

## **A CASE OF GOOD PRACTICE – FINLAND**

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## A CASE OF GOOD PRACTICE – FINLAND

Gender equality has long been one of the pillars of the Finnish welfare society. The modern debate on equality between women and men began in Finland in the 1960s. In 1966, the Government established the first official gender equality body, the Committee on the Status of Women. Preparation of the legislation on gender equality begun in 1979 and was adopted in 1986 as the Act on Equality between Women and Men. During the 1990s and 2000s, gender equality has been increasingly on the agenda, especially in discussions concerning working life and the reconciliation of professional and private life. From 1995 onwards requirements set by and programmes instigated by the EU have had a significant impact on the development of gender equality policy in Finland.

Gender equality is being promoted through a dual strategy, including both **specific actions** to remove obstacles to gender equality and **mainstreaming the gender perspective** in all policy- and decision-making. Thus, equality between women and men is promoted through both legislation and policies.

The Act on Equality between Women and Men represents the legal frame for gender equality policies in Finland. In addition to the Act on Equality between Women and Men, there are other relevant laws in respect to equality. In the first place, the Constitution is based on the principle of equality (everyone is equal before the law and nobody shall be discriminated against on the grounds of sex, age, origin, language, religion, conviction, opinion, health, disability or other reasons that concern her/him). Furthermore, the Penal Code and Employment Contracts Act prohibit discrimination. In 2004, a specific non-discrimination legislation in the form of Non-discrimination Act came into force.

Over the past 10 to 15 years, Government Programmes have included explicit gender equality goals. The gender equality agenda includes: increasing the proportion of women among decision-makers, addressing gender equality issues in working life (including narrowing the gender pay gap), more equal distribution of family leaves and combating violence against women. These issues have been addressed in several Government Programmes, calling for a cross-sectoral effort and requiring cooperation between various actors, for instance at the ministries.

### Legislation

#### **Gender Equality and Non-discrimination**

<b>Act on Equality between Women and Men (609/1986)</b>
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The [Act on Equality between Women and Men](#) entered into force on 1 January 1987 and has been amended several times. The most important changes took place in 1992 (624/1992), 1995 (206/1995) and 2005 (232/2005). In 1992, the amendments made the prohibition of indirect discrimination and discrimination on the basis of pregnancy and parenthood more explicit. In 1995, a quota provision and an obligation concerning gender equality planning were added to the Act. The main purpose of the 2005 amendments was to incorporate EU directives into Finnish legislation, to make gender equality planning more effective and successful, and to promote equal pay.

The objectives of the Act are (Section 1):

- to prevent direct and indirect discrimination based on gender,
- to promote equality between women and men, and
- to improve the status of women, particularly in working life.

The Act has a wide scope of application, both in a public and private sector. It is applicable to all sectors of society and all institutions in which discrimination may occur.

### Main elements of the Act:

#### 1. *Promotional measures*

- **General duty of authorities to promote gender equality**, incl. gender assessment in preparation of new legislation (Section 4);
- **Quotas**: at least 40 % in government committees, advisory boards and corresponding bodies, municipal and intermunicipal cooperation bodies (Section 4a);
- **Equal representation**: in administrative boards, boards of directors or some other executive or administrative body consisting of elected representatives where the body, agency/institution exercising public authority or a company in which the government or a municipality is the majority shareholder (Section 4a);
- **Education and training**: general obligation to promote gender equality (Section 5) and gender equality plan (Section 6b);
- **Working life**: general obligation to promote gender equality (Section 6) and gender equality plan (Section 6a).

#### **Gender equality plan in employment organisations** (Section 6a)

- obligatory for employers with 30 or more employees;
- produced annually;
- focus on the pay and other terms of employment;
- may be incorporated into a personnel and training plan or an occupational safety and health action plan;
- prepared in cooperation with personnel representatives;
- includes an assessment of the gender equality situation in the workplace, necessary measures planned for promoting gender equality and achieving equal pay and a review of previous implementation and of the results achieved.

