

OPPORTUNITIES FOR IMPROVING SOCIAL SERVICES IN THE DEVELOPMENT OF THE CHILD RIGHTS PROTECTION PROGRAMME IN LIEPAJA

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Abstract. Since Latvia ratified the United Nations Convention on the Rights of the Child (1989), children's rights have been recognised as a priority and all decisions taken by the state and local authorities must be in the best interests of the child. In order to meet the requirements of Article 66 (1) of the Act on Protection of Children's Rights (1998), i.e. that the municipality shall analyse the situation in the field of respect for children's rights, develop and implement a programme for the protection of children's rights in the administrative territory of the district or republican city, it is necessary to carefully design the programme for the protection of children's rights in order to best meet the needs of children in the city of Liepaja. The study analyses the normative framework at the international and national levels, as well as conducts practical research to identify the most relevant social services for improving the protection of children's rights in Liepaja. The research methods used were document and literature analysis, focus group, expert interview and best practice case study.

Keywords: children's rights, children's rights protection programme, state municipality, inter-institutional cooperation, social services.

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Introduction

Child protection is part of national policy and the State and local authorities organise and monitor the protection of children's rights throughout the country. The best interests of the child, as set out in Article 3 of the United Nations Convention (hereinafter referred to as UN) on the Rights of the Child (1989), are considered to be the primary consideration in all actions relating to children, whether undertaken by public or private social welfare institutions, courts, administrative authorities or legislative bodies. States Parties to the Convention must therefore undertake to provide the child with the protection and care necessary for his or her well-being, including by ensuring that institutions, services and bodies responsible for the care or protection of children meet the standards set by the competent authorities (European Union Agency for Fundamental Rights, 2015).

Developing a child rights programme enables the municipality to identify gaps, identify key issues and understand the processes involved in ensuring children's rights. In turn, identifying ineffective services enables the municipality to provide social services that meet the needs of children. In order to ensure a system of protection of children's rights focused on the individual needs of the child and the family, to improve the professional functioning of the responsible institutions, to facilitate institutional cooperation, to increase the professional competence and responsibility of the professionals involved and to provide support measures for families with children before psychosocial problems are identified, it is necessary to develop a programme and a model of action focused on the priority needs of the child and defining the duties and responsibilities of each partner in ensuring children's rights (European Union Agency for Fundamental Rights, 2015). Such a programme requires regular research-based improvements according to the current risks and possibilities of their prevention, therefore the aim of the study is to investigate the social services available in

Liepaja State Municipality to ensure the best interests of children, for the improvement of the child rights protection programme.

Children's rights international and national legal frameworks

The rights of the child are a set of fundamental rights and freedoms, while human rights are the inherent and self-sufficient fundamental rights and freedoms of every human being, individual, natural person, personality, expressing the needs and interests of self-respect, liberty, justice and well-being in their relations with the State. These rights are inherent in human beings from birth. At the international level, child protection legislation was introduced much earlier than in Latvia, which is why today there are 3 main models or categories of child protection applied in different countries:

- 1. Child Protection (United States, Canada, England);
- 2. Family Service—Mandatory Reporting (Denmark, Sweden, Finland);
- 3. Family Service—Non-Mandatory Reporting (Belgium, Netherlands, Germany) (Parton, 2022).

In Latvia, the protection of children's rights was addressed after Latvia regained its independence in the early 1990s, and the system for the protection of children's rights was based on the experience of Northern European countries, choosing the model of Family Service (Dubure, Fogels & Fridrihsons, 1998). But the main international instruments on children's rights have been developed within the framework of international human rights law and international humanitarian law. They recognise that children cannot protect themselves and that special attention must be given to their protection. Since the beginning of the 20th century, the development of international human rights law. The development of the protection of children's rights can be divided into several stages: in the first stage, the international community recognised that all individuals, including children, are subject to international law; in the second stage, individuals, including children, can be granted rights in their own right; and in the third stage, it was recognised that for individuals to enjoy fundamental rights, they must have the necessary knowledge to exercise and claim these rights and freedoms (Ziemele, 2021).

