

# Mapping child protection systems in the EU (27)

Finland

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## Contents

<b>1. Legislative and regulatory framework and policies</b>	<b>3</b>
1.1. Overview of normative and regulatory framework.....	3
1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection.....	4
1.3. Policy framework.....	10
1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection.....	17
1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards.....	41
1.6. Orientation/fragmentation of national child protection policy and legislation.....	42
1.7. Development in the past years: achievements, gaps, and challenges.....	42
1.8. Promising practices.....	43
<b>2. Governance, coordination structures, and services</b>	<b>45</b>
2.1. Primary institutions and main service providers responsible for child protection.....	45
2.2. Civil society organisations active in the area of child protection..	58
2.3. Inter-agency cooperation in the area of child protection.....	59
2.4. Developments in the past years: achievements, gaps, and challenges.....	64
2.5. Promising practices.....	65
<b>3. Capacities (human and financial resources)</b>	<b>66</b>
3.1. Information on budget allocation and funding.....	66
3.2. Information on human resources, qualification requirements, and training.....	73
3.3. Developments in the past years: achievements, gaps, and challenges.....	82
3.4. Promising practices.....	83
<b>4. Care</b>	<b>84</b>
4.1. Prevention measures and services.....	84
4.2. Identification and reporting procedures.....	86
4.3. Referral procedures(s) and investigation and protection.....	94
4.4. Placement decisions – care orders.....	101
4.5. Types of care with focus on alternative care.....	103
4.6. Developments in the past years: achievements, gaps, and challenges.....	115
4.7. Promising practices.....	115
<b>5. Accountability, data collection, and monitoring mechanisms</b>	<b>117</b>
5.1. Accountability mechanisms.....	117
5.2. Developments in the past years: achievements, gaps, and challenges.....	127
5.3. Promising practices.....	129
<b>6. General education, promotion, and awareness raising</b>	<b>130</b>
6.1. Education on child rights.....	130
6.2. Promotion and awareness raising.....	131
6.3. Promising practices.....	133
<b>7. Child participation and community engagement</b>	<b>135</b>
7.1. Complaint procedures.....	135
7.2. Feedback mechanisms.....	136
7.3. Promising practices.....	139

# 1. Legislative and regulatory framework and policies

## 1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

Whereas intervention dominated in early child protection legislation, prevention has been central to the child welfare system since the 1980s. Thus, the Child Welfare Act of 1983 emphasised the right of children to a safe and stimulating environment to grow-up in, harmonious and versatile development and access to special protection.<sup>1</sup> The revised Child Welfare Act of 2007 adopts similar priorities.<sup>2</sup> Despite the emphasis on prevention, the child welfare system has in practice had difficulties in adequately responding to the needs of children in distress. This is reflected in the continued high number of child welfare notifications as well as children in alternative care.<sup>3</sup> Some high-profile cases of child abuse have further contributed to the need to amend the legislative and policy framework of the child protection system.<sup>4</sup>

Thus, the revision of the Social Welfare Act in 2014 aimed at strengthening the general and preventive measures, directed at all children and families with children, and enhancing the principle of voluntariness within child welfare.<sup>5</sup> As from 2015, the service system for children and families has been divided into services according to the Child Welfare Act and services according to the Social Welfare Act. Part of open care measures were transferred from the Child Welfare Act to the Social Welfare Act. The purpose of the reform was to lower the threshold of families to apply for and receive support services without having to be clients of the child welfare system. New open care measures introduced under the Social Welfare Act were access to essential in-home services, family work, home help, therapeutic guidance, family support and supervision of contacts between children and parents. Child welfare measures only come into play when general services are insufficient to assure the child's wellbeing. The specialist measures, including substitute care, emergency measures and part of in-home and open care measures still remain part of the Child Welfare Act. Over the years these have been amended multiple times, for example, by expanding the obligation to notify child protection authorities of children in distress and by strengthening the right of children in connection with restrictive measures in substitute care.

