



PROBLEMATIC CHILDREN: MIRROR OF ADULT INERTNESS

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Audit report

“Problematic children: mirror of adult inertness”

Performance audit “Does the child with behavioural disorders and his/ her family has the opportunity to receive the necessary support?”

The audit was performed based on audit schedule No 2.4.1-6/2021 of the Third Audit Department of the State Audit Office of 1 April 2021.

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Dear Readers,



No child is born bad. Therefore, later negative manifestations of a child's behaviour are consequences, the cause of which must be sought elsewhere.

The causes can be different such as the lack of understanding, knowledge

and skills of parents about a child's needs, as well as inadequate care, parental neglect or even violence. Likewise, the cause of the development of behavioural disorders in a child can also be temporary problems in the family that affect the usual rhythm of family life like unemployment, health problems of a family member, or parents' divorce.

While in Ukraine, affected by inhumanity, the primary needs of children are related to survival, it is the privilege of our generation to raise and support every child in conditions of peace and security in Latvia so that they have respectful living conditions, opportunity to learn and integrate into society, and so that they can realize their potential. However, whether we do it depends only on our motivations and priorities. Latvia's adults must be aware that we are raising future Latvia's adults who will shape and lead Latvia during our lifetime, as well as take care of its sustainability.

According to the estimates of auditors, there were at least 10 thousand children with behavioural disorders and more than 36 thousand children were at risk of developing behavioural problems in 2020 in Latvia.

Although the basic principles of the protection of children's rights have been included in international and national documents of various levels for many years and the responsibility for working with children has been entrusted to many institutions, in Latvia, there is no clear system for helping children with behavioural problems, especially teenagers, because the necessary support services are not available. This is demonstrably proven by the information published in the media last year about flagrant

violations of children's rights in Social Correctional Institution "Naukšēni", which is no different from imprisonment in its essence and where no solution was found even to change the behaviour of 20 children. In its turn, there is a possible discussion in Latvia about a draft law currently in 2022, which provides for the possibility of denying a child basic education and excluding him or her from school due to behavioural problems.

Therefore, continuing the findings of previous audits, this audit once again confirms not only that the necessary support and services are still not available to children and their families in Latvia, but also the indifferent and dismissive attitude of institutions and the wider society, as well as the lack of understanding of children's needs and their upbringing.

We extend our gratitude to the Ministry of Welfare and the State Inspectorate for the Protection of Children's Rights, the Ministry of Justice and the State Probation Service, the Ministry of the Interior and the State Police, the Ministry of Education and Science and the State Service for the Quality of Education, the Cross-Sectoral Coordination Centre for cooperation, as well as all local and regional governments, their administrative commissions, social services, education boards and to the Orphans' Courts, which provided information the auditors required.

Special thanks for the support and exchange of ideas provided to the Office of the Ombudsman and professionals in the field, Children and Adolescent Resource Centre Ltd, Foundation "Centre Dardedze", Association "Resilience Centre", the Association of Latvia's General Practitioners, the Association of Latvia's Rural General Practitioners, as well as the Association of Orphan Court Employees and the Association of Professional Foster Families "Terēze".

Respectfully
Ms Maija Āboliņa
Department Director

Summary

Main conclusions

The State Audit Office appreciates that the responsible institutions are more and more aware in recent years that it is necessary to notice changes in the child's behaviour early, so that the child does not come into conflict with the law and commit various offences years later.

Violations committed by children primarily indicate that the child's rights have already been violated, his or her needs and interests have not been respected or neglected at some point. Therefore, it is essential that all responsible institutions such as educational institutions and municipal education administrations, social services, orphan's courts, general practitioners, etc. engage in recognising children's behavioural disorders and providing timely support to both the child and his or her family because the prevention of children's behavioural disorders or the risks of their occurrence has an inter-institutional nature, as it is implemented in the systems of child rights protection, social protection, education, health, internal affairs and justice.

Yet, the audit findings allow us to conclude that solving children's behavioural disorders at the national level is more declarative currently. The responsible institutions were mostly unable to detect initial changes in the child's behaviour in time, react to them and find out the causes of the child's behavioural disorders to provide the necessary support for their prevention based on them. Instead, they continue the long-established practice of working with the child "on paper" or punishing him or her in the hope that this will deter the child from committing offences and improve the child's behaviour. But if the child "does not improve", they place the child in Educational Institution for Social Correction "Naukšēni" to free themselves from the responsibility of working with the child and his or her family at least temporarily, which is no different from imprisonment in its essence.

