

Finland's response to OHCHR's Questionnaire on assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation

Child victims' situations and the situations where children accompany victims of human trafficking can be very different. In this regard the Finnish social and health policy stress for example improving combatting violence and developing victim support services; improving identification of violence directed at vulnerable groups such as immigrants, children or people with disabilities; and improving the effectiveness of combatting violence and cross-border crime.

The Finnish social and health system provides universal services for all with equal access. The child welfare services are provided by the municipal child welfare workers. The child welfare authorities' role in helping the child is based on individual need and for that reason may vary from case to case. It is important that the authorities have good knowledge of the child victims' situation and specific needs. A multi-disciplinary group of experts is a key element in this. For example, in acute situations the victim may require an emergency placement and a variety of protective measures.

The new social welfare act comes into force gradually from January 2015. The act aims to ensure a low threshold for seeking assistance and to guarantee the requisite services at the right time. By enhancing primary services, the accumulation of problems can be prevented. In addition it stipulates the services that municipalities must produce and puts more emphasis on home help services.

As an example of a good practice, a pilot project "Children's House" was launched in 2014 in co-operation between the Ministry of Social Affairs and Health, the National Institute for Health and Welfare, the Ministry of Interior and the Ministry of Justice. The project provides services for child victims of sexual or other violence, and aims to provide a framework for cooperation between authorities (including police investigation services where the police can consult health care and social service officials, legal and psychological examinations, somatic examinations and cooperation with municipal child welfare authorities) for services that have been available but have been considered inadequate and fragmented.

More information about the project can be found at (only in Finnish)

<https://www.thl.fi/fi/web/lastensuojelun-kasikirja/ajankohtaista/lastensuojelu-thl-/tutkimus-ja-kehittaminen/lastensuojelun-kehittaminen/lasta-hanke>

The National Police Board has given special instructions and training on how to handle children while investigating sexual and violence offences. When investigating crimes in which the victim is under 18 years of age, or there are other circumstances which threaten the child's health and security, the police have an obligation to inform the child welfare authorities. This duty to inform child welfare authorities is an important way to ensure that the needs of children are taken into account when suspicion of sale and exploitation arises.

All Finnish police units are engaged in ensuring that human trafficking crimes are prevented and investigated, and that investigated cases are forwarded to a prosecutor for decision to press

charges. Office of the Prosecutor General provides training related to human trafficking. One key theme is to notice the role of the victim as a part of the pre-trial investigation. Human trafficking questions are a part of the curriculum in the police basic education. The main point is how to identify human trafficking crimes and its victims.

The National Police Board has established a special nationwide expert network for anti-trafficking activities within the Police. The local police departments have appointed special personnel responsible for the development of local competence in investigating human trafficking crimes.

In Finland, victims of human trafficking can receive assistance from the national assistance system for victims of trafficking, coordinated by the Joutseno reception centre. It is able to help men, women, children, families, and groups of people. This includes residential arrangements, social and health care services, legal advice and assistance, security arrangements and other support measures required by the victim. Police has to inform victims of these services and guide victims to get these services. In Finland, the police do not have information about human trafficking crimes where victims would be less than 18 years of age. However, there have been families with children as part of the national assistance system for victims of trafficking.

1. Provide information on the legal, policy, institutional and budgetary framework developed by your country to establish assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.

ETL (chapter 4, section 10, paragraph 2): When required by the nature of the offence, the criminal investigation authority shall inquire whether the injured person consents to the sending of his or her contact information to an agency providing support services to injured persons, and if the injured person consents to this, shall send the contact information without undue delay.

The Assistance System for Victims of Trafficking is a government actor responsible for assisting all potential victims of human trafficking within Finland. If the potential victim has a home municipality in Finland, the home municipality is responsible for providing assistance to the victim. In such cases the Assistance System has a role in coordinating assistance efforts and providing expert advice on how to best assist the potential victim. In all other cases the Assistance System covers the costs of assistance. The Assistance System has an annual budget of approximately 1 M €.

The functions of the Assistance System are defined in the Act on Persons Seeking International Protection (741/2011). In case of minors, the Law on Child Welfare (417/2007) also applies. Finland is also bound by its international obligations, which stem from the EU, the Council of Europe, and the UN, to provide assistance to victims of trafficking, including minors.

So far, the Assistance System has had only few underage customers. There are currently five minors in the Assistance System. A majority of these customers have not been victims of sexual abuse, though this element is never completely ruled out.