It is significant that the European Social Charter (1961), adopted by the Council of Europe, contains specific provisions on children's rights, e.g. Section 1, paragraph 17 states that children have the right to adequate social and economic protection. On the other hand, Article 7 of the European Social Charter (1961) requires that children be protected from physical and moral harm in order to ensure effective protection of their rights. In order to ensure respect for human rights, the rights of the individual must be a fundamental task of every democratic state, which is why, notwithstanding international human rights guarantees, human rights must be further enshrined in the national constitution. Each of the individual rights enshrined in international instruments must be found in national legislation (Pleps, Pastars, & Plakane, 2014). It follows that it is necessary to look at what is enshrined in national laws and regulations regarding children's rights and interests.

Latvia acceded to the UN Convention on the Rights of the Child on 14 May 1992, shortly after regaining independence (1989). In view of this period, it is important to look at the national laws and regulations that protect the rights and interests of children in Latvia. The Constitution of the Republic of Latvia (1922) establishes the powers and institutions of the State and protects fundamental human rights by ensuring that every individual, including children, is able to defend his or her rights and legitimate interests. According to article 2, paragraphs 1 and 3 of the Act on the Protection of the Rights of the Child (1998), the task of the law is to determine the rights, freedoms and protection of the child, taking into account the

fact that the child, as a physically and intellectually immature person, requires special protection and care. Section 4(2) of the Orphans' Courts Law (2006) also states that the Orphans' Court shall, as a matter of priority, ensure the protection of the rights and legal interests of the child or the person under guardianship, and section 17(5) provides that the duties of the Orphans' Court shall include informing the municipal social service or other competent institution about families in which the development and upbringing of the child is not sufficiently ensured and which are in need of assistance. Article 10 of the Law on Social Security (1995) provides for assistance to children and adolescents, stating that children and adolescents have the right to State assistance in receiving services provided for them, and that these services must contribute to the development of children and adolescents and support their upbringing within the family. It should also be mentioned that Article 12 of the Law on Social Services and Social Assistance (2002) provides for the provision of information to a person, including a child, on the right to receive social services and social assistance and the procedure for their provision.

Furthermore, in order to implement the protection of children's rights at the national level in Latvia, cooperation between different institutions is regulated by laws and regulations. For example, in accordance with Article 6(3) of the Act on the Protection of the Rights of the Child (1998), on 12 September 2017 the Cabinet of Ministers issued Regulation No. 545 "Regulation on Cooperation between Institutions in the Protection of the Rights of the Child" (2017), which regulates the organisation and procedure of cooperation between responsible institutions (orphan courts, social services, educational institutions, childcare institutions, local authorities and other institutions) in the protection of the rights and interests of the child.

Currently available social services for families with children in Liepaja

The study analysed and summarised the social services currently available in the City of Liepaja for the target group of children, youth and families. Table 1 shows that in 2023 a total of 20 different social services will be available in Liepaja Municipality to help families with children to socialise and integrate into society, to solve or reduce social problems by developing family or individual resources and involving support systems. The "basket" of social services for families with children in Liepaja consists of social care services, social rehabilitation services and social work.

| Support for families with children with special needs - disabilities and various functional impairments | Children and young people can receive social and medical rehabilitation services. Children up to the age of 18 who have been diagnosed with a disability for the first time and live in a family, as well as their legal representative, have access to a psychologist. |
|---|---|
| Support service as defined in the Disability Law (2010) | It is provided to children between the ages of 5 and 18 who have been diagnosed with a disability by a decision of the State Commission for Health and Disability Examination of Doctors (hereinafter referred to as SCHDE) and who have received an opinion on the need for special care to ensure socialisation outside the home. |
| Companion service as defined in the Disability Act (2010) | It is provided to children between the ages of 5 and 18 who have been diagnosed with a disability by the SCHDE and who have received an opinion on the need for a companion to ensure socialisation outside the home. |
| Social rehabilitation of children | Psychosocial support is provided to children who have been victims of unlawful acts. |