The auditors are aware that some of the children who commit various offences currently have grown up at a time when the public and responsible institutions had a different understanding, i.e., that the child itself was "bad", without understanding that problems in the family such as the lack of care, violence, indifference of parents and other adults, unwillingness to understand and satisfy the child's needs, etc. mostly lead the child to committing offences.

However, these circumstances do not justify the slow action of the responsible institutions, allowing them to excuse themselves that they still do not have the appropriate tools and services at their disposal to change the child's behaviour, thus watching hopelessly over those children in many cases who might only develop behavioural disorders in the future.

The auditors outline that according to the estimates made during the audit, there were at least 10 thousand children in Latvia in 2020 who had already committed various offences, wandered, begged, used intoxicating substances or did not attend an educational institution for a long time and without a valid reason. But more than 36 thousand children are at risk of behavioural disorders because these

children have suffered from violence or a criminal offence, are in out-of-family care or live in a family with risks of insufficient childcare, etc.

It means that if these children and their families are not provided with the necessary support in time, their behavioural disorders will only worsen over time and much greater resources will be needed to support them, while behavioural change will no longer be possible in many cases. For example, in Estonia, they have estimated that resources are required even 14 times more in such cases¹.

This is demonstrably confirmed by the audit findings. The “correction” of one child cost the state 29 thousand euros per year at an average in Educational Institution for Social Correction “Naukšēni” in the last four years. On the other hand, for example, 10 consultations of a family psychotherapist for a family to get involved early in providing support and prevent risks for the development of children’s behavioural disorders, cost the state up to 350 euros².

Deficiencies in the actions of the responsible institutions are indicated by the following problems identified during the audit.

Identifying children’s behavioural disorders or their risks

For several years, the State Audit Office has been pointing out that local and regional governments must conduct a study of the social environment and identify the social problems of the population to establish a system of social services and social assistance that meets the needs of their residents based on them.

The institutions responsible for the protection of children’s rights also have the opportunity to detect families in time that need support to solve the social situation, namely, the responsible institutions have various state and municipal information systems at their disposal, where information about a child and his or her parents must be collected under the laws and regulations.

Likewise, a cooperation group for the protection of children’s rights must be established for the exchange of information among institutions in each local or regional government, whose task is both examine individual cases, for instance, when a child does not attend an educational institution, and analyse an overall situation in the local or regional government to provide proposals for solving the problems of families living in the local or regional government both at the municipal and national level.

However, the audit findings this time also confirm that the situation has not improved significantly.

Local and regional governments have information on only a small part of children who have behavioural disorders or are at risk of developing them. Mainly only about those children with whose families social work is done or for whom social services are provided. But in fact, the number of children with behavioural disorders or at risk of developing them is much higher.

For example, according to the results of the survey conducted during the audit, local and regional governments had information about 1,771 children who had committed an administrative offence,

and about 313 children, who had committed a criminal offence in 2020, but almost three times as many children had committed administrative offences and more than twice as many children had committed criminal offences according to the data collected in the audit.

The auditors assess that the fact that local and regional governments do not have information about all families with children who have behavioural disorders or are at risk of developing them relates to the fact that the responsible institutions always react only when they have to take specific actions already provided for in the laws to correct the child's behaviour because the child is violent, has committed various administrative violations repeatedly or even a criminal offence.

Local and regional governments are increasingly lazily using the national and municipal information systems intended for this purpose in their daily work, especially the Juvenile Support Information System, with the help of which it is possible to detect the problems of children and their families at an early stage, as the system is designed as a platform where extensive information must be available about the child and his or her parents, including the violations committed by the child and their parents or only risks that indicate the development of behavioural disorders (for instance, about the vagrancy of child or violence against a child).

Instead, local and regional governments always use *paper files* for recording information, and official correspondence or telephone conversations for exchanging information with other institutions.

Therefore, the situation would be solved by ensuring that the institutions themselves enter the information they already have about the child into the information systems of the state and local and regional governments, and also use the information systems available to them in their daily work. Thus, children who initially only need support in solving certain problems (for example, this is early evidence of being late to the educational institution), will come to the attention of the responsible institutions in time.

