

# ACTION PLAN TO REDUCE VIOLENCE AGAINST WOMEN



Action Plan to Reduce Violence against Women

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# SUMMARY

## ACTION PLAN TO REDUCE VIOLENCE AGAINST WOMEN

■ In connection with adopting the Action Plan for Gender Equality 2008–2011, the Finnish Government took the decision to initiate a cross-sectoral National Action Plan to Reduce Violence Against Women. The Government was keen to put in motion such a plan because there had been no national programmes in this area since the 1998–2002 project for the prevention of prostitution and violence against women. This had prompted comments to the Finnish Government from the United Nations Committee on the Elimination of Discrimination against Women (CEDAW). 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. Preparation of the Action Plan was coordinated by the National Institute for Health and Welfare on behalf of the Ministry of Social Affairs and Health.

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; 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 takes a broad and comprehensive approach to the challenge of reducing violence against women, following the three P's principle. This means that the Action Plan proposes a comprehensive series of measures for the prevention of violence; for the provision of protection and support for victims of violence; and for the prosecution of perpetrators of violence. A total of 60 proposed measures are listed, some of which can be implemented without separate funding.

The Action Plan proceeds from an evaluation of the present state of violence against women and an overview of areas not covered by previous programmes of action. The national Action Plan has been designed to respect the international conventions and treaties that Finland has signed.

Key words:

action plan for gender equality, action plans, domestic violence, violence

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# I BACKGROUND TO THE ACTION PLAN

In connection with adopting the Action Plan for Gender Equality 2008–2011, the Finnish Government took the decision on July 17, 2008 to initiate a cross-sectoral National Action Plan to Reduce Violence Against Women. 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 process was coordinated by the National Institute for Health and Welfare on behalf of the Ministry of Social Affairs and Health. The Government was keen to put in motion such an Action Plan because there had been no national programmes dedicated to this area since the 1998–2002 project for the prevention of prostitution and violence against women. This had prompted comments to the Finnish Government from the United Nations Committee on the Elimination of Discrimination against Women (CEDAW).

Finland has committed itself to adhere to the United Nations Declaration of Human Rights and UN human rights conventions, which say that everyone has the right to liberty and security and that no one shall be subjected to torture or to inhuman or degrading treatment. The most significant international document with respect to the protection of women's human rights is the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW Protocol), which was adopted by the UN General Assembly in 1979. Finland ratified this convention of women's rights in 1986.

According to international law, any act of violence against women is a human rights violation, and states signatories to human rights conventions are obliged to ensure that their actions or failure to take action does not cause them to infringe on human rights. Furthermore, the state is under obligation to guarantee that these rights are met for all people by making sure that they are not violated by *non-state actors*. This principle of due diligence includes the obligation to prevent infringements by private individuals, to investigate them, to punish offenders and to offer appropriate compensation to victims.

Finland has also committed itself to promoting women's rights by signing the Declaration and Platform for Action adopted by the Beijing World Conference on Women in 1995. The Beijing Platform for Action comprises 12 strategic themes concerned with improving women's position in different areas of society. The Platform for Action obliges governments to take appropriate legislative and other measures with a view to preventing violence against women and to protecting victims, and to establish national programmes for the eradication of violence against women (Beijing Declaration and Platform for Action 1996.)

At the European level, too, the reduction of violence against women is high on the political agenda. In its conclusions of spring 2010, the Council of EU Employment, Social Policy, Health and Consumer Affairs urges Member States to develop a new general strategy or to update existing national strategies for the comprehensive eradication of gendered violence; to allocate adequate resources to preventing and combating violence against women; to identify and remedy any shortcomings in the protection of women who have experienced violence (including honour-related violence); to ensure that there is no justification of violence on grounds of customs, traditions or religious considerations; and to ensure that acts of violence against women are prohibited by law and that perpetrators are prosecuted before the courts. In addition, the Council emphasizes the critical role and responsibility of men in the process of eradicating violence against women, and urges Member States to ensure that, where appropriate, the role of men is taken into account in strategies, action plans and other measures aimed at reducing and eradicating violence against women. It also recommends the introduction of a free Europe-wide telephone number for victims of violence in Member States. (The Eradication of Violence against Women in the European Union 6585/10.)

There are no legally binding instruments within the Council of Europe framework for the prevention of violence against women, but in recent years the Council has devoted considerable effort to strengthen European norms in this area. In 2002 the Committee of Ministers of the Council of Europe adopted recommendation Rec(2002)5 on the protection of women against violence. This document constitutes the first comprehensive international strategy for the prevention of violence against women, setting out detailed recommendations for actions by national governments.

The decision by the Committee of Ministers to initiate a convention for the prevention of violence against women was motivated by the realization that recommendations alone would not be enough to do away with the problem: that would require a legally binding agreement. For the purposes of the negotiation process the Council of Europe has set up an Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO). The negotiations are based on the Council of Europe report on violence against women (EG-TFV 2008), which has also informed the drafting of this national Action Plan.

The Committee's mandate is to prepare a legally binding European convention aimed at preventing violence against women, including domestic violence. The convention will be applied to all victims of domestic and intimate partner violence. It is based on the three P's approach – prevention, protection and prosecution – whereby the prevention of violence against women and domestic violence, the protection of the victim and the prosecution of the perpetrator are all given equal weight in the convention. What this means in practice is that as well as covering issues of violence from a criminal law perspective, the convention will aim to provide adequate

protection for the victims of violence and as far as possible to pre-empt and prevent the occurrence of domestic violence and violence against women. The convention under negotiation is the Council of Europe's first-ever human rights convention for women.

The drafting process for a cross-sectoral action plan for the reduction of violence against women 2010–2015 has proactively taken account of the points raised in the European Union framework decision and the Council of Europe negotiations, and also anticipated the measures that Finland will be required to undertake.

Violence always leaves mental scars and often causes physical damage to the victim as well. It is not just the victim who is affected, but also the people around them. In the case of violence among intimate partners, children are often exposed to social and psychological consequences. The consequences of sexual violence also affect the people close to the victim. Violence against women represents a substantial cost to both local and central government. In Finland it is estimated that total annual costs from violence against women come to 91 million euros. In a medium-sized town, this translates into monthly costs of around 103,000 euros. (Heiskanen & Piispa 2002.)

## 1.1 AIMS AND SCOPE OF THE ACTION PLAN

The Action Plan takes a broad and comprehensive approach to the challenge of reducing violence against women, following the three P's principle (EG-TFV 2008; Beijing Declaration and Platform for Action 1996). This means that the Action Plan presents a comprehensive series of measures for the prevention of violence, for the provision of protection and support for victims of violence, and for the prosecution of perpetrators.

The proposed measures included in the Action Plan are designed to address violence against women proactively, i.e. to prevent violence from occurring in the first place by tackling its root causes and by influencing prevailing attitudes and behaviours through upbringing and education.

Actions aimed at protecting and helping victims of violence are intended to protect women from further abuse, to improve counselling and broad-based support and to enhance the ability of the authorities and service providers to identify violence, to help victims of violence, and to prevent the occurrence of violence. For the purposes of improving service delivery it is crucial to recognize the needs of women from different backgrounds and to respect their choices. According to the Final Activity Report of the Council of Europe Task Force to Combat Violence Against Women (EG-TFV 2008), a comprehensive approach to the prevention of violence must aim to create an efficient and coordinated intervention system focused on the needs of the victims.

Both the criminal and civil justice system shall provide for effective measures that protect women from all forms of violence. Victims of violence must be informed of their rights so that they can seek help. Improved

training and information for police officers, prosecutors and judges is crucial to creating an effective criminal process that also supports the victims of violence.

The creation of a comprehensive action plan requires a strategic allocation of responsibilities to the bodies and agencies that are charged with the prevention of violence against women in the respective administrative branches (municipalities, ministries, units). Furthermore it is important that the action plan spans a long enough period so that the measures introduced can produce the desired outcomes and that their impacts can be assessed. The reduction of violence against women must be based upon multiprofessional and cross-sectoral cooperation.

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 intervention and support services they are offered;
- to develop methods for identifying and intervening in the violence experienced by vulnerable groups; and
- to enhance the knowledge and skills of the authorities and professional service providers in preventing violence against women and in helping victims.

The main focus of the Action Plan is on preventing repeated violence among intimate partners, on reducing sexual violence and on protecting vulnerable women. Specific issues addressed under the first theme of repeated violence include problems involved in divorce situations and the prevention of related violence, and the referral of violent offenders to rehabilitation programmes. These are all areas in which women typically experience violence and where women account for the largest proportion of victims. A review of earlier action plans showed that they did not do enough to prevent sexual violence and repeated violence, or to help and protect special groups (for more on this, see chapter 2.1. below).

Issues of honour-related violence are touched upon in connection with the treatment of violence in vulnerable groups. In recent years measures aimed at preventing honour-related violence have been put in place both in NGO projects and in government programmes (Internal Security Programme 2008), and for this reason the Action Plan includes no specific measures addressing honour-related violence; instead the issue is treated under violence experienced by immigrant women. The Action Plan also includes measures aimed at improving the position of people subjected to violence and abuse in connection with prostitution and the trafficking of human beings. The position of victims of human trafficking is addressed more fully in the anti-human trafficking programme (Revised National Plan

of Action against Trafficking in Human Beings 2008). A dedicated safety programme for older people is under preparation as part of the Internal Security Programme, and therefore this group is excluded from the scope of this Action Plan.

Research indicates that violence experienced by women in the workplace has increased in the new millennium. However workplace violence against women was excluded from the remit of this Action Plan on grounds that there are dedicated labour protection organizations charged with the prevention of violence in the workplace.

The Action Plan uses the same definition of violence against women as is applied in international conventions. Gender-based violence, according to this definition, includes mental, physical and sexual violence in both the public and private spheres. Violence against women thus comprises more than just violence among intimate partners.

Recommendation (2002)<sup>5</sup> by the Council of Europe Committee of Ministers to Member States on the protection of women against violence defines the term “violence against women” as *“any act of gender-based violence, which results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. This includes, but is not limited to, domestic violence, rape between spouses or partners, female genital mutilation, forced marriages and other traditional practices harmful to women, trafficking in women for the purposes of sexual exploitation and violation of the human rights of women in situations of armed conflict.”*

The Council of Europe definition is closely in line with the UN definition as set out in the Beijing Declaration and Platform for Action (1995). According to international definitions, violence against women is gender-based violence. Sunnari et al. (2003) say that the concept of gendered violence can refer to a verbal, visual or other act or structure that is based on disrespectful, derogatory or demeaning attitudes to another or other genders and that in one way or another aims to subjugate or silence this other or these others, but that do not directly seem to involve sexuality, or constructions of sexuality.

The gender-based perception of violence makes visible the fact that the mechanisms underlying violence may be exactly the same regardless of the gender of the victim or perpetrator when the violence is motivated by a violation of gender conceptions that the perpetrator regards as acceptable and the meting out of a punishment for that violation. This means that the measures included in the Action Plan can also be used to help male victims in cases where they are subjected to the same forms of violence (e.g. sexual violence) because of their gender.

The objective set for this Action Plan in the Government Action Plan for Gender Equality is to reduce violence specifically against women. This does not negate the fact that violence occurs in other areas of life, too, and that men and women may be equally exposed to violence, as indeed children and

older people. It is important that efforts are continued in parallel with this Action Plan to reduce other forms of violence.

## 1.2 PREPARATION, STEERING MECHANISM AND IMPLEMENTATION OF ACTION PLAN

Planning and preparations for a cross-sectoral Action Plan for the reduction of violence against women in 2010-2015 were based upon the guidelines issued by the Council of Europe Task Force (EG-TFV 2008). According to these guidelines a national action plan should:

- address all forms of gender-based violence against women,
- contain concrete goals in all areas and defined indicators to evaluate their achievement,
- detail the general measures and activities that are necessary to achieving the goals,
- identify the bodies that are responsible for coordination and implementation of the national action plan,
- involve NGOs and particularly women's organizations with experience of these kinds of issues in the process of planning and implementing a national action plan,
- allocate appropriate and ongoing financial resources for the effective support and protection of women victims of violence and for the implementation of the national action plan,
- have a clear timeframe,
- have governmental and parliamentary approval, with information about the action plan made readily available to all relevant institutions and to the general public,
- include mechanisms so that it can be regularly monitored, evaluated and revised.

The national Action Plan has been designed to reflect and respect the international conventions and treaties Finland has signed (e.g. the EU framework decision) as well as the ongoing Council of Europe CAHVIO process, the international obligations binding upon Finland and particularly the recommendations by CEDAW for more effective prevention of violence against women and the human rights report presented by the Government to Parliament.

The steering group overseeing preparations of the Action Plan has consisted of the Ministerial Group for Internal Security supplemented by the Minister for Gender Equality, Minister for Foreign Affairs, and Minister of Migration and European Affairs. The steering group drafts all proposals that are submitted to the executive group and monitors implementation of the objectives and measures detailed in the Action Plan for the reduction of violence against women. Separate indicators will be developed for monitoring progress of the Action Plan.

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. Represented on this working group are 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.

The draft measures proposed in this Action Plan have been prepared at several occasions involving representatives of various organizations, local and central government as well as service providers. Preparation of the Action Plan started with a consultation of voluntary organizations in order to solicit comments and suggestions on the relevant themes and proposals for specific measures for the reduction of violence. The consultation was attended by representatives of 16 voluntary organizations. A further 13 organizations submitted written comments on the preliminary draft of the Action Plan.

The Action Plan was prepared in seven process workshops that involved researchers, public officials, professionals working with victims of violence and representatives of NGOs. The cross-sectoral working group appointed by the Ministry of Social Affairs and Health to take charge of the drafting of the Action Plan processed the proposals submitted by the workshops and compiled them into the current Action Plan. The final draft measures were then subjected to a municipal hearing. The new government taking office in 2011 will receive an interim assessment of the Action Plan. Diagram 1 below provides a graphic summary of the Action Plan process to date.

Diagram 1. Preparation of the Action Plan



## 2 BACKGROUND TO ACTION PLAN MEASURES

### 2.1 TRENDS IN VIOLENCE AGAINST WOMEN AND APPROACHES TO VIOLENCE IN EARLIER ACTION PLANS

#### Statistical overview of past trends

There are three outstanding trends in violence against women that should be addressed through this Action Plan. Firstly, it seems that sexual violence (including harassment), or at least disclosures of sexual violence, have increased. Secondly, attempts to reduce serious incidents of intimate partner violence leading to homicide have failed to achieve satisfactory results in that there has been no change in the number of homicides among intimate partners as a proportion of women's violent deaths. Thirdly, the number of women who have experienced violence in their previous partnership is continuing to rise.

