



Finland

## Rights of victims of crime in criminal proceedings - Finland

You will be considered a **victim of crime** if you have suffered damage, e.g. you have been injured or your property has been damaged or stolen, etc., as a result of an incident, which constitutes a crime according to national law. As a victim of crime, the law confers certain individual rights to you, before, during and after court proceedings (trial).

**Criminal proceedings in Finland** start with pre-trial investigation of the crime, conducted usually by the police. During this stage, it will be established whether or not an offence has actually been committed, under what circumstances it occurred and the identity of the parties concerned as well as the extent of the injury or damage caused by the offence and your claims as a victim will be examined.

If there is sufficient evidence that a criminal act was committed the prosecutor will press the charge and bring the case to the court. During the trial the court examines the evidence and either convicts the alleged offender or declares him or her not guilty. The criminal proceedings may continue with possible appeal before a higher court.

The following factsheets will take you through the different steps your case will go through, describing your rights [during the investigation of the crime](#), [during the trial](#) or [after the first trial](#). Also, read more about the [help and support you can get](#).

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## How and where can I report a crime?

You can report a crime to the police in one of the following ways:

- to the police patrol when it arrives at the crime scene;
- in person - at any police station (regardless of the place where the crime occurred), where your identity can be checked, and, in the case of a violent crime, your injuries can be documented;
- by telephone to the **112 EU emergency phone number**,
- by e-mail or fax (applicable only for less serious crimes) – you can find electronically available forms to report an offence in English, Finnish and Swedish.

If:

- you are in need of urgent help or want the police to come to the scene;
- the crime has been committed through burglary;
- you do not know the name of the area where the crime occurred;
- you have become victim of a crime abroad

you should **not** use the electronic form. Telephone the police or have someone call them on your behalf.

No special forms for reporting a crime are required. Your report however needs to include:

- your personal data such as your name, address, phone number, citizenship, and identity number;
- a description of what happened and how it happened;
- precise time and place of the events;
- name of the offender, if known;
- description of the offender (age, height, build, facial features, eye colour, teeth, speech, hands, way of walking, dress), how and in which direction the offender fled, if the offender had a vehicle, the vehicle registration number and other means of identification (make, colour, model), how dangerous the offender is (armed, state of mind, threats, substance abuse, etc.).

You can report a crime even if you do not know the identity of the offender. You can report the crime in a language you know and understand and an interpreter or translation will be arranged for you. This is normally free of charge. You may also be accompanied by a friend or a member of your family, who can serve as an interpreter.

There is no specific deadline for reporting a crime but after a certain period of time the prosecution cannot be initiated. This period may vary from two to 20 years depending on the seriousness of the crime (the only exception is for offences for which the most severe sentence is life imprisonment). For your own legal protection and safety it is essential to report the crime as soon as possible. The sooner you make the report the greater the chances are of the police finding the offender.

You are strongly encouraged to report any crime of which you are a victim so that it can be investigated. The police may, however, also investigate a crime if it is brought to their attention by other means.

## How can I follow up on what the authorities do after I report a crime?

The police will register the reported crime and will usually initiate a pre-trial investigation. When the crime is registered it will get a reference number. You have the right to get a copy of the report, which will include a reference number and the name and contact details of the investigator assigned to the case. You can contact the investigator in order to follow up on the case. You have the right to check the results of the pre-trial investigation unless the investigator considers that this would hinder the investigation.

## How can I be involved in the investigation of the crime?

By reporting the crime to the police you become a party to the proceedings. You will be heard during the investigation, and you can also submit evidence. You are not obliged to prove any aspects of the crime.

If you have already provided the necessary information when reporting the crime, you will not be questioned during the investigation. If you are intoxicated by alcohol or another drug, or you are in a disturbed state of mind, in shock or another similar situation, you can only be questioned if it is absolutely necessary to solve the case. Where appropriate, a doctor or a person close to you may be consulted prior to questioning.

You have the right to use your mother tongue if it is Finnish or Swedish. If you are a Sami you are entitled to use the Sami language within your Home Territory. You have the right to an interpreter free of charge if you do not know any of the official national languages in Finland (Finnish or Swedish) well enough.

You can be represented by an [attorney or counsel \(1\)](#) or by your statutory representative (for example your guardian). If you are a victim of domestic violence, sexual offence or other violent offence, the court may appoint a [support person \(2\)](#) for you. The investigator (police or prosecutor) may permit you (and your representatives) to be present during the questioning of another party or witness and to put questions to them. Otherwise, you will be informed of what has been revealed during the questioning.

You have right to be interviewed in a calm and proper manner and without delay. At the interview you need to tell the truth. Your counsel or support person has the right to be present when you are questioned, unless the head of investigation prohibits this for important reasons related to the criminal investigation.

If, as a victim, you want to obtain compensation in the form of damages from the offender, you have to bring a [civil claim in relation to the offence \(3\)](#).

Most offences are subject to public prosecution irrespective of whether you have reported the crime or the police received information from other sources. However, some less serious offences (for example, petty theft, petty embezzlement, criminal damage, petty criminal damage, defamation, unauthorised use of somebody else's property, and criminal trespass) will usually be investigated only if you, as a victim, make a request that charges be brought and that the offender be punished..

Before closing a pre-trial investigation, you may be given an opportunity to make a statement on the material gathered in the pre-trial investigation if this would be useful for the trial. Your statement will be attached to the record of the pre-trial investigation. You and/or your attorney will be sent a copy of the record of the pre-trial investigation on request.

## **What are my rights as a witness?**

In Finland, as the victim of a crime you cannot be questioned as a witness. Instead, you can be heard for the purpose of collecting evidence.

## **I am a minor. Do I have additional rights?**

If you are **under 18**, you are considered a child and investigative measures involving you will usually be performed by police officers especially trained for this. If your interests and the interests of your parents differ you shall be represented by somebody else. Legal assistance is also available to you.

If there is reason to believe that you have become a victim of a sexual or other serious crime, your statement during the pre-trial investigation should be recorded on video.

If you are **under 15**, the person responsible for your care and custody, your guardian or other legal representative has the right to be present during your interview. If you are over 15, but do not have full legal capacity (i.e. you cannot perform legal actions alone), your representative has the same right to be present. Only in cases where it is necessary to carry out the questioning without delay you may be questioned without your representative being present. In such cases your representative will be notified of the questioning as soon as possible. The investigator may prohibit the presence of your representative, if he/she is under suspicion of the crime under investigation.

## **What information can I obtain from police or victim support organisations during the investigation of the crime?**

The investigation authority, usually the police, can inform you:

- what measures will be taken in relation to your case;
- if a report does not lead to a pre-trial investigation or in the event that the pre-trial investigation is closed or when the matter is not submitted to a prosecutor for decision;
- if the pre-trial investigation will continue only if you demand that the offender is punished and that the case will be closed if you withdraw your request;

- about your rights and obligations during the pre-trial investigation;
- when an [attorney \(1\)](#) or [support person \(2\)](#) can be appointed for you;
- of your entitlement to compensation;
- on matters such as the offender's release from pre-trial detention when the police have a reason to suspect that your security might be threatened by the offender.