The Assistance System has no specific programmes designed to aid child victims of sexual abuse. Each case is handled individually with due regard to the needs and rights of the child.

Where there is even the slightest indication, that a minor customer of the Assistance System has been a victim of sexual abuse, the minor's case is reported to the Child Services and to the police. Services (e.g. housing), assistance and support to the child are planned in cooperation with the above mentioned authorities with regard to the security and the best interest of the child. In such cases, decisions on behalf of the child are made by the Child Services. Unaccompanied children are also assigned a representative, whose task is to exercise legal capacity for the child where necessary.

2. Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?

Exchange of information and cooperation between different authorities and actors is vital to ensure that all involved are aware of the risks and effects of human trafficking on the child.

3. Provide examples of good practices and successful initiatives of assistance and rehabilitation programmes which facilitate the rehabilitation and reintegration of child victims of sale and exploitation, including sexual exploitation.

Due to the limited amount of identified cases of child sex trafficking in Finland, the Assistance System is not aware of any specific initiatives or practices referring especially to the case of trafficked minors. Law on Child Welfare in itself establishes guidelines on how such cases should be handled.

4. Describe the challenges that your country has identified in the establishment and management of assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.

Deficient awareness of the phenomenon of child sex trafficking in Finland amongst authorities and the general population alike.

5. How do you ensure that the views and needs of children are duly taken into account in the design and provision of care and recovery services?

Legislation on child welfare (the Child Welfare Act 741/2007) as well as the Administrative Procedure Act (434/2003) contain provisions on the child's right to be heard in decisions concerning the child. The Child Welfare Act requires that the best interest of the child is considered with every decision made in the child's case. Unaccompanied children are assigned a representative, whose task is to exercise legal capacity for the child where necessary.

6. How do you ensure access of child victims to support services?

The Assistance System does not do outreach work, and therefore all potential victims have to be referred to the Assistance System by another government or municipality actor, and NGO or other service provider, or by the victims themselves. Where a child victim is already a customer of the Assistance System, the Assistance System ensures that the correct authorities and actors are consulted and contacted (please see answer to question 1), and that the child receives all available support and assistance. The Child Services, however, are the highest authority in deciding upon assistance and support services provided to a child who is also a customer of the Child Services.

In order to identify possible child victims at border crossing points, border guards are trained to pay special attention to children travelling without their parents. According to Section 25 of the Child Welfare Act, officers of the Finnish Border Guard have a duty to notify the social services without delay and notwithstanding confidentiality provisions if, in the course of their work, they discover that there is a child for whom it is necessary to investigate the need for child welfare on account of the child's need for care, circumstances endangering the child's development, or the child's behaviour.

7. How do you ensure the adoption of a gender perspective in the establishment and management of the assistance and rehabilitation programmes? Do the programmes provide gender-specific measures for the care and recovery of boys and girls?

All in all, the Assistance System treats each case individually with due regard to the individual customer's needs and rights.

8. Provide information on prevention programmes developed by your country with specific focus on children at risk or in vulnerable situations (e.g. children working and/or living on the street, children placed in institutions, unaccompanied migrant children?)

One of the tasks of the Assistance System is to organize training to government, municipality and NGO actors on identifying and encountering potential victims of trafficking. This includes information on identifying and encountering underage victims of trafficking. In these efforts the Assistance System has successfully utilized UNHCR funded short films (found also on www.unchosen.org.uk), which depict stories of child victims of trafficking. The Assistance System also maintains a website and a 24/7 duty phone (info line) which offer information on trafficking.

Victim Support Finland (Rikosuhripäivystys, RIKU) provides support services to all victims of crime, including children and victims of trafficking and/or sexual exploitation. RIKU has staff in 29 locations throughout the country and 300 volunteers trained to act as support persons to victims of crime. Most of these volunteers have been specifically trained to work with children, and with victims of human trafficking as well as sexual crimes. They have all undergone a background check to evaluate their suitability for work with children and new legislation enables RIKU to make a background check for all new volunteers to make sure that they do not have a history of sexual offenses and/or violent crime.

Since 2015, RIKU has specifically started developing its work with victims of human trafficking. To support and train staff and volunteers as well as draft instructions for work with different groups of trafficking victims (including children), RIKU has hired a full-time Coordinator specialized in assistance to victims of trafficking. The Coordinator will continue developing the existing close ties to authorities, including child protection, and other NGOs that work with victims of trafficking. RIKU will also develop ties to grassroots groups and organizations that have an important role in early victim identification. RIKU's role is also to coordinate the NGO Anti-Trafficking network in Finland.