With the comprehensive reform of the Finnish social and healthcare system in 2023, the responsibility of the child welfare system has been transferred from the municipalities and joint municipal authorities to 21 wellbeing services counties and to the City of Helsinki, which organises health and social services within its own area.<sup>6</sup> The central objective of the reform is to reduce inequalities in health and wellbeing, safeguard equal and quality health and social services for all and improve the availability and accessibility of services. In addition, the integration of social and healthcare services will be facilitated by the fact that a single

<sup>1</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 683/1983, 5 August 1983, section 1.

<sup>2</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007, section 1.

<sup>3</sup> Finland, Finnish Institute for Health and Welfare (*Terveysten ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelu 2022: Yhä useammasta lapsesta tehdään lastensuojeluilmoitus](#), Statistical report 24/2023, 16 May 2023.

<sup>4</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2013), [8-vuotiaan lapsen kuolemaan johtaneet tapahtumat](#) (Events leading to the death of an eight-year old child in Helsinki in May 2012), Helsinki, Reports and guidelines 32/2013.

<sup>5</sup> Finland, Social Welfare Act ([sosiaalihuoltolaki/socialvårdslagen](#)), Act No. 1301/2014, 30 December 2014.

<sup>6</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), [Health and social services reform](#) (SOTE-uudistus), web page, accessed on 15 March 2023.

authority is responsible for both types of services. The Act on organising healthcare and social welfare services stipulates that municipalities continue to be responsible for promoting wellbeing of their inhabitants within sectors that they are in charge of.<sup>7</sup> Municipalities are further obligated to collaborate with the wellbeing services counties and other wellbeing promoting actors.

The child protection system is after the social and healthcare reform funded through the national state budget. The operating net costs of municipalities pertaining to child welfare have annually increased and were € 1.65 billion in 2021. The sum is composed of costs for institutional and family care, open care and other open services for children and families.<sup>8</sup> As to human resources within child protection, a new licensing system for social workers and other social professionals was introduced in 2016.<sup>9</sup>

The Ministry of Social Affairs and Health has launched a comprehensive reform of the Child Welfare Act in 2022.<sup>10</sup> The first phase of the reform is being finalised and the vision for the reform work was published on 1 March 2023 emphasising the trust in child welfare and its effectiveness.<sup>11</sup>

In this report the concept of child welfare is used interchangeably with the concept of child protection. The concepts cover measures under both the Child Welfare Act and the Social Welfare Act as well as other related legislation enumerated below in 1.2.3.

## 1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection

Question	YES	NO	Comments
1.2.1. Does the constitution contain any provisions on children's rights and child protection?	X		<p>The Constitution of Finland (741/1999)<sup>12</sup> does not include a separate section on children's rights and child protection. However, the basic rights and liberties in Chapter 2 of the Constitution are guaranteed for all and discrimination based on age is specifically forbidden. In addition, some sections contain subsections specifically targeting children:</p> <p><b>Section 6, subsection 3, on equality:</b> "Children shall be treated equally and as individuals and they shall be allowed to influence matters pertaining to themselves to a degree corresponding to their level of</p>

<sup>7</sup> Finland, Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveydenhuollon järjestämisestä/lag om ordnande av social- och hälsovård](#)), Act No. 612/2021, 29 June 2021, section 6.

<sup>8</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelu 2022: Yhä useammasta lapsesta tehdään lastensuojeluilmoitus](#), Statistical report 24/2023, 16 May 2023, tables 11 and 12, p. 24.

<sup>9</sup> Finland, Act on Social Welfare Professionals ([laki sosiaalihuollon ammattihenkilöistä/lag om yrkesutbildade personer inom socialvården](#)), Act No. 817/2015, 26 June 2015.

<sup>10</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), ['Lastensuojelun kokonaisuudistuksen tavoitteena on turvata lasten hyvinvointi ja kehitys'](#), press release, 18 May 2022.

<sup>11</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2023), ['Lastensuojelun visio korostaa luottamusta ja vaikuttavuutta'](#), press release, 1 March 2023.