### Can I receive legal aid?

You can receive [legal aid \(4\)](#) if you have minimal or no income or assets. Legal aid is free of charge. You can contact a [State Legal Aid Office](#) to get advice on the possibility of receiving legal aid and how to apply for it.

You are entitled to legal aid if you are resident in Finland, or a citizen of a Member State of the European Union or the European Economic Area. In addition, legal aid might be granted if your case will be heard by a Finnish court or if there is a special reason for legal aid to be given. Preliminary legal advice by phone or by means of electronic communication is free of charge.

If you are a victim of domestic violence, a sexual offence or other offence of serious violence, the court may appoint an [attorney \(1\)](#) and/or a [support person \(2\)](#) for you for the pre-trial investigation and the trial, regardless of your income. The attorney helps you with legal matters and the support person provides psychological support. Their fees and expenses are paid by the State.

### How can I get protection, if I am in danger?

Police officers can remove anyone who unlawfully disturbs your domestic peace or detain him or her in custody.. The detained person can be kept in custody only for as long as the disturbance is likely to recur, but in any event no longer than 24 hours. Police officers can remove a person from other premises if they decide that it is likely that he or she will commit an offence against your life, health, liberty, home or property. There is also a possibility for you to apply for a [restraining order \(5\)](#).

If you do not wish the suspect to see your contact details, you can ask the police to omit them from the record of the pre-trial investigation. You can also contact the local register office and ask them to prohibit disclosure of your address. This means that your address will not be provided to anybody but the authorities. The local register requires that you make your request in writing stating the reasons for the request. Alternatively, you can go to the local register and make your request in person.

### What services and assistance can I be given during the investigation of the crime?

You will get the basic services you need from your municipality. If you have been injured as a result of the crime, you need to consult a doctor as soon as possible. A medical certificate may be necessary during the trial or when you apply for compensation from your insurance company or from the State. In cases of sexual offences you must avoid washing yourself and changing clothes before you consult a doctor. If somebody has broken into your flat it is important that you do not clean the premises before the police arrive.

You can receive medical or psychological assistance but you may be asked to pay for it unless you have valid health insurance. Citizens of the 27 EU Member States, Iceland, Liechtenstein, Norway and Switzerland can benefit from the [European Health Insurance Card](#). You may be compensated for costs that have resulted from the crime, such as medical costs and other costs related to an injury.

You may also rely on support organisations for crime victims. They have trained professionals available who can give you legal advice, support and other forms of assistance. Most of their services are strictly confidential and you can contact most of them anonymously: [Victim Support Finland](#), [Multicultural Women's Association - Monika](#), etc. The SOS-centre of the [Finnish Association for Mental Health](#) has a nationwide crisis phone number where you can call and get support over the phone (01019 5202).

### Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?

[Mediation \(6\)](#) is usually done before the charges have been brought. Especially in cases that are not complicated and in cases for offences prosecuted upon your own initiative the trial can be avoided through conciliation.

The decision whether to carry out mediation in a particular case is made by the local mediation office. Mediation services are provided free of charge. In general, a case can be referred to mediation by you, the offender, the police or the prosecutor.

Mediation offices and the police authority handling your case can provide you with further information on mediation in penal matters.

### **How will my case continue after the end of the investigation?**

After receiving the record of the pre-trial investigation from the police the public prosecutor decides whether to press charges before the court or to close the case. Before making a decision, the prosecutor can invite you and/or your [counsel \(1\)](#) to discuss the case.

The public prosecutor can withdraw his or her decision not to prosecute only if there is new evidence, which shows that the decision has been based on incomplete or erroneous information. A superior prosecutor also has the right to reopen the case.

Once the public prosecutor has brought charges, the prosecution cannot be repealed or waived without due cause.

### **Can I appeal if my case is closed without reaching the court?**

If you consider that the public prosecutor has acted incorrectly when making a decision not to prosecute, you can appeal to the Prosecutor General. You need to make the appeal in writing and include a short description of the case: which decision you consider inappropriate and why, and what outcome you expect. It is preferable if you also attach to your application the previous decisions concerning the case and all other documents you have. Your signature and contact information must be included as well. You can send your application by post or submit it in person to the [Office of the Prosecutor General](#). The Prosecutor General can decide to reconsider the decision.

If the prosecutor decides not to press charges or to repeal the charges that have already been brought, you can press charges yourself using your [secondary right to prosecute \(7\)](#). You can also bring charges yourself in cases where the police decide not to conduct a pre-trial investigation, to suspend or to close an investigation.

For offences prosecuted upon your initiative, if you withdraw your request for punishment of the offender during the pre-trial investigation, the police will close the case. By doing this you may lose your right to bring charges. After withdrawing your request, you no longer have the right to resubmit it. You will also lose the right to support the charges brought by the prosecutor or to appeal against the decision of the court. This applies both to offences subject to public prosecution and offences for which the prosecution rests with you. However, you may still make a [civil claim \(3\)](#).

### **I am a foreigner. How are my rights and interests protected?**

You have the right to an interpreter free of charge if you do not know any of the official national languages in Finland (Finnish or Swedish) well enough. Important documents may be translated for you free of charge.

If you are a victim of human trafficking and do not live in Finland, you have the right to get special help available to victims of human trafficking. This help may include housing, social and health services, legal counselling and assistance, security arrangements and other forms of support that you need. There are reception centres in [Joutseno and Oulu](#) responsible for the administration of services to victims of human trafficking. The suspicion alone that you could be a victim of human trafficking is enough to let you benefit from these services. If you reside illegally in Finland you may be granted a reflection period and under certain conditions a residence permit. The most important condition is that you cooperate with the authorities to catch the persons suspected of the trafficking. Before deciding whether you want to cooperate with the authorities, you may be granted a reflection period of at least 30 days and a maximum of six months.

The [Ombudsman for Minorities](#) also offers legal advice and assistance. Help is also provided by many civic organisations or associations, such as [Victim Support Finland](#), [Multicultural Women's Association - Monika](#) and [Pro Centre Finland](#).

### **More information:**

- Pre-trial Investigation Act 449/1987 (Esitutkintalaki 449/1987; Förundersökningslag 449/1987) – in [Finnish](#) and [Swedish](#)
- Criminal Code 39/1889 (Rikoslaki 39/1889; Strafflag 39/1889) – in [English](#), [Finnish](#) and [Swedish](#)
- Language Act 423/2003 (Kielilaki 423/2003; Språklag 423/2003) – in [English](#), [Finnish](#) and [Swedish](#)
- Sámi Language Act 1086/2003 (Saamen kielilaki 1086/2003; Samisk språklag 1086/2003) – in [English](#), [Finnish](#) and [Swedish](#)
- Legal Aid Act 257/2002 (Oikeusapulaki 257/2002; Rättshjälpslag 257/2002) – in [English](#), [Finnish](#) and [Swedish](#)