Table 1 Social services for families with children in Liepaja City Municipality in 2023 (the authors)

| Portidge Learning | An early learning and education service provided in the home of a |
|-----------------------------|---|
| Service | disabled child and their parents or legal representatives. A child with |
| Service | Down's syndrome, autism or severe mental retardation from birth to the |
| | • |
| | age of 8 is eligible for the service. |
| Home care service | It is provided for children with disabilities when family members are |
| | unable to provide the necessary care due to objective circumstances |
| | (work, health, etc.). |
| Early intervention | Socially vulnerable families with children can learn parenting, budgeting |
| service. | and other skills. |
| Family Support Service | Provides families with support and training in social skills, child care |
| | and education, and household management to restore or improve the |
| | family's ability to function socially. It is provided to families who are |
| | actively involved in resolving their problems and who have been |
| | assessed by a social worker from the social services department as |
| | needing a family assistant. |
| Family-oriented service | It is provided for orphans and children who have been deprived of |
| at the "Dzintari" Child | parental care for a period of time until they are taken care of by a |
| Support Centre | guardian or foster family. |
| Material and emotional | Foster families providing care and education for children deprived of |
| support for foster families | parental care (social support programmes for foster families, respite |
| and the children placed in | services). |
| them | |
| Youth Mentoring Service | For vulnerable young people aged 13-25. Young people in need of |
| i outil mentoring bervice | mentoring support are referred by schools, social workers, but some |
| | young people contact the Social Service themselves after hearing about |
| | an existing service from someone else and are willing to benefit from |
| | |
| Source: Lionaia Contral A | this support. |

Source: Liepaja Central Administration, 2023.

The Liepaja City Social Service also provides state-funded social services for families, such as psychosocial rehabilitation services for children in palliative care and their family members, long-term social care and social rehabilitation services in an institution for children with severe and very severe mental retardation or children with severe and very severe physical retardation, children with severe and very severe combined mental and physical disabilities up to the age of 4, and children with severe and very severe mental disabilities between the ages of 4 and 18 who cannot be cared for by a family, guardian or foster family due to the severity of their functional disabilities. Social rehabilitation services are provided for children who have developed addiction to narcotic, toxic or other intoxicating substances, children who have been victims of violence, as well as long-term social care and social rehabilitation services in institutions for orphans and children under two years of age without parental care (Liepaja Central Administration, n.d.). It is important to recognise that communities also play a key role in protecting the rights of the child. Child protection may not refer to state-imposed measures, but to civil society routines of socialisation, normsetting, monitoring and informal sanctioning - routines that channel individuals in positive parenting directions, build peaceful social relations and create safe public places (Parton, 2022).

Methodology

The aim of the empirical research was to study the services available in Liepaja Municipality to ensure the best interests of children and to improve the child rights protection programme. The research methods were document and literature analysis, focus group, expert interview and best practice case study, therefore the empirical research was conducted from 20 April 2023 to 30 December 2023 and had 3 phases as shown in Figure 1.



Figure 1 Stages of research from the 20th of April 2023 to the 30th of December 2023 (the authors)

The first stage included data collection from the Liepaja City Council Cooperation Group for the Protection of Children's Rights (focus group) on the current situation in Liepaja City Council, as the Cooperation Group includes representatives of institutions directly responsible for the protection of children's rights and interests in the city (Liepaja City Council, 2020). The second stage of the research was the analysis of the basket of services provided by the City of Liepaja (analysis of documents and literature, interviews with experts) and the comparison of the results with the Law on Protection of Children's Rights, highlighting the rights of children in Latvia as a whole. In the third stage, a visit to the Riga Social Support Centre for Children, Youth and Families was carried out in order to analyse examples of good practice and develop proposals for improving the Liepaja State Municipality's programme for the protection of children's rights in the field of social services.

