

Government report on administration of justice

Ministry of the Justice

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Abstract

This Government Report on the Administration of Justice provides a comprehensive and concise overview of the current state of the administration of justice in Finland and its operating conditions and development trends. The field of administration of justice is broad. This Report focuses on the activities of the court system, the National Prosecution Authority, the National Enforcement Authority, the Prison and Probation Service, the public legal aid and guardianship districts, the Legal Register Centre, the Consumer Disputes Board and the Non-Discrimination and Equality Board.

International comparisons show that the rule of law has a solid foundation in Finland. However, the insufficiency of budget appropriations allocated for the administration of justice and the operating conditions of actors in the field have given rise to significant concerns already for a longer time and, despite significant increases in appropriations during the current parliamentary term, the situation remains unsatisfactory. Key problems regarding legal protection include the excessive length of legal proceedings and the high cost of trials. At the same time, the personnel are overburdened.

The Government Report sets medium-term objectives for achieving reasonable quality in the administration of justice. It also presents proposals for measures to ensure sufficient resources for the administration of justice, to improve the internal structures and processes, and to improve the availability of legal services and customer service. Securing appropriate operating conditions for the administration of justice and achieving the objectives set for the administration of justice require a total of approximately EUR 90 million in permanent annual additional funding.

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Tiivistelmä

Tämä oikeudenhoidon selonteko antaa kokonaisvaltaisen ja tiiviin kuvan suomalaisen oikeudenhoidon nykytilasta, toimintaedellytyksistä ja kehityssuunnista. Laajasta oikeudenhoidon kokonaisuudesta selonteko keskittyy tuomioistuinlaitoksen, Syyttäjälaitoksen, Ulosottolaitoksen, Rikosseuraamuslaitoksen, oikeusapu- ja edunvalvontapiirien, Oikeusrekisterikeskuksen, kuluttajariitalautakunnan sekä yhdenvertaisuus- ja tasa-arvolautakunnan toimintaan.

Kansainvälisten vertailujen mukaan suomalainen oikeusvaltio on vankalla pohjalla. Oikeudenhoidon määrärahojen riittämättömyys ja toimijoiden toimintaedellytykset ovat kuitenkin olleet merkittäviä huolia jo kauan, ja kuluva vaalikauden merkittävistä määrärahalisäyksistä huolimatta oikeudenhoidon tilanne on epätydyttävä. Keskeisiä oikeusturvaongelmia ovat muun muassa oikeusprosessien pituus ja oikeudenkäyntien kalleus. Samalla henkilöstö on ylikuormitettua.

Selonteossa esitetään keskipitkän aikavälin tavoitteet oikeudenhoidon kohtuulliselle laadulle sekä toimenpide-ehdotuksia oikeudenhoidon resurssien varmistamiseksi, sisäisten rakenteiden ja prosessien tehostamiseksi sekä oikeuspalvelujen saatavuuden ja asiakaspalvelujen parantamiseksi. Oikeudenhoidon toimintaedellytysten turvaaminen ja oikeudenhoidon tavoitteisiin pääseminen edellyttää pysyvää lisärahoitusta keskimäärin 90 miljoonaa euroa vuodessa

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Enligt internationella jämförelser står den finländska rättsstaten på stadig grund. Otillräckliga anslag för rättsvården och verksamhetsförutsättningar för aktörerna har dock redan länge ingett betydande oro, och trots betydande anslagsökningar under innevarande mandatperiod är läget inom rättsvården inte tillfredsställande. Viktiga rättssäkerhetsproblem är bland annat långvariga rättsprocesser och dyra rättegångar. Samtidigt är personalen överbelastad.

I denna redogörelse föreslås målsättningar på medellång sikt för en skälig kvalitet på rättsvården samt åtgärder för att säkerställa rättsvårdens resurser, effektivera interna strukturer och processer samt förbättra tillgången till juridiska tjänster och kundservicen. För att trygga rättsvårdens verksamhetsförutsättningar och uppnå målen för rättsvården krävs en permanent tilläggsfinansiering i medeltal 90 miljoner euro per år.

Nyckelord rättsstaten, rättssäkerhet, rättsväsendet, redogörelser

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INTRODUCTION

This Government Report on Administration of Justice provides decisionmakers a comprehensive and concise overview of the current state of the administration of justice in Finland and its operating conditions and development trends. The field of administration of justice is broad. This report focuses on the activities of the court system, the National Prosecution Authority, the National Enforcement Authority, the Prison and Probation Service, the legal aid and public guardianship districts, the Legal Register Centre, the Consumer Disputes Board and the Non-Discrimination and Equality Board. For these actors in the administrative branch of the Ministry of Justice, the factors of change in the operating environment, as well as challenges related to operational aspects and its resources, require special attention.

The decision to start the preparation of the report was made in the cabinet evening session of the Government on 13 October 2021. The insufficiency of the appropriations allocated for the administration of justice and the operating conditions of actors have been major concerns for a long time, and during the term of Prime Minister Sanna Marin's Government, additional appropriations have been allocated for ensuring the administration of justice several times (over EUR 80 million as permanent additional appropriations). Chained development of the administration of justice that takes the dependencies between the actors into account requires, however, a comprehensive review of appropriations, productivity and operating methods.

The starting point for the report is the status of the administration of justice at the end of the parliamentary term 2019–2023. Despite significant increases in appropriations during the current parliamentary term, the situation remains unsatisfactory with regard to the expectations of citizens and businesses concerning legal protection. The length of legal processes is excessive, and both the high cost of trials and the risk related to said costs may, in practice, prevent access to rights. At the same time, the situation is unsustainable for the personnel in the administration of justice: the human resources are insufficient and, consequently, the workloads are clearly too heavy. The situation is made more difficult because electronic tools have not yet provided the expected increases in efficiency and productivity.

In Finland, no target processing times have been set for the administration of justice or its individual processes, but the current processing times have repeatedly been found to be too long. The report presents the internal medium-term objectives of the judicial administration for the reasonable average processing times of matters and certain other goals for the administration of justice. The resource needs stated in the report have been calculated on the basis of these objectives. The goal is a situation that is somewhat better than the current one, in which the requirements set for the administration of justice are in balance with its resources, and in which the allocation of resources ensures the operation of both the rule of law in everyday life and the opportunity for professionals in the administration of justice to have a meaningful and motivating working life.

However, the goals of the report are not ambitious enough for the long term; instead, without compromising on the quality of the application of law, faster processing and turnaround times, compared to the current situation, must clearly be sought in the steering of judicial administration and the management of its actors. Therefore, while the target processing times and other objectives presented in this report describe the current status of the rule of law in everyday life in Finland and the gradual improvement of the current situation, objectives must be reassessed in the future.

When assessing the objectives presented, it must also be taken into account that the large number of criminal matters that the police has not yet investigated may lead to a significant increase in the number of cases in the whole criminal procedure. Likewise, it must be noted that one of the problems of rule of law is the threshold for bringing civil cases to court due to the risk of costs in particular. The proposals for raising the income limits of legal aid and reducing the risk of costs related to a trial that have been set as objectives in the report may lead to an increase in the number of civil cases, too. Changes in legislation and administrative reforms may increase the number of appeals to administrative courts significantly. For example, promoting the green transition and increases in entries to the country may also increase the number of cases in administrative courts.

The current primary challenge faced by the judicial administration is the sufficiency of human resources. In a study reaching until 2030, the administration of justice requires an increase of nearly 1,200 person-years. However, simply adding more human resources is not enough. Working methods, information systems to support work and different processes, and their regulation require long-term development. Making the processing of matters more agile and faster ensures that citizens will be better able to access their rights. At the same time, the increase of legal costs can be stopped, and, in the future, the costs can also be reduced systematically.

Meanwhile, major challenges remain in the carrying out of the duties of the judicial administration and in the continuity of employment relationships. Challenges in the availability of workforce in the administrative branch include offices outside growth centres being unattractive and the simultaneous recruitment needs of the private sector.

Ensuring the rule of law in everyday life requires a larger number of applicants, especially legally trained ones, as well as increasing the number of people trained for the administrative branch of the enforcement of sentences of imprisonment and diversifying the education options to meet the needs of this branch. Questions related to these issues remain outside the scope of this report, but potential solutions should be sought not only from the intake of students and the number of degrees, but also from places such as conversion training and continuing professional education for people who have completed a significant amount of legal studies as a part of their degree. Such an education channel would be considerably faster than simply increasing the number of basic degrees. In addition, the current court traineeship must be reevaluated with the aim of developing it in a goal-oriented manner into a stage of a lawyer's career that leads to courts of law and duties in judicial administration. With regard to assistant personnel in the judicial administration, the means of increasing the attractiveness of these jobs must also be assessed from the perspective of collective agreements for public officials.

The report has been prepared under the management of the Ministry of Justice. To prepare the report, the Ministry of Justice appointed a steering group and a coordination group consisting of representatives of the administrative branch, the ministry and organisations. In addition, expert teams focusing on specific themes supported the preparation. Two broad-based consultation and discussion events were arranged for other major interest groups during the preparation. In addition, a separate study into the diversification of crime and criminal matters across international borders was conducted as a background for the report, as well as an assessment of the ICT costs in the administrative branch of the Ministry of Justice.

The first chapter of the report describes the status of the rule of law in Finland, based on international studies and assessments. The second chapter discusses the changes in the operating environment of the administration of justice. The third chapter contains the most essential section of the report concerning the goals of the administration of justice, as well as the operating conditions and resource needs of the actors involved. Chapters 4–14 describe the current status of the operational aspects and processes of the administration of justice, as well as their changes over the last decade, in more detail. Proposals for measures to meet the challenges in the administration of justice and a presentation of the actors involved in the administration of justice are attached to the report.

The report does not include a separate review of Åland, because in principle, the same issues concerning the judicial system apply to the whole country. However, the issues related to linguistic rights and the safeguarding of language services highlighted in the report are very important in Åland, too.

1 Finland and the rule of law

- According to international comparative studies, rule of law is on solid ground in Finland.
- Key problems in Finland include the length of legal processes and expensive trials.

The Constitution of Finland guarantees the key elements of legal protection for everyone and obliges the public authority to safeguard the realisation of basic and human rights. The international criteria used to assess the status of rule of law includes the requirement for the legality of actions by the authorities and the prohibition of abuse of power, legal certainty or the predictability of the legal order, decisions by courts of law and legislation; respect of basic and human rights, an independent and impartial judicial system, open and transparent activities of the authorities as well as the availability of legal protection, access to rights and the realisation of justice without undue delay.

Based on international comparative studies, the status of rule of law in Finland is good. Like the other Nordic countries, Finland receives positive assessments concerning the independence of its legal system, freedom of speech, and combating corruption, as well as the trust of citizens in democratic institutions. Since 2020, the European Commission has published an annual EU Rule of law report. According to the report for 2022¹, the judicial system of Finland is considered to be highly independent, with 88% of the general population and 87% of companies considering its level of independence as fairly or very good. In the annual Rule of Law Index compiled by the World Justice Project organisation in 2021², Finland placed third after Denmark and Norway.

Key problems identified in Finland include especially the length of legal processes, expensive trials and inefficient criminal investigations. For example, in the Rule of Law Report mentioned above, Finland received its lowest score for the efficiency of criminal investigations, the length and cost of civil cases, and access to rights. In fact, the time spent on the investigation and processing of criminal matters has grown constantly at all stages of the process across the various authorities. In addition to the length of processing times, challenges linked to the realisation of criminal liability include the large number

1 European Commission 2022, [2022 Rule of law report. Country Chapter on the rule of law situation in Finland.](#)

2 World Justice Project 2021, [WJP, Rule of Law Index. Finland](#), as well as Raitio & Rosas & Pohjankoski 2022, [The Rule of Law in the European Union and Finland](#), pp.138–140.

of open cases, the low resolution rate of property offences, and the increased number of decisions to discontinue the pretrial investigation in less severe offences. Correspondingly, civil cases that have been decided in a main hearing of a District Court have been constantly growing longer, and their average processing time is over a year and a half. At the same time, the legal costs have increased, especially in civil cases that have progressed to a main hearing.³ The risk of high legal costs may mean that people do not dare to bring matters to be processed by a court of law. The purpose of legal aid is to ensure that people have a real and equal opportunity to access their rights, but due to the low income limits in place for legal aid, only a small share of households can currently receive legal aid in practice.

In addition, the recommendations received by Finland concerning the administration of justice in the periodic reports on the implementation of international human rights conventions have drawn attention to challenges in matters such as the effective investigation and prosecution of offences. Other development targets highlighted in the periodic reports include legal aid and the methods of legal protection available to victims of a crime, as well as issues related to the realisation of the rights of different groups, such as the linguistic rights of Swedish speakers in courts of law, legal aid for asylum seekers, violence against women, as well as the practices related to the hearing of children and the realisation of the principle of the best interest of the child in administrative and judicial processes. With regard to the European Court of Human Rights that monitors compliance with the European Convention on Human Rights, the development trend has involved a low number of complaints and convictions regarding Finland. On the other hand, the system of legal protection related to delays in trials has been developed in Finland.

³ See, for example, Sarasoja & Carling 2020, [Oikeudenkäyntikulut pääkäsitellyssä ratkaistuissa riita-asioissa 2019](#), on the legal costs of civil cases decided in a main hearing, as well as the Parliament: [Oikeudenkäyntikulut riita-asioissa](#).

2 Changes in the operating environment

- Trust in the rule of law is a key issue with regard to the unity of society, a democratic operating culture, civil peace, and the national economy.
- Social changes and increasingly complex legal problems are reflected in the number and type of matters to be processed by the judicial authorities.
- The problem is that the personnel are overburdened due to the lack of resources.
- In addition to sufficient resources, the changing operating environment requires constant development of regulation and high quality law drafting.

Internationalisation, the development of technology, demographic trends, the growth of inequality, and other social phenomena⁴ all affect the number and type of matters processed by the judicial authorities. Legal problems have become more complex, and the need for legal expertise has increased. The recent changes in the operating environment, from the pandemic to the war in Europe, as well as the inflation trend, have brought about completely new challenges for society, ones which burden the administration of justice and intensify the existing problems.

Trust and the development of rule of law. The recent changes in the status of international security further highlight the position of the judicial system as a guarantor of the principles of the rule of law. The different stages of the legal proceedings must operate seamlessly, and they must be able to ensure the legal protection of citizens in all situations. The mechanisms of rule of law in the EU have been strengthened in recent times, but on the other hand, they are also questioned more directly than before. In Finland, too, there is a need to develop the rule of law actively. If the rule of law cannot meet the expectations of Finland's citizens, there is a risk that the unity of society, a democratic operating culture and civil peace are weakened. The rule of law works well when the citizens trust that their rights will be realised and that the administration will comply with the law and implement rights equally. Citizens must be able to trust their chances of pleading their case in an independent court of law and receive a judgment to be implemented within a reasonable period of time.

4 For more detail, see the Ministry of Justice 2022, [Memorandum of the working group of administration of justice, pp.45–56](#).

Smoothly operating legal proceedings and legal certainty also constitute the basic infrastructure for the investments and competitiveness of companies. The trust and stability generated by the well-working administration of justice safeguard the functioning of a society based on a social contract and promote functioning markets and foreign investments in Finland. However, if the legal proceedings in matters such as the processing of an environmental permit take too long, it may make people less interested in investing and even prevent the realisation of the transition to a green economy. The independence of courts of law and trust in the operation of the judicial system are strength factors on which the rule of law in Finland should be built in the future, too. A strong profile as a state governed by law contributes to international success and competitiveness.

Internationalisation. Internationalisation is visible in the operation of all judicial authorities. More customers than before have a foreign background, and the use of translation and interpretation services, for instance, has increased. International cooperation between authorities in managing matters has increased considerably. The number of supranational sets of norms applicable to the administration of justice has grown, and issues such as EU legislation and the decision-making practice of EU courts of law, among other things, must be taken more extensively into account in legal consideration than before. In addition to multilingualism, the diversification of cultures creates a need to help people from different cultural backgrounds understand the Finnish administration of justice system and strengthen trust in the activities of the authorities. A negative phenomenon linked to internationalisation is the spread of organised crime and the narcotic, online, and human trafficking crimes connected to it. In enforcement, it is increasingly necessary to tackle different forms of the international arrangement of assets, with the goal of hiding assets and moving them out of reach of creditors.

Diversification of crime. On average, the everyday life of Finnish citizens is still very safe. However, international phenomena and conflicts are visible in Finland, too, and, in the worst case, they can create instability. There are an increasing number of international threats to internal security. In the development of crime, the growth, increased severity and diversification of crime implemented either completely or partially online and across borders are highlighted. On the other hand, violence, firearms and narcotics becoming more common is also visible in the duties of the police, as well as further along in the criminal procedure. Increasingly younger people are involved in serious violent and drug-related crime. The number of criminal organisations and their members has increased in Finland. These developments have changed both the structure of cases at courts of law and the customer base of the judicial system. For example, the increased number of prisoners linked to organised crime in prisons has increased the need for measures to limit the ability of groups of organised criminals to operate in prisons and ensure the safety of the rest of the prisoners.

Technological development. Taking advantage of technology and digitalisation, and a dependency on technology in different functions, plays a key role in the changing work environment. The development of technology offers opportunities that the renewing judicial system must be able to utilise. The use of electronic services by the authorities has increased significantly. Remote work, remote sessions of courts of law, discussions as remote services, and taking care of matters remotely in general are now a part of everyday life. The information systems used by actors in the administration of justice have been renewed to replace and develop old systems. Operational changes and systems development continue. A new development target comprises cyber security and its necessity as part of ensuring operational continuity. In the judicial system, the digital transition has been slow, and it has burdened the operation of the administration of justice, finances and personnel.