Survey results from 1997 and 2005 indicate that there has been some increase in women's experiences of violence. In 2005, the proportion of women who said they had experienced at least one incident of physical or sexual violence by the opposite sex or a threat of violence after age 15 was 44%, up from 40% eight years earlier. This increase was due primarily to the growth of sexual violence or threats of sexual violence. According to the survey results one-fifth of Finnish women aged 18–74 had been forced to or attempted to be forced to have sexual intercourse at least once during their lifetime. Experiences of sexual violence have increased by more than one-quarter since 1997. In the past 12 months three per cent of women had experienced sexual violence. (Piispa et al. 2006, unpublished table.) More than half of sexual violence offences are committed by men in the woman's immediate circle of acquaintances (Heiskanen 2006). Sexual harassment, too, has increased. Experiences of both sexual violence and harassment accumulate typically among young women in the age bracket 18–24 (Sirén 2006). Another factor explaining the increase in women's experiences of violence was the slight growth of threats, which is mainly attributable to the growth of violence in the workplace (for more details, see Sirén et al. 2010).<sup>1</sup>

The changes seen in intimate partner violence are less pronounced. In the longer term violence in the current relationship has decreased to some extent. One-fifth of people living in a partnership say they have sometimes

<sup>1</sup> National victim studies provide longer term data on women's experiences of violence and trends since 2005 (Sirén et al. 2010). According to these sources violence against women in the workplace has increased noticeably, whereas domestic violence against women, violence against women committed by acquaintances and the level of street violence have remained broadly unchanged during the 2000s. Workplace and street violence are not within the remit of this Action Plan.

experienced violence or threats of violence from their current spouse or partner. This is mainly physical violence. In the past 12 months less than one-tenth of women report having experienced violence or threats from their current partner. The number of women reporting experiences of violence in earlier partnerships, on the other hand, has increased, for the number of terminated partnerships has increased by more than one-quarter since 1997. Therefore the number of women experiencing violence from an ex-partner was almost 70,000 higher than in 1997, even though the proportion of women reporting violence in earlier partnerships has remained unchanged at 49%. In an examination of incidents of violence occurring in terminated partnerships, it is noteworthy that if violence did occur during the relationship, it did not always end when the couple separated. Over half of men who exhibited violent behaviour in a partnership had behaved violently or disruptively after divorce. Rather than overt physical violence, the most common forms of reported violence were harassment and stalking. (Piispa 2006.)

The trends highlighted by questionnaire surveys receive at least some support from official statistics. Longer term trends for women's violent deaths are largely unchanged. Over the period from 1999 to 2003, cause of death statistics indicate that each year on average 39 women died a violent death, and this figure was the same over the next five-year period from 2004 to 2008. The number of violent deaths among women showed a slight trend of decline in the early 2000s, but the figures started to rise towards the end of the decade (National Research Institute of Legal Policy; Homicide Monitor). According to cause of death statistics the number of women killed by their spouse declined during the 2000s as compared to the late 1990s (on average 18 women in 1999–2003 and 14 women in 2004–2008 (Statistics Finland, cause of death statistics). In 2003–2008 almost two-thirds (61%) of women homicide victims were killed by their partner (spouse, former spouse or boyfriend). The number of homicides in partnerships as a proportion of women's violent deaths has remained unchanged in recent years. In 2003–2008 an annual average of 23 women were killed in partnerships. In fatal cases of intimate partner violence, the victim is most typically a woman (80% in 2003–2008; National Research Institute of Legal Policy; Homicide Monitor). The reason for the differences between the figures from cause of death statistics and the homicide monitoring system is that the former only cover crimes committed by spouses living together, whereas the monitoring system additionally includes criminal acts between former spouses and regular dating partners.

As a rule only the most serious cases of intimate partner violence are reported to the police. In cases of petty (84%) and ordinary assault (88%) women account for a disproportionate share of the victims of partner violence. Incidents of aggravated assault and attempted homicide in partnerships are more equally divided between the genders, with women accounting on average for 55% of the victims. Overall the number of reported cases of

domestic and intimate partner violence against women have increased since the late 1990s, although figures for 2009 are slightly down on the previous year. (Statistics Finland, unpublished table.) Partner and sexual violence against women is very much a hidden form of crime, with no more than some one in ten cases reported to the police. According to police statistics for one year, partner violence accounted for some 8% of all cases of assault in that year. Emergency calls involving domestic violence have also increased during the 2000s (by 29% from 2001 to 2009; Lampikoski 2010).

The number of reported rape crimes (rape, aggravated rape, sexual coercion and the corresponding attempted crimes) has been on the increase until 2008. In 2008 the police were notified of 915 rapes or attempted rapes, one year later the figure dropped to 615 (StatFin database). The number of reported cases of sexual abuse and molestation of children and the number of cases filed in courts have doubled over the past five years (Honkatukia et al. 2009). Most victims of sexual crimes are women. In 2007 most victims in reported cases of sexual abuse and molestation of children were aged 12–14 years, and some 90% of them were girls. In half of all cases the suspected offender is an adult non-family member known to the child. A family member is suspected in around one in ten cases, and in these cases the family's father is the suspect more often than the stepfather. (Humppi 2009.)

The rise in the number of reported sexual and assault offences is indicative more of the willingness and ability of crime victims to report an offence than of a true increase in the number of cases. Changes in police practice may push up the number of crimes showing up in the statistics if domestic violence calls, for instance, are reported more often as offences. As far as helping victims is concerned, it is important to consider police procedures for the referral of victims to systems of victim assistance.

## Earlier Action Plans and their blind spots

The goal of reducing violence against women has been included in several gender equality programmes and other national action plans over the past dozen or so years. The measures proposed in these programmes have been aimed at the prevention of domestic and intimate partner violence, sexual abuse, sexual harassment, violence in the workplace, trafficking in women, prostitution and wife-selling and other commercialization of sexuality. The approaches and focuses in these programmes have varied, but primarily they have been concerned with domestic and partner violence. Government programmes have rarely taken a broad and comprehensive view of violence against women and approached it as a gender issue in line with international definitions (e.g. UN, EU). The objectives have prevention have not extended to all forms of violence, such as violence based on cultural traditions (forced marriages, honour-based acts of violence or female genital

mutilation). The prevention of sexual violence and harassment has not been previously identified as a specific target (Riski 2009).

The first national programme for the prevention of prostitution and violence against women was conducted in 1998–2002. Focused specifically on violence against women, the programme was aimed at developing services for victims of violence and professional training, and at promoting the prevention of violence by means of research, statistics and legislation (Coordination of the prevention of domestic and intimate partner violence 2006.) In 1999–2002 the Finnish Government programme under the premiership of Paavo Lipponen gave particular focus to the prevention of domestic violence.

From 2003 to 2011, two successive Governments under Prime Minister Matti Vanhanen addressed the issue of violence in general national programmes, with the reduction of violence against women singled out as a special concern. The objectives set out in the Action Plan for Gender Equality 2004–2007 under Vanhanen's first Cabinet included the prevention of intimate partner violence, the drafting of an action plan for trafficking in human beings and the prevention of violence in the workplace (Government Action Plan for Gender Equality 2005). The Action Plan for Gender Equality included a separate project aimed at the prevention of violence among partners and specifically at improving the network of primary and specialized services across the country; at providing more effective help for children and young people who have to witness and experience violence; and at improving expert systems of professional help. One of the measures included in the Action Plan for Gender Equality for 2008–2011 was the decision to start drafting the Action Plan in hand. Other objectives related to the prevention of violence against women in the Action Plan for Gender Equality were to ensure the continuity of expertise in the area of violence prevention in the relevant ministries (Ministry of Justice, Ministry of the Interior, Ministry of Social Affairs and Health, Ministry for Foreign Affairs) and to strengthen the coordination and resources for the prevention of domestic and intimate partner violence. The Ministry of Social Affairs and Health has taken steps to increase the level of resources made available for the reduction of violence. The Internal Security Programme included a separate violence reduction programme for 2006–2008, which was coordinated by the National Council for Crime Prevention, and the reduction of violence against women is also included in the Internal Security Programme for 2008–2011 (Safety First 2008). The National Programme for the Reduction of Violence focused specifically on reducing the serious consequences of violence. The programme's declared objective with respect to the reduction of violence against women was to halve the number of violent deaths among women from pre-programme levels over the next few years. As yet this target has not been met. (The Reduction of Violence in Finland 2009.)

Government measures aimed at reducing violence against women have recently been assessed in a study commissioned by the Ministry of Social

Affairs and Health (Riski 2009). The findings indicate there has been only limited progress with respect to the availability and standard of services, even though the improvement of services has been singled out as a major objective in Government programmes. Service delivery remains sporadic and service availability varies in different regions. Smaller municipalities in particular can provide only limited services, if at all. In larger towns and cities, on the other hand, the demand for services is very high and waiting lists are long. There are still problems with how primary and specialized services deal with immigrants, disabled groups, older people and other minorities who have experienced violence. The report concludes that the availability of special services for victims of violence, violent offenders and children witnessing violence must be ensured nationally, and furthermore that it is necessary to clarify how these services shall be delivered and funded jointly by local governments, central government and organizations.

Earlier Government action plans have included only few measures specifically concerned with violence based on cultural traditions (forced marriages, honour-related violence or female genital mutilation). The Internal Security Programme 2008–2011 incorporates some measures relevant to these areas, including proposals for an overview of honour-related violence and its manifestations and possibly the drafting of an action plan. In addition the programme includes measures aimed at reducing honour-related violence, such as the provision of training for officials. Plans are being considered for a dedicated action plan on female genital mutilation as part of the Internal Security Programme, but preparations have not yet been started. (Safety First 2008.)

The Ministry of Justice is currently drafting an amendment to the Criminal Act that would make petty assault in intimate relationships an offence subject to public prosecution. The proposal is based on the recommendations of a Ministry of Justice working group that issued its report last summer (Assault offences in intimate relationships and in the workplace 2009). The amendment would allow for more effective intervention into intimate partner violence, as pretrial procedures would have to be initiated whenever a family member commits a violent act. As a result an increasing number of such cases of petty assault against a partner<sup>2</sup> would attract punishment. It is safe to assume that intervention by the authorities will help to improve the position of victims in that it can help to break cycle of repeated violence. The Government bill was introduced to Parliament in June 2010.

According to the Ministry of Social Affairs and Health report (Riski 2009) training for the prevention of domestic and intimate partner violence remains fragmented and inadequate in Finland, and therefore standards of

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2 Petty assault is designated as a so-called complainant offence in Finland, which means that an investigation can be launched, charges pressed and a sentence passed only if the victim contributes to the process. Aggravated assault and ordinary assault, on the other hand, are subject to public prosecution. Previously ordinary assaults carried out in private settings were also designated as complainant offences, even though the same act in a public place was subject to public prosecution. This distinction was discontinued in 1995. In 2004 the notion of "firm will" was removed from the Criminal Act; this had allowed for the non-prosecution of assaults if the complainant had expressed his or her firm will not to press charges, and if important private or public interests did not dictate the need to bring charges.

professional skills vary in different parts of the country. Local authorities that have worked for years to prevent violence against women are in a different position in terms of training and expertise than those where work to establish services and local networks has only just begun. The report (ibid.) recommends that training for all professionals in this field be scaled up and that training for social and health care professionals, judges, prosecutors and police officers in particular focus on the prevention of violence against women and its distinctive features. Furthermore, continued effort is needed to develop multiprofessional cooperation between the police and legal authorities, social and health care services and voluntary organizations.

Proactive prevention of violence against women has not received sufficient focus in Government policy. Indeed the report (ibid.) suggests that questions of physical and sexual violence and sexual harassment should be more openly and readily addressed at school and in civil society and that materials on gender equality and human rights should be adopted as an integral part of the comprehensive and upper secondary curriculum.

## 2.2 REPEATED VIOLENCE IN INTIMATE PARTNERSHIPS

One of the goals of the Action Plan is to prevent repeated violence. Both research and the statistical evidence indicate that women suffer repeated violence in intimate partnerships more often than men. However partnership violence is not a unified phenomenon, but it varies widely in terms of how long the violence has continued, what forms of control and submission are involved, what the underlying motives of violence are, and how the victims are affected. In addition, gender roles are different in different forms of violence, i.e. in terms of whether women and men are primarily perpetrators or victims of violence. Johnson and Ferraro (2000) identify four clearly distinguishable forms of intimate partner violence, i.e. intimate terrorism, violent resistance, common couple violence and mutual violent control. The former two are mostly types of violence where the violence is one-sided and committed against women, with the motivation coming from the violent partner's desire to control his spouse. These forms of violence tend to become more serious over time and the consequences, too, are very serious.

The other two forms of violence, Johnson and Ferraro (2000) continue, are gender-neutral in the sense that both spouses may be either the offending or offended party. Common couple violence refers to situations where both spouses may occasionally use violence against each other in connection with their disagreements. This violence is not motivated by the desire to control the spouse. Mutual violent control is a form of violence committed by both men and women and essentially a form of power struggle. However this is a relatively rare form of violence. Other studies based on surveys have also shown that women and men have different experiences of violence in partnerships and that the consequences of violence to women are more serious than to men. Furthermore men rarely suffer from forms of violence,

discrimination and dependence that would make it difficult or impossible for them to leave their violent spouse (Puchert & Jungnitz 2006; Walby & Allen 2004; Finney 2006; Haaland et al. 2005; Watson & Parsons 2005). There are also gender differences in the sense of vulnerability to violence, in ways of protecting oneself against vulnerabilities, in ways of explaining one's experiences and in ways of responding to them (Ronkainen & Näre 2008).