<sup>12</sup> Finland, the Constitution of Finland ([Suomen perustuslaki/Finlands grundlag](#)), Act No. 731/1999, 11 June 1999.

		<p>development.”</p> <p><b>Section 9, subsection 3, on freedom of movement:</b> “Finnish citizens shall not be prevented from entering Finland or deported or extradited or transferred from Finland to another country against their will. However, it may be laid down by an Act that due to a criminal act, for the purpose of legal proceedings, or in order to enforce a decision concerning the custody or care of a child, a Finnish citizen can be extradited or transferred to a country in which his or her human rights and legal protection are guaranteed.”</p> <p><b>Section 12, subsection 1, on freedom of expression and right of access to information:</b> “Everyone has the freedom of expression. Freedom of expression entails the right to express, disseminate and receive information, opinions and other communications without prior prevention by anyone. More detailed provisions on the exercise of the freedom of expression are laid down by an Act. Provisions on restrictions relating to pictorial programmes that are necessary for the protection of children may be laid down by an Act.”</p> <p><b>Section 16, subsection 1, on educational rights:</b> “Everyone has the right to basic education free of charge”.</p> <p><b>Section 19 on the right to social security:</b> “Everyone shall be guaranteed by an Act the right to basic subsistence in the event of unemployment, illness, and disability and during old age as well as at the birth of a child or the loss of a provider” (subsection 2).</p> <p>“The public authorities shall guarantee for everyone, as provided in more detail by an Act, adequate social, health and medical services and promote the health of the population. Moreover, the public authorities shall support families and others responsible for providing for children so that they have the ability to ensure the wellbeing and personal development of the children” (subsection 3).</p>
1.2.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children’s Act?	X	<p>There are several acts regulating child protection and child rights. The primary legal instrument devoted to child protection is the Child Welfare Act (417/2007).<sup>13</sup> The Child Welfare Act contains detailed regulations on the rights of the parties and how the arrangements within child welfare services must be organised. The</p>

<sup>13</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

		<p>law emphasises the rights of the child in many ways: all decisions must be made primarily with the child’s best interests in mind.</p> <p>Further, a key legal instrument devoted to child protection is the Social Welfare Act (1301/2014).<sup>14</sup> The Act applies to all social and healthcare services organised by wellbeing services counties. It contains general provisions on what social services must be organised and how they should be implemented. According to the legislation, which was renewed in 2014, families with children have the right to receive home care from the wellbeing services county without being a client of the child welfare services.</p> <p>The Child Welfare Act (417/2007) is a special law regulating child welfare activities.<sup>15</sup> The Child Welfare Act focuses primarily on persons under the age of 18, but regulates also aftercare services for young persons aged 18–24 years. The Social Welfare Act (1301/2014) again is a general law governing the provisions of social welfare services.<sup>16</sup> According to section 2 of the Social Welfare Act, the Act applies to social welfare in the wellbeing services counties except where otherwise provided by law. Thus, the Social Welfare Act and the Child Welfare Act complement each other.</p>
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1.2.3. Please provide an inventory of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Child Welfare Act ( <a href="#">lastensuojelulaki/barnskyddslagen</a> ), Act No. 417/2007.	13.4.2007	The Child Welfare Act is the main legal instrument in Finland in the field of child protection. The Act covers a wide range of child welfare and child protection areas, such as participation of children, child welfare clients, rules of procedure, open care, emergency placements, taking into care, substitute care,

<sup>14</sup> Finland, Social Welfare Act ([sosiaalihuoltolaki/socialvårdslagen](#)), Act No. 1301/2014, 30 December 2014.

<sup>15</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Lastensuojelun arvot ja periaatteet](#), web page, accessed 13 April 2023.