#### **Gender equality plan in educational institutions** (Section 6b)

- produced annually in cooperation with staff and student representatives;
- includes a survey of the gender equality situation within the institution and of related problems and the necessary measures for promoting gender equality;
- special attention to the attainment of gender equality in student selections and when organizing teaching and evaluating study performance, and to measures preventing and eliminating sexual harassment and gender-based harassment;
- includes a review of previous implementation and of the results achieved;
- may be incorporated into the curriculum or some other plan drawn up by the educational institution.

#### 2. *Prohibition of discrimination*

**General prohibition of discrimination** (Section 7): direct and indirect discrimination, sexual harassment and gender-based harassment, instruction to engage in discrimination based on gender

**Prohibition of discrimination in working life** (Section 8): as regards pregnancy and childbirth, recruitment, training, pay and other terms of employment, organization of work, giving notice and lay-offs, countermeasures by the employer (Section 8a), harassment in the workplace (Section 8d).

Burden of proof lies with the employer (Section 9a).

Employers have an obligation to report on their actions regarding the case of discrimination to the employees (Section 10).

The Act defines the action that shall not be considered as discrimination (Section 9), e.g. special protection of women due to pregnancy or childbirth, enacting legal provisions on compulsory military service for men only, temporary special actions.

**Prohibition of discrimination in educational institutions (8b):** as regards student selection, organization of teaching, evaluation of study performance, any other regular activity of the educational institution / body or otherwise treated in the manner referred to in the Act.

Educational institutions have an obligation to report on their actions regarding the case of discrimination on the request of a student (Section 10a).

**Prohibition of discrimination in organizations representing labour market interests (Section 8c):** as regards the activities of a labour market organization, the membership admittance, the provision of the benefits it offers or otherwise treated in the manner referred to in the Act.

**Prohibition of discriminatory vacancy announcements (Section 14):** job vacancies or education or training places may not invite exclusively applications from either women or men; announcements may be directed at one gender only in exceptional cases, where there is a weighty and acceptable reason arising from the nature of the work.

### *3. Sanctions and coercive measures*

**Compensation (Sections 11 - 12):** anyone who has violated the discrimination prohibition is liable to pay compensation to the affected person; payment of compensation does not prevent the injured party from claiming compensation for loss/damage under the Tort Liability Act or any other legislation.

**Coercive measures (Sections 21 – 21a):** penalty payment imposed by the Equality Board in case of breach of prohibition of discrimination or in case of neglecting the obligation of equality planning; penalty payment imposed by Ombudsman as a means of enforcing the obligation to provide information to the Ombudsman.

### *4. Supervision of compliance with the act*

The Ombudsman for Equality and the Equality Board supervise compliance with the Act in private activities and in public administration and public business (Section 16).

Duties of the **Ombudsman for Equality (Sections 17 – 19)**

- to supervise compliance with the Act, particularly the prohibition of discrimination and the prohibition of discriminatory announcements;
- to carry out inspections at a workplace, educational institution or organization representing labour market interests and provide executive assistance;
- to provide guidance and advice on the implementation of the objectives of the Act;
- to place a matter before the Equality Board;
- to provide information about the Act and its application;
- to monitor the extent to which gender equality has been achieved in different sectors of society.

Authority of the **Equality Board (Section 21):**

- to prohibit anyone who has acted contrary to the provision on the prohibition of discrimination from continuing or repeating the practice;
- to impose the threat of a penalty if necessary;

- to impose an obligation on the employer or educational institution to prepare a gender equality plan (on the Proposal of the Ombudsman for Equality)

### **Marriage Act (234/1929)**

The Marriage Act has been adopted in 1929 with several amendments by 2001. One of the more important amendments in 1987 was the clause on **equality between the spouses** (Chapter 1, Section 2). It states that the spouses shall be equal. In the marriage, they shall display mutual trust and together work for the good of the family. Each spouse shall, herself or himself, have the right to decide whether to engage in gainful employment and in societal and other activities outside the family.

### **Non-Discrimination Act (21/2004)**

The [Non-Discrimination Act](#) came into force on 1 February 2004, implementing the Council Directive (2000/43/EC) implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and the Council Directive (2000/78/EC) establishing a general framework for equal treatment in employment and occupation.

It bans discrimination on the basis of age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristics. It is stated that the prohibition of discrimination based on gender is covered by the provisions of the Act on Equality between Women and Men (609/1986).