Evidence from a Finnish survey (Piispa 2002) indicates that ten per cent of women who have experienced violence in their current relationship live under a constant, long-standing threat of violence. This type of intimate terror reflects complete and sustained male control over the lives of women by means of physical violence and subordination. On average this kind of violence had continued for 5–10 years, and it sometimes was quite extreme and had led to serious injuries. Women who had experienced this kind of violence were the most subordinated. They had only little education, their financial position was weak, they tended to drink heavily and they had fewer options and poorer prospects of gaining control over their life. The consequences of long-standing violence are also visible in the official statistics. Homicides against women also differ from those against men in that they rarely are the first act of violence committed by the same perpetrator. Research in Finland has shown that in one-half of all intimate partner homicides, the perpetrator has assaulted the victim before. In most homicides against women, the victim has been the sole offended party in the crime, in intimate partner homicides against men the perpetrator and victim have usually been more or less equally responsible for the violence (Salmi et al. 2009). **It might then have been possible to prevent many violent deaths among women through early intervention in the vicious cycle of violence, because homicide is often preceded by long-standing violence in the partnership.**

For purposes of preventing repeated violence it is important to recognize that this type of partnership violence involves subordinating, threatening and imposing fear, especially in cases where the violence is continuous. Living in constant fear and in a position of subordination impact the victim's psyche, and it is very rarely that these people can walk away from a violent partner without outside help. Leaving a violent relationship is a long process that goes through a number of different stages. Ojuri (2004) has studied the process of disengagement from violence in her doctoral thesis on the life course of women who have experienced violence in an intimate partnership, and discovered that it not a chronological progress but a path on which women often meander back and forth. That path can be divided into four sections, i.e. recognizing violence, disengaging from violence, keeping apart from violence and recovering from experiences of violence. The amount of support needed by the victim varies at different stages of the process depending on how long the violence has continued and how serious it has been, on the resources available to the victim and on how much support they get from people around them. It is particularly difficult for women to

dissociate from violence when they have other problems of life control. For instance, they may have difficulty fulfilling their parental duties and gaining control of their everyday life, agreeing on child care and visitation, cultural integration, and possibly with mental health or drug use. Disengaging from violence and keeping apart from violence is a difficult stage in which the victim needs many different kinds of services and support.

With respect to the prevention of repeated violence, special consideration must be given to women who have divorced or are seeking a divorce from a partner who has behaved violently during the relationship. It is often thought that the problem of partner violence somehow dissipates with divorce, that that will put an end to it. However research has shown that this is not the case (e.g. Piispa 2006; Ekbrand 2006). During the divorce process itself it is known that women are particularly susceptible to violence (e.g. Daly & Wilson 1988). There is also evidence that violence in the family has a tendency to accumulate. The 2008 Child Victim Survey showed that if there is violence in the family, all family members will usually be affected, including siblings, the mother and father. Children who had seen other family members suffer violence were more likely than others to experience it themselves (Ellonen et al. 2008). For this reason it is important to intervene in violence that occurs in families and to make sure that the partners to violence have access to help so as to prevent accumulation.

Divorce often raises many legal issues (custody, visitation rights, property distribution, financial issues, possible restraining orders, in the case of immigrant women place of residence issues), and the presence of violence in a partnership may well have a bearing on how those issues are handled and resolved. Once they have divorced, women who have experienced intimate partner violence continue to remain in a legal relationship with their violent partner because they have shared custody of their children or because that partner has extensive visitation rights. Studies in other countries (e.g. Eriksson 2003; Hester & Radford 1996; Jaffe et al. 2008; Johnson et al. 2005) have shown that custody and visitation rights are a common source of problems when violence is present in the family setting and part of both parents' and children's lives. Like many other European countries, Finland has a policy of favouring joint custody and continued contact among the parents after divorce. However it is not always appreciated that the violence suffered by women may even increase in divorce situations and that the violence and abuse of children, too, may continue. One of the problems raised by earlier research is that the ideal of peaceful settlement does not work in situations that have involved violence. The negotiation process may increase the risk of violence, and violence or the threat of violence may hinder any prospect of a balanced negotiation. In these cases joint custody may not be a workable solution. Meetings with children may provide a pathway for the continuation of pressure, harassment and violence. They may present major risks to the safety of both children and to the non-violent parent. There is a sense that the authorities have not addressed these problems with

due seriousness (e.g. Eriksson 2003; Hester & Radford 1996; Jaffe et al. 2008; Johnson et al. 2005.)

One of the clear messages from research is that parenthood and violence cannot be separated from each other in custody and visitation practices, even if the children have not personally suffered physical violence. Children are exposed to intimate partner violence, which causes traumatization, long-term fears, anxiety, complicated parent-child relationships and difficulties at school. Partners who persist in violent behaviour when they have children in the family is itself an indication of inadequate parenthood (e.g. Holden et al. 1998; Holt et al. 2008; Paavilainen & Pösö 2003).

To effectively prevent the recurrence of violence it is necessary to develop rehabilitation programmes specifically intended for men. These programmes should be developed closely with women's organizations and services intended for women victims so that they can promote the safety of women and their children (EG-TFV 2008). For men the divorce situation may aggravate many of their problems, which they may not be able to resolve without outside help.

The Action Plan includes measures specifically aimed at preventing repeated violence, such as screening mechanisms to monitor the risk of recurrence and to promote the victim's safety by means of multiprofessional collaboration. In addition, the Action Plan includes measures designed to stop violent behaviour by men and to support victims. Among the measures proposed for the prevention of violence in divorce situations, it is recommended that a legislative review be undertaken on questions of child custody and visitation rights and that the authorities involved in making these decisions be given more information about violence against women and how it is related to reaching agreement about child custody and visitation rights.

## 2.3 SEXUAL VIOLENCE

The experience of sexual violence is considered to expose women to increased vulnerabilities. These vulnerabilities arise from the act of violence itself and its nature, which deeply violates the intimacy of the other person and their right to decide upon their own sexuality. They are further aggravated by the consequences of falling victim to sexual violence. There are four dimensions to these consequences, i.e. 1) the consequences of the primary victim experience, 2) secondary victimization, 3) indirect victimization and 4) vulnerability (Walklate 2007; see Honkatukia 2010). All these dimensions of the victim experience can be linked to the sexual violence victim experience, which can have direct economic, physical, emotional and social impacts, including trauma, absenteeism, and physical injury. Victims of violence may have secondary experiences of victimization as they come to deal with the authorities at different stages of the criminal process. A cynical attitude on the part of the authorities, for instance, may cause the victim to feel that they have not been treated fairly, or that they have not received all

the information, support or advice that they need. Indirect victimization may be experienced by friends and family of the victim of rape, for instance: they will not have experienced the crime first hand, but still have to deal with its consequences at a personal level. The vulnerabilities created by the violence will determine what kinds of consequences flow from primary, secondary and indirect victimization. The more vulnerable the victim's position in relation to the victim experience, the more serious the experiences of sexual violence. The extent to which violence exposes people to vulnerabilities will determine what kind of help and support they need and whether they have access to that support. The experience of violence, and sexual violence in particular, deprives people of intimacy: it is not just about the act itself, but about the relationship between the offender and offended and the fact that the sense of shame, guilt and vulnerability caused by the act do not end when the act is over, but the process has a tendency to continue to unfold over a longer term (Ronkainen 2008; Ronkainen and Näre 2008).

For the victims of sexual violence, the major problems are the scarcity of help and support available and the legal position of the victim, because only a small proportion of all reported cases of rape lead to a conviction. The shortage of support and special services for rape victims has been raised in a number of contexts (e.g. Promotion of sexual and reproductive health 2007; Riski 2009). Kainulainen (2004) conducted a study of reported rape cases and their handling in the criminal process, examining all cases reported to the Finnish police in 1998–1999. The findings showed that in most cases the victim and the rapist knew each other; the perpetrator was unknown to the victim in no more than around one in four cases. Rapes occurred most frequently among acquaintances and in dating situations, for instance after an evening out (Näre 2000). Some 13 per cent of rapes occurred in an intimate or other close relationship (mostly a partnership).

The relationship between the offender and victim had an impact on how well the cases fared in the criminal justice process (Kainulainen 2004). Charges were brought only rarely if the offender was a man unknown to the victim (8% of all cases), primarily because of failure to verify the offender's identity. Advances in criminal technology and investigative procedures could help to improve this rate. In rape cases occurring among acquaintances or in dating situations, charges were brought in almost one-fifth of all cases (19%). These cases could grind to a halt in the criminal justice process for several reasons: either the police had failed to solve the crime, the case was considered a non-crime, the public prosecutor did not bring charges or the rape victim requested that charges be dropped. Less than one-third (28%) of rape cases in intimate partnerships led to prosecution. However in these cases charges were not necessarily brought under the rubric of rape or some other sexual offence, but possibly for assault or battery. In these cases, too, the criminal justice process could be dropped for a variety of reasons, most commonly because the victim was reluctant to continue with the investigation (17%). This in turn may be explained by various reasons, such as shame, self-

blame, negative attitudes among friends and family or fears of revenge by the perpetrator. Self-accusations were particularly common in date rape cases. The victim's determination and ability to continue with the criminal justice process depends in large part on the response and behaviour of the police: a dismissive attitude or a tendency to place the blame on the victim might persuade the victim to retract their report, whereas a supportive attitude on the part of the police may be conducive to promote the process.

Following the 1999 legislative amendment<sup>3</sup>, the number of sexual crimes not forwarded to the prosecutor has dropped considerably. In 2007, 96% of all crimes solved by the police were delivered to the public prosecutor. Although increasing numbers of cases nowadays are brought to the prosecutor, the number of non-prosecutions has risen. In most cases these decisions are grounded in insufficient evidence. The number of convictions as a proportion of reported rape cases continues to remain very low, but in this respect the situation has improved since the 1999 reform. In 2002–2006 an annual average of 105 rape charges were filed, with the number of convictions standing at 83; the corresponding figure for the period from 1994 to 1998 were 55 and 51. At the same time the number of cases reported to the police has gone up, and therefore the number of defendants accused and those convicted as a proportion of reported cases has increased. Indeed Kainulainen (2004) concludes that the sexual crime reform of 1999 has to some extent improved the operational efficiency of the authorities.

This Action Plan includes a number of measures designed to improve the position of sexual crime victims by enhancing the authorities' knowledge and awareness about sexual crimes. This can be achieved by means of training to make the authorities more sensitive to the victim's situation and by means of a more efficient criminal investigation process. The Action Plan also includes measures to improve low threshold services and actions aimed at improved identification of sexual violence and more effective intervention.

## 2.4 WOMEN IN A VULNERABLE POSITION

Women victims of violence are not a homogeneous and coherent group, but some demographic groups may fall victim to violence more easily than others (e.g. age, social position). On the other hand, falling victim to violence may have different consequences and effects for different groups. This means that some people are in a more vulnerable position than others both with respect to the likelihood of victimization and with respect to experienced consequences (Spalek 2006).

Women in a vulnerable position are variably defined in different documents (e.g. Beijing Declaration and Platform for Action 1995) as referring to ethnic and cultural minorities, disabled groups, and aged sexual

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<sup>3</sup> Penal provisions on sexual offences were amended by an Act (L 563/1998) that took effect on January 1, 1999. Chapter 20 of the Criminal Code includes penal provisions regarding coercion into sexual intercourse or other acts against sexual self-determination, sexual abuse, sexual abuse of children, the purchase of sexual services from an underage person and procuring. Penal Code provisions on rape are graded into three categories: rape, aggravated rape and coercion into sexual intercourse. (Honkatukia & Kainulainen 2009.)

and gender minorities. Vulnerability is also determined according to the social position of the victim of violence, and by how that position increases the likelihood of being victimized (e.g. drug users, victims of human trafficking and procuring) and on the other hand by how it influences their chance of getting help. People in the weakest position may lack the skills needed to get help or ascertain their rights (e.g. reading and writing), or they are not taken seriously by service providers. International documents (e.g. EG-TFV 2008) therefore stress that services designed for victims must allow for the diversity of this group of people. It is important that these services can effectively intervene in different forms of violence and support all women and their children, including disabled women, immigrant women and women in ethnic minorities, as well as other groups of women who are harder to help. There may also be overlap between and among groups in vulnerable positions. Women in sexual and gender minorities are found both among older people, disabled groups, immigrants as well as religious minorities. A multiple minority position may increase exposure to violence and thereby present special challenges for intervention and prevention. There is only limited research evidence on the experiences of violence among women groups in a position of vulnerability.

Among the various groups exposed to vulnerabilities, this Action Plan comprises ethnic and cultural minorities, disabled groups and sexual and gender minorities. It also covers victims of human trafficking and procuring in the sense that measures are included that are aimed at improving their position as victims of violence. A dedicated programme to improve the safety of older people is under preparation in the Internal Security Programme, and therefore this population group is excluded from the scope of this Action Plan. Women prisoners and drug users are particularly exposed to violence. Among women prisoners, for instance, three in four have experienced violence in their intimate relationships, and many of them have lived a childhood marred by domestic violence. Indeed, these experiences of childhood or intimate partner violence often lie behind the social problems of women prisoners. The family relationships of women prisoners are often unstable, and many drug-using women drift into a relationship where their partner has a drink problem as well, and possibly a criminal background and a tendency to violent behaviour. The situation of women prisoners has received increasing attention in recent years (Giving greater visibility to women prisoners 2008). The current Action Plan includes measures aimed at improving the identification of violence and practices of intervention in substance abuse. This will also help women drug users.

Violence against vulnerable women has certain distinctive features, as do the conditions for intervening in that violence. The reduction of violence experienced by these women requires special skills and competencies. Most crucially, the measures taken to prevent violence, to help the victim and to bring the perpetrator to justice must take account of the diversity of women and vulnerable groups according to the mainstreaming principle.

The Action Plan lists several measures that are aimed at improving the ability of the authorities and professionals working with vulnerable women to identify and intervene in the violence experienced by these groups. There are also targeted measures designed to prevent the various forms of violence experienced by immigrant women.

## Experiences of violence among women in ethnic and cultural minorities

There exists some information about experiences of violence among immigrant women, but because of the sensitivity of the matter there remains some uncertainty about the reliability of that information. By contrast there is hardly any information about experiences of violence among women in other cultural minorities (Romas, Samis).

Immigrant women can be roughly divided into four categories (Paul 1998). The first category consists of women who have moved to the country with their immigrant spouse. The second category consists of women who have moved to Finland after marrying a Finnish husband. Mixed marriages have been on the increase both in Finland and in the other Nordic countries (Haarakangas et al. 2000). The third category comprises asylum seekers and refugee women who are married to an asylum seeker or refugee husband. Finally, the fourth category consists of young immigrant women who live permanently in the country. In many cases they are second-generation immigrants. In Finland returning residents are also classified as immigrants.

The violence experienced by immigrant women assumes a diversity of forms. In addition to intimate partner violence, immigrant women and children are exposed to honour-related violence, forced marriages, polygamy and female genital mutilation.

