



RIGHTS OF A CRIME VICTIM

This brochure provides information for crime victims on matters which they have the right to be informed about by the authorities. The information that the victim is entitled to obtain may vary case-by-case depending on the victim's needs, personal circumstances and the nature of the offence. Contact details and links to further information can be found at the end of the brochure.

1. Reporting an offence

It is important that a victim of a crime reports the offence to the police. The sooner the report is made, the greater are the chances for the police to solve the case. In order for the victim to receive compensation for damages, a report of the offence may be required. An offence can be reported to the police patrol that arrives at the crime scene, in person at a police station or, in certain minor offences, also on the Internet or by telephone. The victim has the right to receive a written confirmation of the report he or she has made.

2. Support for crime victims

A crime victim may need medical assistance or other social welfare and healthcare services, such as emergency social services, hospital treatment and physical and mental rehabilitation. The victim may use these services under the same conditions as all the other clients.

Many organisations also provide support, advice and guidance for crime victims. Victim Support Finland provides assistance in connection with all kinds of offences and criminal proceedings, and they also provide advice that is essential for the victim to be able to exercise his or her rights. Victims of intimate partner violence may seek protection and support in shelters, and there are also helplines and non-institutional services

available for them. In some localities, there is special support available for immigrant women and victims of sex offences. There also exists a separate assistance system for victims of human trafficking. The victims may be admitted to the system under certain conditions. If the victim consents to it, the police or another criminal investigation authority may forward the victim's contact details to the assistance system, which then contacts him or her.

The victim may also be assigned a support person to assist him or her at the different stages of criminal proceedings. The victim himself or herself may choose the support person. Victim Support Finland provides trained support persons free of charge. Support persons are allowed to be present during questionings and trial, but their presence may be restricted in some situations.

3. Legal assistance

The victim has the right to have a legal counsel to assist him or her when reporting an offence, being questioned and attending a trial. The legal counsel may be an advocate, a public legal aid attorney or a licensed counsel.

Low- and middle-income earners may have a possibility to be granted legal aid at the expense of the State. In that case, the fee of the counsel is paid either in part or in full by the State. Legal aid can be applied for at legal

aid offices or via the e-services of the judicial administration. The victim may also request a law office to apply for legal aid on his or her behalf.

The court may appoint a legal counsel or a support person for a victim, if the case concerns intimate partner violence, sex offence or a serious offence against the life, health or liberty of the victim. In that case, the State pays the counsel's or support person's fee irrespective of the victim's income.

4. Victim protection

In some cases, the victim may be exposed to intimidation, retaliation or additional suffering due to the criminal procedure. It is important that the victim reports this to the authorities. The authorities will then assess whether the victim needs protection during the criminal investigation and trial and which protection measures are required. The assessment will be carried out together with the victim, and the victim's personal characteristics and circumstances as well as the nature of the offence are taken into account.

In some cases, the victim may be heard in a trial behind a screen, via video connection or without the accused or public being present. The questioning of a victim may in some cases be video-recorded and the recording then be used as evidence in a trial, for example in cases where the victim is under 18 years of age.

In order to protect the privacy of the victim, the court may, under certain conditions, hear a case without any public being present and order the trial documents and the judgment to be secret to the extent necessary. The victim may request this at the court. The court may in some cases also order that the identity of the victim be kept secret. This is possible for example in court proceedings related to sex offences.

The court considers the trial arrangements and protection measures always on a case-by-case basis, taking into account that the

rights of the defence must not be restricted. The decision of the court may thus deviate from an earlier assessment.

In serious threatening situations, the victim may request non-disclosure of contact details, non-disclosure for personal safety reasons, restraining order or even a change of his or her name or personal identity code. The authorities and support services can provide further information on these measures. If a person protected by a restraining order moves to another EU Member State and feels that he or she needs protection also there, he or she may request the court that issued the original restraining order to issue a European Protection Order.

5. Compensations

In connection with criminal proceedings, the victim is entitled to claim that the offender compensates for the damages he or she has caused. The victim must state the damages and express his or her intention to claim compensation for them during the criminal investigation or at the court at the latest. Compensation may be claimed, for instance, for lost or damaged property, medication costs and medical fees, pain and suffering resulting from violence, and in some cases mental anguish.

The prosecutor may, at the request of the victim, pursue the claim for damages on the victim's behalf, if the matter is simple and straightforward and an invoice, a receipt or another written account of the claim has been submitted to the prosecutor. Usually these cases concern damages to property. If the court has obliged the offender to pay damages, the victim can either come to an agreement with him or her on the payment arrangements or let an enforcement officer recover the compensation.

Mainly victims of violent or sex offences may be entitled to receive state-funded compensation for damages. Compensation is applied for at the State Treasury and it is, as a rule, paid for personal injury and suffering.

In order to be able to receive compensation, the victim must have reported the offence to the police. If the case is heard by a court, the victim must also claim compensation for damages from the offender at the court. Compensation may in individual cases be received also from an insurance company or the Social Insurance Institution of Finland.