### **Violence against Women**

#### *Intimate partnership and domestic violence*

### **Penal Code (39/1889)**

**Domestic violence** has been a public prosecution crime since 1995. According to the Penal code, also violence that occurs in private sphere is divided into three categories: petty assault, assault and grievous bodily injury. Only petty assault is a plaintiff crime. It means that the police investigates only when the victim of the crime demands that the perpetrator be punished. In petty cases, the police can, with the consent of the plaintiff, sentence the suspect to a fine which will be determined by the prosecutor. In such cases a pre-trial investigation record is not necessarily drawn up. Assault and grievous bodily injury are, like most crimes, public prosecution crimes. As such, they are always investigated by the police when brought to their attention. Assault and rape are public prosecution crimes also when they take place in the home or when the perpetrator is a family member.

### **Act on the Restraining Order (898/1998)**

The Act on the Restraining Order, was amended in the beginning of 2005 so that it would also be applied when the person protected by the order and the person on whom the restraining order has been imposed live in the same household (711/2004). Previously, a restraining order could not be ordered if the parties concerned were living together. The new provisions on the inside-the-family

restraining order may also be applied in case the persons live together for reasons other than forming a partner relationship.

A person placed under an inside-the-family restraining order has to leave the common residence and he/she may not return there. Nor may he/she otherwise meet or contact the person protected by the restraining order. It is forbidden to follow and observe the person protected. Also an inside-the-family restraining order may be imposed extended (otherwise it is imposed for a maximum of three months) to cover the presence in a certain other place, e.g. in the vicinity of the common residence.

### ***Sexual violence***

#### **Sex Offence Code (563/1998; is included in the Penal Code of Finland of chapter 20)**

Renewed Sex Offence Code entered into force on 1 January 1999. Under this Act sex offences are divided into three categories. They are: compelling to a sexual intercourse, rape and gross rape. Compelling to a sexual intercourse is only a plaintiff crime, in which case victim has to report the offence and demand that the perpetrator be punished. Rape and gross rape are public prosecution crimes. **Rape in a marriage** was criminalised in 1994. It is a punishable offence such as other sex offences.

### ***Trafficking in women and sexual exploitation***

#### **Penal Code (39/1889)**

In 2004, new provisions on trafficking in human beings and aggravated trafficking in human beings were added to the Penal Code (Chapter 25, Sections 3 and 3a). A person may be sentenced for trafficking in human beings to imprisonment for a minimum of four months and a maximum of six years and for aggravated trafficking in human beings for a minimum of two and a maximum of ten years. Therefore, the offences in question are considered very severe.

In addition, the Finnish law also applies, under the new section 7 of Chapter 1 of the Penal Code to an offence of trafficking in human beings committed outside of Finland, regardless of the law of the scene of the crime.

Trafficking in human beings is strongly connected to the trade in sexual services and pandering. The goal of human trafficking often lies in the sexual exploitation of the victims. Pandering and aggravated pandering are punishable under sections 9 and 9a of Chapter 20. In 2006, the exploitation of a person victim of the trade in sexual services became punishable under section 8 of Chapter 20 which concerns the buying of sexual services from a victim of trafficking in human beings or pandering. According to section 8a of Chapter 20, buying sexual services from a young person, that is, a person under 18 years of age, is punishable.

#### **Aliens Act (301/2004)**

Provisions on the residence permit of victims of trafficking in human being and discretionary period in their case have been included in the Aliens Act. The Act was also supplemented by a provision on a so-called discretionary period during which the victims of trafficking in human beings may recover from their experiences and detach themselves from the influence of the criminals. The victim may benefit from the discretionary period to make a decision about starting to cooperate with the authorities to apprehend the suspects of the offence of trafficking in human beings.



## Public Order Act (612/2003)

The buying of sexual services in public places is punishable under the Public Order Act, which entered into force in 2003. The same Act also provides for a punishment for offering sexual services in a public place against payment.