Services available for children and families

If the responsible institutions do not have information about children who have behavioural disorders or are at risk of developing them, the institutions cannot assess fully what kind of support this target group needs in order to develop services that meet their needs and provide them in the necessary extent.

It is with appropriate services for family that can prevent the risk of child's behavioural disorders in time, and in cases where the child's behavioural disorders have already occurred, their causes can be eliminated and support can be provided to reduce and prevent the behavioural disorders themselves.

The audit findings allow us to state that children with behavioural disorders or at risk of their occurrence and their families do not have access to sufficient services either at the primary prevention

level (before the child has developed behavioural disorders and work with the family is mainly required) or at the secondary prevention level (when behavioural disorders are already have occurred and further work with the child and his or her family requires more comprehensive solutions).

According to the survey of local and regional governments conducted in the audit, such essential preventive services for working with families as psychological support, addiction prevention and treatment service for parents, educational classes for developing parenting skills, family assistant service and crisis or family support centre were available only in 22 from the former 119 local and regional governments before the administrative and territorial reform. Even in those local and regional governments, where they were available, the amount of services provided was not sufficient. For example, although according to the auditors' estimates, there were more than 46 thousand children with behavioural disorders or at risk of their occurrence in 2020 in Latvia, the service of a psychologist in local and regional governments was provided only to 4,900 families with children and the service of a family assistant was provided to 766 families in 2020.

Even after the administrative and territorial reform of local and regional governments, these five essential services are available only in a third of the *new* local and regional governments. In addition, when until the administrative and territorial reform, these services were available only in one or some of the local and regional governments merged in the result of the reform, there is a risk that they are actually not available in the entire territory of the newly established local or regional government.

Similarly, in educational institutions, which play an essential role in identifying behavioural disorders or potential problems of early childhood and providing preventive support, there is not enough support staff available. For instance, a speech therapist (a specialist who can spot problems in a child's development early on) was not available in less than half of preschool educational institutions in 17 local and regional governments and in none of the municipal preschool educational institutions in three local and regional governments in 2020.

In addition, the educational institutions of many local and regional governments also do not use the opportunities of various projects to attract the missing specialists in providing support to children or to finance their insufficient workload with project funds. The audit has established that almost 80% of local and regional governments were not involved in program "STOP 4-7" offered by the Cross-Sectoral Coordination Centre, within the framework of which specialists are trained and preschool children and their families have the opportunity to receive services to reduce problematic behaviour. In its turn, a fifth of local and regional governments were not involved in the European Social Fund project "Support for reducing early school leaving" (PuMPuRS), in which children can receive individual support, such as psychologist consultations and additional lessons from subject teachers.

Although participation in these projects is voluntary, which requires the resources of an educational institution additionally, the auditors draw attention to the fact that a local or regional government has the opportunity to attract the missing funding with projects, thus compensating for the lack of necessary specialists or the workloads, which, according to the [local and regional governments, currently limit the provision of support to children.

If the risks of a child's behavioural disorders have not been identified in due time and the child has already developed behavioural disorders, then further work with the child requires services designed specifically for this target group or even a set of services. However, the range of these services is even less available in the country.

Children's behavioural disorders are mainly solved with social work and psychologist consultations in local and regional governments, but for children with addictions, with the involvement of healthcare specialists such as psychiatrist, narcologist, etc. and social rehabilitation services for reducing addictions.

However, even these services are not enough and queues have formed for them. For example, a paediatric narcologist usually sees patients only once a week or even less often outside of Riga. In its turn, out-patient social rehabilitation service for addiction reduction offered by Resource Centre for Children and Youngsters Ltd, which must be followed after the acute phase of addiction treatment, is available in only seven places in Latvia and one had to wait up to six months for it in the first half of the year. Moreover, it is currently possible to help only a part of children with addiction problems at the outpatient clinic with the service provided by Resource Centre for Children and Youngsters Ltd, i.e., in relatively mild cases and when the child's family is also interested in addiction treatment, which motivates the child to solve problems. In cases where the addictions are serious or the child does not have access to support in the family, another service is needed, including a service in an institution, which has not been available in Latvia since autumn 2021.