Mortality from homicide among immigrant women is twice as high as among women in the indigenous population. The figures for immigrant men are at the same level as for indigenous men. In recent years the highest rates of homicide mortality among ethnic groups has been reported for women originating from Iraq, followed by women born in Russia. In two cases out of three the immigrant woman's killer has himself had an immigrant background (usually from the same immigrant group as the victim), with the rest of the perpetrators coming from the indigenous population. A substantial proportion of these crimes are connected to domestic and intimate partner violence. (Lehti 2009.) It is noteworthy, however, that even though homicide mortality among immigrant women is high, the number of homicides in this group and their proportion of all homicides against women is still relatively low because of the small size of this group. In 2003–2008 a total of 10 women with an ethnic background were killed in Finland, accounting for four per cent of all homicides against women (National Research Institute of Legal Policy; Homicide Monitor).

Reported violent crimes against immigrant women have been on the rise in three categories, namely sexual offences, other physical violence and

threats of violence (Korhonen & Ellonen 2007). In part the increase in the number of reported violent crimes is probably due to the increased awareness of women in different ethnic groups about the various services available and their increased use of those services. However the proportion of unreported crimes is still high because of the high disincentive for immigrant women to report domestic or intimate partner violence. This is due among other things to cultural conceptions about the position of man and women in the family, poor language skills, lack of knowledge about one's rights, the sources of help available and the criminal justice process and fears of deportation. Indeed immigrant women are in a particularly vulnerable position as victims of violence. Girls and women entering the country on refugee status may be carrying extremely heavy emotional baggage, including experiences of sexual violence. (Sirén & Honkatukia 2005; Honkatukia 2009.)

Results from a Finnish survey (Pohjanpää et al. 2003) suggest that immigrants fall victim to violence up to twice as often as the indigenous population. In 2001–2002, 44% of Somali immigrants, 18% of Estonian immigrants, 14% of Vietnamese immigrants and 13% of Russian immigrants reported having experienced violence during the preceding 12 months (according to national victim surveys around one in ten Finnish people aged 15–74 had fallen victim to violence or been threatened by violence during the past 12 months). In other words all groups of foreigners who took part in the survey reported more frequent experiences of violence than Finnish people. Violence against foreign nationals often involves a racist element, especially in cases where the foreigner differs markedly, in ethnic terms, from Finnish people and Finnish culture. However much of the violence committed against people from a foreign background, particularly in the case of women and children, takes place within immigrant communities and involves no racist motives.

Immigrant women may be prone to experience specific forms of intimate partner violence because they may be financially more dependent on their husbands than indigenous women. One example of the control exerted by violent husbands is their refusal to let the wife out of the home, for instance to take a language course. Indeed immigrant women may lead a more isolated life than indigenous women. Immigrant women may also be exposed to intimate partner violence after marrying a Finnish man. Over three-quarters or 78% of immigrant women who have experienced violence have moved to Finland in order to get married, which means that they rarely have very much knowledge about local services and practices. (Sirén & Honkatukia 2005; Honkatukia 2009.)

Immigrant women are rarely aware of their rights or the help that is available. The sense of shame about the experience of violence, lack of confidence in the authorities, and cultural and religious reasons all combine to discourage them from turning to public services in search of help. The same may also be true of women in traditional ethnic minorities. The situation of immigrant women is further complicated by their poor language skills and poor knowledge of how the service system works. When they do

turn to that system to get help, they struggle to get the assistance to which they are entitled because of their poor language skills, or the treatment of their case may be hampered by condescending or judgemental attitudes or indeed by misunderstandings. It would be important for immigrant women to have access to services in their own language, particularly in the event of emergencies. Language problems and the non-availability of interpretation facilities are reflected in the handling of residence permits, custody and visitation rights issues and criminal justice cases, putting the victim's legal safeguards at risk. In custody disputes the immigrant parent is often in a weaker position than the indigenous parent, regardless of gender.

The quality of basic public services for women who have experienced violence varies widely, and services offered by voluntary organizations (such as counselling, advice, telephone hotlines, shelters) are fragmented. There is also a scarcity of low threshold services intended for immigrants. When the authorities are finally alerted to violence that has long remained hidden, a shelter is often the only service available to immigrant women (Riski 2009). Indeed immigrant women are overrepresented among shelter residents relatively to their share of the total population. One-fifth of the clients of shelters run by the Federation of Mother and Child Homes and Shelters are immigrants, and this figure has remained unchanged in recent years. There are speakers of more than 30 different languages in the total population of shelter clients. (Karinsalo 2010.) In 2008, a shelter set up in the metropolitan Helsinki area for immigrant women had clients representing 33 different nationalities (Nurmi 2009).

## Disabled people

There is only limited research evidence about violence experienced by disabled women. It is not known for sure how often disabled women experience violence compared to the rest of the population or even compared to disabled people in general, but there is reason to assume that their risk of exposure to violence or abuse is elevated (Brown 2003). A Canadian study has shown that a disabled girl has twice as high a risk of falling victim to sexual or physical violence than a non-disabled girl, and the most dangerous place for her is her own home. Disabled women are often more dependent on outside help than other women, and it is difficult for them to protect themselves against violence and abuse, especially if the violent offender is a family carer. The offender may also be the victim's volunteer helper, teacher, supervisor, a person providing disabled transport or some other relative. The vulnerability of disabled women to abuse and violence is further enhanced by their dependence on other people in long-term care, the offender's reduced risk of being caught (e.g. in the case of violence committed by a family carer), lack of victim credibility, lack of sexual education, social isolation and the attendant threat of being manipulated, physical helplessness and vulnerability in a public space and perceptions that disabled people are

unable to protect themselves and the denial of disabled people's human rights. (Beleza 2003).

The legal protection of disabled people is often inadequate. In crisis situations the level of safety and security afforded to disabled people may be lower than that afforded to other people and sometimes left to pure chance. In the event of an emergency or accident, it is often harder for disabled people to sound the alarm and get help; indeed sometimes it is impossible. Reporting an offence, providing evidence and launching a criminal investigation in the event of violence and abuse is often difficult and even impossible.

## Sexual and gender minorities

Women belonging to sexual and gender minorities are a group who are particularly vulnerable to violence and the threat of violence. Sexual minorities include homosexual and bisexual men and women. Gender minorities, then, refers to people with conflicting elements of biological, social and psychological gender, such as transsexuals (i.e. people who do not identify with the biological sex assigned to them at birth and to which they were raised as children and who need gender reassignment therapy), transvestites (people who have a strong urge to identify with the opposite sex and who occasionally express that need by cross-dressing), transgender individuals (people who live permanently between the two poles of masculinity and femininity but who do not necessarily need or want gender reassignment therapy to change their sexual characteristics), and intergender people (an umbrella term for conditions in which factors determining the individual's physical sex are outside the gender binary). It is estimated that some 5–15 per cent of the population in Finland belong to sexual minorities, and that more than 100,000 people belong to gender minorities. (Lehtonen 2006.)

Violence against sexual and gender minorities has not been properly researched in Finland. According to a survey of the living conditions of homosexuals and bisexuals in Finland in the early 1980s, one in six homosexuals or bisexuals had experienced homophobic violence. Among men over 35, one in four had experienced violence. Lesbian and bisexual women had suffered violence based on their sexual orientation far less often. (Grönfors et al. 1984.) Studies from other countries have reported similar gender differences. Furthermore the evidence from these studies seems to suggest that men experience violence to a greater extent and more often in public places, and they are also threatened more than women, whereas women experience verbal abuse more often. Men are harassed most particularly in and around gay bars and clubs. Lesbians, on the other hand, are subjected to harassment and violence at home more often than men are. Lesbian, bisexual and transsexual women experience sexual violence quite commonly. Sexual violence may occur in partnerships, or it may be committed by an acquaintance or someone unknown to the victim. Typical

forms of sexual violence suffered by women in sexual and gender minorities include rape, sexual harassment, name-calling and unwanted approaches. The motive is often to “cure” the person targeted and to punish them for their aberrant sexual manifestation or sexuality. (see e.g. Lehtonen 1999.) Some people who belong to sexual and gender minorities work in the sex industry and in their job are exposed to violence particularly by clients or procurers. Individuals in this situation are particularly vulnerable because of their weak legal safeguards or lack of confidence that the authorities will help them, and in practice they may well be in a subordinate position to the procurer, for instance.

One of the features that male and female victims of violence in gender minorities share in common is that in virtually all cases the offenders are men (see Lehtonen 1999; Tiby & Lander 1996). According to a study in Sweden (Andersson 1995) violence against lesbians and gays is motivated above all by the maintenance of the patriarchal heterosexual gender order and by hostility against women: the reason gay men are beaten is because it is thought they do not show enough male characteristics or are too feminine.

Research (e.g. Vikman 2001; see also Lehtonen 2006) has shown that violence among female and male partners is just as common as in mixed-sex couples. However violence among same-sex partners has its own distinctive characteristics. The pressures of having to project an image of a harmonious relationship may deter people from talking about their problems. It is often very difficult to tell about violence committed by a partner because couples often share the same circles of friends. Sometimes a violent partner may threaten to reveal their partner’s sexual orientation or identity as a means of blackmail. One of the sources of problems in same-sex partner violence lies in the shortcomings of support systems from the vantage point of sexual minorities: the barrier to seeking help through the service system can be very high, and the services available have not been designed with a view to the needs of same-sex partners.

Violence also occurs in connection with divorces and separations among same-sex couples and partners and among transpeople. There are some characteristics in these situations that set them apart from those of mixed-sex couples. Fears of losing one’s child are often prominent in these cases because legal ties to children vary widely. Learning about a partner’s sexual orientation, gender identity or transvestism, for instance, may trigger a divorce or some other crisis in the relationship, which may also involve violence.

Violence suffered by sexual and gender minorities is often poorly recognized. In part at least this is due to the fact that these minorities have had very little visibility in society in general. Self-discrimination and the fear of discrimination have prevented people from talking about the violence they have experienced or about the motives of violence (see e.g. Peutere 2009).

## 3 PROPOSED ACTION PLAN MEASURES<sup>4</sup>

### 3.1 STRENGTHENING PREVENTIVE WORK AGAINST VIOLENCE

The measures proposed for the proactive prevention of violence can be divided into three categories based on their target group. The first consists of general measures aimed at certain population groups or the whole population; examples include study courses in violence prevention for student groups and media campaigns for certain age groups of children. The second category consists of targeted measures aimed at specific high-risk groups; one example here is provided by education for conscripts in the armed forces. Finally, the third category consists of measures aimed at people who have already been subjected to violence with a view to preventing repeated violence, or to intervening in violent behaviour. An example is the referral of perpetrators to treatment, which is discussed in connection with the vicious cycle of violence and violence rehabilitation programmes. (Krug et al. 2002.)

Schools and educational institutions have been paying growing attention to violence and violent behaviour in the context of student welfare and the right of students to a safe learning environment, for instance. The necessary structures are in place for the prevention of violence and harassment, and those structures were reinforced in connection with new legislation adopted in 2003. The curricula for comprehensive education, upper secondary education and vocational training now allow for the inclusion of courses on safety and violence either in connection with other subjects or separately on such aspects as respect and consideration for other people, tolerance, respect for physical and mental integrity, and human rights. The vocational degree system in Finland is currently under reform, which has now reached its final stages. All basic vocational degrees pay due attention to the key skills of lifelong learning, including health, safety and functional capacity. The qualification requirements for different components of vocational degrees in the social and health care sector have been revised with a special view to safety and security. They also include revised objectives for the identification of intimate partner violence, for raising this issue with client and for the referral of perpetrators to counselling. The prevention of violence, both sexual violence and harassment and domestic and intimate partner violence, and seeking support are included among the objectives and contents specified for health education and used as background material. The curriculum background materials and materials concerning student welfare

<sup>4</sup> Abbreviations: INTERMIN=Ministry of the Interior, FORMIN=Ministry for Foreign Affairs, MINTC= Ministry of Transport and Communications, NBE=National Board of Education, THL=National Institute for Health and Welfare.

and health education also deal with these themes. The Equality Act (last revised in 2005) requires educational institutions to prevent and intervene in sexual harassment and gender-based discrimination. Furthermore, the Act requires educational institutions, their staff and students' representatives to draw up equality plans with a view to preventing discrimination. The National Board of Education specifically urges schools to pay attention to the prevention of sexual harassment in their equality plans (Promotion of sexual and reproductive health 2007; Riski 2009).

The Internal Security Programme 2007–2011 includes a proposal for the introduction of a so-called safety card as part of basic education. In its interim report the working group charged with developing the security card system recommends that the National Board of Education define the appropriate levels of education and enter safety education as part of the national curriculum, and furthermore that subcommittees continue to develop learning materials on specific themes and issues. (Security card in basic education 2010.)

Both the National Board of Education and the National Institute for Health and Welfare have been working to develop learning materials for children's sexual education and safety skills, but the existing materials are scattered and not known widely enough. In particular, there is a need for more material that meets the needs of children and young people in different age groups and from different cultural backgrounds. Suitable materials are needed both for early education and for secondary level institutions. One of the biggest problems is the scarcity of material suitable for young people in puberty.

Contents for safety education must be designed to cover the following areas: gender equality, bodily integrity, respect for sexual self-determination, sexual and gender diversity, media criticism, the identification of sexual violence and harassment and intimate partner violence, seeking help in situations of violence and the obligation of fellow humans to intervene in violence and to help the victim. It is also important to underscore the importance of helping children and young people to recognize their own feelings and to learn how to deal with them. New materials shall be produced and existing materials updated to support these efforts, including a guidebook on safety skills for children as well as adapted translations of materials produced in other countries (Ingen ser oss and Bye Bye Pornostar, OkejSex.nu, Värdegrunden.se Ruotsi).

These materials must be designed and compiled in such a way that they reflect the position of society's most vulnerable groups, such as ethnic minorities, sexual and gender minorities and disabled people. In the case of disabled people this means that education must be generally available and accessible: information as well as feedback must be available in plain language and/or sign language and via several channels (National Council of Disability 21 Jan 2010).

