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# Reduction of prison population: Latvian experience

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## LEGISLATION: beginning of the reform

The first major criminal reform was completed in **1999** when the post-soviet Latvian Criminal Code was replaced by the Criminal Law

With the adoption of the Criminal Law, the general part (principles) of Criminal Law was significantly revised aligning that to European standards

At the same time, the Criminal Law continued to preserve the system of repressive sentences inherited from Soviet legal system.



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## PRISON POPULATION: beginning of the reform

### 2004

Number of prisoners in 15 prisons: **8231**:

- 3269 in pre – trial detention;
- 4962 sentenced persons.

Proportion of prisoners per 100 000 of population – **361**

No probation service

The average length of imprisonment in Latvia - **6 years** (in other countries average was approx. 2 years)



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## LEGISLATION: next steps of reforms

In **2004** the first major criminal punishment reform took place – introduction of **community service** as an alternative to prison sentence.

Although this reform was significant, it was not aimed at re-evaluating and reforming penal sanctions in general.

At the end of 2003 **State Probation service** was established



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# PRISON POPULATION: next steps of reforms

**2006**

Number of **prisoners** in 15 prisons: **6548**:

- 1710 in pre – trial detention;
- 4838 sentenced persons.

**including 191 juveniles:**

- 64 in pre – trial detention;
- 127 sentenced persons.

Proportion of prisoners for 100 000 of population – **313**

Severe critic from European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on prison conditions, attitude of staff etc.



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## LEGISLATION: turning point

**2009** - the turning point of penal system. The Government approved the **Concept of the Criminal Penal Policy** developed by the Ministry of Justice;

Concept described the necessary conceptual actions to be taken for changes in the Criminal Law in order to ensure comprehensive revision of criminal penal policy.



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## LEGISLATION: adoption of the reform

To implement the Concept the Parliament adopted amendments to four main laws: **Criminal Law, Criminal Procedure Law, the Latvian Administrative Violations Code and the Latvian Penal Code**, which came into force on **1 April 2013**.

The most significant amendments were included in the Criminal Law.



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## LEGISLATION: concept of the reform

Revised Criminal Law defines additional specific punitive objectives, i.e., not only to punish, but also:

- to restore justice;
- to protect the public;
- to **re-socialize the sentenced person**;
- to deter others from committing crimes.





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## LEGISLATION: concept of the reform

Criminal punishment - the arrest is replaced by a new form of imprisonment - **temporary deprivation of liberty** (*short term prison sentence from 15 days to 3 months*). Short term prisoners are located in higher level of semi-closed prison.

**Fines** and **community service** are only applicable to criminal violations, less serious crimes and serious crimes that are not subject to prison sentence for more than 5 years. In exceptional cases the **fine** can be applied for a serious crime for which there is a prison sentence of more than 5 years and a particularly serious crime.



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## LEGISLATION: concept of the reform

Revised Criminal Law provides that:

- **two administrative offenses committed during the year** are no longer considered to be a criminal offense
- criminal liability was defined an act or omission causing **serious harm.**
- certain criminal offenses were **decriminalized**, if they did not cause significant harm to the public interest.



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## LEGISLATION: concept of the reform

Revised Criminal Law provides:

- **maximized** use of **alternative penalties** - fines and community service;
- **amount of fines increased;**
- **minimum** and **maximum limits** for prison sentences significantly **reduced;**
- at the same time, crimes such as drug trafficking, sex offenses, homicide and injury continue to be subject to **severe penalties.**



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## LEGISLATION: concept of the reform

Finally, in the revised Criminal Law the **principles and criteria for determining the punishment were specified** in order to prevent the application of punishments which were inappropriate to a criminal offense and to promote development of uniform jurisprudence.



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# GENERAL: Evaluation of reform

Negative demographic situation in last 25 years;

- 2 377 000 inhabitants in 2000;
- 2 070 000 inhabitants in 2011;
- 1 934 000 inhabitants in the beginning of 2018.

More detailed and specific changes in criminal procedures and punishment execution (e.g., introduction of full complex of resocialisation in prisons in 2009, introduction of electronic monitoring in 2015 etc.).