In contrast, targeted social rehabilitation programs, in which the child's behavioural disorders were solved comprehensively with various types of services and involving several specialists, including addiction treatment, and which, according to experts, are the most effective service to achieve a change in the child's behaviour, were found in the audit only in Riga. These are programs provided by non-governmental organizations "DARĻ" (DO), "Palēciens" (jump) and "Pārinieks" (Mate). However, it is currently not possible to provide these programs to all children who need them.

At the same time, the auditors draw attention to the fact that even if the aforementioned services are available, they will not achieve their goal if children with behavioural disorders, including those with various addictions, are not provided with the service of a mentor or support person who motivates the child to solve problems. The audit found that almost every third of the children included in the audit sample had refused the offered service or had stopped using it. However, the service of a mentor or support person was available only in 12 former local and regional governments at the time of the audit.

The Ministry of Welfare must ensure that all local and regional governments have services for solving child's behavioural disorders designed specifically for this target group, including a mentor or similar support, and that the experience of the Riga City Municipality is adopted to provide targeted social rehabilitation programs in which the child's problems are solved in a comprehensive manner. It is

also necessary to find a solution for the availability of the social rehabilitation service to addiction treatment both on an outpatient basis and in an institution.

Actual work with “problematic children”

The auditors checked the actual work of responsible institutions with children and their families by conducting inspections of the behavioural social correction programs developed by local and regional governments, which, according to the Law on the Protection of Children’s Rights, is currently one of key mechanisms for local and regional governments to work with children who have behavioural disorders.

The results of investigation confirm the previously established fact clearly that work with children is actually started late, i.e., only when the child’s behavioural disorders are already significant.

The Law on the Protection of Children’s Rights stipulates the obligation of a local or regional government to get involved in solving the problems of a child’s behaviour and to develop a program of behavioural social correction at an early stage, while the child has not committed any offences yet, but his or her behaviour can lead to illegal behaviour. However, 90% of the programs of the cases evaluated in the audit were developed only when a child already committed several administrative violations or even a criminal offence, which means that the child’s behavioural disorders had already worsened and comprehensive services were needed to solve them.

In its turn, when assessing the content of behavioural social correction programs elaborated, the auditors have concluded that the work of local and regional governments has been mostly formal.

In only 7% of the cases audited, according to the auditors’ assessment, the support measures and services provided by the program were sufficient and aimed at addressing the causes of a child’s behavioural disorders and helping to overcome the difficulties that were the basis of the child’s behaviour.

In the remaining 93% of cases, the work of a local or regional government was not sufficient because responsible institutions were mainly focused on an offence committed by a child by confining themselves only to defining formal tasks, for example, *not to commit offences*, *not to smoke* and *attend school*. Therefore, a child’s behaviour did not change or even worsened in most cases. In at least 66% of cases out of the total cases assessed during the audit, a child continued to commit various offences. In some cases, local and regional governments saw the only solution as placing the child in Educational Institution for Social Correction “Naukšēni”, being unable to change the child’s behaviour and thereby freeing themselves for a while from working with the child and his or her problems.

The auditors point out that positive results in changing the child’s behaviour can only be achieved if the causes of the child’s behavioural disorders are identified and addressed. For instance, when they are related to the family’s social problems such as insufficient care or an offence against the child,

the social problems in the family are primarily addressed and the consequences of the offence committed against the child are eliminated.

The Ministry of Justice, which initiated a change in approach to work with children who committed offences already seven years ago, but which has not yet happened, also recognised during the audit that the work of local and regional governments to prevent crime among children was not effective and required reforms. Therefore, the auditors welcome the plan to improve crime prevention work with children in the next three years.

However, this idea must also receive the support of other institutions, especially of local and regional governments taking into account that children's behavioural disorders only continue to increase, which is especially evidenced by the identified problems in Educational Institution for Social Correction "Naukšēni".

Punishing and "upbringing" the "problematic children"

Examination of administrative violations committed by children in municipal administrative commissions, which is a specially created institution of a local or regional council to ensure the process of administrative violation in a local or regional government is another tool for dealing with children's behavioural disorders in local and regional governments. Therefore, the audit paid special attention to the assessment of their performance in the examination of violations committed by children.

The audit found that approximately every fourth child has committed at least one administrative violation by the time they reach adulthood in Latvia, 41% of children have also committed the violation repeatedly, and one of the children included in the audit sample had even committed 27 administrative violations.