Broad-based education campaigns are needed to inform public opinion. Education campaigns have not yet been put to their full potential in Finland as part of the preventive effort to tackle violence against women. Elsewhere in Europe many voluntary organizations and agencies involved in activities against violence have years of experience of professional campaigning.<sup>5</sup> The proposals for future action by the Council of Europe Task Force to Combat Violence Against Women (EG-TFV 2008) say that Member States should organize awareness campaigns targeted at women, emphasizing that men are responsible for their acts of violence and that such acts are illegal and will be punished. The campaigns shall encourage men to examine and challenge cultural attitudes that are used to legitimate violence against women. Programmes with young people have achieved particularly good results. It is important to start educating young people at an age when their gender identity begins to take shape and when it is still open to influence. The Netherlands, for instance, ran a campaign under the theme “Stay in Love”, which was aimed at increasing awareness among 16–20 year-olds about non-violent behaviour in partnerships. These programmes are conducted in various communities, including schools, sports clubs and youth associations. The initiative has also produced educational and school materials, such as human relations tests for young people, manuals for teachers and theatre workshops (<http://www.stayinlove.nl>).

In Finland, an Alternative to Violence Programme in Espoo has run training programmes among conscripts for the prevention of domestic and partner violence; these programmes have been organized jointly with the Southern Finland State Provincial Office and the Armed Forces. In 2009 the programme entered into cooperation with the Civilian Service Centre in Lapinjärvi to provide training courses on this subject area. One of the purposes of this joint project is to develop a training concept that is also applicable in conscript service. The theme of domestic and partner violence is already integrated as part of the content of training for civilian service under the programmes “everyday safety” and the “myths of masculinity”.

As far as the immigrant population is concerned the most effective strategy of prevention is through comprehensive integration. The aim is not just to find jobs for immigrants, but more generally to restore their sense of life control. One way of doing this is by providing information, guidance and support in the early stages of integration, with due consideration to the background of each individual immigrant. In the prevention of violence against immigrant women, it is particularly important to take account of the cultural background of women and men as well as the challenges associated with immigration and integration. Some of the immigrants moving to Finland come from countries with a hierarchic and patriarchal social structure, where women’s right to equality is far from a matter of course, either in principle or in practice. For instance, girls who move to

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5 The White Ribbon Campaign, the Scottish Zero Tolerance Campaign and Amnesty International’s international campaign are just some examples of successful campaigns for the prevention of violence against women.

Finland from cultures where honour violence is practised live under various restrictions. This effectively hampers their integration into Finnish society and access to information about sexual and physical violence. Parents may, for example, prohibit their girls from attending family planning classes, from engaging in leisure activities, meeting boys, using the Internet or doing other things that they might want to do.

The Finnish League for Human Rights (2010) has conducted a study of forced marriages in Finland by surveying to what extent children and young people from an immigrant background are sent to be raised or to live in their parents' home country or in a third country. The study gives no conclusive answers on the extent of this phenomenon or on how it is trending, but it clearly shows that this is a gendered phenomenon. The motive for sending teenage girls out of the country is to defend their sexual reputation. By marrying a husband who lives in their parents' home country, the girls can achieve the status of an honourable wife in the eyes of the community. This in practice means organized marriages, which may include periods of study in the parents' home country. In some cases there are grounds to suspect that the marriage is forced, even though the girl has formally given her consent. In order to reduce the occurrence of honour-related violence and forced marriages it is important that immigrants have access, in their own language, to more information and guidance about their own rights, their individual freedoms and the rules of Finnish society. To root out these phenomena altogether, it is necessary that low threshold services and activities as well as peer support groups are available and that people who are in need of help are informed about these services by the authorities.

Finnish marriage legislation says that marriage is a voluntary union and that the marriage procedure is intended to safeguard the individual's freedom of choice. Finland is also a signatory to the United Nations Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. It follows that if either party in a marriage contracted abroad has not entered the union voluntarily, that marriage cannot be recognized in Finland based on the *ordre public* principle. Finland now has a new Marriage Act (581/2008) according to which the right to officiate at marriage ceremonies shall only be granted on condition that the presiding officiator is familiar with Finnish law, follows the provisions of Finnish law and has received training for their duties. The right to officiate at marriage ceremonies may be revoked if the law is breached.

The basic information material intended for immigrants is compiled in connection with the ALPO project, which is part-funded by the European Social Fund (ESF), at the Migration Department under the Ministry of the Interior. All immigrants who have a residence permit shall be provided with an information pack in their own language (both text and audio versions in print and online). This includes information about gender equality, about the treatment of intimate partner violence and rape as criminal offences even when the partners are married, about marriage legislation and the

right to officiate at marriage ceremonies in Finland, about how and where to report a crime and where to turn for help. The online material and its translations into major immigrant languages will be funded from the ESF-ALPO project. This project material is scheduled for completion by the end of 2011. Aspects of violence against women (including honour-related violence) can also be incorporated in the design of the content. The basic information package can also include references and links to useful materials and sources of help and advice.

Peer groups are one effective way of delivering welfare and well-being, life control and information that contributes to the prevention of violence to immigrants with children, and also of ensuring that the information is properly received and understood through group discussions. One of the organizations that has been working to develop peer group support in Finland is the Family Federation. In immigrant families violence can be prevented or the vicious cycle of violence broken by providing support for immigrant men in their new family roles in a new society.

#### Proposed measures:

- 1 *Develop learning materials to support safety education for children and young people so that they are taught about sexual rights and safety skills in their basic schooling.*

Remit: Ministry of Social Affairs and Health for production of materials, NBE for distribution of material for primary and secondary level education

Partners: INTERMIN, Ministry of Social Affairs and Health, parishes and organizations

Timetable: 2011-2012

- 2 *Provide safety education contents for basic and supplementary training in the field of school and student health care and for school psychologists, teachers and early childhood education staff (kindergarten teachers, children's nurses, health care assistants). The education given shall reflect the diversity of gender and sexual orientations.*

Remit: Ministry of Social Affairs and Health, THL, Ministry of Justice, NBE, Office of the Church Council

Partners: universities, universities of applied sciences

Timetable: 2012-2013

- 3 *Launch a campaign against sexual violence targeted at young people, making use of electronic media.*

Remit: Ministry of Social Affairs and Health, INTERMIN, MINTC  
Partners: National Council for Crime Prevention, voluntary organizations  
Timetable: 2011

- 4 *Establish education provided for civilian servicemen on the reduction of violence against women as an integral part of their basic training and look into the possibility of including the course as part of the training for conscripts. Provide training for all key training staff.*

Remit: Ministry of Employment and the Economy (funding), Civilian Service Centre, MoD  
Timetable: 2011–2012

- 5 *Revise legislation on immigrant integration to reflect the rights of all immigrants to basic information about Finnish legislation, immigrants' rights and duties in society and in the workplace, the service system and other basics about society.*

Remit: INTERMIN/Migration Department  
Timetable: 2010–2011

- 6 *Develop peer group activities for both women and men by making funding available to projects designed to support the work done by both new and traditional organizations of ethnic minorities and immigrants to provide information about violence against women and related services in Finland.*

Remit: all ministries that give aid to voluntary organizations representing ethnic minorities and immigrants, parishes  
Timetable: ongoing

### 3.2 IMPROVING HELP AND SUPPORT SERVICES FOR VICTIMS OF VIOLENCE

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. (Riski 2009.)

The Ministry of Social Affairs and Health and the Association of Finnish Regional and Local Authorities published in 2008 their first guidelines (Recognise, prevent and act 2008) for the coordination and management of preventive work against violence. Their survey (Municipal follow-up questionnaire on domestic and intimate partner violence 2009) showed that implementation of their recommendations has not lived up to expectations. There are still many local authorities that have no contact person or coordination group with responsibility for the prevention of domestic and intimate partner violence.

It makes sense to pool the existing expertise so that the victims of violence, the violent offender and children all have direct and immediate access to specialized services, to which they are referred by other service providers, without needing to wait for an appointment. These services will provide a comprehensive assessment of the victim's and the offender's need for help and support, coordinate the necessary services and ensure a seamless pathway. These special services for the prevention of violence can be provided in connection with some existing service, or a new dedicated unit can be created (e.g. in connection with a shelter or local authorities' social services). (Recognise, protect and act 2008). These kinds of intervention centres exist in Norway, Sweden, Austria and the Czech Republic, for instance.

Victims of violence often need long-term help and support as well as individual or group therapy in order to recover from the traumas caused by violence. It is recommended that this support is provided jointly by social and health care services, parishes or voluntary organizations in group form, in the context of professionally facilitated conversations of peer group activities in either closed or open settings. (Recognise, protect and act 2008.)

It has been pointed out on numerous occasions that Finland does not meet European recommendations for the provision of shelter services. According to Council of Europe recommendations (Rec(2002)5) Member States should provide safe accommodation in shelters and ensure one family place per 10,000 population. Finland currently has 21 homes and shelters, most of which are run by voluntary associations. One of the aims of the Internal Security Programme is to create a nationwide network of shelters. A report has been compiled on this subject (Laine 2010) and its recommendations are awaiting implementation. According to the report there are no established norms for the issuing of licences for shelters, nor are there any national quality guidelines. The report proposes a set of corrective measures to address these issues. The provision of shelter services shall be decreed by law. Central government shall make sufficient transfers to the local government sector for purposes of the provision of shelter services. A network of shelters shall be created in Finland that covers all regions in the

country. Victims must have access to a secret shelter. The Ministry of Social Affairs and Health appointed on 1 May 2009 a working group to prepare for the 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 and specialized services for victims of violence.

It is often very difficult for women victims of violence to take advantage of the opportunities offered by the legal system. Many women who have experienced violence need emotional 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. In all these matters women have to contact various different authorities, but the authorities do not necessarily have a unified view of how to deal with violence. Official processes do not always follow the same principles, and sometimes the authorities believe that the matter belongs to some other authority. Some local authorities (e.g. in Porvoo) have started to provide guidance on how to respond to divorce situations where there is an underlying threat of violence.

Child custody and visiting arrangements may involve the risk of continued violence either through threats or blackmailing through the mother, or through direct violence against the mother and children. Apart from ensuring that children are protected against experiences of violence and their consequences, it is necessary to make sure that the safety of adult victims of intimate partner violence have adequate protection. The experience is that public services are not always capable of guaranteeing women's security, but women have had to turn to private security firms to purchase extra protection.

#### Proposed measures:

- 1 Update local authorities' network of contact persons and appoint cross-sectoral coordination group for domestic and intimate partner violence in each municipality or joint municipal partnership area.*

Remit: Ministry of Social Affairs and Health, THL, Regional State Administrative Agencies, local authorities

Timetable: 2011–2015

- 2 Establish regional service units providing special expertise in the prevention of violence.*

Remit: Ministry of Social Affairs and Health, local authorities

Timetable: 2013–2015

- 3 *Increase the availability of long-term support for victims of violence.*  
Remit: Ministry of Social Affairs and Health, local authorities, in collaboration with parishes and voluntary organizations  
Timetable: 2013–2015
- 4 *Revise social welfare legislation to include the obligation to provide acute services (such as shelter services) and other social and health care services as necessary, as well as long-term support to the victims of domestic and intimate partner violence. Also include the obligation to establish a multiprofessional coordination group for domestic and intimate partner violence.*  
Remit: Ministry of Social Affairs and Health  
Timetable: 2010–2012
- 5 *Establish monitoring plan and quality criteria for shelter services. Monitoring will provide the basis for the development of national standards and quality criteria for licensing, including rules for the number of shelter beds, staff numbers and qualifications and the requirements for shelter facilities.*  
Remit: National Supervisory Authority for Welfare and Health, Regional State Administrative Agencies  
Timetable: 2011–2012
- 6 *Develop common frameworks of practice at the local level for the prevention of violence in divorce situations and provide safety counselling and training for victims in order to prevent the threat of violence after divorce.*  
Remit: Ministry of Social Affairs and Health, local authorities, in collaboration with parishes and voluntary organizations  
Timetable: 2012–2013

### 3.3 PREVENTING REPEATED VIOLENCE

In order to break the cycle of violence it is important that the authorities and professional helpers intervene as soon as they are made aware of the violence, and furthermore that the authorities give their full attention to preventing its recurrence. For this reason the authorities and professional helpers must be sufficiently informed about violence and its consequences. They need to take a proactive approach to identifying violence and to raising the issue because this must not be left to the victim's initiative. Furthermore, it is crucial that the authorities intervene before the violence escalates. Violence is rarely the

only problem in the partners' lives, which may also involve mental health and substance abuse problems, and for this reason it is important that service providers give special focus to raising the issue of violence and intervention.

Substance abuse and mental health services are well placed to intervene in violence and to refer offenders to rehabilitation programmes. One such pilot project is currently underway at the Western A-Clinic in Helsinki, where admission interviews with clients include questions concerning their experiences of violence. If this assessment indicates a need to address not just substance abuse but also violence issues, the client can be referred to one of the two family therapists at the same clinic who specialize in partner violence. A-Clinic Southern Helsinki additionally has two staff (a nurse and a senior social therapist) who work closely with the family therapists. These four staff members furthermore work closely with the one employee at the Centre for Men, and together this team are planning to set up a training programme in 2010 based on the experiences they have gained. The idea will be to motivate staff to use the violence inquiry tool as a matter of routine. The family therapists who specialize in violence can meet family members both separately and together. The decisions on whom they invite to attend meetings are based on safety considerations. Most A-Clinic clients suffering from partner violence come as referrals from the police and child protection authorities from different parts of Helsinki.

One way of preventing repeated violence is by means of risk assessment. A structured questionnaire coupled with a professional assessment is used to weigh the threat of violence recurring as soon as the authorities and the voluntary organizations concerned are alerted to the violence, as well as in connection with divorces or assessments of the need for a restraining order. The Internal Security Programme interim report (1/2009) recommended that the methods of risk assessment be developed and that their introduction promoted especially with a view to preventing the recurrence of violence. The Ministry of Social Affairs and Health has joined forces with the Ministry of the Interior, the National Council for Crime Prevention and the Institute for Health and Welfare to try out these methods on an experimental basis in 2010. The experiences from these experiments will be assessed before rolling out the concept for national implementation: the main concern is to consider the effectiveness of the model in preventing the recurrence of violence and in promoting the victim's safety and multiprofessional collaboration.