Research Results

Focus Group Interview Summary

In order to gain a deeper understanding of the problem under study, a focus group interview was conducted as part of the field study. The interview was conducted with the participation of representatives of the Liepaja State Police, the Social Service, the Municipal Police and the Orphan's Court (four experts in total). The experts' opinions were summarised and it was concluded that if social services are generally not available in the municipality, the work with young people with behavioural or mental health problems is ineffective and formal. In order to change children's undesirable behaviour and substance use habits in the best interests of each child, it is necessary to provide free activities for children, including voluntary activities, which encourage participation, develop self-esteem and create a sense of belonging. Improved inter-institutional cooperation is necessary for more successful cooperation between professionals and a comprehensive approach, as there is a risk that effective cooperation in Liepaja is hampered by changes in professionals, including their professional attitude towards the problem to be addressed. There is also a need to develop social services in the form of programmes, including for longer periods (e.g., 18 months), involving a range of professionals, to ensure a long-term impact on the child, young person or family, as short-term services essentially address the immediate effects rather than the root causes. The focus group highlighted the need to improve social work with families and children at high social risk and, in cases of separation, to ensure access to social services for the parents of children to facilitate their return to the family. The issue of families in crisis has been on the agenda of Liepaja Municipality for several years, as there is a need to establish a family support centre with accommodation facilities, which will improve the possibilities for such families to receive support, as children and parents would also receive support services (specialist counselling, state social rehabilitation programmes, etc.) at the same time. The strengths and weaknesses of the Child Rights Protection Programme in the Liepaja identified in the focus group interview prove that the child rights protection system in Latvia is based on the Northern European model of child rights protection (Family Services), which is why the importance of social work with families with children is highlighted, as well as the lack of a crisis centre for families with children in crisis situations (Parton, 2022).

Compliance of the Liepaja State Municipal Service Basket with legal regulations

As part of the research, the existing situation in Liepaja City Municipality was examined in order to see the overall picture of the general basket of services for children, youth and families in the City of Liepaja, therefore Table 2 analyses how various basic rights of children are ensured in Liepaja, as stipulated in the Law on Protection of Children's Rights (1998). Table 1 above summarises specific social services, while Table 2 below shows other types of services provided by the City of Liepaja, highlighting both achievements and identified gaps. The basic rights of children, as included in the Law on Protection of Children's Rights (1998), were chosen as the criteria for evaluating the basket of services available in Liepaja, thus highlighting the implementation of the programme for the protection of children's rights in the municipality. Table 2 also shows how theoretical analysis relates to practical action to protect children's rights.

| Criteria | Current situation | References |
|---------------------|--|-----------------|
| Section 10 of the | The right of children in Liepaja to a full environment is | Liepaja City |
| Law on the | ensured by the Municipal Social Service, the Orphans' Court | Council, 2020 |
| Protection of | and educational institutions. Since 2020, the Liepaja | |
| Children's Rights | Municipality Cooperation Group for the Protection of | |
| (1998) "The right | Children's Rights has been in operation, with the aim of | |
| of the child to the | facilitating effective cooperation of institutions in the field of | |
| full enjoyment of | protection of children's rights, ensuring targeted and | |
| life" | coordinated actions of the institutions involved to ensure the | |
| | protection of children's rights and interests in the Liepaja | |
| | Municipality administrative area of the Republic of Liepaja, | |
| | and submitting proposals to the Ministry of Welfare for the | |
| | improvement of the protection of children's rights. | |
| Section 11 of the | Educational institutions in Liepaja implement various | Inga Ekuze, |
| Protection of the | projects to reduce social risks, carry out educational work | Deputy Director |
| Rights of | with parents of children, and provide the necessary support to | of Liepaja City |
| Children Act | ensure education. It has been observed that parents of | Education |
| (1998) "The | children lack relevant social skills in raising and educating | Board (Expert |
| child's right to | their children. The municipality needs to intensify its work | interview, |
| education and | with parents to ensure that all children of compulsory school | 15.11.2023.) |
| creativity" | age attend educational institutions, and there is a lack of | |
| | instruments to promote useful leisure time for children with | |
| | deviant behaviour, other behavioural disorders and | |
| | addictions. | |
| Section 12(2) of | There are 48 general practitioners in Liepaja providing free | Liepaja City |
| the Protection of | health care through a state programme. There are two on-call | Council, 2020 |
| the Rights of the | doctors in Liepaja in case a family does not have access to its | |
| Child Act (1998) | own general practice, but the health condition does not allow | |
| "A child has the | waiting. In Liepaja, educational, interactive sessions are | |
| right to free | offered on healthy nutrition, reproductive health, psycho- | |
| health care" | emotional health and addiction prevention. Educational | |
| | institutions regularly carry out preventive work with children | |