<sup>16</sup> Finland, Government Bill HE 164/2014 vp on the Social Welfare Act ([hallituksen esitys eduskunnalle sosiaalihuoltolaiksi ja eräiksi siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till socialvårdslag och vissa lagar som har samband med den](#)).

		aftercare, supervision and administrative court proceedings.
Social Welfare Act ( <a href="#">sosiaalihuoltolaki/socialvårdslagen</a> ), Act No. 1301/2014.	30.12.2014	The Act regulates, e.g., the organising of social services (Chapter 3, section 14) such as social work, child guidance and family counselling, institutional care, home services, housing services, family care and measures to establish maintenance for a child. Moreover, it stipulates that wellbeing services counties are responsible for organising, e.g., child and youth welfare, service and support for people with disabilities, services related to care for substance abusers and the statutory functions of child welfare officers.
Act on Organising Healthcare and Social Welfare Services ( <a href="#">laki sosiaali- ja terveydenhuollon järjestämisestä / lag om ordnande av social- och hälsovård</a> ), Act No. 612/2021.	29.6.2021	The Act includes provisions on the promotion of health and wellbeing in the wellbeing services counties and municipalities, the responsible authority for organising social and healthcare services, the requirements for acquiring services from a private service provider and cooperation between wellbeing services counties.
Act on Wellbeing Services Counties ( <a href="#">laki hyvinvointialueista/lag om välfärdsområden</a> ), Act No. 611/2021.	29.6.2021	The Act regulates, e.g., the tasks and services provided by the wellbeing services counties, the position of wellbeing services counties in relation to municipalities and the State, as well as the management and institutions of the wellbeing services counties.
Act on Social Welfare Professionals ( <a href="#">laki sosiaalihuollon ammattihenkilöistä/lag om yrkesutbildade personer inom socialvården</a> ), Act No. 817/2015.	26.6.2015	The Act regulates the right to work as a professional in social services and the supervision and oversight of such professionals. Further, the Act establishes a central register for social welfare professionals.
Act on Child Custody and Right of Access ( <a href="#">laki lapsen huollosta ja tapaamisoikeudesta/lag angående vårdnad om barn och umgängesrätt</a> ), Act No. 361/1983.	8.4.1983	The Act covers areas of child custody and right of access, such as judicial proceedings in connection with child custody and right of access, persons having custody of a child and right of access, ascertainment of the wishes and views of the child, rules of private international law and other international issues relating to child custody and right of access (e.g., return of a child under the Hague Convention).
Act on the Enforcement of Decisions on Child Custody and Right of Access ( <a href="#">laki lapsen huoltoja tapaamisoikeutta koskevan</a>	16.8.1996	The Act covers, e.g., ascertainment of the wishes and views of the child, the protection of the child in connection with the execution of the custody decision, the conciliation procedure and the



<a href="#"><u>päätöksen täytäntöönpanosta/lag om verkställighet av beslut beträffande vårdnad om barn och umgängesrätt</u></a> ), Act No. 619/1996		execution of a court decision, including the rejection of the enforcement with reference to the best interest of a child.
Child Maintenance Act ( <a href="#"><u>laki lapsen elatuksesta/lag om underhåll för barn</u></a> ), Act No. 704/1975	5.9.1975	The Act stipulates that a child has the right to get adequate maintenance. The Act provides general regulations regarding child support as well as confirmation, modification or cancellation of child support.
Act on Private Social Services ( <a href="#"><u>laki yksityisistä sosiaalipalveluista/lag om privat socialservice</u></a> ), Act No. 922/2011.	22.7.2011	The Act regulates the provision of private social services, including child welfare services. The Act will be repealed on 31 December 2023.
Act on the Supervision of Social Welfare and Healthcare ( <a href="#"><u>laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården</u></a> ), Act No. 741/2023.	14.4.2023	The Act regulates the supervision of both private and public social and healthcare services. It establishes a new register for providers of social and healthcare (Soteri). The National Supervisory Authority for Welfare and Health and the Regional State Administrative Agencies are competent authorities in registering social service providers. The Act enters into force on 1 January 2024.
Act on the Status and Rights of Social Welfare Clients ( <a href="#"><u>laki sosiaalihuollon asiakkaiden asemasta ja oikeuksista/lag om klientens ställning och rättigheter inom socialvården</u></a> ), Act No. 812/2000.	22.9.2000	The Act addresses the rights of clients to quality care and good treatment, information on care options, service and care plans, and self-determination. Section 10 deals with the status of children, including the obligation to pay attention to the interests of the minor client in all measures adopted in public and private social services. Moreover, the Act includes provisions on the right of the minor to forbid distribution of information to the legal guardian, secrecy rules, and the possibility to submit a remark.
Act on Family Care ( <a href="#"><u>perhehoitolaki/familjevårdslag</u></a> ), Act No. 263/2015.	20.3.2015	The Act covers the maximum number of clients that can be cared for in a family care home, family carer's competence and remuneration, right to leave, education and support, social security, supervision and the family care commission agreement.
Administrative Procedure Act ( <a href="#"><u>hallintolaki/förvaltningslag</u></a> ), Act No. 434/2003.	6.6.2003	The Act contains provisions on the foundations of good administration and on the procedure applicable in administrative matters. In addition, the Act regulates the standing and exercise of the right to be heard, e.g., the right of a legally incompetent person to be heard and the right of a guardian to be heard.