Finnish legislation on restraining orders dates from 1998 (HE 41/1998 vp) and on a restraining order towards a person living in the same household took effect in 2005 (HE 144/2003 vp). Ordinary restraining orders have been in use for a long time, but they have still not been researched in any detail. The issuing and implementation of restraining orders involves several practical problems that warrant attention. A temporary restraining order that goes into immediate effect can be issued by a senior police officer or public prosecutor; this temporary order will then be confirmed by a district court at a later date. Before a restraining order can be imposed, both parties

must be given the opportunity to be heard. However a restraining order can be issued without such consultation if it is impossible to reach the person against whom the restraining order is issued. For a restraining order to be effective, the person concerned must be notified. Furthermore, a person cannot be punished for violation of a restraining order if they are not aware of its existence. For this reason it is necessary that the person in question is informed of the restraining order, unless they have been present at the time of issuing the order. If the person deliberately evades the authorities, it is not always possible immediately to notify them about the decision. In acute situations such as emergency calls to domestic incidents where there is an obvious and immediate threat of violence, the police should have the powers not only to remove the offender from the scene but at the same time to impose a temporary restraining order and at once give the offender notification.

More intensive investigations in connection with the issuing of restraining orders would allow for a more accurate assessment of the needs for a restraining order and for the provision of better advice. There are no separate legislative provisions on police powers in the investigation of needs for restraining orders, but it is clear from the provisions in the Police Act and the Criminal Investigations Act that these are indeed matters that fall within the competence of the police. Nonetheless more specific guidelines are needed to clarify the powers of the police in these cases so as to avoid any problems of interpretation. In practice the monitoring of compliance with restraining orders is dependent on the person protected by the order. Police control is effectively limited to reports of violations made by the protected person, or violations of which the police become aware when investigating other crimes or emergency calls to domestic incidents. The police should take these reports seriously. A person protected by a restraining order may be so fearful of the offender that they dare not report violations to the police. It is necessary to consider options for more effective monitoring. In addition, it is necessary that the different authorities work more closely together and develop joint procedures and practices with a view to helping both parties to the restraining order. Measures have already been launched with respect to the restraining order. The Ministry of Justice is currently preparing a memorandum on the electronic enforcement of restraining orders. In June 2010 the police issued new guidelines on the handling of restraining orders. Their aim is to harmonize and streamline police procedures and to improve regional or local collaboration among the relevant authorities with a view to achieving the goals of a restraining order in different police departments.

Under current legislation it is possible for the police, prosecutor and social welfare authorities to apply for a restraining order for people who need such protection. In practice only the police have filed for applications. Better guidelines and training are needed to improve the knowledge of other authorities about restraining orders.

## Proposed measures:

- 1 *Develop methods of intervention in violent behaviour in connection with substance abuse and mental health services. Apply an integrated approach so that violence is addressed in connection with substance abuse and mental health problems in line with the Helsinki A-Clinic model, for instance.*

Remit: Ministry of Social Affairs and Health, A-Clinic Foundation, parishes

Timetable:

- 2 *Develop multiprofessional risk assessment of intimate partner violence in order to protect the victim in situations where there is a threat of serious violence. If successful, the method can be rolled out across the country.*

Remit: Ministry of Social Affairs and Health, THL, Ministry of the Interior, Ministry of Justice/Council for Crime Prevention

Timetable: 2010–2012

- 3 *Conduct a comprehensive review of the effectiveness of restraining orders, with special reference to crime prevention and victim safety. Experiences from supervised parole, the electronic enforcement of restraining orders and multiprofessional risk assessments shall be taken into account.*

Remit: Ministry of Justice, INTERMIN

Partners: National Research Institute of Legal Policy, Police College

Timetable: 2012–2013

- 4 *Issue guidelines for the authorities (police, prosecutors, social welfare authorities) on the use of restraining orders and how they can help ensure the safety of victims.*

Remit: INTERMIN, Ministry of Justice, Finnish Prosecution Service, Ministry of Social Affairs and Health, in collaboration with voluntary organizations

Timetable: 2011–2012

- 5 *Develop guidelines for emergency centre staff on how to respond to cases of domestic, intimate partner and sexual violence and on what kind of advice to give over the phone.*

Remit: Ministry of Social Affairs and Health

Timetable: 2012

### 3.4 IMPROVING THE POSITION AND SUPPORT FOR VICTIMS OF SEXUAL VIOLENCE

Social and health care staff lack important skills in the area of sexual violence (Riski 2009; Recognise, protect and act 2008). Professionals working with young people also need training on how to help youngsters who have been subjected to sexual violence. This training should give special focus to ways of responding sensitively to the victim, and it should be developed to provide coverage of sexual violence as a phenomenon, the prevalence of violence, legislation, the criminal justice process, the consequences of violence to the victim, services available to help the victim of violence and the offender, the prevention of sexual violence, the duties and obligations of professionals in this area and the emotional burden associated with having to deal with sexual violence (such as vicarious traumatization). It is recommended that the training use multiple forms of education. Longer term training in a process format will be able better to influence staff attitudes and to address the problems of vicarious traumatization caused by the difficult subjects. Furthermore, this training should take place in small group settings and include on-the-job supervision as well as the completion of a thesis project (e.g. on networking models in one's own workplace).

There are not enough services in Finland for victims of sexual violence. The services provided are sporadic and availability varies regionally. The need for a nationwide service system for victims of sexual violence was highlighted ten years ago in connection with the revision of the Criminal Code, but this issue has still not been addressed.

According to the Council of Europe Recommendation (Rec (2002)5), every Member State should have one rape crisis centre per 200,000 population. Finland currently has just one such centre (Tukinainen) that provides help and advice for victims of rape and sexual violence, but it is not in the position to offer acute care. The rape crisis centre has two units, one in Helsinki and one in Jyväskylä. The House of Girls (Tyttöjen talo®) provides services for young victims of sexual violence in a few locations, and the Family Federation runs a dedicated project ("Nuska") in the metropolitan Helsinki region. The House of Girls services include a low threshold sexual counselling centre, group activities and one-on-one counselling for victims of sexual violence. The Family Federation project offers appointments free of charge for young people aged 12–17 and their relatives. Furthermore, the Family Federation runs a free sexual counselling website and telephone helpline.

There are only a few locations in the country where victims of sexual violence have access to a seamless pathway of care, and staff often lack adequate information and guidelines. According to a survey conducted by the Finnish section of Amnesty International in 2005–2006, awareness of the Rape Victim Manual (which provides advice for health care staff on the

acute care of victims of sexual violence) among local authorities is low. A questionnaire by the National Institute for Health and Welfare in spring 2009 showed that less than half of the hospital districts had developed care pathways between the hospital district and primary health care in order to facilitate the identification, examination and care of people who had experienced sexual violence (Nikula et al. 2009). Similarly, a health centre questionnaire in autumn 2008 found that more than half of all community health centres in the country had no common, codified procedures for situations that raise suspicions of violence among intimate partners or other family members. In cases of child sexual abuse, 60 per cent of the health centres lacked common procedures. (Kosunen 2009.)

Seamless pathways of care are important to the provision of more effective acute care, which can help prevent subsequent traumatization and other long-term effects and support criminal investigation of the case. Some hospital and health centre emergency departments have developed service models where victims of sexual violence are given acute medical and psychosocial care that is appropriate to each patient's current conditions; one example is the service concept adopted in the Jyväskylä hospital district. In these service models one emergency unit (or a maximum of two or three, depending on distances) within the hospital district will be charged with responsibility for investigations of rape. All patients admitted will receive crisis intervention psychotherapy and appropriate follow-up treatment. In addition, all patients are invited to control visits at a gynaecological clinic with a specialized nurse on its staff. The needs of victims of different ages and victim safety must be taken into account in developing this model.

The right of victims of rape and sexual violence to an appropriate forensic examination and to psychosocial support after the violent incident has not received sufficient attention. In practice the availability of sampling equipment and the storage of forensic samples differ from the national guidelines. In the worst case this means that no forensic examination is conducted at all. For instance, some health centres recover no samples from rape victims unless they report the offence to the police. The length of time that samples are held also varies in different parts of the country. Practices must be harmonized and binding guidelines issued on who is responsible for storing the samples, where and for how long, and what to do with the samples after the storage time expires. Sample storage shall be centralized and limits set for storage times (e.g. 12 months). The costs of sample storage shall be borne by central government (e.g. Act on Patient's Rights). (Promotion of sexual and reproductive health 2007.)

Only very limited help is available for groups that are in a particularly vulnerable position, such as drug abusing women. The issue of sexual violence needs to be raised more often in services for substance abusers.

## Proposed measures:

- 1 *Develop a training package for the Online University of Applied Sciences that can be used both in contact teaching and in other learning. This will ensure that the people who provide training for professionals in the social, health care, education and youth sectors (such as school nurses and youth workers) have access to suitable learning materials on the subject of sexual violence and its prevention.*

Remit: Ministry of Social Affairs and Health, universities of applied sciences and universities

Timetable: 2011–2012

- 2 *Provide training on the use of the Rape Victim Manual and ways of sensitively responding to victims of sexual violence. The Manual shall be included in all training given to health care professionals.*

Remit: Ministry of Social Affairs and Health, Family Federation

Timetable: 2011

- 3 *Translate material that is relevant to the victim in the Rape Victim Manual into their mother tongue (e.g. English, Russian, Thai, Somali).*

Remit: Ministry of Social Affairs and Health, Family Federation

Timetable: 2011–2012

- 4 *Issue an order regarding the collection and storage of forensic samples.*

Remit: Ministry of Social Affairs and Health, INTERMIN

Timetable: 2011

- 5 *Develop the acute medical and psychosocial care of victims of sexual violence in line with the Jyväskylä model.*

Remit: Ministry of Social Affairs and Health, hospital districts

Timetable: 2012–2013

6 *Establish in connection with one university hospital a centre of expertise charged with the provision of training and support for medical and health care staff on the identification, examination and care of sexual violence. The centre shall also engage in research and development designed to support staff working in this area.*

Remit: Ministry of Social Affairs and Health, hospital districts  
Timetable: 2013

7 *Develop low threshold services across the country for women and girls who have fallen victim to sexual violence.*

Remit: Ministry of Social Affairs and Health, voluntary organizations, Finnish Slot Machine Association  
Timetable: 2014–2015

8 *Develop practices for the identification of sexual violence and for intervention by professionals working with substance-abusing women.*

Remit: Ministry of Social Affairs and Health, A-Clinic Foundation, Office of the Church Council  
Timetable: 2011–2012

### 3.5 INTERVENING IN VIOLENCE EXPERIENCED BY VULNERABLE GROUPS

The provision of services for victims of violence must consider the special needs of women who are in a vulnerable position, such as immigrants, disabled women, older women, and sexual, gender and ethnic minorities (e.g. Romas, Samis). Vulnerable women should have access to the same municipal social and health care services as other victims of violence. Third sector services for victims of violence or other crimes do not sufficiently appreciate the conditions and special needs of disabled groups, ethnic or cultural minorities or sexual and gender minorities, nor are these services specifically targeted at these groups. This would be important in order to lower the barrier of access to these services. In the case of sexual and gender minorities, for instance, staff may be confused and embarrassed by their client's expression of gender or family situation, which may confound their ability to intervene in violence. In the case of violence experienced by women in ethnic or cultural minorities, staff may be inclined to brush aside the whole matter by reference to cultural explanations. The Government Report on Disability Policy stressed the right of disabled people to equality, inclusion and necessary support. Disabled women must have the opportunity

to live a full woman's life. Women working in disabled organizations have found that cooperation and peer support can help pave the way to equality in relation to disabled men and non-disabled men and women. Shelters and other services for victims of violence should be developed to meet the needs of both disabled women and women in ethnic minorities, ensuring that they have access to the same services as other victims of violence (National Council of Disability 21 Jan 2010.)

Training for social and health care staff and for people working in services organized by NGOs shall include information about how to respond to vulnerable groups and how to identify and intervene in violence they have experienced, so that vulnerable groups can be offered the same services as other victims of violence. Training and guidelines shall be provided in order to equip people working in special disabled services (e.g. staff and social workers at schools and residential homes) with the skills they need to identify violence.

People working with ethnic minorities and immigrants need more training to help them identify and intervene in different forms of violence against women. Key authorities and service providers need to learn more about how to identify honour-based violence and forced marriages. Target groups include at least student welfare staff and school teachers, social and health care staff (including child protection officers), youth workers, the police and border guards. In 2007–2009 the Mannerheim League for Child Welfare undertook a project (“Amoral”) to identify important networks and best practices in this area. This project provided advice, training and support for people who had experienced honour-related violence and threats of such violence, their families and for the authorities working in this field. The purpose was to give all people who had been involved in honour-related violence an opportunity to talk about this phenomenon in confidence and to support multiprofessional attempts to prevent and resolve these problems. The project included a questionnaire among local authorities in the metropolitan Helsinki region, which showed that they had indeed come across the phenomenon of honour-related violence during the past 12 months. Many authorities furthermore said they had suspicions of honour-related violence, for instance of women being pressured into forced marriage. It emerged from the research that many authorities were keen to learn more about honour-related violence and to receive more training. The identification of honour-related violence remains dependent on individual authorities, who have also developed current frameworks of practice. (Tauro & van Dijken 2009.) The identification of the phenomenon calls for sensitivity on the part of the authorities. The preventive perspective is crucially important. By the time that the authorities are alerted to an instance of honour-related violence, much will already have happened in families that makes prevention extremely difficult and resource-draining. In February 2010 the Finnish League for Human Rights launched a project

aimed at preventing and eradicating human rights violations caused by harmful traditions.

NGOs have produced an abundance of online learning materials. For immigrants, they have compiled a basic information package on different forms of violence and good practices for the prevention and eradication of violence ([www.ahaa-avaimia.fi](http://www.ahaa-avaimia.fi)). The above-mentioned projects by the Mannerheim League for Child Welfare and the Finnish League for Human have collected information and created good practices for dissemination in connection with training programmes and generally among people working with immigrants.

The Family Federation's FINFO service is an anonymous one-stop telephone service for immigrants that is provided in five languages. Plans are in place to expand the service to include personal guidance and advice and to open an e-mail counselling service, which will also be available in five languages. The service will be running on a project basis until 2011. This type of low threshold service for immigrants is certainly worth promoting and should be better established.

Immigrant women who have fallen victim to violence are often in an extremely difficult position because of the uncertainty surrounding their residence status. If their residence permit has been granted on grounds of marriage or other family ties in Finland, they are dependent on the violent offender for their permanent residence permit. This exposes them to an even greater threat of violence. In 2004 the Finnish Aliens Act was revised to include a provision which allows for the issuing of a new residence card in cases where the person's family ties are severed but where this person has close ties to Finland through employment or study, for instance. The fear of deportation or loss of residence permit should therefore no longer deter intervention in violence. The Finnish Immigration Service has issued internal guidelines which instruct staff to consider the circumstances in which family ties were severed, including the presence of domestic violence. (The Reduction of Violence in Finland 2009). Furthermore the Ministry of the Interior Police Department has sent a letter to police departments around the country providing guidelines on practices to be followed in issuing residence permits for people in highly vulnerable positions (Ministry of the Interior Dno/2009/2236).

