employees.

17. Is regular screening, beyond the initial recruitment process, required, for:

- a. professionals in contact with children

Yes.

- b. volunteers in contact with children

Yes.

- c. foster parents and legal guardians?

No.

If regular screening is required, please specify its frequency and provide other details.

According to section 72, Paragraph four of the Law on the Protection of the Children's Rights managers and employees of child care, educational, health care, and other such institutions where children are staying, and also organisers of events, individual merchants, managers of commercial companies, and organisers of voluntary work have an obligation to ensure that such persons participate in organising an event and fulfil duties in the institution who comply with the requirements laid down in this Section. In order for a person to be able to fulfil duties in an institution or to participate in organising events, the organiser of events or the manager of the institution has an obligation to request information from the Punishment Register in order to ascertain the compliance of the person with the requirements referred to in Paragraphs five, six and (6¹) of this Section, and also to re-verify such information not less than once a year. The employer shall request the abovementioned information on the manager of the institution.

In addition, the OCMA as a state institution under the supervision of the Ministry of the Interior, checks all of its employees for any criminal records, not only for offenses against children.

Considering that children of asylum seekers are accommodated at the asylum seeker centres, pursuant to section 72, paragraph 4 of the Law on the Protection of the

Children`s Rights, OCMA requests information from the Punishment Register once a year. OCMA requests this information regarding all employees of the Asylum Seeker Accommodation Service division.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

Please provide details.

It is the discretion of the law enforcement officer to disclose such information to the employer or volunteer organisation. Such information is only possible if the law enforcement officer knows the up-to-date information about the persons place of employment or volunteering. In addition, the law enforcement officer has to assess whether disclosure of such information does not endanger the investigative process. The State Police are not obliged by law to inform the employer or the volunteers' organisation about the ongoing investigation.

Cross-border screening

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

a. Professionals

Latvian legislation does not establish a general obligation to verify criminal records in each country where a candidate has previously resided or worked.

However, if information regarding criminal convictions in another country is available to the Information Centre of the Ministry of the Interior in accordance with the applicable criminal records information exchange mechanisms, including the European Criminal Records Information System (ECRIS), such information will be taken into account when assessing whether the legal requirements for working with children are met.

b. Volunteer

The same approach applies to volunteers. There is no general obligation to verify criminal records in every country where a volunteer has previously resided or worked. However, if information regarding criminal convictions is available to the Information Centre of the Ministry of the Interior through the applicable information exchange mechanisms, such information will be taken into account.

c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

Please provide details.

According to Section 163, Paragraph Four, Clause 2 of the *Civil Law* concerning adopters, and Section 242 of the *Civil Law* concerning guardians, the relevant status may not be granted if:

the person has been convicted of criminal offences against morality or sexual offences, irrespective of whether the conviction has been expunged or set aside.

According to Paragraph 14 of Cabinet Regulation No. 354 of the Republic of Latvia, *Regulations Regarding Foster Families*, the status of a foster family shall not be granted if at least one of the spouses (or the person concerned):

has been convicted of criminal offences against morality or sexual inviolability, irrespective of whether the conviction has been expunged or set aside.

If a person applying for any of the above-mentioned statuses has resided continuously abroad during the previous two years (for a period exceeding one year), the Orphan's and Custody Court shall require the person to submit information from the criminal records register (or equivalent) of the relevant country.

20. Is there a mechanism to:

- a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings¹ (please specify)

Yes.

- b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Yes.

Please provide details.

Based on Directive (EU) 2019/884 of the European Parliament and of the Council of 17 April 2019, amending Council Framework Decision 2009/315/JHA as regards the exchange of information on third-country nationals and the European Criminal Records Information System (ECRIS), and replacing Council Decision 2009/316/JHA, as well as on Council Framework Decision 2009/315/ the Information Centre receives information regarding criminal convictions of nationals of the Republic of Latvia in EU Member States and also transmits information to EU Member States regarding criminal convictions of their nationals in the Republic of Latvia. This exchange of information pertains to judgments in criminal cases.

21. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

Please provide details.

Every request has to be reviewed individually.

Additional details and reflections

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

¹ For purposes of recruitment, volunteering, adoption, foster care or guardianship.

Please provide details.

Nothing to add regarding the Latvian situation.

23. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

Please provide details.

Nothing to add.

24. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

Please provide details.

Nothing to add.