Population development and workforce. The challenges of population development in Finland are linked to ageing, the shrinking working age population, and the rapid decrease in the national birth rate. In Finland, the population is concentrated in cities and their surrounding areas. Currently, more than 70% of the population lives in urban areas. Correspondingly, the largest numbers of cases and backlog in the administration of justice are focused on the authorities that operate in population concentrations. The population development is also visible in the administration of justice insofar as the elderly are currently clearly more often victims of crime. In the future, it is likely that the ageing trend will also increase the number of social welfare cases in administrative courts. The labour market has the greatest need for more highly educated workforce, and an increasing number of occupational groups lack experts. In the administration of justice, too, there are regional and task-specific challenges in finding enough competent workforce. In addition, there are special challenges in finding personnel that can offer services in Swedish. For its part, this development also poses a risk to the realisation of linguistic rights in the legal protection services of citizens. The administration of justice must be able to respond to the diversification of the Finnish population base and offer services equally for members of different population groups. For instance, finding expert IT personnel has been a long-term challenge for the Legal Register Centre, while correspondingly, the challenge faced by the Prison and Probation Service has involved finding trained supervisory personnel for the field. Recently, recruitment challenges in finding lawyers have been also identified increasingly often.

In previous years, reductions in personnel have been implemented in the administration of justice, included in the Government productivity programme for the public sector. However, the changes in the amount of work and its degree of difficulty have required more extensive expertise and longer working hours from the personnel than before. The overburdening of personnel in the judicial system has become a problem. During the current term of government, the appropriations for the administration of justice have

been increased and more personnel than before have been hired. At the same time, the resources required by constant recruitment and orientation have posed challenges. As far as fixed-term additional resources are concerned, recruitment and orientation are continuous in practice and also consolidate the work contribution of experienced personnel.

Indebtedness. The indebtedness of Finns has been increasing for a long time. The worsening debt problem and the increase of over-indebtedness are indicated by issues such as the historically high indebtedness rate of households, the number of people with payment defaults, debtors in enforcement, and the summary payment demand cases at District Courts. The development of indebtedness is affected by many societal factors, such as unemployment and the level of social security, as well as the supply of credit and the interest rates that have remained low for a long time. The functioning of the credit and consumer society requires that the administration of justice has well-working payment demand and enforcement processes on the one hand and purposeful measures to prevent indebtedness and its problems on the other. The need for financial and debt counselling, proactive financial advice from the enforcement authorities, and different kinds of cross-administrative support measures has grown. Strengthening financial literacy is an important way of preventing over-indebtedness.

Global economy. In the changing international operating environment, stability and predictability are the most important strengths of the Finnish state governed by law. The recent changes in the operating environment, such as the coronavirus pandemic and Russia's offensive war against Ukraine, as well as the resulting sanctions by the EU, have also been visible in the operating environment of the administration of justice. In addition to the functional impact, the changes in the international operating environment also have an economic impact. For instance, production costs rise due to the increased prices of energy and raw materials. The inflation trend also affects the situation of actors in the administration of justice in the form of premises costs, for example.

3 Objectives and operating conditions of the administration of justice

- Functional rule of law and securing its operating conditions are a central issue for society as a whole.
- The financing gap in the operation of administration of justice has been discussed for a long time, and the number of personnel in the administration of justice has clearly decreased during the 2000s.
- While organisational structures, electronic services, and procedures have all been developed on a long-term basis, it seems clear that with the current resources, the processing times will continue to lengthen.
- The interconnectedness of the administration of justice and the dependencies between actors require proportionate additional appropriations for the whole processual chain at the same time as its functionality is being systematically improved to increase its productivity.
- In principle, the personnel in the judicial administration should be permanent.
- In order to secure the operating conditions of the administration of justice and reach reasonable goals set for it, the need for additional person-years amounts to approximately 1,200 person-years in total by 2030. This requires an average additional appropriation totalling EUR 90 million annually for the administration of justice.

Financing gap. The level of appropriations for actors in the administration of justice has been stringent throughout the 2000s. During spending limit and budget cycles, budget funding has only been possible for a part of the rental costs, in addition to the revision of wages and salaries in the collective agreement for government employees, and often the need of funding for several implemented renewal projects has only partially been taken into account in the Budget. It has been possible to cover parts of the financing gap by one-time appropriations targeted at removing backlogs. Due to the status of appropriations, it has been necessary to delay development projects related to digitalisation and premises, among other things. For its part, hiring personnel on a fixed-term basis has increased the amount of administrative work and reduced the effectiveness of work.

For several years, the Legal Affairs Committee of the Parliament has highlighted the crucial importance of actors in the administrative branch of the Ministry of Justice in safeguarding the rule of law and emphasised that the matter concerns key tasks of the state; their

effective and reliable functioning plays a central role in the stability and safety of society.⁵ Likewise, the Committee has emphasised that the rule of law and its functioning are not self-evident; instead, they must be constantly maintained by ensuring appropriate and sufficient funding, among other things.⁶ The Finance Committee has considered it necessary to sustainably secure the operating conditions of the administration of justice and the reliability of the entire chain of operation of the administration of justice.⁷ Both the administration of criminal justice and the administrative chain itself require balanced and sufficient allocation of resources for the authorities in the chain. Localised funding of only specific parts of the chain does not create overall impact, and it may even create bottlenecks that slow down the processes.

The report on the overall situation of criminal matters by Matti Näsi⁸ emphasises that, in the criminal procedure, each actor should have enough resources for its basic functions and that these resources should be allocated evenly between different actors. The interviews of judges and prosecutors conducted in the study found that people felt changes in the resources of one actor often affected the other actors in the criminal procedure to the extent that uneven case streams led to cases accumulating in the next stage in the procedure, which, in turn, further cumulated later. The interviews also revealed that it is difficult to deal with resources in a coordinated manner, because the funding for the different actors in the criminal procedure comes from different sources (different ministries), and often also at slightly different times when potential additional resources are involved. This means that there is room for improvement in the development of cooperation between the different actors in the criminal procedure as a whole; namely the police, the prosecutor, and courts of law.

A specific theme of the inspections by the Office of the Parliamentary Ombudsman in 2020 and 2021 was the allocation of sufficient resources to authorities for safeguarding basic rights.⁹ The problems related to resource allocation may have led to issues such as an authority being unable to process a matter by the deadline prescribed by law, or system development becoming considerably more difficult. Resource issues have had a direct impact on the basic rights of people not being realised when they deal with the authorities, resulting in long processing times, for instance. At the same time, resource challenges place an unreasonable burden on the personnel.

5 See, for example: LaVL 14/2022 vp, LaVL 8/2020 vp, LaVL 3/2020 vp, LaVL 5/2019 vp.

6 LaVL 22/2018 vp.

7 VaVM 12/2021 vp.

8 Näsi 2022, [Criminal Matters: Overall Situation and Factors of Change in the Light of Official Statistics and Interviews](#).

9 See for example: Parliamentary Ombudsman 2021 and 2022, [Annual Report 2020 \(in Finnish\)](#), pp.176–180, [Annual Report 2021 \(in Finnish\)](#), pp.149–154.

In the practice of legality control, it has traditionally been found that an authority cannot neglect its statutory obligations due to a backlog of work, lack of resources or problems related to the organisation of work, among other things. A lack of resources has not usually been considered an acceptable reason for delays; instead, it has been found that with effective supervision of work, organisation of work and development of operating methods, as well as other available methods for improving workflow, the authority must influence the processing times so that they remain reasonable. In recent years, however, it has been discovered that the methods mentioned above may not always be enough; the problem may involve a disparity between the legal requirements set for the authorities' operations and the resources allocated to the authorities. From the perspective of legality control, it is crucial that the resources provided to the authority correspond to the order placed on these operations by the legislator. If there are not enough resources, it may be impossible to comply with the law in practice.

International comparisons of resource allocation in the administration of justice in the other Nordic Countries and EU Member States were conducted in connection with preparing the report. These comparisons revealed that the availability of statistics is poor and that the methods of compiling statistics may vary between different countries. Because the ways of organising the administration of justice also vary significantly, presenting international comparisons was not considered appropriate due to the elements of uncertainty.

Appropriations. In recent years, the Budget appropriation for the main title of expenditure of the Ministry of Justice has consisted of approximately one billion euros in total. In the actual budget for 2011, the appropriation for the main title of expenditure was EUR 836 million, which constitutes 1.7% of the total budget appropriation. In the actual budget for 2022, the appropriation for the main title of expenditure is EUR 1.04 billion, which constitutes 1.5% of the total budget appropriation. The level of appropriations for the administration of justice has decreased in relation to the overall level of the Budget, even though the duties of actors in the administration of justice have not decreased. The spending limits of the appropriation for the main title of expenditure of the Ministry of Justice have increased from 2011 to 2021 by approximately 20%, but the growth has been more moderate than the overall increase of the state spending limits as a whole. Within ten years, the state spending limits have increased by nearly EUR 13 billion, so that in 2021, the limits are approximately 34% higher than in 2011. The expenditure of the police in the main title of expenditure for the Ministry of the Interior during the corresponding review period (2011–2021) has developed in a similar direction as the spending limits of the Ministry of Justice, growing by approximately 19%. Administration of justice that works well and smoothly also requires efficiency and proportionate allocation of resources at the start of the criminal procedure, that is, the pre-trial investigation by the police.

In 2021, most of the costs of administration of justice, approximately 72%, was allocated to wage and salary costs. Approximately 10% were allocated to ICT costs, approximately 10% to premises costs, nearly 1% to both the Finnish Government Shared Services Centre for Finance and HR (Palkeet)¹⁰ payments and travel each, as well as approximately 7% to other costs. There were slight differences between actor-specific cost structures; for instance, the wage and salary costs of the National Prosecution Authority were 80% on average, while those of the Prison and Probation Service were 60%. An inflexible cost structure cannot enable fast adjustment measures without the operation suffering from it.

During the review period of 2011–2021, there were no major variations in the average cost structure of the activities of actors in the administration of justice, with the exception of a significant growth of ICT costs at the end of the review period. In 2011, ICT costs amounted to 5% on average, and by 2021, they had doubled to 10%. Half of the growth of ICT costs is based on the increase in the costs invoiced by the Government ICT Centre Valtori¹¹ (workstations, application solutions) and half on the procurement and development of key information systems for the administration of justice. Ten years ago, the judicial administration was noticeably far behind the technological development, and the necessary correction of the situation shows in the increase in ICT costs. Concerning the operating sectors reviewed in the report, the ICT costs have grown by more than EUR 50 million, that is, from EUR 39 million to approximately EUR 91 million in 2014–2020.

The balance between costs and revenue of administration of justice. The operating costs of actors in the administration of justice discussed in the report were EUR 795 million in total in 2021. This constitutes 1.3% of the sum total of the Budget. The actors disburse approximately EUR 700 million in total of accrued revenue to the state annually. The importance of the revenue from the actors in the administration of justice for the state finances is significant in relation to the level of costs of the administration of justice. Securing the resources of actors in the administration of justice is also necessary for guaranteeing the fiscal benefits of the state.

The revenue from customer fees of actors in the administration of justice in the Budget for 2022 consists of EUR 45 million in revenue from fees of courts of law, EUR 82 million in revenue from enforcement fees, EUR 30 million in revenue from public guardianship fees and EUR 3 million in other revenue. This revenue from customer fees is not tied to the payment of the costs of the authorities. In addition, the Legal Register Centre collects EUR 120 million in total in fines and penalty fees imposed by different authorities, and the

10 Finnish Government Shared Services Centre for Finance and HR (Palkeet).

11 Government ICT Centre Valtori.

National Enforcement Authority collects unpaid state taxes and fees and, in addition to tracing the proceeds of crime, among other things, enters more than EUR 400 million per year in total as revenue for the state.

Person-years. Cuts in person-years based on the Government productivity programme have also been implemented in the administrative branch of the Ministry of Justice since 2007. While the total number of person-years by actors in the administration of justice was approximately 9,100 person-years in 2006, in 2018 the number was approximately 8,000 person-years. The reduction is also explained by structural changes. Matters involving the recording of real estate were transferred from District Courts to the National Land Survey of Finland in 2010 (-200 person-years), and in 2016, the health care of prisoners was transferred from the Prison and Probation Service to the National Institute for Health and Welfare (-180 person-years). Meanwhile, new legislation has entered into force and different actors in the administration of justice have received additional duties nearly every year. During the current government term 2019–2021, the total number of person-years has increased slightly. This is partially due to fixed-term funding for removing the backlog caused by the coronavirus pandemic.

Tabell 1. Person-years of actors in administration of justice in 2006, 2010, 2014, 2018 and 2021 as well as the change from 2006 to 2021.

Administrative branch	2006	2010	2014	2018	2021	Change in 2006–2021
Court system	3,495	3,250	3,150	3,236	3,376	-119
Criminal Sanctions Agency	3,133	2,961	2,734	2,498	2,561	-572
National Enforcement Authority Finland	1,391	1,311	1,271	1,118	1,087	-304
The Finnish Prosecution Service	546	536	537	551	557	11
Public legal aid	458	430	393	417	389	-69
Legal Register Centre	50	50	115	151	163	113
Consumer Disputes Board	30	33	32	37	35	5
TOTAL	9,103	8,571	8,232	8,008	8,196	-907

In addition, public guardianship services (592 person-years in 2021) was nationalised in 2009 and financial and debt counselling (190 person-years) in 2019. Public guardianship services are provided by guardianship offices, while financial and debt counselling services are provided by Legal Aid Offices. The National Non-Discrimination and Equality Tribunal (4 person-years) started to operate in 2015 in connection with the Ministry of Justice. In 2014, some of the personnel of the ICT Service Centre for the Judicial Administration transferred to the Legal Register Centre. The National Courts Administration (64 person-years) was established in 2020.

Organisation structures. In 2019, the National Prosecution Authority was turned into a single national agency. The National Enforcement Authority also started to operate under the single agency model in 2020. The National Courts Administration, which carries out the central administrative tasks of independent courts of law, was established in 2020. The first phase of the organisational reform of the Prison and Probation Service entered into force in 2022. The development of organisation structures in the administrative branch has been implemented over a long period of time. While in the beginning of the millennium there were more than 400 actors in total operating as agencies in the administration of justice, the current number of agencies is less than 50. In addition, the Ministry of Justice has proposed merging the legal aid and public guardianship districts that still operate in connection with the Ministry into one national agency, and gathering the specialised authorities in the administrative branch together administratively. The changes would allow the Ministry to focus on Governmental duties and clarify the roles and responsibilities of the actors in the administrative branch.

Premises. As the number of offices decreases, the premises of the administrative branch of the Ministry of Justice have been significantly reduced and the use of premises has been concentrated. Despite this, the administrative branch still has approximately 540 rental agreements in total with several different lessors. In total, the annual rental costs of premises amount to approximately EUR 100 million and the other costs related to premises to approximately EUR 10 million.

Nearly 70% of the rented area of the administrative branch of the Ministry of Justice consists of spaces allocated for a specific use (e.g., prisons and courtrooms of courts of law), whereas only approximately 30% consists of office premises. These special premises are major cost items for premises construction, renovation and modernisation, and their impact on rent burdens the operations more than normal office premises construction. It is estimated that approximately 55% of the Prison and Probation Service's prison premises will need to be renovated within the next ten years. Of the other premises of the administrative branch, it is estimated that approximately 25% need to be renovated. Modernising the quality level of premises with regard to safety, customer service and air conditioning, among other things, will raise the rent of the premises. Even though the use of premises is increasingly concentrated, the rental costs may still rise.

No changes have been made to the premises network of the judicial system during the current government term. The report on the prison network by the Prison and Probation Service concerning future development needs that will be completed in 2022 shows that, in the future, the current extensive prison network with its fairly small units will not meet the functional needs of the Prison and Probation Service. From the perspective of monitoring, the old premises solutions tie up workforce and require expensive technical monitoring systems that are not appropriate for the purpose. The premises are largely

at the end of their technical service life, and they cannot be renovated into facilities that would meet the requirements of new operations. The prison network report shows that by placing prisons of appropriate size in the right locations geographically, it is possible to improve the effectiveness, efficiency and safety of the enforcement of penalties and service production and achieve significant social savings and benefits in the long term.

The goal of the renewal of the central government's service and premises network is to bring the central government's in-person services together in joint customer service points, which also concentrates the premises network of the state administration. With regard to the administrative branch of the Ministry of Justice, the preparation applies to the legal aid and public guardianship districts, the National Enforcement Authority and the community service offices of the Prison and Probation Service. The attitude towards the renewal is positive, provided that the special characteristics of the actors are taken into account and that the funding is implemented in a balanced manner.

Digitalisation. The Legal Register Centre (LRC) is currently largely responsible for the centralised development of uniform technology in the administration of justice and acts as a representative of the administrative branch in coordinating the services of the Government ICT Centre Valtori. In recent years, plenty of new technology has been adopted in the administration of justice. The electronic tools and office software used by the personnel have been renewed to match the common concept in state administration. At the same time, many information systems in the administration of justice have been renewed. While the digital transition has been necessary, it has been slow and it has burdened the operation, finances and personnel. It must also be admitted that the implementation of the systems has not been as successful as it could have been.