- Police Act 493/1995 (Poliisilaki 493/1995; Polislagen 493/1995) – in [English](#), [Finnish](#) and [Swedish](#)
- Act on the Openness of Government Activities 621/1999 (Laki viranomaisten toiminnan julkisuudesta 621/1999; Lag om offentlighet i myndigheternas verksamhet 621/1999) – in [English](#), [Finnish](#) and [Swedish](#)
- Pre-trial Investigation and Coercive Measures Decree 575/1988 (Asetus esitutkinnasta ja pakkokeinoista 575/1988; Förordning om förundersökning och tvångsmedel 575/1988) – in [Finnish](#) and [Swedish](#)
- Prison Act 767/2005 (Vankeuslaki 767/2005; Fängelselagen 767/2005) – in [Finnish](#) and [Swedish](#)
- Code of Judicial Procedure 4/1734 (Oikeudenkäymiskaari 4/1734; Rättegångs Balk 1734/4) – in [English](#), [Finnish](#) and [Swedish](#)
- Pre-Trial Investigations Act 449/1987 (Esitutkintalaki 449/1987; Förundersökningslagen 449/1987) – in [English](#), [Finnish](#) and [Swedish](#)
- Act on the Restraining Order (Laki lähestymiskiellosta 898/1998; Lag om besöksförbud 898/1998) – in [Finnish](#) and [Swedish](#)
- Aliens Act 301/2004 (Ulkomaalaislaki 301/2004; Utlänningslagen 301/2004) – in [English](#), [Finnish](#) and [Swedish](#)
- Act 1015/2005 on Conciliation in Criminal and Certain Civil Cases (Laki rikosasioiden ja eräiden riita-asioiden sovittelusta 1015/2005; Lag om medling vid brott och i vissa tvister 1015/2005) – in [English](#), [Finnish](#) and [Swedish](#)
- Criminal Procedure Act 689/1997 (Laki oikeudenkäynnistä rikosasioissa 689/1997; Lag om rättegång i brottmål 689/1997) – in [English](#), [Finnish](#) and [Swedish](#)

#### Notes:

##### 1. Attorney/legal counsel

Generally, only a lawyer or another person who: has a Master's degree in law, is honest and otherwise suitable and competent for the task, may serve as an attorney or counsel, provided that he or she is not bankrupt and that his or her legal capacity has not been restricted. Unless orally retained by the party in court, an attorney shall produce a power of attorney personally signed by his or her client. A lawyer and a public legal aid attorney, as well as a prosecutor who is representing the injured and presenting the civil claim of the injured party, need not produce a power of attorney, unless the court orders otherwise.

However, a direct ascendant or descendant of the party, a sibling of the party and the spouse of the party may serve as an attorney or counsel even if he or she has not earned the degree referred to above. If you have a statutory representative (for example your custodian if you are under age) he or she might in some matters be allowed to represent you. This depends on the issue at hand. The competence of the statutory representative is not based on the party's authorisation, but on law and authorisation by authorities.

##### 2. Support person

The support person gives you psychological support during the pre-trial investigation and the trial. For example, your support person has the right to be present when you are questioned, unless the head of investigation prohibits this for important reasons related to the criminal investigation. If you meet the conditions set out in the legislation, the support person is appointed for you regardless of your income. The fee of the support person is paid by the State.

##### 3. Civil Claim

If you want to obtain compensation for damages from the offender, you need to report the damages to the police and state that you wish to claim such compensation. Your civil claim must be submitted in writing to the prosecutor, preferably during the pre-trial investigation. You can also ask the prosecutor to present your claim. You need to inform the prosecutor that you wish to make a civil claim in order to reserve an opportunity to submit your claim to the court even if the prosecutor decides not to present your claim.

Compensation can be claimed, for instance, for lost or damaged property, medicine costs and doctor's fees, pain and suffering as a result of the crime, and mental anguish. You need to provide a description of the circumstances on which the claim is based. You are in principle under no obligation to present evidence for your civil claim, but without any evidence your claim will probably not be successful. You can indicate the extent of the damages by presenting the receipts for the costs you have incurred. Keep also any receipts for your insurance deductible and possible travel costs in connection with the investigation. Compensation for them, too, can be claimed from the offender.

You can present your claim yourself in the criminal case if you want to do so, or if the prosecutor does not present it on your behalf. Where possible, the claim should be filed during the pre-trial investigation. You can also present your claim yourself not as part of the criminal proceedings, but in a separate civil case. However, it is recommended that you present your civil claim as part

of the criminal proceedings. Thus you will not have to pay the fees connected with starting a civil case and you will not be responsible for proving your claim (this will be done by the prosecutor as part of proving the charges).

#### 4. Legal Aid

If you need assistance in a legal matter but cannot afford the necessary assistance, it may be provided to you, partially or fully at the expense of the State. Legal aid is available at any stage of the criminal proceedings and can cover the provision of legal advice, the necessary measures and representation before a court of law or another authority, and the waiver of certain expenses related to the case. In principle, legal aid includes all the necessary services of a legal assistant and reimbursement for necessary expenditures required in the criminal process.

The attorney can be a public legal aid attorney employed at the [State Legal Aid Office](#) or another private lawyer. If legal aid is granted to you, the State will pay the fee of the attorney in full or in part, depending on your income and available means. The work of the attorney can be compensated up to a maximum of 80 hours. However, in special cases the court may grant a dispensation from this limit.

Generally, legal aid is not provided if you have a legal expenses insurance that covers the case. Such insurance cover may be included for example in a household insurance policy, a labour union policy or a farming policy.

You can apply for legal aid at a [State Legal Aid Office](#). The legal aid office will verify your financial situation. You need to present evidence of your financial situation and information about the case for which you ask for legal aid. A public legal aid attorney employed at the legal aid office, a private lawyer or another jurist can provide legal aid.

Legal aid may be granted from the date of the application or, if the relevant criteria are met, also retroactively to cover expenses already incurred in relation to the case. Legal aid is available at all stages of the proceedings.

Legal aid is granted on the basis of your monthly available means and wealth. This is calculated through your income, expenditures and maintenance liability. The available means of your spouse are usually also taken into consideration. You as recipient of legal aid have to pay a percentage of the fee of the attorney (basic deductible). The percentage depends on your monthly available means.

If you are a single person with monthly available means under 600 euro you can be granted legal aid free of charge. When your monthly available means exceed 1,300 euro (if you are single), or 1200 euro per person (if you are in a couple), legal aid will not be granted.

#### 5. Restraining Order

If you feel threatened or harassed you can apply for a restraining order on the person threatening you. A restraining order means that to protect your life, health, freedom or peace, another person is ordered not to contact you. A restraining order may be imposed also when the person protected by the order and the person on whom the restraining order is imposed live in the same household.

The application can be made in writing or orally to the police or at the district court. It is the District Court that decides on the matter. A temporary restraining order, which enters into force immediately, can also be issued by a civil servant with the right to arrest a person (a senior policeman or a public prosecutor) or by the District Court.

If you are in a situation in which you are under a threat and you feel that you need a restraining order, you can get advice and help from the police, the social service authorities, the public prosecutor and voluntary organisations.

#### 6. Mediation

Mediation in criminal cases is a service in which you and the offender are given the opportunity to meet confidentially with the help of an impartial conciliator to discuss the psychological and material harm caused to you by the offence. The conciliator will help you and the offender find a mutual agreement to redress the harm.

Mediation can only take place on a voluntary basis and it thus requires the parties' free consent. Before the parties agree to conciliation, they must be informed about their rights in relation to conciliation and their position in the conciliation process. Each party has the right to withdraw its consent to participate in mediation at any time during the conciliation process.

A voluntary lay mediator, who has received training for the task, carries out the mediation.