The auditors draw attention to the fact that the first steps have been taken to change the approach to the administrative punishment of children in Latvia since 2015 by realizing that to reduce his or her contact with the punitive system is in the best interests of the child, which is not aimed at identifying the causes of the violation, and that providing a judicial system in the country whose primary purpose is to educate children, not to punish them is crucial.

That is why the institutions responsible for the cases of administrative violations committed by children must primarily apply not administrative punishment (warning or fine), but coercive measures of an educational nature, which were planned as an alternative solution focused on educational work and included measures that the child had to do, for example, visit certain specialists, participate in a program of behavioural social correction, and to prevent the consequences of the damage caused by their own work for older children, etc. starting from 2016.

Although various institutions can detect administrative violations committed by children according to their area of responsibility (State Police, Municipal Police, as well as other institutions (officials) listed in the laws and regulations, which are entitled to conduct the process of administrative violations), only municipal administrative commissions may apply coercive means of an educational nature to a child.

It means that if an administrative violation has been committed by a minor, the officials of institutions that initiate an administrative violation process should primarily evaluate the issue of sending the administrative violation case to a municipal administrative commission for the application of coercive measures of an educational nature in order to respect the priority of coercive means of an educational nature. Another institution can leave the decision-making within its mandate only for children from the age of 14, to whom an administrative penalty can also be applied, but only when it has been established that the application of coercive measures of an educational nature is not useful in the specific case.

The audit has established that the priority of coercive means of an educational nature is often not respected. Between 1 January 2018 and 15 October 2021, decisions on administrative violations committed by children were also taken by other institutions in 39% of cases: State Police in 28% of cases, Municipal Police in 8% of cases, etc. In 90% of cases out of the decisions of these institutions evaluated during the audit, they did not contain information why it was not useful to refer the case to a municipal administrative commission for the application of coercive means of an educational nature in specific cases.

In its turn, when assessing the activity of municipal administrative commissions, the auditors did not get confirmation that their “educational” work differs from “usual punishment” in reality, thus ensuring a more effective response to violations that is more in line with children’s interests, rights and development.

For the most part, the educational work of these commissions was formal because they did not delve into the causes of children’s behavioural disorders to apply the coercive means of an educational nature that best suited the child’s interests based on the information identified. For example, a child was given a warning for abusing another child as an educational coercion by ignoring the fact that the cause of the child’s behavioural disorders was violence and addiction problems in the family.

The causes of the violation committed by a child were not analysed and taken into account, even in those cases where it was obvious that the child had committed the violation due to his or her mental health or mental development disorders. Regarding at least 16 children included in the audit sample who studied a special education curriculum for students with mental health or mental development disorders, a municipal administrative commission did not question their ability to understand and manage their behaviour due to mental health or mental development disorders when deciding on the violations committed by these children.

Likewise, the most effective coercive means of an educational nature, that is, imposing an obligation to participate in a behavioural and social correction program, with which one has an opportunity to provide targeted support to a child and his or her family for the prevention of behavioural disorders, was suitable only in 11% of cases. For the most part, the municipal administrative commissions had applied a coercive measure of an educational nature to the child, namely, a warning that does not

solve the causes of the child's behavioural disorders and is not effective as per commissions themselves.

The approach of other institutions, when examining cases of administrative violations committed by children and applying administrative penalties (warning or fine) to children, was also formal, without clarifying the causes of the child's violation. For instance, the State Police fined a child studying a special education curriculum for children with mental health disorders at least four times for his behaviour on the territory of a special education institution such as walking on the roof, turning off the fuses in the electrical cabinet, etc.

The auditors wish to "highlight" the Office of Citizenship and Migration Affairs in particular, which punishes children for *ignorance* and *loss of an identity document* administratively and does not use other mechanisms provided by law to carry out explanatory and educational work by imposing administrative punishment to a child only in those cases where the child's abusive action with an identity document has been established.

The formal approach of this institution is also confirmed by the fact that none of its decisions assessed during the audit included an assessment of why the case could not be transferred to an administrative commission of a local or regional government, which could clarify the situation in a family and establish the reasons why the document was lost or was not completed in time, for example, due to financial position of the family. Moreover, in one of the audited cases, even a seven-year-old child was administratively punished for losing a document. Therefore, the auditors consider that the mandate of the Office of Citizenship and Migration Affairs in the administrative punishment of children for failure to produce or loss of identity documents must be reviewed.