With the renewals of technology and operating methods, some cases progress electronically, but there are plenty of manual steps left. Material is transferred between actors not only via electronic interfaces, but also on paper, as e-mail attachments, and via online file storage. Many cases are still processed on paper, or paper documents are scanned into electronic format. The electronic exchange of information is slowed down by incompatible information systems. The terminology, data models and code sets used in the systems differ from each other. In addition, the amount of the data saved in the systems in a structured format conducive to data transfer remains low. In order to improve the situation, the LRC has started to steer and standardise the system architecture more strictly and initiated an information architecture development programme for the administrative branch. The compatibility of systems is also important for information system development and activities across the borders of the administrative branch, such as between the police and the National Prosecution Authority.

The importance of the digital transition is supported by the information-intensive nature of work in the judicial administration and the exchange of information related to processes between different actors. The systems must enable the electronic processing of information, traceable processes, life cycle management, safe storage, as well as reliable statistics and reporting that are as highly automated as possible. The systems do not serve the actors in the administration of justice alone; they also have connections to actors in other administrative branches, such as the police and other pre-trial investigation authorities.

The matters dealt with in the administration of justice are multidimensional and require extensive legal consideration. It is not possible to automate all steps of the work. Nevertheless, some of the process chains are electronic, digital operating methods have become more common, and the amount of paper processed has decreased significantly. The increase of digitalisation, functions that can be made electronic and automation must continue, and the possibilities of automated decision-making must be investigated. Digitalisation should be a part of the chain of administration of justice, in which the data streams run smoothly.

In addition to the internal operational systems of administration of justice¹², the administrative branch has also developed different kinds of services for citizens, authorities and other interest groups. The findability, usability and availability of the services must be developed in order to ensure that the operation works smoothly and that linguistic services are available. In part, customer experience and service design have already been taken into account in service development, but many aspects of the customer services are still authority-oriented and challenging to use from the perspective of interest groups and customers. There is a need to invest in the mapping of customer needs, as well as the usability of services and the support offered for customers in the future. Despite the work on technological development, equal rights and legal services must be ensured in the future, too, for people who do not use the internet or electronic services.

12 The AIPA system of the National Prosecution Authority and general courts of law, the HAIPA system of the administrative and special courts of law, the Rajsa system of the Legal Register Centre, the Uljas system of the National Enforcement Authority, the Roti system of the Prison and Probation Service, the Edvard of public guardianship services, the Romeo system of legal aid, the Venla system of financial and debt counselling, and the Krista system of the Consumer Disputes Board. In addition, different kinds of registers and service channels maintained by the Legal Register Centre are linked to the processes of the administration of justice.

In the future, significant benefits can be achieved by developing the long processes of administration of justice that cross organisational borders. The goal is to progress from the current scattered development to the development of long value chains and improving the interoperability and smooth operation of processes. Functions that can be automated extensively have been identified in customer services as well as enforcement and collection processes, among others. Process development also includes the further development of key information systems in the administrative branch, as well as integration of related systems both within sectors and across administrative borders (e.g., the VITJA system of the police). The potential for the use of artificial intelligence in the development of the operation of the judicial administration is massive. In particular, the automation of tasks in a specified form that recur often would free up personnel in the judicial administration for tasks that generate more added value to the society. Taking advantage of a shared application platform would remove several steps almost completely from future projects, because the development could be based on an existing solution. With cloud services, it would also be possible to develop existing services more efficiently, provided that the cloud solutions are also legally sustainable.

Steering a service that currently often takes place in person or via telephone or e-mail into electronic channels will improve the efficiency of customer service processes and save manual labour and the need for personal service.

Personnel. In the administration of justice, agency personnel is becoming more female-dominated, and during the next few years, there will be a significant retirement wave. The trends concerning absences due to sickness in the administrative branch are concerning to a degree. It has not been possible to lower the number of absences due to sickness in all agencies, and long-term absences and reasons for absence related to mental health have partially increased. Job satisfaction is on a good level in general, and the workplace is still recommended. Wages and salaries are not considered sufficient in relation to how demanding the work is. A large share of personnel in the administrative branch do not have set working hours, which means that there is no reliable data available on their use of working hours and sufficient rest periods.

The development of the expertise of personnel in the administration of justice and their training is well organised and of a high quality in many respects. Basic and further education by the agency itself is required for many tasks. Agencies have developed their training activities, and remote training that has also become more common, partially due to the digital leap forward, has made it possible for more people than before to participate in training. Remote training lowers the costs of participation and reduces the time spent on travel. On the other hand, due to the lack of resources, more and more people feel that they do not have enough time for training. The agencies in the administrative branch also cooperate in training activities.

Agencies in the administration of justice have major recruitment challenges. The situation varies, however, and there are several explanations. Among other things, the location, job description, wages or salaries, recognition of the employer, the educational offering in the area and the labour market situation in the field affect recruitment. The large number of fixed-term personnel also creates challenges, increases the turnover of personnel and affects the commitment of the personnel to the employer. It is also difficult to fill short fixed-term positions, which increases the workload of the existing personnel. A part of the recruitment challenges is also explained by the overall situation of the labour market as well as the social development. When assessing the situation of the labour market and the amount of future training, however, it can be assumed that potential new officials exist, but the supply and demand do not always seem to meet when seen from the perspective of jobs in the administration of justice.

Due to the insufficient financial resources and partially also the high turnover of personnel, there is a lack of personnel in the administration of justice. The turnover of personnel ties up human resources, which are generally low, to constant recruitment and orientation of the new personnel. Agencies in the administration of justice have already taken measures to develop the operations and the expertise of the personnel, secure their commitment and solve recruitment challenges.

Realisation of linguistic rights. One of the special issues that applies to resources in the administration of justice as a whole is the realisation of linguistic rights in the legal protection services of citizens and taking the needs of different groups into account. The availability of judicial administration services in Swedish is not at a sufficient level in bilingual areas. The continuity of court units, availability of services in Swedish and the sufficient presence of other authorities in the judicial administration must be secured in bilingual areas. It must also be ensured that enough weight is assigned to the language skills required for service in Swedish when recruiting personnel in these areas. Nevertheless, the judicial administration is not always able to respond fully to the challenges related to linguistic rights. The recruitment of bilingual lawyers and other personnel is constantly affected by the small number of those who have completed their degree in Swedish in relation to the demand in the labour market. The deterioration of Swedish language skills among lawyers and other personnel in general is a challenge. The new Strategy for the National Languages of Finland also highlights new kinds of opportunities for defining the qualification requirements for personnel, among other things.

Objectives. The most important problem in the administration of justice is the excessive length of processing times. Due to a lack of resources, the Prison and Probation Service also has difficulties with reaching a sufficient level of safety and operational activity in the enforcement of sentences of imprisonment. Table 2 describes a reasonable goal state, with

key figures for the activities of actors in the administration of justice; that is, what kind of average processing and queue times and other results could be achieved by developing profitability measures and increasing resources of operations. Profitability measures are linked to the development of technology especially in electronic cooperation between the authorities, as well as customer service. Productivity can also be sought through digitalisation and making changes to the service level.

The productivity of the operation of administration of justice has been studied by calculating the ratio between solved cases and the number of personnel as well as whether the activities are cost-effective (costs in relation to the cases processed). An overall picture is created by adding a study of operations focusing on processing times, for instance. The data for 2016–2021 shows that, on average, individuals solve fewer and fewer cases, meaning that productivity has deteriorated. At the same time, cost-effectiveness has also deteriorated, because one solved case costs more in 2021 than in 2016. When studied through calculations, productivity has decreased in general and processing times have become longer, even if this has not been the case for all actors. In fact, it must be noted that productivity should not deteriorate in order to reach the goals set and maintain them with the appropriation proposed in the report. Proposals for measures to improve productivity can be found in Annex 2 to the report.

Table 2 presents an internal compilation by the judicial administration on reasonable average processing times of cases and other key goals for the administration of justice. The resource needs stated later in Table 3 have been calculated based on these goals, so that the requirements set for the administration of justice and its resources would be balanced. The allocation of resources should secure the operation of both the rule of law in everyday life as well as the possibility of professionals in the administration of justice to have a meaningful and motivating working life.

However, the goals of the report are not ambitious enough for the long term; instead, clearly faster processing and turnaround times compared to the current situation must be sought in the steering of judicial administration and the management of its actors. Therefore, while the target processing times presented in this report describe the current status of rule of law in everyday life in Finland and the improvement of the current situation, the objectives must be reassessed in the future.

Tabell 2. Key figures for the functioning of the administration of justice in 2011, now, and in the goal state.

Administrative branch	Description of the goal	2011	Current status	Goal state
Courts of law	Average processing time			
	Criminal matters, all (DC)	3.5 months	5.8 months	4 months
	Criminal matters, written procedure (DC)	1.7 months	2.7 months	2 months
	Criminal matters, main hearing (DC)	3.9 months	6.8 months	5 months
	Extensive civil cases (DC)	8.4 months	9.7 months	7 months
	Summary civil cases (DC)	2.4 months	2.6 months	2 months
	Court of Appeal ¹³	6.3 months	6.4 months	5 months
	Administrative Court	7.8 months	9.6 months	7 months
	Labour Court	5.6 months	14.3 months	6 months
	Market Court	8.3 months	7.9 months	6 months
	Insurance Court	11.5 months	12.2 months	7 months
	Supreme Court, leave to appeal denied	5.0 months	4.0 months	4 months
	Supreme Court, judicial decision	18.6 months	15.3 months	15 months
	Supreme Administrative Court, leave to appeal denied	9.6 months	6–7 months	5 months
	Supreme Administrative Court, judicial decision	13.7 months	11.8 months	11 months
The Finnish Prosecution Service	Average processing time			
	All matters	1.9 months	2.5 months	1.8 months
	Simple matters	1.6 months	1.9 months	1.5 months
	Medium difficulty matters	2.8 months	4.2 months	2.7 months
	Challenging matters	4.1 months	5.5 months	3.9 months
Public legal aid	Increase in the number of cases			4,500
	Queue time	13.1 days	13.6 days	8 days

13 In 2021, the average processing time of matters brought to a main hearing in courts of appeal (26% of appeals) was 13.0 months and in matters resolved through a written procedure, 4.2 months.

Administrative branch	Description of the goal	2011	Current status	Goal state
National Enforcement Authority Finland	Average processing time	-	9.1 months	less than 7.6 months
	Enforcement profits ¹⁴	EUR 0.94 billion	EUR 1.2 billion	EUR 1.2 billion
	, of which the following is disbursed to the state	EUR 0.45 billion	EUR 0.43 billion	EUR 0.43 billion
	Revenue from enforcement fees	EUR 68.7 million	EUR 83.7 million	EUR 84 million
Criminal Sanctions Agency	Prisoner rehabilitation activities	16 h/week	21 h/week	35 h/week
	Participants in community service activities	-	7%	15%
	Time outside the cell	-	-	8 h/day
	Time for activities for prisoners kept separate from others	-	-	2 h/day
	Institutional safety index ¹⁵	-	118	95
Public guardianship	Increase in the number of clients per year			1000
	The number of clients per person-year	58	66	67
Financial and debt counselling	Increase in the number of cases			7000
Consumer Disputes Board	Average processing time	8 months	14 months	6 months
National Non-Discrimination and Equality Tribunal	Average processing time	-		
Legal Register Centre	Enforced receivables per person-year	23,635 pcs	17,184 pcs	25,000 pcs
	Enforcement costs per person-year	EUR 3.90	EUR 7.11	EUR 4.00
	Register information handed over per person-year	48,645 pcs	48,948 pcs	50,000 pcs
	Register information handed over, costs per person-year	EUR 1.86	EUR 1.90	EUR 1.80

The average target processing time is not a target time for the processing of any individual case; instead, it describes the average situation of all cases of an actor or group of cases.

14 Upon their realisation, the planned changes to the Enforcement Code concerning increasing the protected portion as well as the number of payment-free months will reduce the enforcement profits.

15 The institutional safety index consists of sections describing the security of custody of prisons, situations involving violence and the use of force, as well as the use of intoxicants. The lower the figure, the better safety is.

Operating conditions. In order to secure the operating conditions of administration of justice and reach reasonable goals, approximately 1,200 person-years will be needed by 2030. This requires that the basic funding for the administration of justice is increased permanently by EUR 90 million per year on average. Utilisation of the productivity potential of the administrative branch has been taken into account in the proposed funding needs, which reduces the need for resources by approximately EUR 15 million in total by 2030. This means adopting new technology as well as the long-term development of working methods, information systems, processes and regulation. In this way, it will be possible to improve the quality of the administration of justice and speed up the processing of matters.

During the first couple of years, the increased resources in courts of law, the National Prosecution Authority, the Consumer Disputes Board, and the National Non-Discrimination and Equality Tribunal will focus on removing the backlog of cases accumulated over a long period of time while reducing the number of cases in which the processing has been in progress for a long time. After this, it will be possible to reach the target average processing times. The increased resources in public legal aid are focused on extending the availability of legal aid services for more people with medium income, improving the availability of personal attorneys and shortening the length of waiting times at Legal Aid Offices.

The goal for the National Enforcement Authority is to improve the results of the operations while maintaining the current number of personnel. In public guardianship services as well as financial and debt counselling, both the number of customers as well as the resource needs for the services offered increase year by year. The need for additional resources by the Prison and Probation Service also increases annually. The number of the Service's customers is growing, but at the same time, investments are made in measures to prevent recidivism, which has a significant impact on the economy and the safety of the society. The duties of the Legal Register Centre have increased and will continue to increase, and the need for services can be met by allocating additional resources.

Tabell 3. Need for additional resources by actors in the administration of justice by 2030 (million euros).

Need for appropriations	2024	2025	2026	2027	2028	2029	2030
Need for appropriations for additional person-years	66.1	71.0	78.0	78.0	78.7	79.4	80.0
Structural reform	3.4	3.2	3.2	3.2	3.2	3.2	3.2
Quality improvement	18.2	18.2	18.2	18.2	18.2	18.2	18.2
Gross need for appropriations	87.7	92.4	99.4	99.4	100.0	101.8	101.5
Productivity improvement				-5.0	-10.0	-15.0	-15.0
Net need for appropriations (financing gap) in total (rounded off)	EUR 90 million	EUR 90 million	EUR 100 million	EUR 95 million	EUR 90 million	EUR 85 million	EUR 85 million

Structural reform refers to the central administration of public legal aid and guardianship services as well as the nationalisation of mediation. Quality improvement refers to extending the availability of public legal aid to people with medium income as well as ensuring that the service will be provided by increasing the level of compensation of private attorneys.

When assessing the goals of the report and the need for appropriations, it must also be taken into account that the large number of criminal cases not yet investigated by the police (approximately 130,000 at the end of 2021) may lead to a significant increase in the number of cases and customers throughout the criminal procedure. Similarly, proposals for raising the income limits of legal aid and reducing the risk of costs related to a trial might also lead to an increase in the number of civil cases. More than half of the prison properties of the Prison and Probation Service need renovation, and there is also a need to make functional changes to the premises. As a result, preparations must be made for significant investments in premises over the next decade.

4 Crime and the processing of criminal matters

- **The internationalisation of crime and its increasing complexity challenge the activities of the authorities, and they have made the structure of criminal matters more demanding.**
- **The investigation and processing times of criminal matters have continued to grow longer throughout all stages of the process.**
- **The number of decisions by the police and prosecutors to discontinue the pre-trial investigation has increased.**

In Finland, the overall number of offences discovered by the authorities has been decreasing ever since the 1990s. Property offences constitute slightly more than a half of the total number of offences. Offences involving homicide and bodily injury, most of which consist of assault offences, as well as sex offences, constitute approximately 8% of all offences. The level of crime in Finland varies somewhat by area and is linked to the socio-economic characteristics of the areas. Crime accumulates strongly with regard to both perpetrators and victims: a fairly small number of active offenders commit most of the offences. The increase in offences committed by young people and their experiences of violence is a cause for concern. The problems are focused on a small group of young people. People with a foreign background are both suspects of an offence as well as victims of an offence proportionately more often than the rest of the population.

Crime is more diverse than at the start of the millennium. Internationalisation and technological development have not only changed and diversified the forms of traditional crime, but also brought along new methods of committing an offence that are often difficult to identify, investigate and resolve. It is more difficult than before to bring an offender to justice. Crime is more organised than before; it is multinational and crosses state and cultural borders. In addition to organised crime, gang-related crime becoming more widespread is a trend that is also visible in Finland. For example, the number of cyber and online crimes¹⁶ is increasing significantly, even though there are no comprehensive

¹⁶ Cyber crime refers to different types of offences focusing on the online environment (such as criminal damage to data, interference with communications, interference in a computer system, and computer break-ins) and offences carried out by using the online environment. Identity theft is the most common type of cyber crime discovered by the police. Other computer-assisted offences include illegal downloads, online harassment and bullying, fraud and sending malware, threats and phishing.

statistics on overall crime yet. Cyber crime is very much a hidden crime, with victims often unaware of the ongoing offence for a long time, and when they find out about it, they rarely file a report of an offence with the police. Online crime is often international, but Finnish citizens are also represented among the suspects of online offences. Online crime is becoming increasingly professional and organised. Narcotics are also increasingly sold via anonymous internet services, with payments possibly made using virtual currency. According to the report on the overall situation of criminal matters by Matti Näsi,¹⁷ a “cyber component” of some kind is a part of the cases brought to the prosecutor for consideration of charges more often due to the digitalisation of the society as well as crime. Increasingly often, cases consist of pieces that are smaller and more detailed than before, which means that putting cases together has become more laborious and time-consuming. Managing cases with a cyber connection takes time and training, and currently the top expertise related to them has been concentrated among a small group of people. Therefore, the impact of the digitalisation of society as a part of the criminal procedure extends to several levels.