## Proposed measures:

- 1 *Provide training for people working with ethnic minorities and immigrants (social and health care staff, school and student health care, teachers, the police, prosecutors, people working in integration planning, staff at Employment and Economic Development Offices and parishes, professionals providing language training) to help them identify and intervene in violence.*

Remit: INTERMIN/Migration Department, Regional State Administrative Agencies, Centres for Economic Development, Transport and the Environment

Timetable: 2012

- 2 *Develop a training package for the Online University of Applied Sciences on the distinctive features of violence against sexual and gender minorities and its prevention that can be used both in contact teaching and in other learning.*

Remit: Ministry of Social Affairs and Health, universities of applied sciences and universities

Timetable: 2013

- 3 *Create a national data bank of information for social and health care professionals about how to respond to disabled people and how to identify and raise the issue of domestic and intimate partner violence and sexual violence and how to refer the victim of violence to professional help. The data bank must be designed with a view to accessibility, plain language and sign language.*

Remit: Ministry of Social Affairs and Health, THL

Partners: disabled organizations, Office of the Church Council

Timetable: 2013

- 4 *Develop and establish low threshold guidance and advice services for immigrants, with special reference to issues of violence against women.*

Remit: INTERMIN, local authorities

Partners: parishes, voluntary organizations

Timetable: 2012

- 5 *Provide training for the police in matters concerning extensions to residence permits so that they acknowledge situations where the divorce was due to violence on the part of the applicant's spouse.*

Remit: INTERMIN

Timetable: 2011

- 6 *Compile a guide on how to identify violence experienced by disabled women and how to help them. Include case examples to make it easier for staff to identify violence.*

Remit: Ministry of Social Affairs and Health, THL

Partners: disabled organizations' women's network, Office of the Church Council

Timetable: 2013

- 7 *Include in the Manual for disabled services guidelines and frameworks of practice for identification, prevention, intervention and referral in cases of domestic and intimate partner violence and sexual violence.*

Remit: Ministry of Social Affairs and Health

Timetable: 2011–2015

- 8 *Give attention to the occurrence of violence and abuse in connection with the monitoring of disabled institutions.*

Remit: National Supervisory Authority for Welfare and Health

Timetable: 2012

### 3.6 ENHANCING THE QUALITY AND EFFICIENCY OF THE CRIMINAL JUSTICE PROCESS

The range of offences subject to public prosecution was increased in connection with the revision of sexual crime legislation in 1999. However some sexual crimes continue to remain complainant offences unless an important public interest dictates the need to bring charges. Finnish legislation is different from that in some other countries in that the initiation of a criminal process requires that the victim press charges. In Finland coercion into sexual intercourse, sexual abuse in certain situations and coercion to a sexual act are all complainant offences. In addition, rape victims can proclaim their firm will that charges shall not be pressed. The corresponding provision is applicable to the sexual abuse of children and to certain situations of sexual abuse.

Criminal proceedings rules must be reassessed. These are serious crimes that can carry punishments of up to several years of imprisonment, and their investigation and the filing of criminal charges should be left to the authorities. What is more, the victims very often are people in vulnerable positions: children, disabled groups and people who are heavily dependent on the perpetrator. There is reason to suggest that they have diminished capacity to decide independently on the imposition of criminal liability. Research (e.g. Niemi-Kiesiläinen 2004) has shown that the authorities may have difficulty identifying sexual violence that has happened in intimate partnerships, whereby instances of rape, for instance, may in the investigation or prosecution process be redefined as coercion into sexual intercourse. Indeed since these crimes require the complainant's active involvement, it is clear that the victims are exposed to pressure from the offender. This may even deter the victim from reporting the offence in the first place, leaving the authorities completely in the dark.

The essential elements of these offences are also in need of reassessment. For instance, it is necessary to consider whether the current definition of a sexual offence is appropriate in a situation where an unconscious or defenceless victim is unable to resist sexual intercourse even if they wanted to. This question calls for urgent reassessment.

One specific issue that warrants attention in assessing the current legislation on sexual crimes is whether sexual intercourse with a defenceless person as defined in subsection 2 section 5 under chapter 20 of the Criminal Code should be treated as a rape offence. Current legislation defines such an act as sexual abuse in instances where the offender is not personally responsible for bringing the victim into the state where they are unable to defend themselves. However even under subsection 2 section 1 chapter 20 in the Criminal Code, rape is defined as including acts that are comparable to taking advantage of a defenceless person. In view of the protection of sexual self-determination, no distinction should be made based on the reasons why the victim is unable to defend themselves or to form or express their own will. The Ministry of Justice has already begun preparations for a legislative amendment that would redefine intercourse with a defenceless person as an act of rape.

The Ministry of Justice appointed on 7 April 2009 a working group to make preparations for the implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and the required legislative amendments. The working group submitted its report on 4 May 2010 (Ministry of Justice memorandums 34/2010). It proposes that a harsher scale of punishments be applied to sexual offences against children and that new acts be added to the list of punishable offences. Child protection should be improved by more closely vetting the criminal background of people working with children. Drafting of the proposal will be continued following a round of consultations.

The authorities involved in different stages of the criminal justice process need more training in the areas of sexual and other violence against women. This training must be driven by the ambition to support the victims of violence and to ensure their safety. It is particularly important that victims are treated as sensitively as possible, which will not only have a beneficial effect on the victim's recovery but also aid the investigation process. This kind of training is currently provided in a project funded by the Finnish Slot Machine Association and jointly run by four NGOs (Rape Crisis Centre Tukinainen, Federation of Mother and Child Homes and Shelters, Monika – Multicultural Women's Association in Finland, and Women's Line). The aim of the project is to increase the awareness of court judges, legal assistants, public prosecutors and the police about dealing with victims of sexual and intimate partner violence. Special consideration is given to the needs of mentally retarded persons, young people and victims with an immigrant background. Training seminars have already been held for the police in collaboration with the Police College; for prosecutors in collaboration with the Finnish Prosecution Service; and for judges and legal assistants in collaboration with the Ministry of Justice. Preliminary discussions have been held with various ministries about the continuation of the project.

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. They fulfil this role among other things by providing advice, teaching and training. As from the beginning of 2008 there have been five such key prosecutors who specialize in offences against children and women; there is need for even more. Larger police districts have separate units with investigating officers who specialize in sexual offences. The most serious crimes are handed over to these units.

Prostitution, procuring and the closely related issue of human trafficking often involve violence or the threat of violence, and human trafficking in general shares many features in common with violence against women. The victim may turn to voluntary organizations or the authorities in search of help when they have been exposed to violence or the threat of violence, and they rarely recognize themselves as victims of human trafficking. The role of the expert, the authorities or third sector organizations is to detect the signs of human trafficking often from rather meandering accounts and a complex web of problems. The main reason why it is important to identify victims of human trafficking is that these people are entitled where necessary to a reflection period and/or to a residence permit as victims of human trafficking under the Aliens Act. Victims and possible victims of human trafficking shall primarily be referred to the system of assistance designed to help human trafficking victims. Apart from people who have been granted a reflection period or a residence permit, that system can also assist people who can reasonably be assumed to be a victim of human

trafficking or otherwise in need of special assistance during the investigation of a human trafficking offence.

Recent research (Roth 2010) has shown that people exploited in prostitution and procuring are rarely regarded as victims of human trafficking: activities that bear features of human trafficking are often dealt with as procuring. The authorities refer to “human trafficking-types crimes”. This term is intended to describe criminal activities that carry the hallmarks of human trafficking but that in a criminal justice sense are not considered to meet the statutory definition of human trafficking. The people who have fallen victim to these human trafficking-type crimes do not, however, receive equal treatment in the criminal justice process. Whereas victims of extortion type discrimination in the workplace are always treated as complainants in the criminal justice process, victims of procuring are primarily treated as witnesses. Trafficked prostitutes, therefore, do not have the status of victim or the rights of complainant that come with that status. It seems that victims of procuring not only have a different status in the criminal justice process, but they have greater difficulty gaining access to systems of victim assistance than victims of extortion like discrimination in the workplace.

There is also evidence (Roth 2010) that the legal system has difficulty identifying violence and the threat of violence against prostitutes, and that prostitutes are rarely treated as victims of violence or other criminal offences; instead violence is regarded as a normal, integral part of prostitution and procuring. Under present practice, victims of procuring do not normally have the status of complainant, and it seems that acts of violence or other forms of pressure or coercion against trafficked prostitutes are not investigated or charged under the heading of other offences (e.g. extortion) either.

Decision-making on child custody and visitation rights does not always take account of the safety risks involved in visits with children. Decisions issues by courts of law sometimes ignore the domestic violence to which mothers have been exposed even when the offender has prior convictions for violence crimes against the spouse or partner (e.g. Hautanen 2010), even though it is the court’s duty to obtain all relevant information from social services in order to satisfy the requirements of the Child Custody and Right of Access Act with respect to establishing the child’s best interests. The child must be protected from witnessing domestic violence, even if they are not directly targeted themselves. For this reason it would be beneficial to consider legal ways in which to arrange supervised meetings between the child and their parents. In addition, it is necessary to provide regular training for the judicial authorities, the police, prosecutors, and judges on the distinctive features of violence against women. Training is also needed for child care and child protection professionals who make child custody assessments.

In 2006 the Ministry of Social Affairs and Health and the Ministry of Justice commissioned a study on supported and supervised meetings with children (Antila & Köhli 2006). Based on this work it was proposed that new

provisions be added to the Social Welfare Act obliging local authorities to make available the necessary support and supervision for meetings between children and their parents as defined in the Child Custody and Right of Access Act. Furthermore it was proposed that more detailed provisions be included in the Child Custody and Right of Access Act regarding the cases in which child and parents meetings are to be organized in supported and supervised settings and regarding the validity of agreements or decisions on child custody. The amendments proposed to the Child Custody and Right of Access Act cannot be implemented before the proposals to amend social welfare legislation have been put in place.

### Proposed measures:

- 1 *Conduct a broad review of legislation concerning sexual crimes and develop recommendations for improvements in the prosecution of sexual offences in the criminal justice process. The National Research Institute of Legal Policy is currently conducting research on rape offences and penal practices, including an investigation of the specific characteristics of different cases.*

Remit: Ministry of Justice

Timetable: 2010–2011

- 2 *Determine the need to revise the statutory definition of a sexual offence in situations where the offender takes advantage of another person's state of vulnerability or helplessness, or of their own position of responsibility.*

Remit: Ministry of Justice

Timetable: 2010

- 3 *Include information about the distinctive characteristics of sexual violence against women in training programmes for the police, prosecutors and judges.*

Remit: INTERMIN, Ministry of Justice, Finnish Prosecution Service

Timetable: 2012 and ongoing

- 4 *Continue and provide further support for the specialization and training of public prosecutors and police officers in crimes against women and children.*

Remit: Ministry of Justice, Finnish Prosecution Service, INTERMIN, National Police Board

Timetable: ongoing

- 5 *Establish the presence of any overlap between legal provisions concerning procuring and human trafficking and on this basis assess the need for legislative amendments. At the same time assess the status of the victim of procuring in the criminal justice process.*

Remit: Ministry of Justice

Timetable: 2011–2013

- 6 *Provide training for the authorities (police, prosecutors, public legal aid attorneys, judges) on infringements occurring in connection with prostitution, procuring and trafficking in human beings. This training will ensure that victims of sexual abuse are more effectively reached by systems of assistance for victims of human trafficking. Training related to human trafficking and the identification of victims of human trafficking shall be organized in line with the plan of action adopted by the Government on 25 June 2008.*

Remit: INTERMIN, Finnish Prosecution Service, Ministry of Justice

Partners: Pro Centre Finland

Timetable: 2013–2014

- 7 *Provide training for judges, legal assistants, child welfare supervisors and officers reporting to social welfare services on family circumstances: training shall focus on child custody and access issues, the nature of intimate partner violence and its impacts in divorce situations and on negotiations about child custody and visitation rights and the assessment of safety risks in these situations.*

Remit: Ministry of Justice, Ministry of Social Affairs and Health

Timetable: 2013–2014

- 8 *Add new provisions to social welfare legislation obliging the local authorities to make available the necessary support and supervision for meetings between children and their parents as defined in the Child Custody and Right of Access Act.*

Remit: Ministry of Social Affairs and Health

Timetable: 2010–2013

### 3.7 DEVELOPING PERPETRATOR PROGRAMMES FOR VIOLENT OFFENDERS

In Finland violent offenders seek admission to perpetrator programmes on the advice of the authorities (e.g. the police), service providers (e.g. shelters), spouse or partner or on their own initiative, but in some other countries perpetrator programmes are an integral part of the criminal sanctions system. Research (e.g. Saunders et al. 2008; Scott 2004) has shown that close collaboration among the police, women's services, courts of law and other services in this area contributes significantly to the outcome of violence rehabilitation programmes. In Espoo, for example, the Alternative to Violence Programme works closely with the police, who forward the contact information of men involved in reported incidents of intimate partner violence to the programme; the contact information for women are forwarded accordingly to a women's service run by the Federation of Mother and Child Homes and Shelters. Referrals to violence rehabilitation programmes should be a more prominent part of local authorities' violence prevention work, and collaboration with the police should be stepped up so that the Espoo model can be rolled out more widely. Indeed such collaborative arrangements are already in place in the cities of Lahti and Mikkeli, for example. The future development of these kinds of cooperation mechanisms must also allow for closer coordination in connection with the imposition of restraining orders.

Immigrant men need their own violence rehabilitation programmes. The Alternative to Violence Programme in Espoo has a separate component that specializes in the prevention and eradication of violence among immigrant men. The service ("Men's Line") is aimed at helping immigrant men who have used violence or who are concerned that they may turn to violence in their family or partner relationship. It has been running since 2005 with funding from the Finnish Slot Machine Association. The main focus of the service is on prevention and on the integration of immigrant men into Finnish society, which is supported through meetings where staff members talk with men to about Finnish society, the position of men and women, legislation and equality. The service launched in spring 2010 an experiment to promote the uptake of the working and cooperation mechanisms it has developed among member associations of the Federation of Mother and Child Homes and Shelters. The aim and purpose is to take advantage of the experiences gained by the Federation in its own work with men so that in the future they can build up greater expertise in dealing with the problems faced by immigrant men. In the future it is important to step up referrals of immigrant men into violence rehabilitation programmes as part of the broader process of immigrant integration. (Peltonen 2010.)