If the parties reach an agreement, the mediator draws up a document about it. In cases of less serious crimes the agreement may result in closing the case. The agreement may also at a later stage lead to non-prosecution, waiving of sentence or to a more lenient punishment:

- For petty offences where the prosecution lies with you a settlement reached through mediation usually closes the case. The prosecutor can no longer press charges if you have withdrawn your request for punishment. An exception to this rule may be a case where there are several offenders or victims or where the prosecution would be in the public interest.

- In criminal cases subject to public prosecution, any agreement drawn up will be taken into account when a decision is made on whether to bring charges. It is up to the prosecutor to decide whether or not to prosecute. Even if the prosecutor decides to bring charges, a successful conciliation may be taken into account when the court decides on the sentence.

Assault, theft and criminal damage are the types of crime which are especially well suited for mediation. Other types of crime can also be dealt with through mediation, if allowed by the law. In cases of serious crime, however, the possibility of mediation is normally excluded.

## 7. Secondary right to prosecute

You can use your secondary right to prosecute and bring charges for an offence only if the public prosecutor has decided not to prosecute. It is advisable that you thoroughly read the prosecutor's reasons for not bringing charges, so that you can consider what the chances are of your own charges being successful. It is also important to consider the financial risk you are taking if you are going to use your secondary right to prosecute. The fees for the trial, such as fees for the parties' legal assistance, are usually paid for by the losing party.

You can bring charges by submitting a written application for a summons to the registry office of the district court. The application for a summons should indicate:

- the identity of the offender;
- the act for which the charges are being brought, the time and place of commission and any other information necessary to specify the act;
- a description of the offence committed;
- the demand for a penalty and for forfeiture, and the provisions on which they are based;
- any other claims and the reasons for them;
- the decision of the prosecutor not to prosecute or the decision of the police or the prosecutor not to conduct a pre-trial investigation or to stop or close an investigation;
- a description of the evidence you wish to present and what you intend to prove with each piece of evidence; and
- the circumstances on which the jurisdiction of the court is based, unless jurisdiction is otherwise evident in the application for a summons.

In addition, the application needs to indicate the court and the parties, including the contact information of the parties' legal representatives, attorneys or counsels. The court must also be provided in a suitable manner with the contact information of the parties, witnesses and other persons to be heard. The application for a summons has to be signed by you or by the person who has drawn it up on your behalf. You need to provide the court with the written evidence referred to by you and the memorandum of the criminal investigation, if such investigation has been carried out during the case.

There is no specific time limit for your right to bring charges. Therefore, this right is in effect until the right to bring charges becomes time-barred.

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### **How can I be involved in the trial?**

You will be summoned to the main hearing if your presence in court is necessary to clarify certain facts or if you have a [civil claim \(1\)](#), which is not pursued by the prosecutor.

During the trial at the District Court (court of first instance) you have the right to support the charges brought by the public prosecutor or by another victim and present new evidence in support of those charges.

After charges have been brought, you can make a civil claim against the offender, if the court permits.

You may also resume the prosecution, which has been abandoned by the public prosecutor or by another victim. In this case you need to notify the court in writing within 30 days of receiving the notice of the abandonment. If you do not resume the prosecution, you will lose your right to bring charges.

The court sessions are normally open to the public, although cases for some offences (sexual offences, etc.) can be heard “behind closed doors” (completely or partially closed to the public). You as a victim can always be present.

You can usually take part in the trial proceedings by putting questions, giving a final speech, introducing, presenting or requesting evidence, or cross-examining witnesses or expert witnesses. If you have supported the charges brought by the public prosecutor you have a similar right as the prosecutor to present evidence, etc.

If you wish to present new evidence during the main hearing, which has not been mentioned before, you have to notify the court before the main hearing and state what you intend to prove by this evidence. The evidence should thus be presented before the main hearing. You can still present new evidence during the main hearing, but in this case the main hearing might be postponed so that the offender can be fully informed of the new evidence. You may be required to pay the expenses caused to the other party by such a postponement.

You have the right to be informed about the contents of the [trial documents \(2\)](#), even those that are not public. However, there are some types of documents that may not be disclosed to parties in the trial. These may include, for example, your contact information in cases where non-disclosure is necessary to protect your safety, or trial documents containing information about the deliberations of the court.

You may be represented by an [attorney or counsel \(3\)](#). At the main hearing, your counsel can present your claims on your behalf, and refer to the facts and evidence that support them.

You may seek compensation from the offender for the costs you have incurred in relation to the trial. You need to make a request for compensation of legal costs before the end of the main hearing. If you are granted [legal aid \(4\)](#) and have been personally summoned to the court, the compensation for your travel costs is paid by the State.

Before the court, either Finnish or Swedish is used, and the court issues its decisions in Finnish or Swedish. If you do not understand the language used in court you have the right to interpretation.

### **What are my rights as a witness?**

In Finland, as the victim of the crime you cannot be questioned as a witness. Instead, you may be heard for the purpose of collecting evidence.

The court may restrict the presence of the public during open proceedings if this is necessary to protect you or another person related to you from a threat to your or another person's life or health.

### **I am a minor. Do I have additional rights?**

If you are **under 18 years of age** you are considered a child.

If your interests and the interests of your parents differ you will be represented by somebody else. Legal assistance is also available to you.

If there is reason to believe that you as a child are a victim of a sexual or violent crime and your statement has already been recorded on video during the pre-trial investigation, it may not be necessary to give a statement again during the trial.

If you have not reached the **age of 15 years** or if you are mentally ill the court has to consider some additional circumstances when deciding whether you may be heard: the hearing should not cause you suffering or other harm that can injure you or your development. The hearing may take place outside the court room and/or the court may appoint a [support person \(5\)](#) for you.

## Can I receive legal aid?

You can receive [legal aid \(4\)](#) during the trial. You can contact the [State Legal Aid Office](#) to get information about whether you are eligible to receive legal aid and how to apply for it.

If you have minimal or no income and assets legal aid is free of charge.

If you are resident in Finland, or a citizen of a Member State of the European Union or the European Economic Area working or seeking work in Finland, you are entitled to legal aid. In addition, legal aid is available, if your case will be heard by a Finnish court of law or, if there is another special reason for legal aid to be provided.

If you receive legal aid you will not have to pay the court fees and other similar payments.

If you are a victim of domestic violence, a sexual offence or other offence of serious violence, the court may appoint an [attorney \(3\)](#) and/or a [support person \(5\)](#) for you during the pre-trial investigation and the trial, regardless of your income. The attorney will help you with the legal matters and the support person will provide psychological support. Their fees and expenses are paid by the State.

## How can I get protection, if I am in danger?

In a criminal case that concerns a particularly sensitive aspect of your private life, the court may order that your identity as a victim be kept secret from the public.

In some cases you may be heard in the main hearing without appearing in person, with the use of a video conference or other appropriate technical means of communication, if the court decides that this is suitable and necessary to protect your life or health of the life or health of a person close to you.

Generally, the offender has the right to be present at the trial. However, you may be heard in the main hearing without the presence of the offender or any other person, if the court decides that this is appropriate and necessary:

- to protect your life or health, or
- if you would otherwise not reveal what you know about the case.

It is possible to restrict your contacts with the offender during the court proceedings if this is needed for security reasons. For example, a separate waiting area can be arranged for you. It is also possible to place a screen between you and the offender in the courtroom.