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# **PRISON POPULATION: evaluation of the reform**

## **2018**

**Number of prisoners in 10 prisons: 3507**

- 955 in pre – trial detention;
- 2553 sentenced persons.

**including 280 women:**

- 49 in pre – trial detention;
- 231 sentenced persons.

**including 32 juveniles:**

- 7 in pre – trial detention;
- 25 sentenced persons.

**Proportion of prisoners for 100 000 of population – 195**

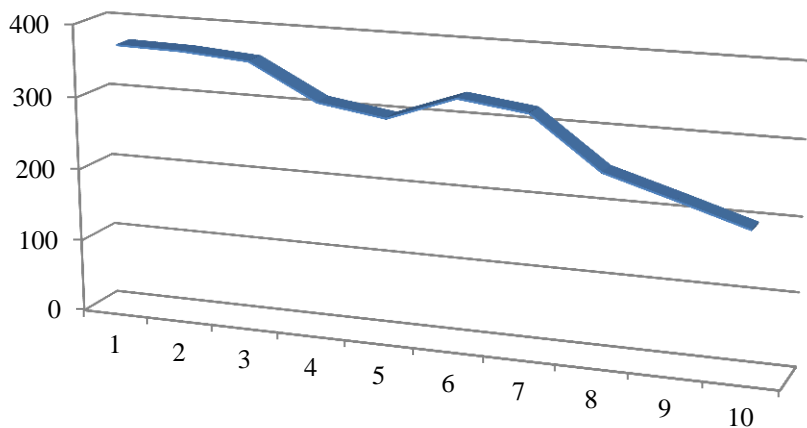
**Number of probation clients – more than 18 000**



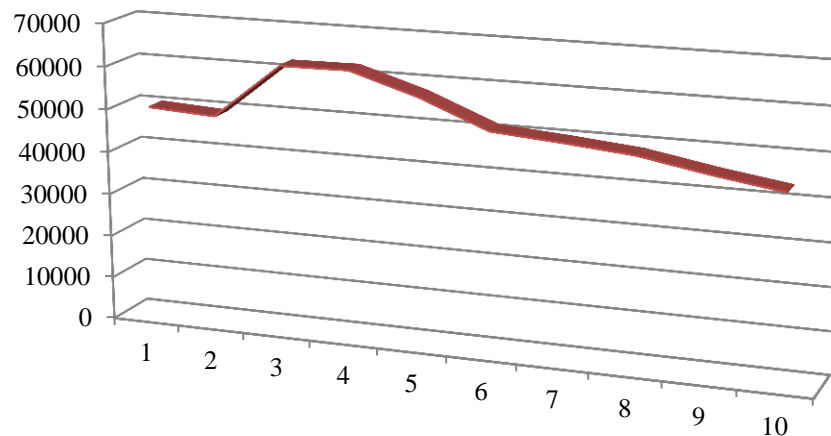
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# PRISON POPULATION: evaluation of the reform

## Prisoners' rate



## Registered crime



Year	2000	2002	2004	2006	2008	2010	2012	2014	2016	2018
Registered crime	50199	49329	62173	62328	57475	51108	49905	48477	45639	43260
Prisoners' rate	370	368	361	313	299	333	321	252	224	195



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# LEGISLATION: evaluation of the reform

With the adoption of amendments, the conceptual changes in the system of criminal penalties in Latvia have been brought in, the penal system is streamlined with the systems that exist in other European Union countries.

Gradual change of practical application and implementation by LEA and judiciary

After implementation of the reform, the **prison population declined by 30%**.





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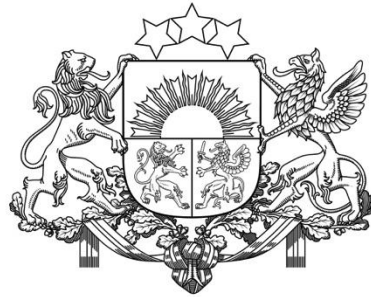
## **CONCLUSION: evaluation of the reform**

Decreasing number of prison facilities from 15 to 9 and improvement of prison conditions

Rapid increase of applying alternative sanctions

More intensive use of modern intervention methods within resocialisation programs when executing sanctions

Change of inmates profile – concentration of persons convicted for severe crimes, persons with multiple social and medical problems



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**Thank you for your attention!**

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