Challenges related to the realisation of criminal liability (the offence and the guilty party are discovered and a potential sentence is imposed) include long processing times, the large number of open cases, the low resolution rate of certain types of traditional offences, as well as the increasing need for resources due to new forms of crime and the methods of committing them, at the same time as it has not been possible to allocate sufficient resources for investigating less severe offences and revealing hidden crime.

In 2021, the pre-trial investigation authorities discovered a total of 480,000 offences contravening the Criminal Code of Finland. The National Prosecution Authority and courts of law resolved 90,000 and 60,000 cases, respectively. The average resolution rate of offences contravening the Criminal Code of Finland is approximately 50%. The resolution rate of more severe offences involving homicide and bodily injury, as well as children or physical integrity, remains fairly high at 90%. The resolution rate of assault offences is over 60%, and that of property offences is 37%. The number of decisions by the police and prosecutors to discontinue pre-trial investigations has increased. The decisions by prosecutors to discontinue or not to conduct a pre-trial investigation have increased since 2004, from 1,000 to a maximum of 20,000.

The investigation and processing times of criminal matters have continued to grow constantly at all stages of the process, from the pre-trial investigation by the police to the consideration of charges by the prosecutor and a court hearing. Prolonged processing and

¹⁷ Näsi 2022, [Criminal Matters: Overall Situation and Factors of Change in the Light of Official Statistics and Interviews](#), p. 36.

the resulting uncertainty cause stress to the victims of offences and their family as well as the suspect, weaken the credibility of personal evidence, and more broadly speaking, they may reduce the preventative effect of the criminal justice system and trust in the legal system. In that case, people may fail to report offences more often. The long processing times of cases involving people in a vulnerable position, such as children, are especially worrying. From 2011 to 2021, the average time spent on pre-trial investigation by the police lengthened from 86 to 167 days, and by the end of 2021, the number of open cases in pre-trial investigation had reached nearly up to 130,000.

In 2017, the National Prosecution Authority adopted rapid processing, in which cases that do not require more extensive legal consideration are resolved in a centralised manner. In these cases, the prosecutor's resolution time a maximum of four weeks from the date on which the case was instituted. With regard to more challenging cases, the number of cases that have been in consideration of charges for more than six months or for more than a year has grown. In the goal state, the average processing time for the consideration of charges is 1.5 months for simple cases, 2.8 for moderately difficult cases, and 4 months for challenging cases. The number of unresolved cases at the National Prosecution Authority has grown from 13,995 cases in 2019 to 18,001 at the end of 2021. The number of cases that have remained in consideration of charges for a long time has grown significantly during the last two years.

The average processing time of criminal matters in District Courts was 3.4 months in 2011, 4.6 months in 2019 and 5.6 months in 2021. During the coronavirus pandemic, a large number of hearings of criminal matters were interrupted. The removal of the resulting backlog is still in progress. The target average processing time for criminal matters is 2 months for cases decided in a written procedure at the District Court and 5 months for cases decided in a main hearing. The average processing time of criminal matters at Courts of Appeal is approximately 6 months. The target average processing time at a Court of Appeal is 5 months.

The number of traffic offence cases has decreased at the National Prosecution Authority and courts of law. The fine procedure was changed in 2016, enabling the police to impose a maximum of 20 day-fines for petty theft or a traffic offence, with the fine no longer being brought to the prosecutor for confirmation. Likewise in 2019, the use of the fine procedure was expanded so that decisions on the imposition of a driving ban were centralised to the police, meaning that cases that met the basic characteristics of driving while intoxicated were also transferred to be processed through a fine procedure. The traffic penalty fee was laid down in the road traffic reform that entered into force in 2020. In the reform, violations resulting in a summary penal fee were replaced by an administrative traffic penalty fee imposed by the police. The purpose of the reforms was to reduce the workload of prosecutors and courts of law.

The structures of criminal matters have become more challenging, and the cases that are the clearest from a legal perspective, such as the traffic offence cases mentioned above, are not brought to the prosecutors or processed at court as often as before. Criminal matters have more and more international connections. The offence may have been committed abroad either completely or in part; the suspects, accused or witnesses may be abroad or they may have a foreign background, and the necessary evidence may also be abroad. New forms of crime include trafficking in human beings, online and hate crime, as well as environmental offences. At the National Prosecution Authority, the change in the structure of cases is visible insofar as the weighted degree of difficulty of cases in legal consideration has increased by 26% within the last ten years. Previously, extensive criminal matters lasting for more than 25 main hearing days were rare at District Courts, but now such cases are processed all the time.

The transition from paper to electronic procedures in the processing of criminal matters has been long and stressful, and the deployment and development of systems and changes in their operation are still in progress. In the future, it is important that the processing of materials and the exchange of information are implemented electronically throughout the whole criminal procedure; from the police and other pre-trial investigation authorities to the prosecutor and the court of law. The procedural regulations related to the processing of criminal matters have fallen behind in the societal and technological development. The regulations should be reviewed and reformed in their entirety.

The queue of matters waiting for their turn to be processed is noticeably long for every authority in the criminal procedure. When the waiting period for the case to be processed cumulates with every processor in every authority, the total processing time becomes longer than usual not only in the simplest criminal matters, but also especially the more difficult ones. The lack of resources is also visible in issues such as the fact that it is impossible to implement the pre-trial investigation cooperation between the police and the prosecutor to the extent required by law, even if it would make the process progress run more smoothly through the consideration of charges and potential trials. It would improve the quality of the pre-trial investigation and the prioritisation of cases to be investigated, while reducing the need for additional investigations later in the process.

5 Punishments and their enforcement

- Objectively measured, Finnish society is safer than before. Despite this, the changes in the Criminal Code of Finland in the 2000s have made the sentencing practice stricter.
- Approximately 5,500 people go to prison and approximately 3,600 community service sentences are enforced every year. In 2021, the Legal Register Centre was assigned to collect 565,000 receivables in total.
- Prisoners and probation clients need a lot of support and multi-professional rehabilitation to promote their life management and prevent recidivism.
- National and international supervisory bodies have drawn attention to the insufficient number of supervisory personnel in prisons.
- The network of prisons of the Prison and Probation Service must be renewed to ensure effective, safe and cost-efficient enforcement.

The starting point of Finnish criminal policy is to promote a safe and socially just society that guarantees the wellbeing of all of its members. In Finland, the general preventive effect of punishments and the penal system has traditionally been considered important. The objective of the enforcement of a punishment is to increase the readiness of prisoners to lead a life without crime by promoting their ability to manage their life and by promoting their reintegration into society, and to prevent the commission of offences during the term of sentence. The penal latitudes and the punishments imposed on individuals must not exceed that for which the penal value of the act and punishments imposed due to other offences would give grounds. The levels of punishment are generally more moderate in countries characterised by social equality. A study published in 2017 on the sense of justice held by citizens stated as a general conclusion that there are no major differences between the ideas of the people and the sentencing practice.

The changes made to criminal legislation affect the sentencing practice of courts of law, but it may also be influenced by other factors. For instance, the number of prisoners serving a life sentence has roughly quintupled in twenty years, but this is primarily caused by the changes in the assessment of criminal responsibility in mental health examinations.

Criminal liability must be implemented effectively while respecting the principles of a fair trial and safeguarding the legal protection of the parties. Victims of a crime must receive the societal help, safety, and support measures for which the violation of rights and the resulting situation gives grounds. The basic and human rights of the sentenced person must be respected in the enforcement of penalties.

Based on an international study, imposing longer sentences of imprisonment has not been found to be very effective in reducing crime. The use of community service should be expanded in lieu of short sentences of imprisonment in particular. In addition to community service being cost-effective, its key benefit in comparison with sentences of imprisonment is that the people can keep their job and home, among other things, and maintain relationships with their family while serving the sentence. However, the number of people in community service has decreased during the 2000s. In recent years, juvenile punishment adopted in 2005 and the monitoring sentence adopted in 2011 have been used clearly less often than before. The number of people sentenced to these punishments has been clearly lower than what was estimated when the laws were enacted.

The Legal Register Centre takes care of the enforcement of fines, forfeitures, administrative fees and other receivables of the state. In 2021, a total of 565,000 matters were assigned to the Legal Register Centre for collection. Annually, a sum of EUR 110–130 million of revenue is collected. Administrative fines in the nature of a punishment have become more common, and they are used to replace matters that previously ended up in the criminal procedure. The Legal Register Centre can grant more payment time for receivables or agree on matters such as a payment plan for a conversion sentence for unpaid fines. The Legal Register Centre transfers unpaid receivables to the Enforcement Authority for collection.

The Prison and Probation Service is responsible for the enforcement of sentences of imprisonment and community service as well as remand imprisonment. Every year, approximately 5,500 people go to prison; of them, approximately 2,000 are remand prisoners, approximately 2,000 have been sentenced to imprisonment, and approximately 1,500 are prisoners serving a conversion sentence for unpaid fines. The average daily number of prisoners is roughly 3,000. The average number of community service clients is also 3,000. The number of prisoners is predicted to grow in the coming years due to changes in legislation (such as the recently implemented reform of sex offence regulations), among other things. Most of the sentences of imprisonment are short. Roughly one half of the prisoners, including remand and default prisoners, spend at most three months in a penal institution. This creates challenges from the perspective of long-term support and work with customers, and highlights the need for service continuums.

Issues that stand out among prisoners and probation clients include problems with intoxicants and mental health, backgrounds with crisis and trauma, somatic diseases, homelessness, low education level and employment as well as the need for social and health services. Their physical health and ability to work are at a poor level compared to their age group. Different kinds of mental health problems are clearly more common than in the rest of the population. The customers need a lot of support to promote their life

management and prevent recidivism. The needs of different customer groups (minors, young people, women, foreigners, prisoners that endanger the safety of the prison) vary significantly, which must be taken into account in connection with safety and activities.

Diverse rehabilitation, work and education activities are arranged for prisoners and probation clients; to provide them, the Prison and Probation Service relies on the public services by municipalities, wellbeing services counties and the state in addition to its own activities. The rehabilitation activities of the Prison and Probation Service should be built in to treatment continuums together with social and health care services, as well as other services of the society. The Health Care Services for Prisoners unit of the National Institute for Health and Welfare is responsible for providing health care in prisons, and the cooperation with the unit should be developed and intensified. The services offered to prisoners and probation clients must be developed in the same direction as the services of society in general, so that they can be used to build continuums that complement each other naturally. Implementing and developing cooperation between the authorities, interest groups and networks is also necessary because the duration of the sanction is often a short intermediate period in the person's life. Support and services are needed before and after the sanction period. For community service, it is important to ensure that there are enough community service places available. The growing need for electronic services must be taken into account in service development.

Effective and safe enforcement requires that prisons and community service offices have enough personnel that are skilled and trained for the field. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment has repeatedly drawn attention to the insufficient number of trained personnel and the lack of meaningful activity arranged for prisoners, as well as the resources of health care for prisoners. Several observations made during the inspections of institutions by the Deputy Parliamentary Ombudsman refer to the insufficient number of trained supervisory personnel in particular. The requirement of spending at least eight hours per day outside the cell based on international recommendations is not realised for all prisoners. In addition, the activities and the meetings of prisoners must be cancelled due to the lack of sufficient human resources. Remand prisoners with communication restrictions in particular have problems with organising activities. With the current resources, it is also difficult to arrange for the prisoners that are kept separate from others to have an opportunity for at least two hours of human contact. Keeping prisoners that severely endanger the safety of the prison separate and compartmentalising them requires more human resources.

A safe environment is the basis for the rehabilitation of prisoners and probation clients, as well as the effectiveness of the personnel and their wellbeing at work. The dearth of human resources is reflected in the personnel's ability to cope, and this creates a risk

for the safety at work. Among other things, insufficient human resources lead to people still having to work alone in prisons. Situations involving threats and violence against personnel are reported regularly, even though lately their number has no longer been growing. The Prison and Probation Service has implemented several measures to improve prison safety and reduce the need to work alone. In the future, too, there will be close cooperation with other security authorities in connection with preventing crime during the punishment, as well as prison safety.

The current prison network of the Prison and Probation Service does not meet the future needs of the Service in all respects. The extensive prison network contains fairly small units and is in need of renovation, and it ties up too much personnel. Some of the prisons are located geographically in areas where the implementation of network cooperation and rehabilitation activities in accordance with the objective is not possible. The current prison network is also challenging partially from the perspective of availability of personnel, because the working-age population is concentrated in growth centres.

The Prison and Probation Service will not be able to meet the obligations set by the legislation on the enforcement of penalties, if the resources remain at the same level as in the current decision on spending limits. In order to secure the ability to function and the productivity, safety and effectiveness of the operations, additional resources amounting to a total of 400 person-years should be allocated to the Prison and Probation Service by 2027. According to the assessment, the level of operations of the Prison and Probation Service could be raised to a reasonable level with the additional personnel. It is also estimated that raising the level of operations to the level required by legislation would require a significantly larger number of personnel by 2030 in addition to a renewal of the prison network.

The Legal Register Centre is responsible for enforcing approximately 50 different types of criminal and administrative sanctions. The need for additional resources to ensure that the Legal Register Centre has sufficient enforcement resources consists of 2–4 expert positions.

6 Processing civil cases

- **Civil cases refer to the applications and civil matters processed by general courts of law; in 2021, a total of approximately 480,000 of such matters were resolved by District Courts.**
- **The average processing times have lengthened especially in cases processed in a main hearing of the District Court.**
- **The increase in legal costs is a problem especially in civil cases, in which a settlement is possible, and in which the parties take a major risk of legal costs for the dispute.**

Civil cases refer to the applications and civil matters processed by general courts of law. In 2021, approximately 9,000 extensive civil cases were resolved by District Courts. An extensive civil case may involve matters such as compensation for damages, a dispute over an inheritance, the cancellation of a sale or rental of a flat. Roughly one in five cases involves family relationships; that is, a matter related to the maintenance of a child in practice. There were 418,000 summary civil cases (undisputed payment demand cases) resolved. Of the applications, approximately 8,700 insolvency cases (bankruptcy, corporate restructuring and debt adjustment cases, as well as enforcement appeals) were resolved in addition to 43,000 other cases. Of the other applications, more than one third involved undisputed applications for divorce.

In an extensive civil case, the District Court decision can be issued in a written procedure, at an oral preparatory hearing, by confirming a settlement or in a main hearing. The District Court resolves summary civil cases in a written procedure. Applications involve cases that are instituted with an application and that require something to be confirmed or entered into a public register. Applications are resolved at the District Court based on written evidence alone, if no one objects to the application. If a party or a witness is heard in the case, or the parties to the case disagree, the case is resolved in a hearing of the District Court.

In 2021, the average processing time of extensive civil cases at a District Court was 9.6 months, when 7 months could be considered as the target processing time. The average processing time of summary civil cases was 2.6 months, when 2 months could be considered as the target processing time. With regard to applications, the average processing time of insolvency cases was 6.6 months and that of other applications was 4.9 months.

An appeal is lodged with the Court of Appeal concerning the judgment of almost every fourth extensive civil case. Appeals are more common, if a main hearing has been held in the case. The appeal rate has been steadily decreasing in the recent years. In 2021, the Court of Appeal resolved 2,500 civil cases, and the average processing time was 6.4 months. At a Court of Appeal, 5 months could be considered as the target processing time of a case. The average processing time has become shorter in four out of five Courts of Appeal, and it has only grown longer in the Helsinki Court of Appeal. In 2021, a total of 850 applications for leave to appeal arrived at the Supreme Court.

The average processing times have lengthened especially in cases processed in a main hearing of the District Court. In 2011, approximately 3,000 extensive civil cases were resolved in a main hearing, and the average processing time was 11.4 months. In 2021, the corresponding figures were approximately 1,400 cases and 18.7 months. The longest processing times occurred in disputes involving real property.

In recent years, the increase in claims for costs has focused on cases instituted by private individuals, while a similar increase has not been detected in disputes initiated by corporations. The problem of increasing legal costs often applies to the termination of an employment relationship or a dispute concerning the sale of a flat or real estate. In disputes involving the right of access to, maintenance or custody of a child, the risk of costs is reduced by the fact that the losing party is usually not obliged to compensate the legal costs of the party that won the case.

There are several reasons behind the longer length of trials in civil cases. Increasingly often, attempts to solve the growing complexity of social problems have been made through regulation by laws. Legal problems have become more complex, and the need for legal expertise has been growing constantly. The different parties involved spend more time on managing a civil case than before, and main hearings have also become longer since 2007. The number of pages in decisions issued by District Courts has increased, and they refer to sources of law more often than before. Taking the value of money into account, the dispute in a trial often involves larger and larger sums.

In this millennium, several changes in legislation have been implemented with at least a partial goal of shortening the duration of trials. These have included lighter compositions of courts, renewing the court network, centralising summary civil cases to certain District Courts, decisions on the order of urgent consideration (Chapter 19 of the Code of Judicial Procedure), adopting the procedure of leave to continue the proceedings by a Court of Appeal, and enacting the Act on Compensation for the Excessive Length of Judicial Proceedings (362/2009).