Police officers have the right to remove anyone who unlawfully disturbs your domestic peace or to detain in custody the person causing the disturbance. The detention could last as long as the disturbance is likely to recur, but no longer than 24 hours. Police officers can remove a person from other premises if they decide that he or she may commit an offence against your life, health, liberty, home or property.

It is also possible for you to apply for a [restraining order \(6\)](#).

## How can I claim damages from the offender or receive compensation from the State?

You can claim damages from the offender by submitting a request to the court if you have not submitted your claim during the pre-trial investigation. You can request the public prosecutor to present your civil claim while the case is pending in the court of first instance. However, the chances that the prosecutor will decline your request are greater at this stage than the stage before bringing the charges. In such cases the court may allow you to present your civil claim yourself.

If the prosecutor brings charges against the offender, your [civil claim \(1\)](#) may be dealt with as part of the criminal case. The claim for damages is usually considered together with the charges, but it can also be handled in separate civil proceedings.

It is possible to receive compensation from the State for personal injury, damage to property or other financial loss caused by the crime. You need to submit an application to the [State Treasury](#). Any compensation received by you from the offender will be deducted from the State compensation. Any compensation that you have received or you are clearly entitled to receive according to other laws or an insurance policy will also be deducted.

Please consult the factsheet on compensation to victims of crime in Finland (available in [Finnish](#), [English](#) and other languages) of the European Judicial Network.

### **Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?**

[Mediation \(7\)](#) is usually initiated before the charges have been brought, but it is also possible during the trial even though conciliation at this stage is less common. The decision whether to refer the case to mediation is made by the local mediation office. The agreement reached through mediation may lead to waiving of the sentence or to a more lenient punishment.

During the trial, there are also opportunities to reach a settlement on your [civil claim \(1\)](#).

### **I am a foreigner. How are my rights and interests protected?**

You have the right to an interpreter free of charge if you do not know any of the official national languages in Finland (Finnish or Swedish) well enough. Important documents may also be translated for you free of charge.

If you are a victim of human trafficking and do not live in Finland, you have the right to receive special help available to victims of human trafficking. This help may include housing, social and health services, legal counselling and assistance, security arrangements and other forms of support that you may need. There are reception centres in [Joutseno and Oulu](#) which are responsible for the administration of the services for victims of human trafficking.

The suspicion alone that you could be a victim of human trafficking is enough to allow you to benefit from these services. If you illegally reside in Finland you may be granted a reflection period and, under certain conditions, a residence permit. The most important condition is that you cooperate with the authorities to catch the persons suspected of trafficking. Before deciding whether you want to cooperate with the authorities, you may be granted a reflection period of at least 30 days and a maximum of six months.

The [Ombudsman for Minorities](#) also offers legal advice and assistance. Help is also provided by many civic organisations or associations, such as [Victim Support Finland](#), [Multicultural Women's Association - Monika](#) and [Pro Centre Finland](#).

### **More information:**

- Act on the Publicity of Court Proceedings in General Courts 370/2007 (Laki oikeudenkäynnin julkisuudesta yleisissä tuomioistuimissa 370/2007; Lag om offentlighet vid rättegång i allmänna domstolar 370/2007) – in [English](#), [Finnish](#) and [Swedish](#)
- Act on the Openness of Government Activities 621/1999 (Laki viranomaisten toiminnan julkisuudesta 621/1999; Lag om offentlighet i myndigheternas verksamhet 621/1999) – in [English](#), [Finnish](#) and [Swedish](#)
- Act on Compensation for Crime Damage (Rikosvahinkolaki 1204/2005; Brottskadslag 1204/2005) – in [Finnish](#) and [Swedish](#)
- Language Act 423/2003 (Kielilaki 423/2003; Språklag 423/2003) – in [English](#), [Finnish](#) and [Swedish](#)
- Sámi Language Act 1086/2003 (Saamen kielilaki 1086/2003; Samisk språklag 1086/2003) – in [English](#), [Finnish](#) and [Swedish](#)
- Legal Aid Act 257/2002 (Oikeusapulaki 257/2002; Rättshjälpslag 257/2002) – in [English](#), [Finnish](#) and [Swedish](#)
- Code of Judicial Procedure 4/1734 (Oikeudenkäymiskaari 4/1734; Rättegångs Balk 1734/4) – in [English](#), [Finnish](#) and [Swedish](#)
- Act 1015/2005 on Conciliation in Criminal and Certain Civil Cases (Laki rikosasioiden ja eräiden riita-asioiden sovittelusta 1015/2005; Lag om medling vid brott och i vissa tvister 1015/2005) – in [English](#), [Finnish](#) and [Swedish](#)
- Criminal Procedure Act 689/1997 (Laki oikeudenkäynnistä rikosasioissa 689/1997; Lag om rättegång i brottmål 689/1997) – in [English](#), [Finnish](#) and [Swedish](#)

Notes:

## 1. Civil Claim

If you want to obtain compensation for damages from the offender, you need to report the damages to the police and state that you wish to claim such compensation. Your civil claim must be submitted in writing to the prosecutor, preferably during the pre-trial investigation. You can also ask the prosecutor to present your claim. You need to inform the prosecutor that you wish to make a civil claim in order to reserve an opportunity to submit your claim to the court even if the prosecutor decides not to present your claim.

Compensation can be claimed, for instance, for lost or damaged property, medicine costs and doctor's fees, pain and suffering as a result of the crime, and mental anguish. You need to provide a description of the circumstances on which the claim is based. You are in principle under no obligation to present evidence for your civil claim, but without any evidence your claim will probably not be successful. You can indicate the extent of the damages by presenting the receipts for the costs you have incurred. Keep also any receipts for your insurance deductible and possible travel costs in connection with the investigation. Compensation for them, too, can be claimed from the offender.

You can present your claim yourself in the criminal case if you want to do so, or if the prosecutor does not present it on your behalf. Where possible, the claim should be filed during the pre-trial investigation. You can also present your claim yourself not as part of the criminal proceedings, but in a separate civil case. However, it is recommended that you present your civil claim as part of the criminal proceedings. Thus you will not have to pay the fees connected with starting a civil case and you will not be responsible for proving your claim (this will be done by the prosecutor as part of proving the charges).

## 2. Trial Document

A trial document is a document that has been submitted to the court or prepared in court for court proceedings. A trial document usually becomes public at a certain point of time, and every person has the right to receive information from a public trial document. Some trial documents, however, are confidential. For a case considered at the first instance, a trial document submitted to court generally becomes public after the oral proceedings or, if no oral proceedings are held, after a decision is issued on the principal claim. The court may order that such a trial document becomes public at an earlier stage if it is apparent that making the document public will not cause damage to the participants in the case or if there is another serious reason for making the document public. A trial document containing the decision of the court becomes public when it is issued or is made available to the parties.

## 3. Attorney/legal counsel

Generally, only a lawyer or another person who: has a Master's degree in law, is honest and otherwise suitable and competent for the task, may serve as an attorney or counsel, provided that he or she is not bankrupt and that his or her legal capacity has not been restricted. Unless orally retained by the party in court, an attorney shall produce a power of attorney personally signed by his or her client. A lawyer and a public legal aid attorney, as well as a prosecutor who is representing the injured and presenting the civil claim of the injured party, need not produce a power of attorney, unless the court orders otherwise.