If a crime victim is summoned to court in order for the case to be solved, he or she is entitled to receive compensation for the expenses incurred by his or her appearance in court. The victim may receive per diem allowance and compensation for travel expenses and financial loss.

6. Interpretation and translation of documents

Everyone has the right to use Finnish or Swedish during a criminal investigation and court proceedings. The Saami have the right to use the Saami language in their homeland. The authorities must provide interpretation when necessary. A victim speaking any other language has the right to use a language he or she masters in all situations related to the investigation of the offence. When necessary, the authorities must arrange interpretation to a language the victim masters. The authorities must arrange interpretation during criminal investigation and court proceedings also when the victim is a sign language user or if the victim needs interpretation due to another sensory or speech defect. The interpreter is subject to the non-disclosure obligation. The interpreter's fee is paid by the State.

The victim may request to receive a translation of certain key documents in the case. An oral translation may be provided if it is not necessary, with regard to the legal safeguards for the victim, to provide a written translation of the document. In some cases, only a part or a summary of the document may be translated for the victim.

During the criminal investigation, the victim has the right to receive a translation of a

written confirmation of the report of an offence, a decision to discontinue the criminal investigation and, where necessary, of another document essential in the case. From the prosecutor, the victim may obtain a translation of a decision not to prosecute.

At the court, the victim may receive a translation of the judgment, a notice concerning the time and place of the trial and, where necessary, of another document essential in the case.

7. Mediation in criminal matters

Mediation can be used in criminal matters if both the victim and the suspect consent to it. In addition, it is required that the suspect confirms the course of events and that mediation is in the best interests of the victim. Mediation is free of charge and always voluntary, and it can, if desired, be discontinued at any stage. Trained voluntary mediators help the parties in a criminal case discuss the event and agree on compensation for possible damages caused by the offence. This service is available at mediation offices across the country.

8. Information on the proceedings

The victim has the right, at his or her request, to obtain information on the proceedings in the case, the time and place for a court hearing in the case and a decision issued in a criminal matter. In addition, the victim has the right to be informed about the criminal investigation authority's decision to discontinue the criminal investigation and the prosecutor's decision not to prosecute.

9. Notification of the release of a prisoner or a remand prisoner

In certain serious offences, the victim has the right, at his or her request, to be notified if the prisoner or remand prisoner is released, escapes or, under certain conditions, exits the prison for some other reason. If the victim wishes to receive such a notification, he or she must inform the criminal investigation

authority or prosecutor of this. The criminal investigation authority provides further information on the matter.

The condition for issuing this notification to the victim is that the information is not assessed to pose a threat to the prisoner's or remand prisoner's life or health.

10. Other information

Status of the victim in a criminal investigation

The criminal investigation authority provides the victim with more detailed information on the rights and obligations of an injured party in a questioning. The victim must, for example, describe the offence and the possible damages truthfully.

Complaint about the authorities' procedures

The victim may complain about the procedure of the criminal investigation authority if he or she deems that the authority has acted erroneously or neglected its duties. A written complaint shall be submitted to the unit of the authority who is deemed to have acted erroneously or to a higher-ranking authority.

A complaint about the prosecutor's decision not to prosecute can be submitted to the

Prosecutor General, who has the right to initiate a new consideration of charges. Complaints about another decision or procedure of the prosecutor that the victim deems erroneous may also be submitted to the Prosecutor General.

Complaints about the procedures of authorities may also be submitted to the Parliamentary Ombudsman or the Chancellor of Justice.

Procedure when a person has become a crime victim outside his or her country of residence

A victim may be provided with support and advice even if the offence has been committed in another country.

If a person has become a victim of a crime in another EU Member State, the criminal investigation authority may, in certain cases, transfer the report of an offence or an already initiated criminal investigation to the authorities of another EU Member State. This may be possible for example if the offence is serious or if the victim has not been able to report the offence in the state where the offence was committed. In serious offences, transfer outside the EU can also be considered.

If you have any questions related to your case, please contact:

Contact details and further information:

- Police: www.poliisi.fi/en, general emergency number: 112
- Support services: www.oikeus.fi/tukipalvelut, Victim Support Finland: www.riku.fi/en/home/, tel. 116 006
 - Shelters: www.turvakoti.net, www.ensijaturvakotienliitto.fi/en/
 - Rape Crisis Centre Tukinainen: nettitukinainen.fi, www.tukinainen.fi, tel. 0800 97899
 - 24-hour helpline for victims of intimate partner violence: Nollalinja, tel. 080 005 005
- Brochures and information for crime victims: www.oikeus.fi
- Legal aid, legal aid offices: www.oikeus.fi/oikeusapu
- Prosecutors and prosecutor's offices: www.oikeus.fi/syyttaja
- Judicial system, courts: www.oikeus.fi/tuomioistuimet
- Compensation for crime damage, State Treasury: www.statetreasury.fi, tel. 0295 50 2736
- Mediation, mediation offices: www.thl.fi/mediation
- Public services on a single website: www.suomi.fi