Table 2 Social services for families with children in Liepaja City Municipality in 2023
(the authors)

| r | | |
|---|--|---|
| | on safety and health issues, educating children on water and ice safety, summer safety and first aid. | |
| Section 26(1) of the Protection of the Rights of the Child Act (1998) "The family is the natural environment for the development and growth of the child and every child has the inalienable right to be brought up in a family" | Comparing the data for 2021 and 2022, the number of children in foster care in an institution has increased significantly. It is concluded that the municipality needs to further intensify its work with families at risk in order to prevent children from being removed from their families and to preserve their families of origin as much as possible. There is also a need to support families who have cared for children without parental care and to provide more support for guardians and foster families. The lack of a crisis centre for families with children in Liepaja is also a problem (clients have to be taken to crisis centres in neighbouring municipalities). | Liepaja City Orphanage Court, 2023 |
| Section 16 of the Children Act (1998) "A child's right to rest and recreation" | From 1 July 2022, the municipality has set up a mentoring service for young people to promote their social functioning, behaviour change and social integration. By 30 December 2022, 68 young people aged between 13 and 25 will have received a mentoring service. There is a need to continue working at the level of prevention, risk identification and prevention, as there is still a high proportion of children with deviant behaviour and the mentoring service could be one of the tools to integrate these children into society. | Liepaja Central Administration, 2023 |
| Section 55 of the Children Act (1998) "Special care for a child with special needs" | In Liepaja, children's learning abilities are diagnosed and recommendations are made for further education in educational institutions and family support. The Liepaja State Pedagogical and Medical Commission assesses children's learning abilities and health status, and determines special education programmes for preschool and primary education in grades 1-4. In order to ensure equal rights and opportunities for all children to receive education according to their abilities, some educational institutions in Liepaja provide environmental access for children with mobility disabilities. Children with both learning and behavioural disabilities are supported in all municipal institutions by support staff from each educational institution within the scope of their competence. | Inga Ekuze, Deputy Director of Liepaja City Education Board (Expert interview, 15.11.2023.) |

Expert interviews and good practice analysis

The State Audit Office, in its audit report "Problem Children - a Mirror of Adult Failures" (2022), recognised that the Social Support Centre for Children, Youth and Families in Riga provides effective services to change children's behaviour, so a visit to the centre was carried out as part of the third phase of the study. The meeting provided an insight into the activities of the support centre, which also provides the services of a long-term social care and social rehabilitation institution for children and young people. Information was provided on support for young people leaving out-of-home care, long-term care homes, including the work of the Riga City Council's Cooperation Group for the Protection of Children's Rights, and services for children and young people.

According to Kaspars Jasinkevičs, Director of the Social Support Centre for Children, Youth and Families in Riga (personal communication, 27.04.2023.), the Centre is an institution of the Riga City Council, established on 1 December 2009, and currently provides - long-term social care and social rehabilitation services for orphans and children deprived of parental care;

- Short-term social care and social rehabilitation services for children and adolescents;

- Crisis intervention service and social work with families with children, pregnant women;

social rehabilitation service with accommodation for young people aged 18-24 after leaving the care of a family in a long-term social care and social rehabilitation institution;

- preventive and psychosocial work with children and young people before and after leaving out-of-family care up to the age of 24;

- Short-term social care and social rehabilitation services for families with children and pregnant women.