However, a direct ascendant or descendant of the party, a sibling of the party and the spouse of the party may serve as an attorney or counsel even if he or she has not earned the degree referred to above. If you have a statutory representative (for example your custodian if you are under age) he or she might in some matters be allowed to represent you. This depends on the issue at hand. The competence of the statutory representative is not based on the party's authorisation, but on law and authorisation by authorities.

## 4. Legal Aid

If you need assistance in a legal matter but cannot afford the necessary assistance, it may be provided to you, partially or fully at the expense of the State. Legal aid is available at any stage of the criminal proceedings and can cover the provision of legal advice, the necessary measures and representation before a court of law or another authority, and the waiver of certain expenses related to the case. In principle, legal aid includes all the necessary services of a legal assistant and reimbursement for necessary expenditures required in the criminal process.

The attorney can be a public legal aid attorney employed at the [State Legal Aid Office](#) or another private lawyer. If legal aid is granted to you, the State will pay the fee of the attorney in full or in part, depending on your income and available means. The work of the attorney can be compensated up to a maximum of 80 hours. However, in special cases the court may grant a dispensation from this limit.

Generally, legal aid is not provided if you have a legal expenses insurance that covers the case. Such insurance cover may be included for example in a household insurance policy, a labour union policy or a farming policy.

You can apply for legal aid at a [State Legal Aid Office](#). The legal aid office will verify your financial situation. You need to present evidence of your financial situation and information about the case for which you ask for legal aid. A public legal aid attorney employed at the legal aid office, a private lawyer or another jurist can provide legal aid.

Legal aid may be granted from the date of the application or, if the relevant criteria are met, also retroactively to cover expenses already incurred in relation to the case. Legal aid is available at all stages of the proceedings.

Legal aid is granted on the basis of your monthly available means and wealth. This is calculated through your income, expenditures and maintenance liability. The available means of your spouse are usually also taken into consideration. You as recipient of legal aid have to pay a percentage of the fee of the attorney (basic deductible). The percentage depends on your monthly available means.

If you are a single person with monthly available means under 600 euro you can be granted legal aid free of charge. When your monthly available means exceed 1,300 euro (if you are single), or 1200 euro per person (if you are in a couple), legal aid will not be granted.

#### 5. Support person

The support person gives you psychological support during the pre-trial investigation and the trial. For example, your support person has the right to be present when you are questioned, unless the head of investigation prohibits this for important reasons related to the criminal investigation. If you meet the conditions set out in the legislation, the support person is appointed for you regardless of your income. The fee of the support person is paid by the State.

#### 6. Restraining Order

If you feel threatened or harassed you can apply for a restraining order on the person threatening you. A restraining order means that to protect your life, health, freedom or peace, another person is ordered not to contact you. A restraining order may be imposed also when the person protected by the order and the person on whom the restraining order is imposed live in the same household.

The application can be made in writing or orally to the police or at the district court. It is the District Court that decides on the matter. A temporary restraining order, which enters into force immediately, can also be issued by a civil servant with the right to arrest a person (a senior policeman or a public prosecutor) or by the District Court.

If you are in a situation in which you are under a threat and you feel that you need a restraining order, you can get advice and help from the police, the social service authorities, the public prosecutor and voluntary organisations.

#### 7. Mediation

Mediation in criminal cases is a service in which you and the offender are given the opportunity to meet confidentially with the help of an impartial conciliator to discuss the psychological and material harm caused to you by the offence. The conciliator will help you and the offender find a mutual agreement to redress the harm.

Mediation can only take place on a voluntary basis and it thus requires the parties' free consent. Before the parties agree to conciliation, they must be informed about their rights in relation to conciliation and their position in the conciliation process. Each party has the right to withdraw its consent to participate in mediation at any time during the conciliation process.

A voluntary lay mediator, who has received training for the task, carries out the mediation.

If the parties reach an agreement, the mediator draws up a document about it. In cases of less serious crimes the agreement may result in closing the case. The agreement may also at a later stage lead to non-prosecution, waiving of sentence or to a more lenient punishment:

- For petty offences where the prosecution lies with you a settlement reached through mediation usually closes the case. The prosecutor can no longer press charges if you have withdrawn your request for punishment. An exception to this rule may be a case where there are several offenders or victims or where the prosecution would be in the public interest.
- In criminal cases subject to public prosecution, any agreement drawn up will be taken into account when a decision is made on whether to bring charges. It is up to the prosecutor to decide whether or not to prosecute. Even if the prosecutor decides to bring charges, a successful conciliation may be taken into account when the court decides on the sentence.

Assault, theft and criminal damage are the types of crime which are especially well suited for mediation. Other types of crime can also be dealt with through mediation, if allowed by the law. In cases of serious crime, however, the possibility of mediation is normally excluded.

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## 4 - Help and support for victims of crime

[Ministry of Justice](#)

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[Finnish Association for Mental Health](#)

### **Ministry of Justice**

The Ministry of Justice maintains and develops the legal order and legal safeguards and oversees the structures of democracy and the fundamental rights of citizens.

The Ministry of Justice has three departments responsible for protection of victims' interests

- the Law Drafting Department is in charge of law drafting in matters relating to the legal position of private persons and organisations, including legislation which concerns the rights of the victim
- the Department of Criminal Policy is responsible for developing crime prevention and the position of victims in general and for coordinating the victim issues in the Ministry
- the Department of Judicial Administration is responsible for the practical functioning of the courts, the enforcement units and the State legal aid offices

CONTACTS:

Website: <https://oikeusministerio.fi/en/frontpage>

### **Ministry of Social Affairs and Health**

The Ministry of Social Affairs and Health is responsible for the prevention of and assistance to victims of domestic violence and trafficking.

The Ministry of Social Affairs and Health

- is responsible for social and health planning, supervision and implementation
- is responsible for issues related to domestic violence; aims to develop a national service system for offering services and support to victims of domestic and family violence
- promotes gender equality
- is responsible for the prevention of trafficking and assistance to victims of trafficking

CONTACT:

Website: <http://www.stm.fi/>

## Ministry of Interior

The Ministry of Interior is responsible for police activities and the development of legislation on matters dealing with crime prevention.

The Ministry of Interior

- is responsible for police activities and the development of legislation on matters dealing with crime prevention (Police Department)
- is responsible for immigration policy and law and for the coordination between the other relevant administrative branches (Immigration Department)
- provides coordination in the field of anti-trafficking
- ensures equality and good ethnic relations and promotes prevention of racism and discrimination

CONTACTS:

Website: <http://www.intermin.fi/>

The Police Board

- designs, develops, manages and supervises police activities and support functions
- is responsible for police activities related to public services, equal access and quality across the country

CONTACTS:

Website: <https://www.poliisi.fi/en>

Local police

- maintain public order and safety and work to prevent crime
- investigate crimes and other public order or security incidents
- carry out other police duties assigned to or provided for

CONTACTS:

Contact details of police stations and other police units can be found on the police website: <https://www.poliisi.fi/en>

## State Legal Aid Offices

The State Legal Aid Offices give individuals the possibility to obtain assistance on legal matters fully or partially at the expense of the State. In Finland legal aid covers all sorts of legal matters.