## Employment and social policy

### Employment Contracts Act (55/2001)

The [Employment Contracts Act](#) prohibits discrimination against employees on the basis of age, health, disability, national or ethnic origin, nationality, sexual orientation, language, religion, opinion, belief, family ties, trade union activity, political activity or any other comparable circumstance (Chapter 2, Section 2). Provisions on the prohibition of discrimination based on gender are laid down in the *Act on Equality between Women and Men* (609/1986).

The Act provides for a **special protection of pregnant women** regarding occupational safety and health (Chapter 2, Section 3). If the working duties or conditions of a pregnant employee endanger the health of the employee or the foetus and if the hazard cannot be eliminated from the work or working conditions, the employee shall if possible be transferred to other duties suitable in terms of her working capacity and skills for the period of pregnancy.

The Act also provides several means to eliminate the negative effects of atypical employment relationships. For example if the employer needs more workers for tasks suitable for his part-time workers, the employer has to offer this work to his part-time workers (Chapter 2, Section 5). The employer also has to notify of vacant jobs in accordance with the practice prevailing at the work site (Chapter 2, Section 6) in order to ensure that also part-time and fixed-term workers have the same possibilities to seek these jobs as permanent or full-time workers.

The Act defines the right to and organisation of **family leave**: maternity, special maternity, paternity and parental leave. The right to family leave and sickness pay are the same for both fixed-term and permanent workers. (Chapter 4).

Employees shall be entitled to take leave from work during maternity, special maternity, paternity and parental benefit periods (Section 1).

The employee may perform work during the maternity or parental allowance terms with the employer's consent, except during a period of two weeks before the expected time of birth and two weeks after giving birth. The employer and the employee may also agree on part-time work and its terms during the parental allowance period (Section 2).

Employees are entitled to take **child-care leave** in order to care for their child or some other child living permanently in their household until the child reaches the age of three. Child-care leave can be taken in one or two periods of at least one month. Only one parent is entitled to childcare leave at one time. During maternity or parental leave, the other parent is nonetheless entitled to take one period of child-care leave (Section 3).

An employee who has been employed by the same employer for a total period of at least six months during the previous 12 months is entitled to take **partial child-care leave** in order to care of his or her child, or some other child living permanently in the employee's household, up to the end of the second year during which the child attends basic education (Section 4).

If the employee's child or some other child who is under 10 years of age and who lives permanently in the employee's household falls suddenly ill, the employee shall be entitled to **temporary child-care leave** for a maximum of four working days at a time in order to arrange for care of the child or to



care for the child personally. This entitlement also applies to a parent who does not live in the same household with the child (Section 6).

At the end of a family leave, employees are in the first place entitled to **return to their former duties**. If this is not possible, employees shall be offered equivalent work in accordance with their employment contract, and if this is not possible either, other work in accordance with their employment contract (Section 9).

### Health Insurance Act

**Allowances regarding the family leaves** (maternity, special maternity, paternity and parental allowance) are covered in the Health Insurance Act. The law also includes regulations on the compensation for loss of earnings caused when parents have to look after children when they are sick.

### Family Leave Package (HE 147/2002)

On 1 January 2003, the so-called Family Leave Package (HE 147/2002) entered into force, in connection with which amendments were made to the Sickness Insurance Act, the Employment Contracts Act, the Act on Child Day Care, the Act on Home Care Support for Children and the Act on Compensating the Annual Leave Costs Payable for the Period of Parental Allowance<sup>1</sup>. The central starting-point of the amendments was to increase the flexibility and the possibilities of families to coordinate the needs of work and family life in accordance with the needs of the family and to **increase the equality of women and men in work and family life**.

The Family Leave Package provided for a new form of family leave, i.e., a partial parental leave. The new leave is based on the parents **sharing the responsibility for the care of the child**. This means that both parents conclude an agreement with their employers on part-time work for a minimum period of two months.

The reform particularly aims at increasing the participation of fathers in activities related to care and upbringing of small children by increasing their possibilities of choice. As part of the reform, the parental leave available to both biological and adopted fathers was extended so that the fathers have a possibility to a continuous one-month leave from their work by combining parental leave and paternity leave. In addition, the legislative amendments made the parental allowance system more flexible so that the parents of small children can take also a partial parental leave while the parents share the responsibility for taking care of the child so that they are simultaneously on partial parental leave and in part-time work.