Legal costs and the risk of legal costs have already been growing since the 1990s in civil cases decided in a main hearing of the District Court. In 2019, the median claim for legal costs by a plaintiff was EUR 9,213, and that of the defendant was EUR 10,246. Within a decade, the claims for legal costs by the plaintiff have increased by approximately 22% and those of the defendant by 61%. Compared to 1995, the plaintiff's legal costs are 2.5 times as high, while those of the defendant have nearly tripled. The combined legal costs of the parties exceeded the interest in the dispute in 41% of civil cases in 2019.

The parties in a civil case nearly always use an attorney. Only less than 10% of the plaintiffs plead a civil case without an attorney. Without legal aid, individuals are responsible for their own legal costs themselves; these include the court fee, the attorney's fee, the compensation paid to witnesses and potential other costs of evidence. According to the main rule, the losing party in a civil case is ordered to compensate the legal costs of the winning party. The amount of legal costs during the District Court stage alone may rise up to several thousands or even tens of thousands of euros. If the matter is also processed at a Court of Appeal, the legal costs increase further. The risk of high legal costs may mean that people do not dare to bring their case to be heard by a court of law. An extensive report on legal costs has been completed at the Ministry of Justice, and the first of its proposals will already be realised during this parliamentary term.

7 Cases involving administrative law and their processing

- **Changes in society are quickly reflected in Administrative Courts, where appeals can be lodged to demand a change in the decisions of an authority.**
- **The number of cases involving administrative law that are simple in nature with a lighter workload has decreased, while the number of challenging cases has grown.**
- **In some groups of cases at Administrative Courts, the average processing times are long, up to over a year and a half.**

Decisions issued by an authority can be appealed to the Administrative Court. Usually, a claim for a revised decision must be submitted first to the authority in question. The decisions of Administrative Courts offer outlines and harmonise the activities of the authorities. Globalisation and changes in society are quickly reflected in the activities of Administrative Courts. Especially in exceptional circumstances, the number of cases at Administrative Courts may increase significantly. For instance, the entry of people seeking international protection into the country, the green transition, as well as restrictions in accordance with the Contagious Diseases Act, increase the number of appeals at Administrative Courts. The growing complexity of social structures and the different starting points for regulation also manifest in the diversification of administrative law.

Administrative law has been dispersed throughout many different laws and in different administrative branches. The problem is that the legislation is changed in one place at a time, which further increases its fragmentation and makes decision-making more difficult. In addition to the national legislation, the EU legislation and the related legal practice bring additional challenges to the processing of cases at Administrative Courts. This development has meant increasing the room for interpretation in decision-making in practice in the Administrative Courts.

The range of cases processed at Administrative Courts is wide and varied. The cases are significant either socially (such as cases related to land use and construction) or for a specific individual (such as social assistance or taking a child into care involuntarily). There are more than 300 different titles for matters processed at Administrative Courts. In addition to general competence, judges have often also specialised in certain branches of law, such as social welfare, municipal, tax, immigration or environmental law. In addition

to legally trained judges, the decision-making bodies at Administrative Courts include part-time expert members who have training as a doctor or a social worker, for instance, or Administrative Court judges with training in the field of technology or natural sciences.

The structure of cases brought to Administrative Courts has changed over time. The number of cases that are simple in nature and have a lighter workload has decreased, while the number of challenging cases has grown. For instance, the court fee reform that entered into force at the start of 2016 has reduced the number of appeals in cases with a minor interest, such as parking tickets. In an administrative judicial procedure, the use of an attorney is rarely necessary. Therefore, a trial at an Administrative Court is more affordable than, for instance, a trial in a civil case in a general court of law.

The average processing time at an Administrative Court was 9.6 months in 2021. The target processing time could be considered to be 7 months. However, the average processing time does not give an accurate picture of the length of processing times, because they vary by main group of cases from 6.2 months (social and health care) to 18.7 months (environmental matters). There are also considerable differences between the processing times of matters in the main groups.

A matter can be processed urgently at an Administrative Court, if this is necessary due to the nature of the matter, or if the urgent processing of the matter is required by law. Most of the cases processed at Administrative Courts have been prescribed to be processed urgently. The fragmented nature of the regulation and the continuous rise of the number of matters to be processed urgently have led to a decrease in the effectiveness of regulation. Currently, the processing times are also long in many matters that should be processed urgently by law.

The structure of cases at Administrative Courts has become more challenging over time, and the number of oral hearings at Administrative Courts has been growing for a long time. Oral hearings are the most common in cases involving aliens and child welfare. Holding an oral hearing is needed to resolve the matter and often also for people's experience of justice, even if holding an oral hearing may extend the processing time of the case and tie up more of the resources of the Administrative Court. Resolving cases that are more complex than before requires assessing the report presented in addition to legal issues.

8 Cases at special courts

- In Finland, special courts of law include the Market Court, the Labour Court and the Insurance Court, which process different kinds of civil cases, appeals and applications in their own field.
- Long processing times have also been considered a problem at special courts of law.

The Market Court processes civil cases, appeals and applications related to competition, the monitoring of competition, procurement as well as market and copyright matters. Often, a set of norms governed by EU or international law is applied either directly or indirectly in cases processed by the Market Court, which means that the cases are usually challenging with regard to both the material and the procedure. The long processing times at Market Court have been considered a problem, especially in procurement matters and cases involving industrial rights and copyright.

The Labour Court resolves civil cases related to employment contracts in the public and private sectors and processes the appeals, for which it is legally responsible. The terms followed in an employment relationship in the public sector consist of several different sources: labour legislation, collective agreements and company-level agreements, and for employment relationships in the private sector, the employment contract. When there are workplace disagreements concerning the interpretation of a collective agreement, as a rule, the negotiations about the disagreement are held first between the unions that made the agreement; legal action can then be instituted at the Labour Court. Because disputes have become more complex, it may no longer necessarily be possible to define them as related to the interpretation of the collective agreement alone; instead, they are a mixture of claims based on different sources. Therefore, it is not always completely clear in which court the matter should be processed. A decision of the Labour Court cannot be appealed.

The Insurance Court acts as the appellate court for matters related to social assistance. The Insurance Court processes the means of subsistence of an individual citizen. The groups of cases it processes fall within the administrative branches of several different ministries. There are several applicable laws on benefits, and it is important to monitor their changes. When enacting laws, the regulations on appeal and their functionality should also be taken into account, in addition to their compatibility with other matters related to social assistance. The Insurance Court is the only court for matters related to income security, with the exception of certain matters, in which it is possible to appeal to the Supreme Court for leave to appeal.

The quality level of application of law by the special courts must be kept at least on the current level. In order to make this possible without extending the length of the processing times at court even further, the allocation of additional resources is necessary.

9 Mediation and alternative dispute resolution methods

- **There are plenty of different kinds of alternative mediation and dispute resolution methods used in Finland, which are organised by parties operating under ministries, municipalities and organisations, among others.**
- **Alternative dispute resolution methods are often cheaper and faster than a traditional trial, and the parties are more often satisfied with a matter that ends with a settlement.**
- **The number of cases per year in mediation offices for criminal cases has become established at a level of clearly more than 10,000 cases. Approximately 2,400 cases per year are settled in court mediation.**
- **The processing times of both the Consumer Disputes Board and the National Non-Discrimination and Equality Tribunal have become long.**

There are plenty of different kinds of alternative mediation and dispute resolution methods used in Finland. Many of them are organised by a party operating under a ministry. For example, the Consumer Disputes Board and the National Non-Discrimination and Equality Tribunal operate under the Ministry of Justice, while the National Conciliator operates under the Ministry of Economic Affairs and Employment. An association or a union can also be responsible for alternative dispute resolution methods, such as the friendly settlement proceedings by the Finnish Bar Association or the mediation procedure by the Arbitration Institute of the Finland Chamber of Commerce (FAI). Municipalities also offer alternative dispute resolution services.

The many benefits of alternative dispute resolution methods have been recognised. The decision to come to a settlement is made by the parties to the dispute themselves. An amicable settlement is often permanent, because it is easier for the parties to the dispute to commit to an end result that has been achieved through mutual agreement rather than a solution ordered by an external party alone. Alternative dispute resolution methods have also been considered to be flexible and highly customer-oriented, especially when they can be instituted without an actual trial. The relationships between the parties remain better compared to a traditional trial procedure. Alternative dispute resolution methods are often cheaper and faster than a traditional trial. They also reduce the workload of courts of law.

Based on the Act on Conciliation in Criminal and Certain Civil Cases (1015/2005) that entered into force in 2006, criminal matters and minor civil cases can be referred to mediation before or during the consideration of charges. The mediation is carried out in a mediation office, and the service is free of charge for the parties. Volunteers trained for the task act as mediators. At the moment, there are approximately 100 employees and 1,400 volunteer mediators in mediation offices around the country. The annual number of cases has become established at a level of clearly over 10,000 cases. It is difficult to increase the quantity and quality of mediation without allocating additional resources to mediation activities. The administrative branch of the Ministry of Social Affairs and Health is in charge of mediation of criminal cases. A transfer to the administrative branch of the Ministry of Justice is being prepared.

Court mediation refers to a mediation procedure separate from a trial, in which a judge acts as the mediator in civil and application cases. The largest groups of cases include real estate disputes, different kinds of maintenance claims as well as labour law cases. Other potential cases include contract disputes, price reductions, compensation for damages and the entire range of discretionary cases (i.e. cases that can be settled out of court). Based on a rough estimate, approximately 2,400 cases are processed in court mediation on a national level every year, over a half of which involve Follo mediation in child custody cases. The key development challenge for court mediation is related to the quality assurance of mediation, as well as to its consistency and uniform quality in different parts of the country. In addition, the service is not sufficiently well known: relatively few people are aware of the fact that civil and application cases can also be resolved at a court by means of mediation instead of a trial.

The Consumer Disputes Board is a dispute resolution body that complements courts of law and provides an alternative to them; it steers consumer law and affects it with its decision practice. The aim of the Board is to be a flexible and rapidly acting, expert-based body for resolving consumer disputes, to which consumers can turn informally and free of charge. In 2021, the Board resolved 6,700 cases. The average processing time was 14 months, which can be considered unreasonably long. The challenge of the Consumer Disputes Board is the backlog of cases that has continued for years. By increasing the resources, more cases can be resolved and the processing times will become shorter.

An independent and autonomous National Non-Discrimination and Equality Tribunal operates in connection with the Ministry of Justice; it processes and decides cases within its scope of operation according to the Non-Discrimination Act as well as the Act on Equality between Women and Men. The Tribunal is tasked with providing legal protection for those who feel that they have been discriminated against or targeted by prohibited countermeasures related to discrimination. The independent and autonomous Tribunal must have the option of being responsible for its duties and acting as a significant means

of legal protection for those who face discrimination with regard to both its competence and practical operating conditions. The goal must be to shorten the processing times, which have become quite long.

There is no system that could be used to confirm settlements available for the groups of cases processed in the order of the Administrative Judicial Procedure Act. A working group appointed by the Ministry of Justice investigated the possibilities of mediation in administrative cases in accordance with the Government Programme of Prime Minister Marin. According to the assessment of the working group, the conditions for a general mediation system in administrative matters do not exist. In its work, however, the working group identified certain cases and groups of cases, in which mediation could be possible.

Of the alternative dispute resolution methods, commercial arbitration is important, especially for resolving disputes between companies. In Finland, the system of naming and the regulations required for arbitration is maintained by the Finland Chamber of Commerce. The renewal of the Arbitration Act is in progress at the Ministry of Justice.

10 Legal advice and acting as an attorney

- **Legal aid is granted out of state funds for people who need expert assistance in a legal matters and are not able to pay for the service they need.**
- **The low income limits of legal aid have meant that not all people with low income can receive legal aid free of charge, and none of the people with medium income will receive legal aid even with a deductible.**
- **The income limits of legal aid should be raised and the calculation method of financial criteria should be simplified.**

The purpose of public legal aid is to ensure that people have a real and equal opportunity to access their rights. Legal aid is granted from state funds either free of charge or with a deductible to people, who need expert assistance in legal matters and, due to their financial position, cannot pay the costs required to carry it out.

Legal aid includes legal advice, the necessary measures and assistance at court and with other authorities, as well as exemption from certain costs related to the processing of the matter. The service channels for legal aid include remote services, chat and electronic services in addition to the traditional telephone service and in-person visits. The most important task of an attorney is to safeguard the customer's legal protection during the different stages of the process. Together with the customer, the attorney studies the case and finds out what the best options are for the customer's legal protection, the customer's rights and duties during the process, as well as the different stages of the process. When an attorney is included in the process early on, it benefits the customer and the different parties in the process.

Legal Aid Offices make the decisions on legal aid for the customers of both public legal aid attorneys and private attorneys. Applications for legal aid can be submitted to any of the 22 Legal Aid Offices or the Legal Aid and Public Guardianship Office of the Åland Islands, regardless of the applicant's municipality of residence. In cases instituted at a court of law, legal aid is provided by public legal aid attorneys and private attorneys who have consented to their task (attorneys-at-law and licensed trial counsels). As a rule, public legal aid attorneys provide legal aid in cases that are not processed at court. In criminal matters, legal aid can be provided to both the suspect and the injured party. Likewise, in civil and application cases, both sides of the case can be assisted. In cases involving administrative law, citizens can receive assistance. All groups of cases may have several parties entitled to legal aid.

The increasing complexity of matters processed at court also affects the increasing complexity of matters dealt with by legal aid. Often, the processes also have special characteristics due to different cultures.

In 2011–2021, the number of legal aid cases in civil and application matters assigned to public legal aid attorneys varied between approximately 35,800–43,600 cases annually. At the same time, the number of legal aid cases in civil and application matters assigned to private attorneys varied from approximately 7,600 to 18,000 cases. During the years 2016–2018 with a backlog of asylum cases, public legal aid attorneys took care of 71–75% of the legal aid cases in civil and application matters that arrived. Public legal aid attorneys took care of 76–84% of the legal aid cases in civil and application matters that arrived during the other years of the review period. In the years 2011–2021, the number of cases of legal aid in criminal matters assigned to public legal aid attorneys decreased from approximately 8,000 cases to approximately 5,900 cases. At the same time, the number of cases of legal aid in criminal matters assigned to private attorneys grew from approximately 14,900 cases to approximately 26,000 cases. Of the cases of legal aid in criminal matters that arrived, public legal aid attorneys took care of 35% in 2011 and 18% in 2021.

At the current level of appropriations, Legal Aid Offices will need to reduce their number of personnel. Consequently, the number of cases processed by the Legal Aid Offices will decrease and the queue times will grow longer. It would be possible to increase the number of cases in Legal Aid Offices by approximately 4,000 cases per year while also shortening the queue times by increasing the resources by approximately 40 person-years.

The low income thresholds set for legal aid have meant that not all people with low income can receive legal aid free of charge, and none of the people with medium income will receive legal aid even with a deductible. The share of people within the scope of legal aid has decreased from 2016 to 2018. In 2016, its scope included 55.9% and two years later 52.3% of people aged 15 years or older. By raising the income thresholds set for legal aid, people with low and medium income would have a better opportunity to receive legal aid. If the opportunities of people with low and medium income to receive legal aid were to be improved by raising the income thresholds, the costs incurred by the state would increase by a total of EUR 10.7 million per year, of which the share of costs of the Legal Aid Offices would be 30% and the share of fees of private attorneys would be 70%.

In order to secure the services currently provided by private attorneys, the fees for private attorneys must be increased. The level of compensation has not been increased since 2014. Based on the cost-of-living index alone (for the years 2014–2021), the need for increasing the fees of private attorneys is EUR 10/hour, which requires approximately EUR 7.5 million per year of funding.

11 Enforcement of obligations

- **Most of the cases instituted in enforcement apply to the enforcement of monetary receivables of the creditor.**
- **It is estimated that the number of customers and cases of the National Enforcement Authority will remain high in the coming years.**
- **The enforcement procedure has been extensively digitalised and the efficiency of operations has been improved.**
- **Significant potential savings can still be achieved by investing in the development of information systems.**
- **Enforcement is an affordable function for the society. 80% of its costs are covered by payments. In addition, approximately EUR 400 million is disbursed to the state annually as taxes and other receivables of the state.**

The National Enforcement Authority is responsible for the enforcement of sentences and other enforceable decisions. In enforcement, independent administrators of law take care of implementing the legal protection of the parties and outsiders during the enforcement process. Most of the cases instituted in enforcement apply to the enforcement of a monetary receivable of the creditor, that is, a payment obligation. Other duties of the enforcement authority include obligations to relinquish something or carry something out, evictions, protecting evidence, EU sanctions, as well as the enforcement of decisions on the care and maintenance of a child and on visiting rights.

When enforcement operates efficiently, it safeguards the functioning of a contract-based society, maintains a general payment morale in the society, prevents neglect of obligations and combats over-indebtedness. In the enforcement of criminal convictions, enforcement maintains the general social order for its part and safeguards the rights of victims of an offence. With proactive financial advice, the enforcement authorities in cooperation with financial and debt counselling prevent financial problems from occurring and cases progressing to enforcement procedure, and provides information on the enforcement procedure to citizens and companies.

The number of cases managed by the National Enforcement Authority annually is large. The changes in the workload of the National Enforcement Authority follow the general economic development of the society. The transition into a credit and consumer society has been conducive to increasing problems involving indebtedness. The number of cases instituted has stabilised at slightly under three million cases per year on average. Of the

cases instituted in enforcement annually, approximately 97% are instituted electronically. Every year, enforcement processes the cases of more than one half of a million debtors. More than 90% of debtors in enforcement are natural persons.