Administrative Judicial Procedure Act ( <a href="#">laki oikeudenkäynnistä hallintoasioissa/lag om rättegång i förvaltningsärenden</a> ), Act No. 808/2019	5.7.2019	The Act lays down provisions on guarantees of legal protection and a fair trial in judicial proceedings concerning administrative matters and other legal relationships governed by public law.
Act on Organising the Investigation of Sexual and Assault Offences against Children ( <a href="#">laki lapseen kohdistuneen seksuaali- ja pahoinpitelyrikoksen selvittämisen järjestämisestä/lag om ordnande av utredningar av sexual- och misshandelsbrott mot barn</a> ), Act No. 1009/2008.	19.12.2008	The Act includes provisions on the arrangement of the investigation (e.g., timeframe and responsible authorities), the investigation unit's right to obtain information and reimbursement of costs.
The Criminal Code of Finland ( <a href="#">rikoslaki/strafflagen</a> ), Act No. 39/1889.	19.12.1889	The Criminal Code of Finland includes, e.g., provisions on the distribution of a sexually offensive picture, rape of a child, sexual assault of a child, sexual abuse of a child and violation of the identity of a child.
Act on Checking the Criminal Background of Persons Working with Children ( <a href="#">laki lasten kanssa työskentelevien rikostaustan selvittämisestä/lag om kontroll av brottslig bakgrund hos personer som arbetar med barn</a> ), Act No. 504/2002.	14.6.2002	The Act provides that an employer is obliged to request extracts from the criminal records of persons who in their paid employment work with children.
Act on Checking the Criminal Background of Volunteers Engaged in Activities among Children ( <a href="#">laki lasten kanssa toimivien vapaaehtoisten rikostaustan selvittämisestä/lag om kontroll av brottslig bakgrund hos frivilliga som deltar i verksamhet bland barn</a> ), Act No. 148/2014.	28.4.2014	The Act regulates the right to request criminal records when volunteers are engaged in activities among children.
Act on the Ombudsman for Children ( <a href="#">laki lapsiasiavaltuutetusta/lag om barnombudsmannen</a> ), Act No. 1221/2004.	21.12.2004	The Act regulates the duties and responsibilities of the Ombudsman for Children.
Youth Act ( <a href="#">nuorisolaki/ungdomslag</a> ), Act No. 1285/2016.	21.12.2016	The Youth Act covers the provision of youth services by the municipalities, the state subsidies for youth services, and the Advisory Council for Youth Affairs.

Adoption Act ( <a href="#">adoptiolaki/adoptionslagen</a> ), Act No. 22/2012.	20.1.2012	The Adoption Act covers general provisions (e.g. purpose of adoption, best interest of the child), conditions for adoption (e.g. prohibition of remuneration, age of the adopter and age difference, adoptee's and parents' consent), legal effects of adoption, adoption counselling, placement of the child, inter-country adoption service (e.g. service providers), permission procedure, granting of adoption, adoptee's right to maintain contact with former parent and rules of private international law.
Parenthood Act ( <a href="#">vanhemmuuslaki/föräldraskapslagen</a> ), Act No. 775/2022.	26.8.2022	The Act includes provisions on the establishment, confirmation and annulment of paternity and maternity (parenthood).
Act on Early Childhood Education and Care ( <a href="#">varhaiskasvatustaki/lag om småbarnspedagogik</a> ), Act No. 540/2018.	13.7.2018	The Act lays down provisions on the right of a child to early childhood education and care, the organisation and provision of early childhood education and care, and the data repository for early childhood education and care.