In addition, the maternity allowance payable to mothers was increased for the duration of the first 56 working days after birth. The increase of the allowance improves not only the income of the family but also the compensation paid to the employer in compensation for the salary of the mother payable during her maternity leave. The amount of the compensation for the annual holiday salary payable by the employer has also been improved during the period under examination. The reforms aim at levelling out the tangible salarial costs incurred by individual employers on account of the parenthood of an employee.

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<sup>1</sup> The referred Acts, apart from the Employment Contract Acts are not available in English.

### **Act on Job Alternation Leave Experiments (1663/1995) and Act on Job Alternation Leave (1305/2002)**

The Act on Job Alternation Leave Experiments (1663/1995) entered into force at the beginning of 1996. Job alternation leave offers the worker a possibility for a longer leave, which he can spend as he/she wants to, for example for training, **care of children or other family members**, hobbies or rest. A central purpose of the job alternation leave is to promote working ability. For an unemployed person, the job alternation leave provides a possibility, by means of a fixed-term employment relationship, to maintain and develop his working skills and to improve his possibilities to find employment.

The reform of the Act on Job Alternation Leave (1305/2002) entered into force at the beginning of 2003. It prolongs the earlier trial by five years, i.e., until the end of 2007. Under the new Act, a person can take a job-alternation leave if he/she has been employed in accordance with the Employment Pensions Act for a minimum of ten years. The compensation is 80 % of the unemployment benefit for those with a work history of at least 25 years and 70 % for others. The worker can take a new job-alternation leave after a work period of five years. When hiring the substitute, priority is given to young unemployed people, those who have recently graduated from a university or polytechnic as well as the long-term unemployed.

### **Act on Child Day Care (36/1973)**

According to the Act on Child Day Care the aim of a day care is to support the homes of children in day care, in child rearing tasks and, together with the home, promote the balanced personal development of children.

The Act clearly defines the physical setting for the provision of day care and the educational objectives. According to the act the objectives of day care promote the balanced development of children together with their parents. For its part, day care shall provide children with safe and warm relationships; activities supporting children's development in a versatile manner, as well as a favourable growth environment based on individual children's circumstances.

According to children's age and individual needs, day care has to take account of children's general cultural heritage to promote their physical, social and emotional development and to support their aesthetic, intellectual, ethical and religious education. In promoting child development, day care has to support the upbringing of children to be socially responsible and peaceful and to cherish their environment.

### **Social Welfare Act (710/1982)**

The [Social Welfare Act](#) regulates social services, social assistance, social allowance, social loans and related measures intended to promote and maintain the social security and functional capacity of the individual, the family and the community. The act applies to municipalities on organising, planning and implementation of social welfare.

According to the act municipalities are responsible for organizing **day care for children** (Section 17(2)).

The act also provides the right for a **family care** (Sections 25, 26, 26a). Family care means upbringing or other 24-hour attendance of persons in a private home other than their own. Family care can be provided to persons who are not considered to need institutional care and who cannot be expediently provided with care, upbringing or other attendance in their own home or by making use of other welfare and health care services. Family care may be provided also to **children under school age** and other persons requiring special care or attendance that live in the same household with the carer.

Provisions on the person providing family care are set up in the [Family Carer Act](#) (312/1992).

#### **Act on the Position and Rights of a Customer of Social Welfare Services (812/2000)**

The Act on the Position and Rights of a Customer of Social Welfare Services enacted in 2000 (812/2000) also strengthens the rights of the **disabled as users of social welfare services**. Especially when establishing a family, disabled women need a lot of support to organize everyday activities. At that point it is for example important to have access to home care. Enhanced support measures during pregnancy and during and after childbirth are likewise important for the disabled. Also the elderly disabled need a lot of social welfare services.

#### **Harassment and sexual harassment at the workplace**

#### **Occupational Safety Act (732/2002)**

At the beginning of 2003, a new Occupational Safety Act (732/2002) entered into force with the aim of improving the working environment and working conditions to ensure and maintain the working ability of the workers and to prevent and combat work accidents, occupational diseases and other detriments to the physical and mental health of workers due to the work and the working environment.