The goal of enforcement is to be as fast and efficient as possible. Rapid enforcement measures are in the best interest of both the creditor and the debtor. The average processing time of enforcement cases was 9.1 months in 2021, while the target was 6–7 months. The enforcement profits by the National Enforcement Authority in euros in 2021 amounted to EUR 1.203 billion in total.

Enforcement fees are charged for the measures carried out by the National Enforcement Authority. Some of the receivables to be enforced, such as maintenance receivables, have been exempted from enforcement fees. In recent years, enforcement has disbursed more than EUR 80 million on average in payment revenue to the state. Enforcement can be considered a state function that is beneficial to society. More than 80% of the costs of the National Enforcement Authority are covered by the fees disbursed to the state. In addition to the revenue from enforcement fees, the enforcement services disburse approximately EUR 400 million to the state as an enforcement creditor.

Increasingly often, the enforcement of obligations is made more difficult by different kinds of artificial arrangements that aim to transfer income and property out of reach of creditors. With internationalisation and technological development, asset management has become more difficult to trace year by year. In order to maintain the credibility of its operations, the enforcement authority must also keep up with this development, which requires not only sufficient human resources, but also the constant development of expertise and information systems and deepening the cooperation between the authorities.

It is estimated that the number of cases and customers of the National Enforcement Authority will remain high in the coming years, too. This is indicated by factors such as the high indebtedness rate of households, the inflation trend and the pressure to raise the interest rates. The impact of the war in Ukraine and the related economic sanctions and counter-sanctions on the economy of Finland and the rest of Europe is conducive to making the situation even more difficult. The enforcement of the decisions on EU sanctions is estimated to burden the special enforcement for a long time in the future.

For its part, the structural reform of the enforcement service has enabled more high-quality enforcement investigation than before that requires in-depth expertise and increases person-work. Cases requiring the sale of property have increased, and the sales markets have changed, becoming more and more challenging. The increased workload and carrying it out with high quality require expert personnel and sufficient resources.

The key method of making enforcement more effective and increasing productivity is information system development. The large number of enforcement cases and the routine work involved in certain tasks makes it possible to improve the efficiency of the operations further. Significant potential savings can be achieved by taking advantage of developing technologies, such as robotics, artificial intelligence and analytics. However, development takes time and financial investments.

The key challenges of the National Enforcement Authority are related to the chronic imbalance between funding and costs; on one hand, the imbalance requires personnel cuts that weaken the operating conditions, and on the other hand, it does not enable potential ICT development projects that could be used to reduce the need for manual work over a long period of time. If the current decreasing spending limits remain as is, they will mean a reduction of more than 120 person-years. As a result of the reduction, the possibilities of realising the legal protection of parties will deteriorate, processing times will grow even longer and debtors will be at risk of falling even deeper into debt. The workload of the personnel will increase, and there is a risk that the positive development discovered in the quality of investigation of challenging cases may stop. Even a small reduction of the enforcement profits due to weakened resources will cause more losses to the state than can be gained by cost savings.

The National Enforcement Authority has been developed systematically. Already during the structural reform that was completed in 2020, the National Enforcement Authority cut back approximately 200 person-years and created significant savings for the state¹⁸. Despite this, the level of basic funding of the Authority is not sufficient, and it is not possible to compensate for this through management. The spending limits of funding of the National Enforcement Authority must be raised by EUR 6.5 million, which will enable controlled human resource planning and the implementation of targeted reductions over a long period of time with the help of solutions that take advantage of automation and other developing technologies. The spending limits can be reviewed again so that they correspond to the results of the work on developing the operations. This solution option ensures the effective and high quality realisation of the legal protection of the parties as well as the fiscal interests of the state.

18 When calculated based on the average earnings, the implemented reductions in person-years mean savings of at least EUR 10 million in personnel costs.

12 Public guardianship

- A guardian is appointed for persons who cannot take care of matters concerning themselves or their property, and their financial position, means of subsistence or other important benefits are at risk.
- There are a total of 44,000 customers of public guardianship services, i.e., clients, and their number increases by approximately one thousand people per year.

The decision to appoint a guardian is made by a court of law, the Digital and Population Data Services Agency or in Åland, the State Department of Åland. Either a private individual, such as a family member, or a public guardian can be appointed as the guardian. More than a half of all guardianships involve public guardians, and the share has been growing year by year. Public guardianship services are arranged by the legal aid and public guardianship district in their respective geographical areas. The services are provided by 22 guardianship offices and the Legal Aid and Public Guardianship Office of Åland Islands. The districts can also organise guardianship services as an outsourced service. Approximately 10% of guardianship services are provided as an outsourced service by 18 service providers. In most cases, a guardian is appointed to take care of the customer's financial matters, but the guardian may also be tasked with taking care of matters related to the individual, a special assignment, or acting as a deputy guardian.

The need of guardianship services has increased since 2011. In 2011, there were approximately 34,400 customers of public guardianship services in total, while at the end of 2021, their number was 43,200. The customers of guardianship services include people of all ages. During the review period of 2011–2021, more than 50% of the customers of public guardianship offices each year were under 65 years old.

The affairs of new customers managed by public guardianship offices are increasingly more challenging and complex. For instance, some of the customers have more debt than before, while others are wealthier. The cases being managed require more and more legal expertise and the use of electronic systems. Due to the lengthening of processing times of the guardianship authority (Digital and Population Data Services Agency), the situations of new customers require more work than usual.

Public guardianship offices manage and control a significant amount of the assets and financial matters of the customers. In 2021, the value of the property of customers was EUR 1.7 billion, while the value of their debts was EUR 109 million. In addition, more than 2 million customer invoices were taken care of.

The operating costs of public guardianship services were approximately EUR 34 million in 2021. In general, guardians are entitled to receive a fee and compensation for their costs out of the customer's funds. Approximately EUR 28 million in guardianship fees accrued for the revenue estimate item, which is 82% in relation to the costs. Starting from 2012, the resources of public guardianship offices have been increased from 515 person-years to 592 person-years. By developing the operating methods of guardianship services and taking advantage of digitalisation (e.g. the adoption of online invoicing in 2019), the productivity of guardianship services (number of customers/person-year) has increased from 58 to 66 from 2011 to 2021.

Because it is estimated that the number of customers will increase annually by approximately 1,000 people, it is also estimated that annual increases of 10 person-years for public guardianship services are needed based on the current service level. At the same time, the revenue from the fees of guardianship services is anticipated to increase annually by approximately EUR 0.6 million.

In accordance with the Guardianship Services Act, the Digital and Population Data Services Agency supervises the activities of guardians by monitoring accounts, among other things. In addition, guardians must seek the permission or approval of the Digital and Population Data Services Agency for legal transactions prescribed by law.

With a lasting power of attorney, a person may appoint a donee to manage their affairs in case they are not able to make decisions on matters or manage them themselves. Compared to traditional guardianship, a lasting power of attorney is a lighter and more flexible way of making arrangements for the management of affairs, and it is estimated that it will reduce the need for private guardians in particular.

13 Preventing over-indebtedness

- According to international comparative studies, rule of law is on solid ground in Finland.
- Key problems in Finland include the length of legal processes and expensive trials.
- The indebtedness rate of households, the number of people with payment defaults and debtors in enforcement, as well as summary payment demand cases, are all signs of worsening problems related to indebtedness.
- Over-indebtedness is likely to increase the risk of financial exclusion.
- Attempts have been made to prevent the problem through changes in legislation, different kinds of cross-administrative measures and by increasing support and counselling services.

Indicators of the worsening debt problem and the increase of over-indebtedness include issues such as the indebtedness rate of households¹⁹, which reached a record high of 133% in 2021. The number of people with payment defaults has remained at a high level. The number of summary payment demand cases in District Courts has been increasing, and the number of debtors in enforcement has continued to rise gradually.²⁰

The functioning of the credit and consumer society requires that the administration of justice includes well-working payment demand and enforcement procedures on the one hand, and systematic measures to prevent over-indebtedness and combat the harm it causes on the other. Attempts have been made to prevent problems related to over-indebtedness through changes in legislation. Different kinds of cross-administrative projects, increasing support and counselling services, as well as investing in the financial literacy of citizens, also play a key role in combating debt problems.

Financial and debt counselling was nationalised and transferred under the responsibility of Legal Aid Offices at the start of 2019. If they so wish, customers can use the Legal Aid Office's services free of charge. In addition to the traditional telephone services and in-person visits, customers can reach financial and debt counselling via remote services, as

19 The indebtedness rate refers to the total debt of a household in relation to the annual available income

20 Not all debtors in enforcement are over-indebted. For most of the debtors that end up in enforcement, the amount of debt is fairly moderate, and the problems with solvency may be temporary.

well as chat and electronic services. Financial and debt counselling offers advice to private individuals on the management of debts and finances, investigates potential solutions to the debtors' problems related to finances, and assists debtors in managing issues related to debt adjustment. Small entrepreneurs and self-employed persons can also get help from financial and debt counselling by applying for a debt adjustment.

Financial and debt counselling in cooperation with the National Enforcement Authority have started several new operating methods and threshold-free counselling services aiming to prevent over-indebtedness and combat the resulting harm. At the centre of the new functions is strengthening cross-administrative cooperation, as well as active communications and campaigns used to improve the financial literacy of citizens and their ability to manage their own finances in all age groups, and facilitate access to help for those who are already in debt. One of the new forms of services are Financial advice clinics, where customers can meet experts of different fields both together and separately without an appointment.²¹ The Jodel campaigns²² targeted especially at young people by the proactive financial counselling of enforcement services make it possible to talk about indebtedness and ask questions anonymously via a mobile application.

The financial literacy function started in early 2022. It aims to strengthen the financial literacy of citizens and coordinate network cooperation between different actors in accordance with the comprehensive action plan. It also develops the monitoring and reporting of financial literacy and collects and produces materials on financial literacy for the use of the network members.

In 2022, Parliament approved the Act on the Adoption of a Positive Credit Register. The register information can be used in issuing credit to assess the credit rating of natural persons, among other things. Likewise, Parliament has approved an amendment to a law to shorten the storage period of payment default entries. With the changes, a payment default entry is removed within one month of the payment of a debt receivable. In the amendment of the Debt Collection Act that entered into force in 2022, maximum amounts were also set on the collection costs of corporate receivables. The Government proposal²³ for amending the Consumer Protection Act to lower the interest ceiling from the current 20% to 15% was handed over to Parliament in 2022. The aim of the proposed amendments to the Enforcement Code²⁴ that are being processed by the Parliament is

21 In 2019–2021, approximately 2,400 customers visited Financial advice clinics.

22 The Jodel campaign implemented in the spring of 2022 reached 112,000 young people.

23 HE 218/2022 vp.

24 HE 142/2022 vp and HE 216/2022 vp.

to increase the number of payment-free months of debtors in enforcement and, as a trial on a fixed-term basis, raise the protected portion in enforcement to the same level as a guaranteed pension.

In the financial and debt counselling of the Legal Aid Offices, it is important that the advice and support services provided for private individuals to prevent financial problems is available at the right time. With additional resources, it would be possible to increase the number of cases in financial and debt counselling. Additional resources could also be used to expand preventive financial counselling, the activities of Financial advice clinics and promote financial literacy throughout the country.

14 Legal registers and exchange of information

- **The Legal Register Centre maintains legal registers and discloses their information to authorities, companies and private individuals.**
- **The internationalisation of the activities and especially the EU cooperation have increased and continue to increase.**
- **The number of disclosures and exchanges of information has been growing constantly.**

The growth of electronic services and the digitalisation of the society have required constant development of information systems and processes. The Legal Register Centre keeps data resources and registers related to the administration of justice, from which millions of entries and pieces of information are disclosed to different parties based on various regulations. Legal registers include criminal records, the register of fines, the storage register, the national data resource of the judicial administration, the register on bans on animal keeping, the register of prohibitions to pursue a business, the register of bankruptcies and restructurings, the register of debt adjustments, the insolvency register, the register of public notices, as well as the register of private interests and extra-judicial activities of judges.

Criminal records extracts are disclosed for purposes such as determining whether people working with children or subcontractors have a criminal background or to present a criminal records extract abroad. Approximately 600,000 entries from different registers are disclosed to credit reference agencies annually. Some of the register information is also available openly online, such as the register of public notices, the insolvency register and the register of private interests and extra-judicial activities of judges. The Legal Register Centre also discloses basic information on trials for journalistic purposes, among other things.

The internationalisation of activities and EU cooperation in particular have increased in recent years. The exchange of criminal records has developed and will increase, when the central register that contains identification information of citizens of third countries is deployed. The internal and border security of the union is improved by means such as forwarding criminal records. The EU information exchange of prohibitions to pursue a business is also developing, as well as the joint EU interface of insolvency registers.

The number of disclosures and exchanges of information has been growing constantly. The rapid digitalisation of the operating environment of administration of justice, the internationalisation of the activities, the rapid development of EU information exchange as well as the renewal of data protection and information management pose challenges to the functions of register keeping, data disclosure and information exchange of the Legal Register Centre. The role and position of the agency will change, when the systems improving the internal security of the EU are completed. The increase in the workloads as well as the demand for expertise require the allocation of additional resources of 8 senior specialists for the Legal Register Centre.

Annex 1 Proposals for measures

Ensuring sufficient resources for the administration of justice

1. The resources for administration of justice are taken care of in the long term over government terms. In order to shorten the long processing times and ensure the safe enforcement of penalties, a total of approximately EUR 90 million in permanent annual additional funding is allocated to administration of justice in the medium term. The additional resources ensure the availability of legal services and legal protection. At the same time, a solid foundation is established for the resources of administration of justice, and the management of finances becomes stable, systematic and predictable.
2. The premises of administration of justice must support the activities, and the premises and activities are developed at the same time. Efficient use of the premises is ensured in accordance with the policies of the Government Premises Strategy. Funding for premises costs is ensured.
3. Productivity is improved. The functional performance of administration of justice is ensured with financial resources. At the same time, joint measures in the administrative branch are used to make sure that the improvements gained in processing times and other quality goals are kept at a goal-oriented level, and in the long term, the goals are exceeded qualitatively. This ensures that the appropriations will be sufficient in the future, too.

Improving the internal structures and processes

1. Sufficient law drafting resources are allocated for taking care of monitoring the functionality and impact of statutes central to the administration of justice, so that the legislation stays up to date, appropriate for the purpose and easy to apply. In addition, investments are still made in law drafting in clear, precise and unambiguous legislative language, with sufficient statute-specific grounds.
2. The procedural provisions related to the processing of criminal matters and civil cases are updated and streamlined. In developing the legislation, attention must be paid to the promotion of electronic services and working methods. The decision-making of administrative authorities is developed to make the appeal stage operate more smoothly.
3. The need to amend the constitution in order to strengthen the independence of courts of law and other actors in the administration of justice is assessed.
4. Which cases should be resolved in a court of law and which can be processed in a different procedure by other authorities is evaluated. The goal is to clarify the core duty of courts of law and appropriate and efficient processing of cases. Methods may

- include, for instance, developing the undisputed payment demand procedure and debt adjustment, as well as expanding the scope of directly enforceable receivables.
5. The regulations on the composition of courts of law are reviewed with the aim of allocating the resources of courts of law appropriately. The procedure on the leave to appeal by the Supreme Administrative Court is expanded further. The regulation on jurisdiction is clarified in cases related to the Labour Court. The appropriateness of the lay judge system as a whole is reviewed.
 6. The focus of court hearings staying in the court hearings of the first instance is strengthened.
 7. Measures to reduce the legal costs and their risk are promoted, and the possibility of creating a lighter trial for the smallest civil cases is investigated. A broad-based report is drawn up on the current status and development options of the Consumer Disputes Board, and the necessary measures are taken based on it to make the long processing times more reasonable.
 8. Legislative and payment policy opportunities to reduce the frequent cycle of enforcement cases is investigated, and the attractiveness of passively registering enforcement cases is increased.
 9. The legislation on the enforcement of penalties is renewed, the sanctions system and the criminal justice process related to community service are clarified and the use of community service is expanded.
 10. The Act on the Enforcement of a Fine is reformed and the distribution of labour between the authorities is clarified with regard to issues such as the conversion sentence for unpaid fines, forfeiture as a sanction and criminal damage.
 11. The competence of experts is developed to correspond to the increasingly challenging criminal matters, and the cooperation between the actors in the criminal procedure is developed and intensified. Throughout the criminal procedure, the aim is to have uniform operating methods on the national level. During the criminal procedure, the points of contact between the functions of all actors in the chain are identified and made to run more smoothly in order to shorten the processing times of criminal matters.
 12. The mediation of criminal and civil matters is nationalised, and the steering of the operations is transferred from the administrative branch of the Ministry of Social Affairs and Health to the administrative branch of the Ministry of Justice.
 13. In order to clarify the roles and responsibilities of the Government and its operations, a national legal aid and public guardianship agency, as well as a judicial special authority, are to be established based on the agencies operating in connection with the Ministry of Justice.
 14. The prison network of the Prison and Probation Service is reformed to ensure effective, safe and cost-efficient enforcement. The second phase of the organisational reform of the Prison and Probation Service is implemented; in it, the structure and tasks of

the units of Criminal Sanctions Centres and the training system in the field of criminal sanctions are reviewed.