The State Legal Aid Offices

- give Legal Aid both in court proceedings and in other matters and the nature and significance of the matter have an effect on the coverage of legal aid
- can provide legal aid free of charge , at the expense of the State to victims of sexual abuse and domestic violence
- under certain circumstances provide the defendant in criminal proceedings with a public defender at the expense of the State, regardless of his or her financial status
- usually do not grant Legal Aid if the applicant has legal expenses insurance that covers the matter at hand
- have a telephone service for directing you forward to you own legal aid office

CONTACTS:

Website: <https://oikeus.fi/oikeusapu/en/index.html> (contact details for each Legal aid Office)

## State Treasury

The State Treasury, which operates under the Ministry of Finance, is a service bureau, which grants compensation payable from State funds to victims of crimes. It acts as well as the assisting, receiving and transmitting authority in matters of compensation for criminal damage in cross-border situations between the EU Member States.

The State Treasury

- may grant the victim of a crime compensation for personal injury, property damage, financial loss and suffering payable from State funds
- acts as the assisting, receiving and transmitting authority in matters of compensation for criminal damage in cross-border situations between the EU Member States

CONTACTS:

Website: <http://www.statetresury.fi/en-US/Contact>

## Victim Support Finland

Victim Support Finland is an organisation founded in 1994 by seven organisations in Finland. It supports those who have experienced a crime, their close relatives as well as those who have witnessed a crime.

Victim Support Finland

- has grown into a national organisation that has a Central office, eight regional offices, 26 local service points, over 20 professionals as paid staff and about 300 trained volunteers
- maintains two nationwide helplines, operating anonymously and in confidence, that offer the possibility to talk with somebody who understands what a crime experience can mean to the victim
- supports a legal helpline with volunteer lawyers, who give legal advice by phone to victims and help them to find out their legal rights and to receive guidance on such matters
- provides confidential and anonymous online support service called Rikunet for crime victims, their family members and witnesses of crime
- can ensure a support person for crime victims, their family members and witnesses who can accompany them when attending police hearings or court sessions, assist in filing for a restraining order or applying for compensation

CONTACTS:

Website: <https://www.riku.fi/fi/victim+support/services>

## Women's Line

Women's Line is a national telephone help-line, which provides help, advice and support to girls and women who have experienced violence or a threat of violence, and also to their friends and family.

Women's Line

- is a national toll-free helpline which provides help, advice and support to girls and women who have experienced violence or the threat of violence, and also to their friends and family
- provides information and advice on issues affected by violence or the threat of violence such as women's juridical, economic and income status, education, work and access to employment, status and care of children, and family, intimate and other relationships
- guides to other relevant services
- gives opportunity to girls and women to speak about their situation confidentially and anonymously;
- operates nationally in English, in Finnish and in Swedish
- the same service is also available on the Internet
- the service is provided by Women's Line in Finland, a member of Women Against Violence Europe – WAVE

CONTACTS:

Website: <https://www.naistenlinja.fi/en/>, <http://www.naistenlinja.fi/>, <https://wave-network.org/>

## **Rape Crisis Centre Tukinainen**

The Rape Crisis Centre Tukinainen provides support and guidance for persons who have been sexually assaulted or abused, as well as for their families.

The Rape Crisis Centre Tukinainen

- has a free national helpline on which victims of crime can receive information from experts with special qualification about sexual assault and abuse,
- can arrange personal appointments and appointments for groups
- provides free legal consultation for victims of crime about sexual offences, restraining orders, sexual molestation and harassment and free legal assistance when reporting a sexual offence to the police, during the preliminary investigation and during the trial
- provides free legal consultation for victims of domestic violence

CONTACTS:

Website: <https://www.tukinainen.fi/english/rape-crisis-centre/>

## **Registered Association for the Close Relatives of Homicide Victims HUOMA**

HUOMA is a registered association whose members constitute a peer network that gives support to those who have lost someone as a victim of a homicide.

The Registered association for the close relatives of homicide victims HUOMA

- provides a free peer helpline by trained members of the association on call operating on Sunday and Monday nights
- organises peer group discussions to those who have lost a close person as a victim of a homicide
- organises the members of the association rehabilitation courses and provides a closed internet forum in the HUOMA website to discuss their experiences

CONTACTS:

Website: <http://www.huoma.fi/>

## **Shelters/Federation of Mother and Child Homes and Shelters**

The Federation of Mother and Child Homes and Shelters is a national child welfare organisation founded in 1945 to help families and support parenthood. There is a shelter for the victims of domestic violence in 14 member associations situated in different parts of Finland.

The Federation of Mother and Child Homes and Shelters

- has concentrated more on providing support for the family as a whole
- is particularly concerned with helping families in need and with the prevention of problems
- has shelters for people who have experienced domestic violence or threat of violence; the shelters are 24/7 service centres, in which persons either suffering from or threatened with domestic violence can find help in overcoming a crisis; there is a shelter in 14 member associations situated in different parts of Finland

Website: <https://nettiturvakoti.fi/> (Online Family Shelter); <https://ensijaturvakotienliitto.fi/en/>

## **The Ombudsman for Minorities**

The Ombudsman for Minorities is an independent authority, which aims to prevent ethnic discrimination and promote equality in a number of different ways. The Ombudsman for Minorities also acts as the national rapporteur on trafficking in human beings.

The Ombudsman for Minorities

- is an authority with the basic task of advancing the status and legal protection of ethnic minorities and foreigners as well as equality, non-discrimination and good ethnic relations in Finland
- supervises compliance with the prohibition of ethnic discrimination under the Non-Discrimination Act
- provides guidance and advice to those contacting the office in issues related to ethnicity and being a

foreigner in Finland

- can take the case to the National Discrimination Tribunal of Finland
- as the national rapporteur on trafficking in human beings, the Ombudsman also provides legal advice and assists victims as necessary
- can assist the possible victim in securing his or her rights or obtaining legal assistance..

CONTACTS:

Website: <https://www.syrjinta.fi/web/EN/frontpage>

### **Assistance system for victims of human trafficking**

Joutseno and Oulu reception centres represent assistance system for victims of human trafficking.

The Joutseno and Oulu Reception Centres

- are responsible for the administration of the system for victim assistance; the Joutseno Reception Centre serves adult victims of human trafficking, families and groups, and the Oulu Reception Centre provides services and other forms of support for minor victims of human trafficking

- provide assistance for victims of human trafficking includes residential arrangements, social and health care services, legal advice and assistance, security arrangements and other support measures required by the victim

- provide assistance for victims of crimes similar to human trafficking (aggravated prostitution, extortionate work discrimination and the aggravated arrangement of illegal immigration) are also admitted to the system

- administer assistance for victims with a municipality of residence in Finland who can receive the necessary basic services from their home municipality; even in this case, some services can be paid for through the system for victim assistance using state funds

CONTACTS:

Website: [http://www.humantrafficking.fi/in\\_english](http://www.humantrafficking.fi/in_english)

### **Multicultural Women's Association in Finland – Monika**

MONIKA is a non-governmental organisation, for women from minority ethnic groups. It provides easy access services, guidance, support and peer group activities for immigrant women and children who suffer from intimate relationship violence.