Under section 28 of the Act, the employer has to undertake measures to remove a drawback by the means available to him after he has been informed that the work displays **harassment or other inappropriate behaviour** directed at the employee and causing a detriment or harm to his or her health. The employer may become aware of the harassment in different ways, for example when fulfilling his general obligation to observe the working conditions. Harassment and inappropriate treatment also refer to **sexual harassment and sexually inappropriate treatment**.

Sexual harassment is further governed by the *Act on Equality between Women and Men*. According to Section 8 d, the action of an employer shall be deemed to constitute discrimination prohibited under the Act if upon receiving information that an employee has been a victim of sexual or other gender-based harassment in the workplace, the employer neglects to take the measures available to eliminate the harassment.

## Policy Programmes and Measures

### **The Government Programme 2007-2011**

The Government Programme 2007 - 2011 contains a specific sub-chapter entitled »Improving equality between women and men«. The Programme states that gender equality is a central value in the Finnish society and that the entire Government commits itself to promoting equality in all decision -making. The tripartite programme for the implementation of the principle of **equal pay for work of equal value** launched during the term of the previous Government will be pursued with the goal of clearly reducing the disparities in salaries based on gender during the term of the Government.

It has been recorded in the Government Programme that the Government will **promote the careers of women and female leadership** and alleviate the division of the labour market according to gender. **Reconciling work and family life** will be promoted in all decision-making, and fathers will be encouraged to take increasingly advantage of their right to a family leave. The paternity leave will be pro-longed by two weeks.

The Government will ensure that the **gender perspective is mainstreamed** in the law-drafting, the budget-making process and other important projects starting from their very first stages. The Ministries will provide training in order to promote gender mainstreaming. In pre-primary education and in teacher education, gender awareness will be given more focus. The gender perspective will also be included in **social and health services** and the narrowing of the gap in health. The conditions and resources for the activities of **public authorities and women's organisations** implementing gender equality will be strengthened.

Moreover, the Government will submit a report on the equality between women and men to the Parliament during the electoral period. The Government will contribute to support the activities of the labour market organisations for the promotion of gender equality and equal pay. The Government is ready to support, by means of an increased Government transfer to municipalities, a salary agreement in the municipal sector that aims at promoting the competitiveness of the salaries paid in predominantly female sectors.

### **Government Action Plan for Gender Equality for 2008-2011**

In 2008, the Government has adopted the [Action Plan for Gender Equality for 2008-2011](#), which is a continuation of the 2004-2007 action plan.

Priorities in the government action plan are based on the most important gender equality policy objectives defined in the government policy platform.

The action plan includes seven priority areas:

- Gender mainstreaming,
- Reducing gender pay differentials,
- Promoting women's careers,
- Increasing gender awareness in schools and reducing gender segregation,
- Reconciling work and family life,
- Reducing violence against women,
- Reinforcing gender equality work and a report on gender equality.

The Government has committed to promote gender equality in all its decision-making. Therefore, each ministry has chosen at least one project/activity and will assess its impact on the situation of women and men. The gender perspective will also be incorporated in the most important government operations – drafting legislation, drawing up the budget and implementing projects.

In order to encourage fathers to engage more into care for children by using family leaves and to reinforce the labour market status of women, the Government will explore the possibilities to reform the parental leave system.

Since the violence against women has not diminished much in Finland during the past decade, the Government has committed to draw up a cross-sectoral programme to reduce violence against women. Furthermore, the continuity of the related expertise will be ensured in the ministries in question.

### **Socially Sustainable Finland 2020: Strategy for social and health policy**

In 2010, Finland adopted a strategy for social and health policy [Socially Sustainable Finland 2020](#). The aim of the strategy is to achieve a socially sustainable society in which people are treated equally, everyone has the opportunity to participate, and everyone's health and functional capacity is supported.

Together with equality, mental and material wellbeing and economic, social and ecological sustainability, **gender equality** represents the basis for a socially sustainable and developed Finnish society.

Social sustainability requires a functioning social protection system that helps citizens cope with risks in life. Everyone has the right to social wellbeing, participation and the best health possible. The concept of 'social protection' in the strategy is used in a broad sense, including income support, social welfare and health care services, preventive action, occupational safety and health, and to some extent gender equality.