15. The opportunities to create a system related to the identification of credits are investigated, with a unique identifier being assigned to all credits. The identifier would act as identifying information for the credit throughout its life cycle in every system in which it is processed. The identifier could improve credit management, make processes related to credit handling go more smoothly and enable the further development of processes.
16. The reliability, maintenance and further development of the information systems in administration of justice are taken care of, and the compatibility of the systems in the whole process chain is ensured. The perspective of productivity is strengthened in ICT steering.
17. The efficiency of cooperation between the authorities is improved by increasing the number of interfaces between systems, such as connections between the systems of legal aid, financial and debt counselling as well as public guardianship, and the systems of the Digital and Population Data Services Agency, the Social Insurance Institution of Finland (Kela) and taxation.
18. The information systems of the National Enforcement Authority and the related interface solutions between the authorities are developed to improve the productivity of the enforcement processes.
19. The personnel structure, the expertise of personnel and their well-being at work are developed. The development of working methods is supported through goal-oriented management. The aim is to develop court traineeship positions into a phase in the career of a lawyer that serves the judicial administration as a whole and promotes recruitment.

Improving the availability of legal services and customer service

1. A service promise is made for legal services in order to shorten average processing times and achieve the other service goals.
2. The electronic services offered to private individuals and corporations are developed to make dealing with matters and the trial procedure go more smoothly.
3. Factors affecting the choice of processing language in criminal and civil matters are investigated.
4. Court mediation is developed with the objective of lowering the threshold of the parties to a dispute to bring their matter for processing without an attorney (e.g. a portal that could provide guidance in instituting a matter and stating the required information to institute a matter).
5. The availability of public legal aid is improved by raising the income limit of legal aid, simplifying the grounds for application, creating an electronic on-call system for attorneys and increasing the fees of private attorneys.

6. The operation of cooperation networks is developed. The goal is to use close cooperation to improve the financial literacy of the customers of enforcement as well as financial and debt counselling in addition to public guardianship services.
7. A study is started into the service need of the customers of the National Enforcement Authority concerning telephone service and in-person visits. The premises network and telephone service capabilities of the National Enforcement Authority are developed based on the conclusions of the study.
8. The social benefits of those serving a sentence are assessed as a whole in connection with the overall social security reform.
9. The funding responsibilities of services provided for prisoners and probation clients are clarified (wellbeing services counties/municipalities/the Prison and Probation Service/Health Care Services for Prisoners) and structures that block treatment continuums are removed from the system. Services, placement in treatment and treatment continuums for prisoners with mental health and intoxicant problems are developed.

Annex 2 Presentations of actors

Court System

Organisation	<p>General courts of law include the Supreme Court, the Courts of Appeal (5) and District Courts (20). General administrative courts include the Supreme Administrative Court, the regional Administrative Courts (6) and the Åland Administrative Court. Special courts of law include the Market Court, the Labour Court and the Insurance Court. The National Courts Administration is responsible for the central administrative tasks of courts of law.</p>
Tasks	<p>Courts of law are tasked with providing legal protection by processing and resolving matters of application of law within their competence. The Supreme Court exercises the highest jurisdiction in civil cases and criminal matters, while the Supreme Administrative Court exercises the same in administrative judicial matters. The supreme courts guide legal practice with their decisions. They also supervise the application of law within their sector, and they can submit proposals to the Government on carrying out a legislative measure. The District Courts are the first court instance to process criminal matters, civil cases and applications. The main duty of the Court of Appeal is to decide on appeals of judgments and decisions of District Courts. Based on appeals, the Administrative Court decides if the decision of the authority subject to appeal is lawful.</p> <p>The National Courts Administration is tasked with taking care of the operating conditions of courts of law. The National Courts Administration is responsible for ensuring that the courts of law are able to exercise jurisdiction with high quality and that the administration of courts of law has been arranged efficiently and appropriately for the purpose. The agency participates in the overall development of the court system, is responsible for the performance guidance and premises management of courts of law and takes care of the maintenance and development of information systems. The National Courts Administration also takes care of support tasks in financial and human resources administration and organising training for the personnel in cooperation with the Judicial Training Board.</p>

- Resources In 2021, the number of person-years in the court system was 3,440.
- In 2021, the operating costs of the court system were EUR 311 million in total. Of the costs, 71% were allocated to wage and salary costs, 13% to premises costs, 11% to ICT costs and 6% to other costs.
- Key figures In 2021
- 591,681 cases in total were resolved in courts of law
 - The Supreme Court resolved 1,855 cases and the Supreme Administrative Court 5,081 cases, while the District Courts resolved a total of 554,652 cases, Courts of Appeal 7,816 cases and Administrative Courts 17,894 cases; the Market Court resolved 510 cases, the Labour Court 116 cases and the Insurance Court 3,757 cases

Legal aid and public guardianship districts

Organisation Finland has six legal aid and public guardianship districts, that is, the districts of Southern Finland, Eastern Finland, Southeastern Finland, Southwestern Finland, Western and Inland Finland as well as Northern Finland. There are 23 of Legal Aid Offices and public guardianship offices each, and approximately 160 offices in total. The central administration tasks are taken care of by the Ministry of Justice.

Tasks The legal aid and public guardianship districts provide legal aid, financial and debt counselling as well as public guardianship services in their area. Guardianship services are also provided as an outsourced service. The administration of the district takes care of the human resources and financial administration.

The Legal Aid Offices make the decisions on legal aid and assist people in trials who, due to their financial position, are not able to pay the costs of a trial themselves. In addition, the Legal Aid Offices offer these people other legal services they need: they provide assistance in negotiations for a settlement, draw up documents and provide legal advice. The Legal Aid Offices also offer financial and debt counselling to private individuals, self-employed persons and entrepreneurs.

The aim of public guardianship is to supervise the best interests and rights of people who, due to illness, absence, lack of legal capacity or some other reason cannot take care of matters that need to be taken care of and that will not be taken care of appropriately in any other way. In most cases, a guardian is appointed to take care of the customer's financial matters, but the guardian may also be tasked with taking care of matters related to the individual, a special assignment, or acting as a deputy guardian.

Resources In 2021, the number of person-years of the legal aid and public guardianship districts was 1,171, of which 389 person-years were allocated to legal aid services, 190 person-years to financial and debt counselling and 592 person-years to public guardianship.

In 2021, the operating costs of legal aid and public guardianship districts were EUR 77 million in total. Of the costs, 74% were allocated to wage and salary costs, 7% to premises costs, 11% to ICT costs and 8% to other costs.

- Key figures
- In 2021
- Legal Aid Offices processed approximately 44,000 cases
 - In legal aid, the share of civil cases was approximately 60% and that of criminal matters was approximately 40%
 - The queue time for legal aid was 14 days on average
 - The revenue from legal aid was EUR 4 million in total
 - Financial and debt counselling processed approximately 29,600 cases
 - One financial and debt counsellor had 150 customers on average
 - There were approximately 43,200 customers of public guardianship services
 - There were 66 guardianship customers per person-year
 - The revenue accrued from the customer fees of public guardianship services amounted to approximately EUR 28 million.

National Enforcement Authority

Organisation The National Enforcement Authority is a national agency led by the Director General of National Enforcement Authority, assisted by the Deputy Director. The Authority consists of the Office of Director General of National Enforcement Authority that acts as the central administration, as well as eight operational units that carry out enforcement duties as well as their support functions. The National Enforcement Authority provides customer service in 64 offices around Finland.

Tasks The basic duty of the National Enforcement Authority is the enforcement of sentences and other enforceable decisions. The enforcement duties are divided into basic enforcement, extensive enforcement and special enforcement, depending on how extensive the investigation is and what kind of measures are required to enforce the obligation. Enforcement duties are carried out by independent administrators of law, that is, enforcement officers. Enforcement Inspectors, Senior Enforcement Inspectors, the Senior Enforcement Officers serving as their supervisors, and the Chief Enforcement Officers act as enforcement officers. The Director General of National Enforcement Authority Finland and the Deputy Director General also act as enforcement officers, even though their duties are focused on the strategic and operational management of the Authority.

The Office of Director General of National Enforcement Authority takes care of the operating conditions of the National Enforcement Authority and is responsible for the overall efficiency of its operations. The duties of the central administration include the administrative steering, development and supervision of enforcement services, developing the competence of personnel, as well as maintenance and development of information systems. The preventive financial counselling unit of enforcement acts as a part of the central administration; it is tasked with preventing the occurrence of financial problems and the progress of cases to an enforcement procedure with the help of cooperation with interest groups, communications and campaigns.

Resources	<p>In 2021, the number of person-years of the National Enforcement Authority was 1,195.</p> <p>In 2021, the operating costs of the National Enforcement Authority were EUR 105 million in total. Of the costs, 80% were allocated to wage and salary costs, 7% to premises costs, 10% to ICT costs and 3% to other costs.</p>
Key figures	<p>In 2021</p> <ul style="list-style-type: none">– There were 2.84 million cases instituted and 2.79 million cases processed in enforcement– Enforcement cases were processed for 9.1 months on average– The customers of enforcement included 560,000 different debtors, of which 90% were natural persons– The enforcement profits of the National Enforcement Authority amounted to EUR 1.203 billion– Of the enforcement profits, approximately EUR 400 million is disbursed annually to the state in taxes and other receivables of the state– EUR 83.7 million in revenue from enforcement fees were disbursed to the state. More than 80% of the costs of the National Enforcement Authority are covered by the fees charged from the parties.

The National Prosecution Authority

Organisation The National Prosecution Authority is a national agency that consists of the Office of the Prosecutor General that acts as a central administrative unit and five Prosecution Districts: Southern Finland, Western Finland, Northern Finland, Eastern Finland and Åland. The National Prosecution Authority has 30 offices in different parts of Finland. The National Prosecution Authority is led by the Prosecutor General, who is the highest-ranked prosecutor in the country.

Tasks After the pre-trial investigation carried out by the police or another pre-trial investigation authority, the prosecutor makes the decisions on consideration of charges and prosecution at a court of law. The prosecutor also participates in the pre-trial investigation as needed. The duties of the prosecutor also include pursuing the injured party's claims for compensation, preventive measures (seizures and sequestrations), tracking the proceeds of crime and claiming it for the state, as well as bringing foreign sentences to enforcement.

The prosecutor participates in international legal assistance as a part of the pre-trial investigation and consideration of charges and takes care of matters related to extradition due to an offence between Finland, other EU Member States as well as the Nordic Countries. As a general rule, the jurisdiction has been centralised on the prosecutor in the judicial cooperation between EU Member States. In addition, the prosecutor acts as the head of the investigation in pre-trial investigations of criminal matters, when it is suspected that the perpetrators are police officers.

Resources In 2021, the number of person-years in the National Prosecution Authority was 559, of which the prosecutors accounted for 409 person-years.

In 2021, the operating costs of the National Prosecution Authority were EUR 52 million in total. Of the costs, 79% were allocated to wage and salary costs, 7% to premises costs, 12% to ICT costs and 2% to other costs.

Key figures

In 2021

- There were 89,256 cases brought to consideration of charges and 89,001 cases decided in consideration of charges
 - There were 218 decisions per one person-year by a prosecutor.
- At the end of 2021, there were 18,001 unsolved cases, of which cases that had remained in consideration of charges for 6–12 months numbered 4,707 and cases that had remained in consideration of charges for more than 12 months numbered 1,186.

Prison and Probation Service

Organisation	<p>The Prison and Probation Service has four national departments that are responsible for the development and guidance, the client processes, the administrative and support services as well as the core operations. The Core Operations Department is in charge of eleven Prison and Probation Centres and their units (prisons, probation offices and other units). There are a total of 28 prisons, of which 15 are closed prisons and 13 open prisons. There are 12 community service offices with a total of 23 locations. The Training Institute for Prison and Probation Services provides training for a qualification and continuing professional education in the field of criminal sanctions.</p>
Tasks	<p>The Prison and Probation Service enforces the sentences of imprisonment and conversion sentences for unpaid fines imposed by courts of law, takes care of the enforcement of remand imprisonment and is responsible for community service served in liberty.</p> <p>The aim of enforcement of sentences of imprisonment is to improve the prisoners' capabilities for a crime-free way of life by promoting their life management and placement in society, as well as preventing them from committing crimes during the punishment. The aim of community service is to support the sentenced person during the enforcement of the penalty to promote their ability to cope socially and improve their capability to live a crime-free life. The purpose of remand imprisonment is to secure the pre-trial investigation of a crime, court proceedings and enforcement of a sentence, as well as to prevent the remanded person from continuing criminal activities.</p>
Resources	<p>In 2021, the number of person-years of the Prison and Probation Service was 2,571, of which 1,422 person-years were allocated to supervisory and guidance tasks.</p>
Costs	<p>In 2021, the operating costs of the Prison and Probation Service were EUR 238 million in total. Of these, 57% were allocated to personnel costs, 18% to the rent of premises, approximately 7% to ICT costs and 18% to other costs.</p>

- Key figures In 2021
- The average number of prisoners per day was 2,809, of which 603 were remand prisoners. Of the prisoners, 214 were women and 88 were under 21 years old. The prisoners represented 71 different nationalities.
 - The number of customers in community service per day was 3,174, of which 375 were women and 506 were under 21 years old.
 - Of the prisoners, 59.6% were placed in closed prisons, 33.3% in open prisons and 7.1% in probationary liberty under supervision.
 - Of the community service clients, 35.2% had been conditionally released from prison, 0.9% were serving a monitoring sentence, 39.4% were in community service, 24.3% in conditional imprisonment and 0.3% in juvenile punishment.
 - Time served in a penal institution by released prisoners: max. 3 months: 38%; over 3 months – 1 year: 29%; over 1 year – 2 years: 19%; over 2 years: 14%.

Legal Register Centre

Organisation	The Legal Register Centre is an agency operating under the Ministry of Justice; its activities are divided between official duties and the activities of the ICT Centre.
Tasks	<p>The Legal Register Centre acts as the controller of registers and information systems in the administrative branch of the Ministry of Justice for legal registers that include the criminal records, the register of fines, the national data resource of the judicial administration, the register of prohibitions to pursue a business, the register of bankruptcies and restructurings, the register of debt adjustments and the insolvency register. The keeping of registers includes the disclosure of information via different channels to different parties based on different statutes.</p> <p>The Legal Register Centre takes care of enforcement tasks related to fines, forfeitures, conversion sentences, financial penalties and other receivables, and exercises the power to represent the state in these tasks. The Legal Register Centre is also responsible for the enforcement cooperation between the EU countries in cases related to the proceeds of crime, as well as financial sanctions. In addition, the Legal Register Centre takes care of paying compensation under Chapter 10, section 11 of the Criminal Code of Finland to the injured party of an offence.</p> <p>The Legal Register Centre carries out the maintenance and development of information systems in the administrative branch in cooperation with the agencies of the administrative branch as agreed in the service agreements. The Legal Register Centre also acts as the ICT procurement unit of the administrative branch.</p>
Resources	<p>In 2021, the number of person-years in the Legal Register Centre was 164.</p> <p>In 2021, the operating costs of the Legal Register Centre were EUR 7.7 million. In addition, EUR 7.4 million in costs were linked to the ICT service activities of the administrative branch, which were covered by the internal service fees of the administrative branch.</p>

- Key figures In 2021
- A total of 565,000 cases were assigned to the Legal Register Centre for collection.
 - The amount of revenue to be collected was EUR 97 million.
 - Criminal records information was disclosed to authorities 580,000 times in total, and extracts from criminal records were provided to private, business and community customers 117,000 times in total.
 - There were 11,000 extracts provided from the register information system, and 110,000 mass disclosures were made.
 - There were 335,000 payment demand cases recorded in the Judgment Register, which were disclosed electronically to credit reference agencies.
 - In the official activities of the Legal Register Centre, one person-year was enough to enforce approximately 17,200 receivables, while the costs amounted to EUR 7.1 per receivable.
 - Correspondingly, approximately 49,000 pcs of register information were disclosed per one person-year, and the costs amounted to EUR 1.9 per disclosure of information.
 - Taking the service agreements in ICT service production with different parts of the administrative branch into account, the appropriations available to the Legal Register Centre amounted to EUR 110 million in total.