The Council of Europe Task Force stresses in its report (EG-TFV 2008) that there is broad agreement among experts in organizations that provide violence perpetrator programmes and women's services that all work with male perpetrators should be aimed at increasing the safety of women and

their children. Rehabilitation programmes should always be developed and implemented in close cooperation with providers of special services for women victims, which can offer preventive support for the current and earlier partners of violent offenders participating in rehabilitation programmes. Another way to encourage more men to seek help through violence rehabilitation programmes is to enter this point into local authorities' social and health care action plans.

The key focus for administrative agencies under the Ministry of Justice has been on the reduction of violence, and in the criminal policy field more specifically on the reduction of violence against women and children. In recent years prisoners have been given greater access to violence rehabilitation programmes while serving their sentence. As part of the Government's project for the prevention of violence against women, Mikkeli Prison launched in 2003 a pilot project under the name MOVE! which concentrates on the handling of intimate partner violence and referral to treatment.<sup>6</sup> The aim of the MOVE programme is to help the individual identify violent behaviour in themselves, to recognize its consequences and to encourage them to seek help. The MOVE manual has recently been updated: in addition to a chapter on intimate partner violence, it includes sections that urge and encourage people who exhibit violent behaviour and who have committed sexual offences to seek care and treatment. The programme has been most widely used in Mikkeli Prison. The aim is to increase programme coverage. In 2010 training was organized for staff at the Criminal Sanctions Agency as well as for non-prison staff, including family therapists from the Federation of Mother and Child Homes and Shelters. Intended for perpetrators of serious violence offences, the Cognitive Self Change programme has been in use in Finnish prisons since 2002. In 2009 it was delivered in six prisons. An anger management course has also been in use in the enforcement of sentences, the aim being to help offenders control their behaviour and in this way to help prevent relapse into violence. Two counsellors from the Espoo programme have taken the Unbeatables programme for male prisoners who have engaged in partner violence to the Helsinki Prison. Following this pilot the programme will be rolled out to other prisons, with the necessary training for counsellors provided in autumn 2010 (Riski 2009; The Reduction of Violence in Finland 2009).

Rehabilitation programmes for violent offenders may serve as a complement to the criminal justice process, but no treatment programme must be accepted as an alternative to penal sanctions. As noted in the Council of Europe Recommendation (2002/5), treatment must be seen as a form of prevention. In some European countries offenders can serve their punishment by attending violence rehabilitation programmes instead of going to prison, but this requires separate legislation. Offenders might lack motivation to participate in such a programme because it is ultimately

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6 The Move project was conducted by a member association of the Federation of Mother and Child Homes and Shelters.

enforced upon them. The advantage, on the other hand, is that the violent offender can be monitored and that victims and women's services can be informed about the progress the offender is making and the risk of recurrence (EG-TFV 2008). The National Action Plan to Reduce Violence 2006–2008 included a recommendation to investigate the possibility of integrating violence rehabilitation programmes into the criminal sanctions system (The Reduction of Violence in Finland 2009). The Ministry of Justice has appointed a committee to explore avenues towards the development of community sanctions and to draft a comprehensive reform of legislation on community sanctions. In this connection it will also have to be decided whether participation in community programmes can be incorporated as part of the enforcement of penal sanctions. However it has to be recognized that in most violent offences the sanction consists of a fine. This means that only a small number of violent offenders can be referred to rehabilitation programmes through the criminal sanctions system. In the current situation the priority should be to promote participation in voluntary programmes in prison and to ensure that prisoners can continue in those programmes when their sentence is up.

#### Proposed measures:

- 1 Develop nationally coordinated cooperation mechanisms via which the police can provide information to suspects about programmes and refer intimate partner violence offenders to violence perpetrator programmes (as in the Alternative to Violence Programme, for example).*

Remit: Ministry of Social Affairs and Health, INTERMIN

Timetable: 2012

- 2 Provide guidelines for professionals working in immigrant integration to encourage immigrant men who show violent behaviour with intimate partners to go into violence perpetrator programmes.*

Remit: for provision of guidelines INTERMIN/Migration Department, Centres for Economic Development, Transport and the Environment, local authorities and Office of the Church Council, for funding the Finnish Slot Machine Association, institutions awarding grants to NGOs, EU funding

Timetable: 2012

- 3 *Promote participation in perpetrator programmes in connection with penal enforcement through Criminal Sanctions Agency, and support participation in programmes following completion of the penal sentence. Take steps to further develop cooperation with local authorities in connection with the drafting of prisoner release plans.*

Remit: Ministry of Justice, Criminal Sanctions Agency

Timetable: 2011 and ongoing

### 3.8 STRENGTHENING THE IDENTIFICATION OF AND INTERVENTION IN VIOLENCE

The preparatory study for the Report on Gender Equality (Riski 2009) points out that training in the prevention of domestic and intimate partner violence in Finland continues to remain fragmented and inadequate and that standards of professional skills vary. The problem is that occupational groups often receive training on violence issues on a one-off basis only and that questions of violence are often dealt with as part of other training objectives. Furthermore, specialized training is usually available in the metropolitan Helsinki region only. Training on issues of violence should be stepped up particularly in the areas of intimate partner violence, sexual violence and sexual harassment. The need for further training is also addressed in the recommendations given to local authorities (Recognise, protect and act 2008).

Health care services must begin to ask questions about domestic and intimate partner violence as a matter of routine, especially at maternity and child clinics and in school and student health care. Maternity and child services and school and student health care are responsible not only for health promotion, but also and importantly for preventing domestic and intimate violence against children and the associated risks, and for providing necessary support. School and student health care are well placed to identify and raise the issue of violence and the students' experiences of their own gender and sexual orientation.

Health care services have developed special tools for asking questions about violence, including screening techniques, questionnaires and a systematic framework for the identification of adult victims of intimate partner violence, as well as for raising the issue of violence, assessing needs for care and referral to further care (Violence Intervention in Specialist Health Care project). These tools should be further rolled out across the country.

The Ministry of Social Affairs and Health action plan for the prevention of domestic and intimate partner violence (2004–2007) included measures to develop tools for the identification of victims of abuse in health care

contexts. A programme launched by the Southern Finland State Provincial Office developed a standardized form for the systematic interview and examination of patients (PAKE) admitted to health centres and hospitals for physical injuries resulting from abuse, including instructions to doctors regarding the use of this form. The form is now available in electronic format and has been introduced in other provinces as well. Regional State Administrative Agencies have organized training on the use of this form, but further training is still needed.

A form for recording incidents of violence has also been created and incorporated in the social welfare client information system (Väyrynen et al. 2010). The form allows social welfare staff to ask clients about violence they have either experienced or committed, and to enter these cases into the information system. The necessary technical facilities for recording data into the information system will be in place by the end of 2011. This model should be rolled out and incorporated as a permanent part of both the social welfare and the health care client information system.

### Proposed measures:

- 1 Introduce training on domestic and intimate partner violence and sexual violence as part of the curriculum for all medical students (GPs, gynaecologists, urologists and psychiatrists) at both the basic and supplementary training stage.*

Remit: universities, Regional State Administrative Agencies, specialist medical organizations, associations and the Finnish Medical Association

Timetable: 2011

- 2 Provide training and guidance for emergency health care staff in the use of the assessment tool for physical injuries resulting from abuse (PAKE). The data collected shall be entered into electronic patient documents.*

Remit: Ministry of Social Affairs and Health, THL, Regional State Administrative Agencies

Timetable: 2011–2012

- 3 *Review and complement existing guidelines in the Guide for school and student welfare regarding the identification and prevention of domestic and intimate partner violence and sexual violence as well as related instructions for intervention and patient referral. Create new frameworks of practice that take account of students' different backgrounds.*

Remit: NBE, THL, Regional State Administrative Agencies  
Timetable: 2010–2011

- 4 *Provide training for the use of intimate partner violence screening tool at maternity and child clinics.*

Remit: THL, Regional State Administrative Agencies, hospital districts  
Timetable: 2011–2012

- 5 *Include violence screening question during client contacts in social and health care services and integrate as part of client information system.*

Remit: THL and local authorities  
Timetable: 2012 and ongoing

### 3.9 INCREASING INFORMATION AND KNOWLEDGE

The development of more effective means of long-term support for victims of violence requires a clear picture of existing mechanisms of support for women who have experienced violence and of how the availability of support varies in different parts of the country. There is still a scarcity of knowledge about women who have been victimized by stalking and about women's experiences of systems of victim assistance and the legal system. More information is needed about the security arrangements required by women and about what action the authorities have taken to provide protection. Finland has no separate legislation on stalking, and this kind of research could provide a basis for assessing the need for such legislation. More research is needed into emergency home calls to deal with domestic violence so that a national framework of practice can be created for methods of intervention in recurring call outs.

There are several rehabilitation programmes for violent offenders in Finland. These are offered on a voluntary basis by private therapists or associations. Eight of the member associations of the Federation of Mother and Child Homes and Shelters are involved in a men's programme ("Jussityö") launched in 1994, and one of the associations runs the Alternative to Violence Programme in Espoo which was opened in 1993. Jyväskylä also

runs an Alternative to Violence Programme that provides rehabilitation programmes for violent offenders. No detailed information is available on the number of programmes offered in Finland or their exact contents. Information about the impact and effectiveness of these programmes is also limited. Some evaluations have been conducted on the Alternative to Violence Programme in Espoo (Keisala 2006) and the programme in Jyväskylä (Ensomaa 2009) as well as on the Jussi programme for men (Törmä & Tuokkola 2010), but there is an obvious need for a nationwide assessment in this area.

Young women and girls are a particularly vulnerable group of victims of sexual violence. The methods of gender-sensitive youth work provide an effective means of addressing problems related to sexuality, gender and violence and encourage professionals working with young people to raise these issues. This work requires ongoing development and improvement, and there are no existing frameworks of practice. One way to tackle the challenge of development could be through action research, with the researcher/developer providing training for youth workers (and/or other relevant professions) from the local authorities involved about the purpose of the project and its gender-sensitivity and coordinating development activities. The good practices developed in the project would be compiled into a research report for practical application. The Youth Research Network is currently engaged in this kind of action research aimed at developing multicultural youth work.

There is a scarcity of research in Finland about experiences of sexual violence and harassment among children and young people. Data on the prevalence of violence committed and experienced by young people are collected in youth crime questionnaires, school health questionnaires and national victim surveys. Violence against children has received very limited research attention, but a child victim survey was conducted in 2008 (Ellonen et al. 2008). The information yielded by these studies is quite general in nature and most of them fail to consider the broader context of sexual violence, such as how it ties in with equality and sexuality.

More information is also needed about the extent to which gender minorities in Finland experience violence and about the most common forms of violence (Lehtonen 2006). The scarcity of follow-up and research evidence makes it particularly difficult to estimate the prevalence of violence against sexual and gender minorities. Random sampling studies are unable to shed light on the experiences of violence among minorities because many of these people choose to conceal their sexual orientation or gender identity. Most population-level questionnaire surveys do not even include such items; indeed sometimes no gender distinctions are made in the first place. Furthermore, research does not necessarily make a distinction between intimate partner violence and other forms of violence, which makes it harder to find the right means and avenues to reducing violence. More and better targeted research is needed in order to obtain a true picture of the

experiences of violence among both women and men in sexual and gender minorities.

There is not enough information in Finland about violence against disabled people, such as the prevalence of violence, the social consequences of violence, or the kind of help and special services that disabled people need in order to cope with their experiences. Both qualitative and statistical research is needed. Violence may have a greater impact on the social life of disabled women than on other women. For example, violent offenders may deprive them of the opportunity to lead an independent life, or prevent them from participating in social activities outside the home. Research can help to disclose evidence of violence and related phenomena and to develop systems of victim assistance. Research is also needed to explore the experiences of domestic and intimate partner violence among special groups, such as Roma women.

### Proposed measures:

- 1 *Conduct a study of support mechanisms currently available for women victims of violence, including assessments of the availability of community services and long-term support, both in terms of quantity and location. Based on the results of this research, introduce new community services according to current needs.*

Remit: Ministry of Social Affairs and Health

Timetable: 2010–2011

- 2 *Conduct a study of women victims of stalking and their experiences of the systems of victim assistance available and the legal system.*

Remit: Ministry of Social Affairs and Health

Timetable: 2014–2015

- 3 *Conduct a study of home emergency calls involving domestic violence to find out what action was taken, what kind of help was offered and how the cases fare in the criminal justice process.*

Remit: INTERMIN Police Department, National Police Board

Timetable: 2011–2012

- 4 *Conduct a study of rehabilitation programmes for violent offenders in Finland: what are the objectives and methods applied in these programmes, how long are these programmes, how do they protect the safety of women and children, how do they monitor safety and what other services do they provide (e.g. for women and children). Take necessary steps on completion of the study.*

Remit: Ministry of Social Affairs and Health

Timetable: 2010–2011

- 5 *Conduct action research aimed at developing gender-sensitive youth work.*

Remit: Ministry of Education and Culture, local authorities

Timetable: 2014–2015

- 6 *Conduct a questionnaire survey on young people's views and experiences of sexual violence and harassment and the handling of these cases.*

Remit: Ministry of Education and Culture, Ministry of Social Affairs and Health

Timetable: 2014–2015

- 7 *Conduct a study of the forms and prevalence of violence experienced by sexual and gender minorities. This research will help to understand the reasons of gendered violence, how it can be prevented and how victims can be supported.*

Remit: Ministry of Social Affairs and Health, INTERMIN, universities

Timetable: 2014–2015

- 8 *Conduct a study on the prevalence and forms of violence experienced by disabled people.*

Remit: Ministry of Social Affairs and Health, INTERMIN, universities

Timetable: 2014–2015

- 9 *Conduct a study of disabled women's needs for help in coping with violence. The study shall consist of two components, the first dealing with women's experiences of the kind of help they need, and the second focusing on employees' experiences of helping disabled women and the necessary working methods.*

Remit: Ministry of Social Affairs and Health, THL, universities

Timetable: 2014–2015

10 *Conduct a study of the experiences of domestic and intimate partner violence among ethnic minorities (Romas, Samis).*

Remit: Ministry of Social Affairs and Health, INTERMIN, universities

Timetable: 2014–2015

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