In addition, the audit has established that both municipal administrative commissions and other institutions imposed fines on children (including those living in institution) knowing that the child did not have his or her own financial resources to cover it in most cases.

The auditors draw attention to the fact that both municipal administrative commissions and other institutions do not make sufficient use of the possibility provided by law to release a child from responsibility in case of a minor violation, if necessary, limited to a verbal reprimand taking into account the peculiarities of child's age and the fact that children are still forming their own behavioural model and get to know the norms and boundaries accepted in society. The audit found at least 47 cases where the violations committed by children were minor, such as unjustified lateness to classes, staying outside the residence during the night, but the children were found guilty of committing an administrative violation and were subjected to coercive measures of an educational nature or an administrative punishment.

As the audit has detected that neither administrative punishment nor coercive measures of an educational nature deter children from committing new offences, the auditors welcome the plan of Ministry of Justice to abandon administrative punishment of children and the application of coercive measures of an educational nature to children who have committed administrative offences, and to change children's behaviour by improving the activities of local and regional governments in the development of programs of behavioural social correction.

In the opinion of the auditors, the resources that were used for the remuneration of 70 administrative commissions of former local and regional governments by reviewing violations committed by children could be redirected to providing targeted support to children. According to the estimate made during the audit, it was even possible to finance approximately 12,350 hours of a mentor or support person or to provide targeted social rehabilitation programs for 123 children, which are already provided in the Riga City Municipality.

However, the implementation of this reform will be possible only if the Ministry of Justice cooperates with the Ministry of Welfare closely, which is the leading state institution in the protection of children's rights and social protection, and local and regional governments, on whose understanding of the need to change the approach to "punishing" children will depend whether the reform will achieve its goal and alternatives will be found in working with children who have a tendency to commit various offences.

Reforming the institute of educational institution for social correction

During the audit, the State Audit Office monitored how the responsible institutions prevented significant violations of children's rights detected by the State Inspectorate for the Protection of Children's Rights in Educational Institution for Social Correction "Naukšēni" in the autumn of 2021.

In the assessment of the State Audit Office, the actions of the responsible institutions to terminate this institution and to suspend the implementation of the service, placement of children in an educational institution for social correction, temporarily are supported, taking into account the violations found in the institution, including violence and the inability to provide a service in the institution that meets the needs of this target group. The auditors emphasize that the "correction" of one child in this institution cost the state an average of 29,000 euros per year in the last four years.

However, if placement in a educational institution for social correction will be maintained as a service, the State Audit Office invites all participating institutions, that is, the Ministry of Education and Science, the Ministry of Justice, the Ministry of Welfare and their subordinate institutions, as well as local and regional governments, both to find a solution to prevent the violations that were the basis for the closure of the institution and evaluate also the problems found during the audit regarding the justification for placing a child in an educational institution for social correction, the term of placement, and the content of the service provided in the institution while implementing the proposed reform of the institute of the educational institution for social correction until 31 December 2024.

The auditors emphasise that it is not admissible for children who have committed administrative violations (for example, smoked, drank alcohol) but do not comply with the appropriate coercive measures of an educational nature to be placed in an educational institution for social correction together with children who have committed criminal offences. The arrival of these children in the educational institution of social correction is a consequence of unsuccessfully implemented crime prevention work by local and regional governments with children and their families.

It is also necessary to assess a term set forth in the law³ for which a child can be placed in an institution depending on an offence committed by the child and the necessary services to change the child's behaviour.

The auditors have established that a term of placement in an institution (up to three years) was mainly related to a child's level of education in several cases because the "less educated" (completed fewer classes) child was, for a longer period he or she was placed in the institution to obtain primary education successfully. For instance, a child who studied in form 6 had problems with attendance and behaviour in the educational institution, and he was unsuccessful in several school subjects. Therefore, in the opinion of a court, placement in EISC Naukšēni was applicable for the maximum time because the child would have the opportunity to continue obtaining primary education during this time.

It is also necessary to stop the practice of solving social problems of families or the lack of services in children's institutions by placing them in an educational institution for social correction since about half of the institution's students were from out-of-family care and most of them - directly from a children's institution.