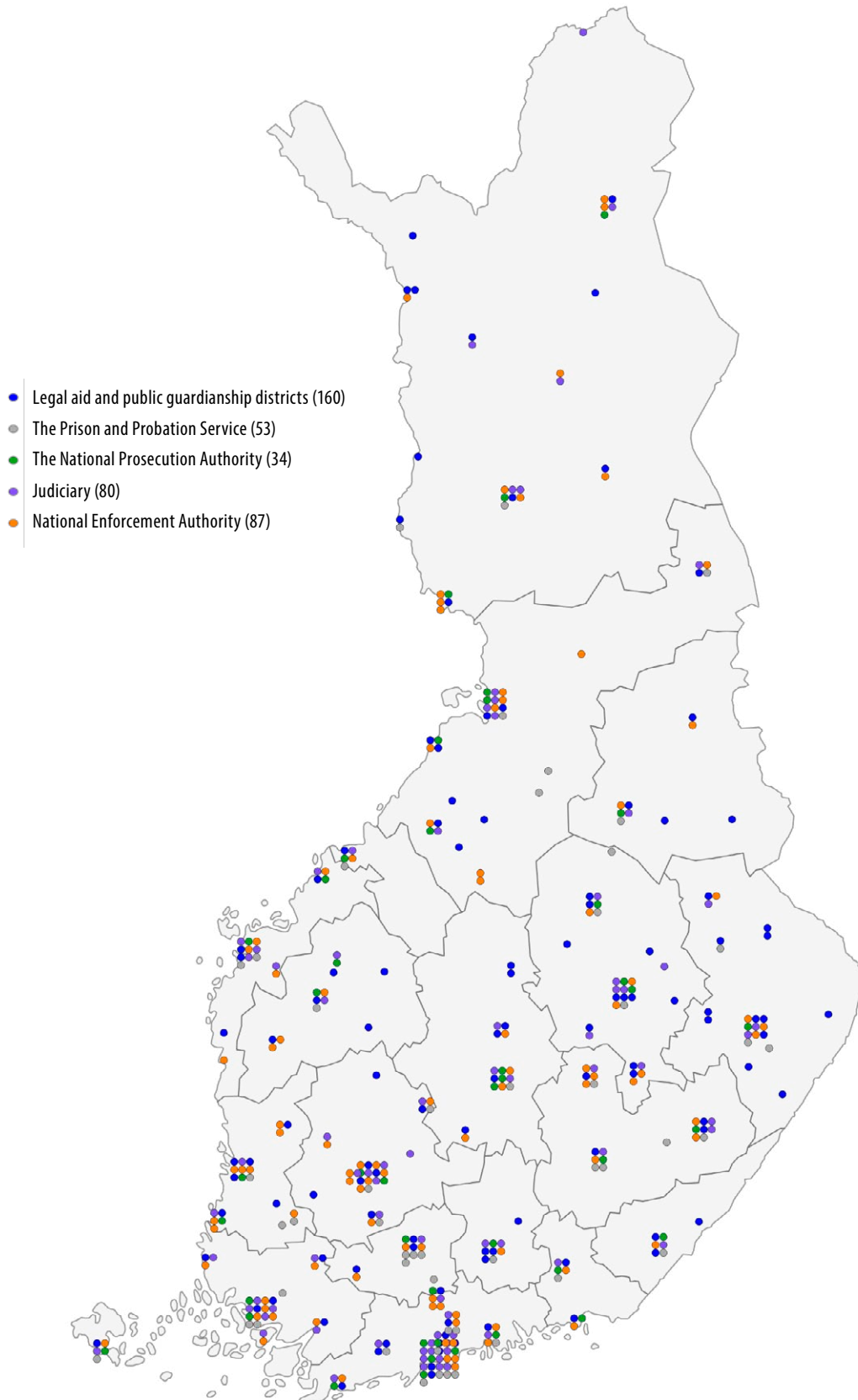
Consumer Disputes Board

Organisation	<p>The Consumer Disputes Board is an expert body operating in the administrative branch of the Ministry of Justice that offers recommendations for solutions in legal disputes between consumers and companies. The Board has a full-time chair and deputy chair, as well as a minimum of ten part-time lawyer members and part-time expert members. The Board is divided into sections by groups of cases. A section has five members, one of which is appointed as the chair of the section. The Board has a plenary session, which has eight members and in which the chair or deputy chair of the Board acts as the chair.</p>
Tasks	<p>The Consumer Disputes Board prevents, mediates and decides civil cases within its competence. The Board guides the parties to a settlement and provides written recommendations for solutions to legal disputes between consumers and companies as well disputes involving housing between private individuals.</p>
Resources	<p>In 2021, the number of person-years in the Consumer Disputes Board was 35.</p> <p>In 2021, the operating costs of the Board amounted to EUR 3 million in total.</p>
Key figures	<p>In 2021</p> <ul style="list-style-type: none"> – Approximately 5,700 cases were brought to the Consumer Disputes Board, and approximately 6,700 cases were resolved. – The processing of approximately 6,600 cases was delayed until the following year. – The average processing time was 14 months.

National Non-Discrimination and Equality Tribunal

Organisation	<p>An independent and autonomous National Non-Discrimination and Equality Tribunal operates in connection with the Ministry of Justice; it processes and decides cases within its scope of operations according to the Non-Discrimination Act (1325/2014) and the Act on Equality between Women and Men (609/1986). The Tribunal has a chair and at least 13 part-time other members. The chair and at least seven of the part-time members must be legally trained. With the exception of the chair, each member has a personal deputy. The Tribunal has a full-time secretary general as well as full- or part-time referendaries and other personnel.</p>
Tasks	<p>The National Non-Discrimination and Equality Tribunal is tasked with providing legal protection to those who feel that they have been discriminated against or targeted by prohibited countermeasures related to discrimination. The Tribunal monitors that the Non-Discrimination Act and the Equality Act are followed in private operations, as well as public administrative and business activities.</p> <p>The National Non-Discrimination and Equality Tribunal can prohibit a party from continuing or repeating discrimination or countermeasures, set a conditional fine as an incentive to comply with the decision and order the fine to be paid. The Tribunal can order the party to take measures within a reasonable deadline to meet the obligations laid down in the Non-Discrimination Act. The decisions of the Tribunal can be appealed to the Administrative Court.</p>
Resources	<p>The number of person-years in the National Non-Discrimination and Equality Tribunal in 2021 was 4.</p> <p>The operating costs of the Tribunal were a total of EUR 0.4 million in 2021.</p>
Key figures	<p>In 2021</p> <ul style="list-style-type: none"> – 66 applications brought to the Tribunal were resolved. – The Tribunal issued 14 prohibition decisions concerning discrimination, in three of which a conditional fine was imposed. – The largest group of cases involves applications concerning discrimination against people with disabilities, in connection with which the largest number of prohibition decisions has also been imposed.

Annex 3 Network of Offices of the Judicial System



Annex 4 Key statistics of the judicial system

During one weekday in 2021

371 considerations of charges were completed by the National Prosecution Authority on average

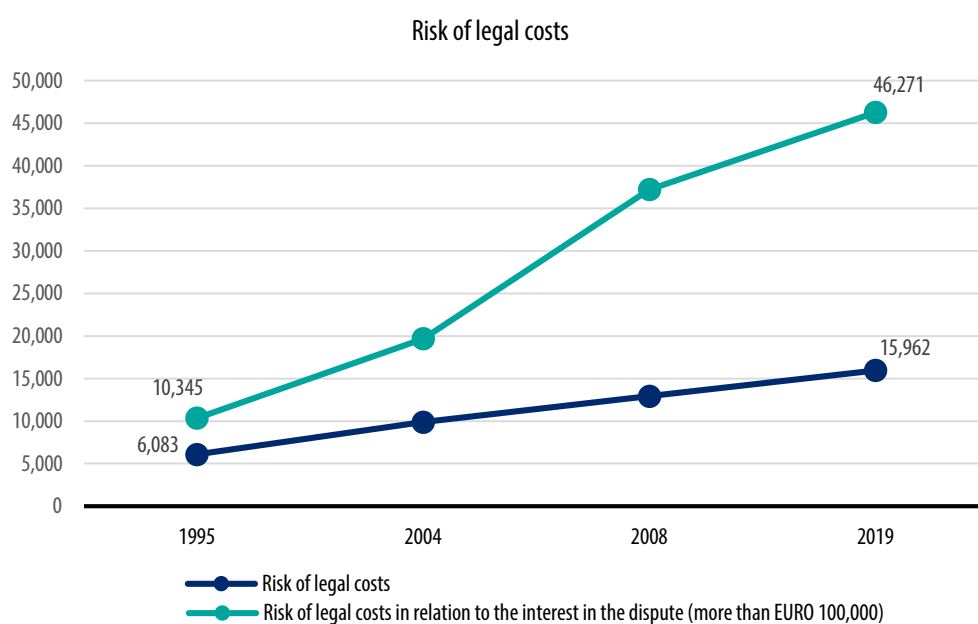
100 legal aid decisions were made by the Legal Aid Office on average

232 criminal matters, 1,741 summary matters and 254 other civil cases and applications were resolved by District Courts on average

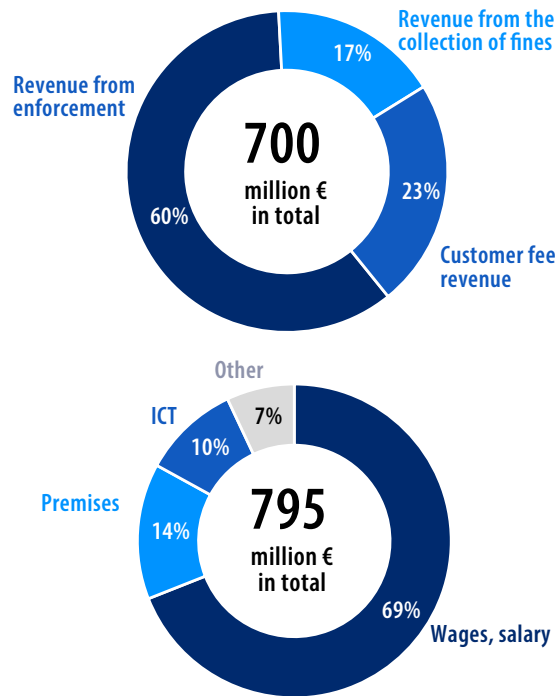
75 civil cases and applications were resolved by Administrative Courts on average

Approximately 4,000 enforcement decisions were made by the National Enforcement Authority on average

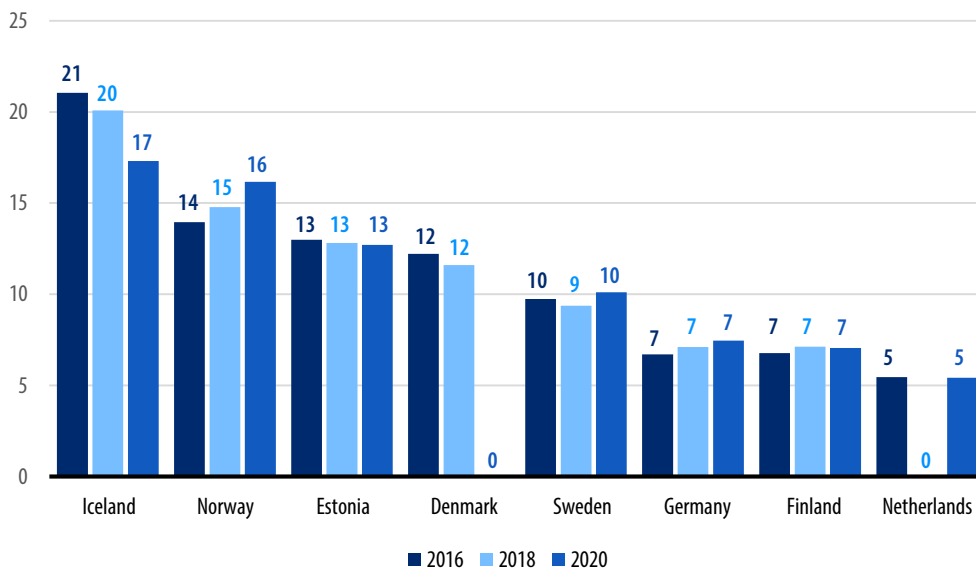
The development of the average risk of legal costs in euros from 1995 to 2019.



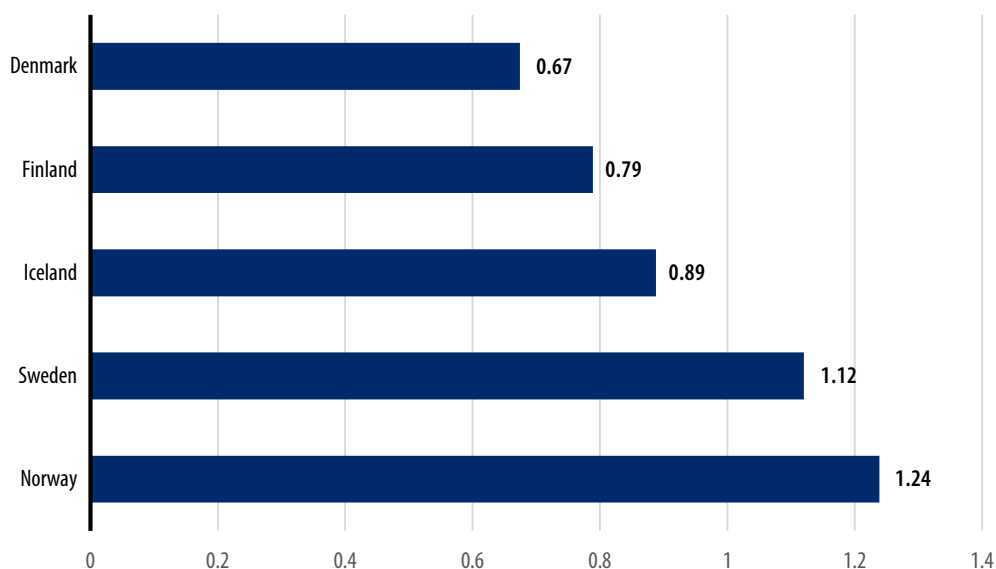
Revenue from the judicial system to the state administration and operating costs in 2021.



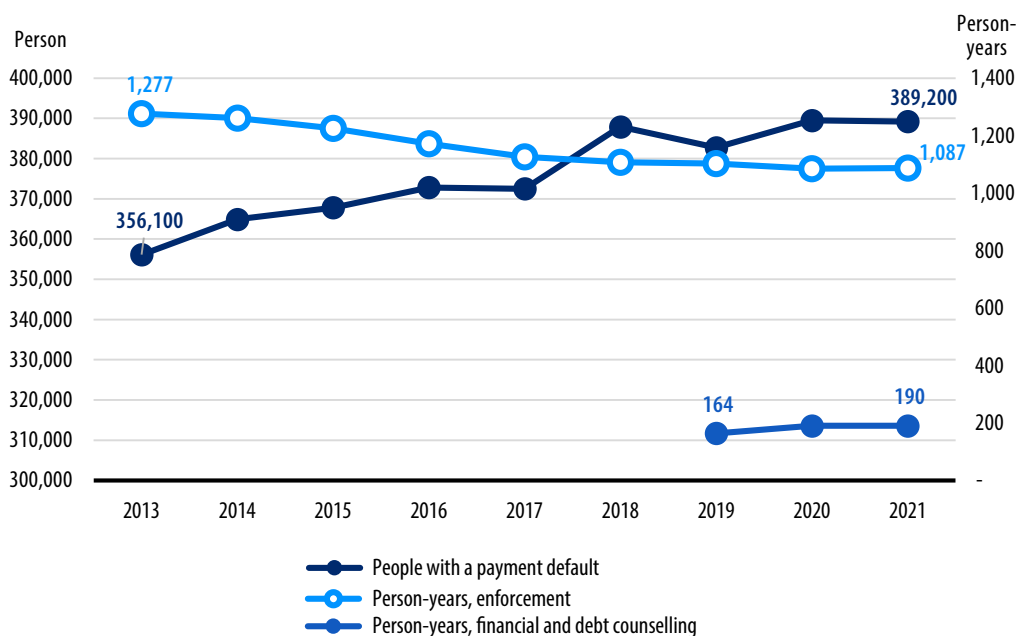
The number of prosecutors per 100,000 inhabitants in certain reference countries



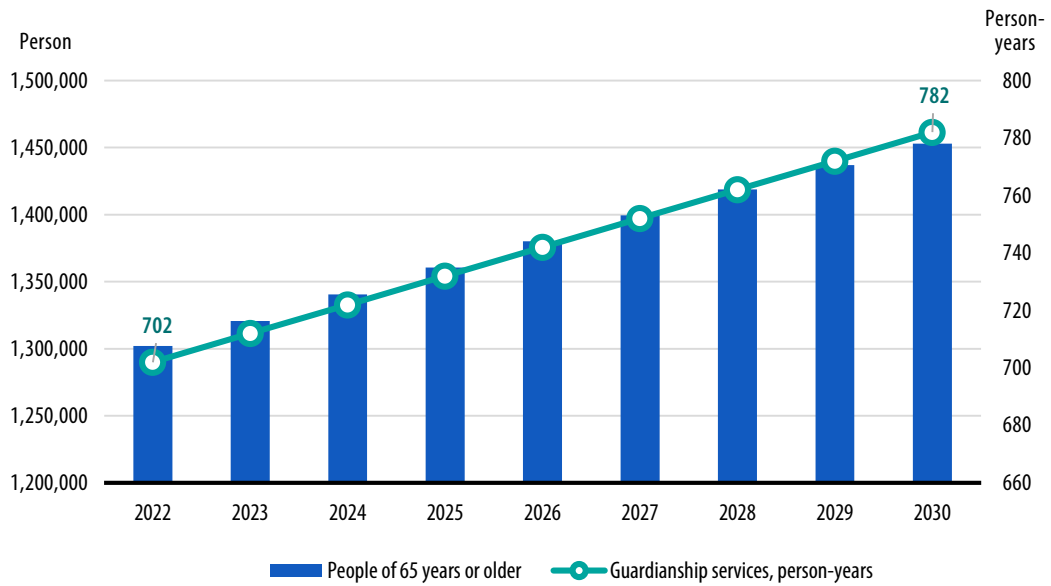
Number of prison personnel per prisoner in the Nordic Countries



Development of the number of people with payment defaults, and the person-years of the National Enforcement Authority and financial and debt counselling in 2013–2021



Forecast of the number of people above 65 years of age and the need for person-years in guardianship services in 2022–2030



In 2021

A day of imprisonment per prisoner in a closed institution cost EUR 251

A day of imprisonment per prisoner in an open institution cost EUR 178

A day of monitoring sentence per customer cost EUR 118

A day of community service per customer cost EUR 14

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