Multicultural Women's Association in Finland - Monika

- develops and provides free services for immigrant women and children who are suffering from violence
- operates the Mona Shelter for immigrant women and children who are victims of violence, including domestic violence, forced marriage, honour-related violence and human trafficking; the shelter provides safe, culturally sensitive housing and specialised services in a language understood by the victim; services are provided by multi-cultural social and healthcare professionals; home security can apply to all parts of Finland
  - The Resource Centres offer guidance, advice and help to immigrant women, girls and children who are victims of violence; the centres are located in Helsinki, Espoo, Vantaa, Finland, Kemi and Mikkeli
  - The Resource Centres, the Mona Shelter and the national 24-hour helpline number assist immigrant women and children who have been victims of violence and those living under the threat of violence
- operates 24-hour national helpline offering help and guidance around the clock
- operates the Multicultural Women's Houses in Helsinki and Mikkeli, which are multicultural meeting spaces for immigrant women

- offers services in a number of languages, including Arabic, Dari, English, Spanish, Farsi, Hindi, Italian, Kurdish, Persian, Portuguese, French, Romanian, Swedish, German, Somali, Tagalog, Thai, Turkish, Russian, Vietnamese and Estonian

CONTACTS:

Website: <https://monikanaiset.fi/en/>

### **Finnish Association for Mental Health**

The Finnish Association for Mental Health is a non-governmental organisation with the mission to support and promote good mental health, considered essential at all levels of society and in all spheres of life.

The Finnish Association for Mental Health

- stimulates interaction between individuals and communities, while activating people to work for the welfare of their own communities
- responds to social challenges by employing new models to promote mental health and provide help and assistance in crises
- maintains the SOS crisis centre which provides assistance to foreigners and their family members living in Finland, in different crises of life
- the SOS crisis centre follows the principle of providing immediate and anonymous assistance, free of charge help

CONTACTS:

Website: <https://www.mielenterveysseura.fi/en>

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## **3 - My rights after the (first) trial**

[Can I appeal against a sentence or if the defendant is declared not guilty?](#)

[Is further appeal possible?](#)

[What rights do I have after the court sentence enters into force?](#)

[More information](#)

### **Can I appeal against a sentence or if the defendant is declared not guilty?**

You can appeal against the sentence of the District Court before the Court of Appeal. When the District Court pronounces the sentence, it will inform you and the other parties (the prosecutor and the offender) how to submit an appeal.

You may appeal against a sentence if it has a harmful effect on you and your interests regardless of whether you have made a statement during the case. Within seven days of the day when the decision of the District Court was pronounced you need to declare your intent to appeal. The declaration can be made, either orally or in writing, to the court that decided the case or to the registry office of that court. Otherwise you may lose your right to be heard. If your declaration of intent to appeal is rejected (for instance, if it has not been filed in accordance with the applicable rules), you can send a written complaint to the Court of Appeal. The complaint has to be submitted at the registry office of the District Court within 30 days of the date the decision of the District Court was pronounced. When your declaration of intent to appeal has not been rejected, you will receive appeal instructions annexed to a copy of the decision of the District Court. These appeal instructions indicate the appellate court and the deadline to file the appeal. The instructions explain the provisions related to the appeal and the content and annexes of the [appeal document \(1\)](#).

You need to submit your appeal document within 30 days from the date when the decision of the District Court was pronounced. The appeal has to be submitted at the registry office of the District Court before the end of office hours on the last day of the 30-day period. An appeal filed after the deadline will automatically be dismissed. You can withdraw your appeal by way of a written notification, addressed to the Court of Appeal, to the registry office of the Court of Appeal or to the registry office of the District Court. You need to attend the hearing before the Court of Appeal if the court finds your presence necessary for the resolution of the case.

If nobody appeals against the court's decision, it will become final after the deadline for the appeal. After this moment the decision cannot be appealed.

### Is further appeal possible?

Instructions on when and how you can further appeal before the Supreme Court will be annexed to the decision of the Court of Appeal. However, to approach the Supreme Court you need a permit of appeal, which you can request from the Supreme Court. Such a permit will only be granted if:

- it is important to bring the case before the Supreme Court because the decision concerns the application of law in other similar cases or because of the uniformity of legal practice; or
- there is a special reason for appeal due to a procedural or other error on the basis of which the decision is to be reversed or annulled; or
- there is another important reason for granting a permit to appeal. A permit to appeal may also be granted as regards a part of the decision of the Court of Appeal.

You can request the permit and submit the appeal within 60 days from the date on which the decision of the Court of Appeal was made. Within this deadline you have to submit to the registry office of the Court of Appeal your letter of appeal, addressed to the Supreme Court and containing both the request for permit and the appeal. The documents you use as evidence for the appeal have to be annexed to the letter of appeal.

You need to attend the hearing before or the Supreme Court if the court finds your presence necessary for the resolution of the case.

### What rights do I have after the court sentence enters into force?

You will be informed when the offender is released, if there is a well-grounded reason to believe that he or she might be a danger to you. A notification may also be sent to any person in relation to whom the offender is under a [restraining order \(2\)](#). You do not have the right to intervene when a decision is made concerning the conditional or provisional release of the offender.

All the relevant information is provided in a language that you understand, free of charge.

### More information:

· Criminal Procedure Act 689/1997 (Laki oikeudenkäynnistä rikosasioissa 689/1997; Lag om rättegång i brottmål 689/1997) – in [English](#), [Finnish](#) and [Swedish](#)

· Code of Judicial Procedure 4/1734 (Oikeudenkäymiskaari 4/1734; Rättegångs Balk 4/1734) – in [English](#), [Finnish](#) and [Swedish](#)

Notes:

#### 1. Appeal document

The appeal document, which is addressed to the appropriate Court of Appeal, has to indicate:

- the District Court decision that is being appealed;
- which points of the decision of the District Court are appealed;
- what changes are requested in the decision of the District Court;
- what are the reasons for the changes and how, in the view of the appellant, the statement of the reasons of the District Court is erroneous;
- the grounds for granting a permit to continue the proceedings in cases such as is required;
- the evidence referred to and what the appellant intends to prove with each piece of evidence, a request for the holding of a main hearing at the Court of Appeal and your opinion on whether the parties should be heard in person during the main hearing, and which witnesses, expert witnesses or other persons have to be heard during the main hearing;

- the names of the parties and contact information of their legal representatives, attorneys or counsel;
- the postal address and other addresses to which the exhortations, invitations and notifications
- pertaining to the case may be delivered to you (address for service).

The appeal document must be signed by you or by the person who has drawn it up on your behalf.

## 2. Restraining order

If you feel threatened or harassed you can apply for a restraining order on the person threatening you. A restraining order means that to protect your life, health, freedom or peace, another person is ordered not to contact you. A restraining order may be imposed also when the person protected by the order and the person on whom the restraining order is imposed live in the same household.

The application can be made in writing or orally to the police or at the district court. It is the District Court that decides on the matter. A temporary restraining order, which enters into force immediately, can also be issued by a civil servant with the right to arrest a person (a senior policeman or a public prosecutor) or by the District Court.

If you are in a situation in which you are under a threat and you feel that you need a restraining order, you can get advice and help from the police, the social service authorities, the public prosecutor and voluntary organisations.

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