In its turn, with regard to the content of the service provided by the institution, it will not be enough to ensure that the institution operates in accordance with the laws and regulations, including filling the missing vacancies.

One must reassess the approved content of sample education curriculum for social correction⁴ and the requirements for staff provided for in it. Similarly, the content of the service must also be adapted for children with mental health or mental development disorders when this service is needed to correct their behaviour in particular.

The auditors stress that approximately half of the children included in the audit sample, who were placed in Educational Institution for Social Correction "Naukšēni" had committed repeated violations of the law, including criminal offences during their stay in the institution or after that which means that their behaviour did not change. Therefore, if placement in an educational institution for social correction will be maintained as a service based on the initiated reforms, this institution must also determine the criteria for evaluating the effectiveness of its activities.

Key recommendations

Following the audit conclusions, there are 14 recommendations provided to the Ministry of Welfare, as the leading state institution in the protection of children's rights and social protection by calling on them to ensure that the actions of the responsible institutions that work with children with behavioural disorders or at risk of their occurrence are sufficient and ensure the opportunity to receive the necessary support to a child with behavioural disorders or at risk of their occurrence and his or her family in due time.

The State Audit Office expects that implementation of the recommendations shall provide the following:

- ✓ The work of local and regional governments when identifying families in which children have behavioural disorders or are at risk of developing them will be streamlined by ensuring that they are provided with the support they need in a timely manner;
- ✓ Targeted social services will be developed and available for children with behavioural disorders or at risk of their occurrence in local and regional governments, that is, the service of a mentor or support person, comprehensive social rehabilitation programs that include the support of several specialists, and also social rehabilitation programs to reduce addictions for children with addictions;
- ✓ Crime prevention work of local and regional governments with children will be improved by achieving that behavioural social correction programs are developed in time, before a child commits offences, and that they also include support measures for both the child and his or her family, which are aimed at eliminating the causes of the child's behavioural disorders;
- ✓ An opportunity of renouncing the application of administrative responsibility to children will be evaluated by diverting the resources intended for the examination of these violations to the crime prevention work by local and regional governments with children;
- ✓ While the system has not yet been reformed, the competence of officials in evaluating administrative violations of children and making decisions will be improved.

Since several problems identified in the audit regarding the change of approach in working with children who have committed offences and the abandonment of administrative punishment of children can only be solved under the leadership of the Ministry of Justice, the State Audit Office



The audit provided 14 recommendations to the Ministry of Welfare.



The Ministry of Justice is issued 5 proposals whereas the Ministry of Education and Science is issued 6 proposals.

also makes five proposals to the Ministry of Justice after the audit. Moreover, six proposals have also been presented to the Ministry of Education and Science by calling to get involved in eliminating the problems identified in the audit, which are related to the work of educational institutions.

After the audit, the State Audit Office also draws attention to several problems that have been brought up in previous audits by the State Audit Office⁵, for example, the need for local and regional governments to conduct a study of the social environment and to provide a family assistant service in all local and regional governments. No new recommendations are provided for these issues. They will be addressed by implementing the recommendations already given before.

References

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- ¹ Presentation by the National Health Development Institute of Estonia on 23 November 2018 “Early prevention programs for families with children in Estonia - program “Incredible Years””. Available at <http://www.saeima.lv/documents/7468d81aabd165627f49a717c92a13242e69aa31>, viewed on 27 September 2021.
 - ² Informative report of the State Inspectorate for the Protection of Children’s Rights on the current events of the European Union Fund project No 9.2.1.3/16/I/001 “Improvement of the support system for children with communication difficulties, behavioural disorders and domestic violence”.
 - ³ Part one, Section 13 of the Law on the Application of Coercive Measures of Educational Nature to Children.
 - ⁴ Annex 13 to Cabinet Regulation No 747 “Regulation on state primary education standards and primary education curriculum samples” of 27 November 2018.
 - ⁵ Regularity audit report No 2.4.1-4/2014 “Legality and effectiveness of social assistance provided by local and regional governments” of the State Audit Office of 19 December 2014; Performance audit report No 2.4.1-7/2019 “Stolen childhood: Every child has the right to grow up in a family” of the State Audit Office of 29 March 2019”; and performance audit report No 2.4.1-7/2019 “Does the national social inclusion policy achieve its targets on poverty reduction?” of the State Audit Office of 28 April 2020”.