In its aim to ensure welfare for all Finland will **promote a strong sense of social inclusion**. Social and health policy will be used to support social participation and a life of human dignity for women and men of different ages and for various language and cultural minorities. The integration of immigrants and their families into Finnish society must be supported. The overall aim is to instil positive attitudes towards immigrants and other minorities and to improve their real possibilities of finding jobs. Studies and social welfare and health care services for immigrant women in particular must be supported.

One of the strategic objectives is **balancing the various areas of life**. It is recognised that smoothly combining work and family life improves wellbeing at work and at home, increases the birth rate, the employment rate and the capacity of families with children to manage their everyday lives. Family leave, high-quality early childhood education services and flexible working hours help reconcile work and family life. The need for reconciliation is heightened in the case of single parents and employees whose elderly, ill or disabled family members require assistance.

The system for providing care to small children must adapt to the different needs of children and families and support the balanced growth and development of children. Families must have alternatives available for organising child care. Family leave must be divided more equally between fathers and mothers. Long-term efforts to strengthen the role of fathers will be continued. Parents have responsibility for their parenthood and for the rights and responsibilities that it entails.

Finland has further committed to **mainstream gender into social and health policy**. Impacts on men and women, i.e. gender impacts, must be taken into account in all areas of preparation and decision-making concerning welfare. This will strengthen the realisation of gender equality.

## VIOLENCE AGAINST WOMEN

### Action Plan to Reduce Violence against Women in 2010 - 2015

In 2010, the Government has adopted the cross-sectoral [Action Plan to Reduce Violence against Women](#), as committed in the Action Plan on Gender Equality. The action plan was jointly prepared by the Ministry of the Interior, the Ministry of Justice, the Ministry of Social Affairs and Health and the Ministry for Foreign Affairs.

The aims of the action plan are:

- to tackle violence proactively by seeking to influence attitudes and behaviours;
- to prevent repeated violence;
- to improve the position of victims of sexual violence and the crisis assistance and support provided for them;
- to develop methods for identifying and intervening in the violence experienced by vulnerable groups;
- to enhance the knowledge and skills of the authorities and professional service providers in preventing violence against women and in helping victims.

The action plan proposes the measures in the following nine areas and defines key actors and timeframe for implementing the measures:

- Strengthening preventive work against violence;
- Improving help and support services for victims of violence;
- Preventing repeated violence;
- Improving the position and support for victims of sexual violence;
- Intervening in violence experienced by vulnerable groups;
- Enhancing the quality and efficiency of the criminal justice process;
- Developing perpetrator programmes for violent offenders;
- Strengthening the identification of and intervention in violence;
- Increasing information and knowledge.

Implementation of the Action Plan is coordinated and monitored by a cross-sectoral working group on the prevention of interpersonal and domestic violence appointed by the Ministry of Social Affairs and Health and representing the Ministry of Social Affairs and Health, the Ministry of Justice, the Ministry for Foreign Affairs, the Ministry of the Interior Migration Department, the National Police Board and the National Board of Education.

One of the key goals of Government development projects dealing with violence against women and domestic violence has been **to improve and develop services and the service system** throughout the country. The aim has been to ensure that all parties to violence have access to services and support provided through the public sector. Public services are complemented by specific services targeting special needs, which include shelter services for victims of violence, telephone counselling, crisis services for victims of rape and sexual violence, therapy and support group activities, services for violent offenders and separate services for children who have experienced and witnessed violence.

In 2009, the Ministry of Social Affairs and Health appointed a working group to prepare the proposal for a **revision of social welfare legislation**; the working group's term continues until the end of 2011. The working group is charged with exploring the need for a revision of the overall structure of social welfare legislation, its scope of application and content. The new Act shall include the obligation for the provision of **acute services** (such as shelter services) and **other specialized services** (social and healthcare) for victims of violence, offering counselling and economic support in such areas as raising charges, making an appearance in a court of law, filing for divorce, and negotiating questions of child custody, social security, housing or employment.