The Riga Children, Youth and Family Social Support Centre consists of 8 units, 5 of which provide long-term social care and social rehabilitation services to 157 orphans and children without parental care. The Centre for Children and Youth has 250 employees. 26 of them are specialists in social work and 165 are specialists in social care. The Centre's mission is to provide professional, honest and responsible care and education based on the needs of children and young people. The vision is that the Riga Social Support Centre for Children, Youth and Families is an organisation that provides a safe, stable, child-friendly family environment for eight children in one apartment (Riga City Municipality Welfare Department, n.d.). Since 2016, the Riga City Municipality has also provided substantial support to children (4-9 years) and young people (13-18 years) with communication and behavioural difficulties and their families by offering social rehabilitation programmes. "Jump" - implemented by the Latvian Samaritans Association (since 2016); "Do" - implemented by the Resilience Centre (since 2016); "Friend" - implemented by the Latvian SOS Children's Villages Association (since 2017); "The path to self " - implemented by the Latvian Child Support Foundation (since 2019) (Riga City Municipality Welfare Department, n.d.).

After evaluating the information received, it can be concluded that the City of Riga offers a wide range of social services for children and young people. It is to be welcomed that work with children is planned on a long-term basis and that various social rehabilitation programmes are developed for children with communication difficulties or behavioural disorders, which shows a complex approach to changing the situation. In order to provide individual emotional and practical support to young people in Riga, it is planned to develop a mentoring service for young people and children, which is already being implemented in the social services of the municipality of Liepaja.

Consclusion

At the end of the study, several conclusions and proposals were made to ensure the best interests of children and the quality of social services in Liepaja Municipality. From the normative acts and reports of the supervisory institutions, it can be concluded that the Municipal Social Services are the main institutions that carry out research on the social environment and identify the social problems of the population in order to create social services and social assistance system based on them, which meet the needs of the population of the municipality, including families and children. This makes social services an important resource and tool for municipalities in ensuring and monitoring children's fundamental rights. It is also clear from the expert interviews that if social services are not available in a municipality, work with children and young people with behavioural or mental health problems is perceived as ineffective and formal.

In order to avoid fragmented access to support and services, it is necessary to strengthen inter-institutional cooperation, as the timely involvement of the relevant

institutions in addressing children's behavioural problems will ensure a timely support mechanism for families with children. Also, in order to change children's habits of undesirable behaviour and substance abuse, based on children's needs and respecting the interests of each child, it is important to offer free leisure activities for children in Liepaja Municipality, as well as to involve children in voluntary activities. In this regard, it is important to mention that in order to ensure the best interests of children, it is necessary to examine the possibilities of providing meaningful leisure activities for children and young people with deviant, violent behaviour as well as substance abuse episodes, as providing meaningful leisure activities will reduce the number of children who are administratively sanctioned for substance abuse.

The Municipality of Liepaja must find a way to adopt good practices from the Riga Social Support Centre for Children, Youth and Families, which is recognised as the most effective service for changing children's behaviour, and develop innovative social rehabilitation programmes for children and young people, as well as directing financial resources to children and young people at high social risk.

In general, after analysing the available data of the competent institutions of Liepaja State Municipality, listening to the opinions of experts, evaluating the information presented in the description of the existing situation, it is concluded that in order to ensure the best interests of children, to meet the needs of families and children, it is necessary to create a new social service for families with children, The establishment of a Family Support Crisis Centre with accommodation facilities, which will improve the possibilities for families in crisis to receive support, ensure a holistic approach to the family as a whole in solving problems, and create an opportunity for children and their parents to receive support services in one place in order to restore family functioning. It is important to emphasise that this research proposal has been taken into consideration by Liepaja City Council and is already included in the development programme of Liepaja City Council and South Kurzeme Region for 2022-2027, with the aim of establishing a Family Support Centre in the future (National Digital Development Agency, 2024).

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