One of the key objectives of the government policy is **enhancing the quality and efficiency of the criminal justice process** in cases of violence against women. The authorities involved in different stages of the criminal justice process need more training in the areas of sexual and other violence against women. The aim is to increase the awareness of court judges, legal assistants, public prosecutors, child welfare supervisors and officers and the police about dealing with victims of sexual and intimate partner violence. Special consideration shall be given to the needs of mentally retarded persons, young people and victims with an immigrant background.

The prosecution system in Finland includes a mechanism of **prosecutor specialization** which is aimed at promoting the effective and fair enforcement of criminal liability. Public prosecutors specializing in a certain subject have the role of maintaining and elevating the expertise of other prosecutors in their respective field of specialization. From the beginning of 2008 there have been five key prosecutors who specialize in offences against children and women and there is a need for even more.

#### Legal Aid

<http://www.oikeus.fi/8852.htm>

The legal aid gives individuals the possibility to obtain assistance for legal matters fully or partially at the expense of the state, including the counselling services for court proceedings, for settlement negotiations and for the drafting of documents.

Legal aid is given in any sort of legal matter, for example:

- **divorce, distribution of matrimonial property, maintenance, marriage settlement**
- testament, estate inventory, distribution of a decedent's estate
- assistance to debtors, creditors and guarantors
- collection of wage arrears, termination of employment, notice
- collection of rent arrears, notice, eviction
- deed of sale, annulment of sale, price reduction
- **assistance to suspected offenders and to victims of crime, restraining order**
- appeals relating e.g. to welfare, taking into care and social insurance payments

If a person becomes a victim of domestic violence, a sexual offence or some other offence of violence, the court may appoint **an attorney and a support person for the victim** for the pre-trial investigation and the trial. The attorney helps the victim during the judicial treatment of the case and the support person provides mental support.

The attorney and the support person are appointed regardless of the income of the victim. Their fees and expenses are paid by the state.

**OTHER RELEVANT DOCUMENTS:**

Government Report on Gender Equality

[http://www.stm.fi/c/document\\_library/get\\_file?folderId=2765155&name=DLFE-15811.pdf](http://www.stm.fi/c/document_library/get_file?folderId=2765155&name=DLFE-15811.pdf)

National Report: Gender Violence In Finland - from the perspective of women

[http://www.surt.org/gvei/docs/national\\_report\\_finland\\_def.pdf](http://www.surt.org/gvei/docs/national_report_finland_def.pdf)

Social Welfare in Finland (2006)

<http://pre20090115.stm.fi/aa1161155903333/passthru.pdf>

Social Security in Finland (Heikki Niemelä and Kari Salminen, 2006)

[http://www.kela.fi/in/internet/liite.nsf/NET/280606095303EK/\\$File/socialsecurity.PDF?OpenElement](http://www.kela.fi/in/internet/liite.nsf/NET/280606095303EK/$File/socialsecurity.PDF?OpenElement)

**SOURCES:**

Government Report on Gender Equality

[http://www.stm.fi/c/document\\_library/get\\_file?folderId=2765155&name=DLFE-15811.pdf](http://www.stm.fi/c/document_library/get_file?folderId=2765155&name=DLFE-15811.pdf)

Ministry of Social Affairs and Health

[http://www.stm.fi/en/gender\\_equality](http://www.stm.fi/en/gender_equality)

National Report: Gender Violence In Finland - from the perspective of women

[http://www.surt.org/gvei/docs/national\\_report\\_finland\\_def.pdf](http://www.surt.org/gvei/docs/national_report_finland_def.pdf)

The Fifth Periodic Report of The Government of Finland on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women

[http://www.iwraw-ap.org/resources/pdf/41\\_official\\_documents/finlandFIN5.pdf](http://www.iwraw-ap.org/resources/pdf/41_official_documents/finlandFIN5.pdf)

The Sixth periodic Periodic Report of The Government of Finland on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women

[http://www.iwraw-ap.org/resources/pdf/41\\_official\\_documents/finlandFIN6.pdf](http://www.iwraw-ap.org/resources/pdf/41_official_documents/finlandFIN6.pdf)

Ombudsman for Children in Finland

[http://www.lapsiasia.fi/en/childrens\\_matters/legislation\\_and\\_children](http://www.lapsiasia.fi/en/childrens_matters/legislation_and_children)