### 1.3. Policy framework

Question	YES	NO	Comments
1.3.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection? <u>If yes</u> , does it require an integrated approach to child protection?	X		<p>A National Child Strategy (<i>lapsistrategia/barnstrategin</i>) was launched by the government in February 2021.<sup>17</sup> The aim of the Strategy is to ensure that the rights enshrined in the UN Convention on the Rights of the Child are realised in Finland as fully as possible. The Strategy is based on three key ideas, which are to respect the rights of all children, take due account of children in society and support the wellbeing of children.</p> <p>The government published the first implementation plan for the National Child Strategy on 7 October 2021.<sup>18</sup> The plan sets out 30 measures and ends with a section on the follow-up and assessment of the implementation of the Strategy. One of the content sections of the plan addresses healthcare and social welfare services for children and families. In this context, the plan puts emphasis on substance abuse,</p>

<sup>17</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16.

<sup>18</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38.

		<p>mental health work, availability of services, and information to families.</p> <p>The plan lists ongoing measures and projects that promote the policy guidelines of the National Child Strategy. These measures and projects are carried out under the responsibility of eight different ministries, including the Ministry of Social Affairs and Health, Ministry of Justice, Ministry of Education and Culture and Ministry of Economic Affairs and Employment. Each new government is tasked with preparing and implementing a detailed implementation plan for promoting the policy guidelines of the Strategy during its term of office.<sup>19</sup> In the end of the government term a follow-up report on the progress of the implementation plan is drawn up. Thus, the follow-up report of the 2019–2023 government was published on 23 March 2023.<sup>20</sup></p> <p>A National Child Strategy Unit (<i>kansallinen lapsistrategiayksikkö/nationell barnstrategienhet</i>) was set up at the Ministry of Social Affairs and Health on 1 January 2023. The tasks of the National Child Strategy Unit include coordinating, evaluating and monitoring the implementation of the National Child Strategy.<sup>21</sup></p>
1.3.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?	X	<p>The Ministry of Education and Culture launched an action plan on the prevention of bullying, violence and harassment in early childhood education, schools and education institutions on 26 January 2021.<sup>22</sup> The plan comprises 14 actions, which aim at strengthening emotional skills of children in early childhood education, safeguarding secure learning environments, continuing education of school personnel, establishing a web page on the</p>

<sup>19</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), '[First implementation plan for Child Strategy sets out 30 new measures to safeguard children's rights](#)', press release, 7 October 2021.

<sup>20</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2023), '[Pääministeri Sanna Marinin hallituksen \(2019–2023\) seurantakertomus kansallisen lapsistrategian toimeenpanosta](#)', Helsinki, Publications of the Finnish Government 2023:23.

<sup>21</sup> Information received from the Secretary General of the National Child Strategy via email on 29 March 2023. See also Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), '[National Child Strategy Unit to be established in Finland](#)', press release, 2 September 2022.

<sup>22</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2021), '[Action plan to prevent bullying – resources, education and legislative amendments at the centre](#)', press release, 26 January 2021. Action plan available in Finnish: [Toimenpideohjelma kiusaamiseen, väkivallan ja häirinnän ehkäisemiseksi varhaiskasvatuksessa, kouluissa ja oppilaitoksissa](#).

		<p>prevention of bullying, and developing cooperation between schools and youth work.</p> <p>In April 2022, the Ministry of Social Affairs and Health launched Finland’s first Action Plan for the Lanzarote Convention to prevent sexual violence against children and young people aged 0–17. The Action Plan is implemented in 2022–2025.<sup>23</sup> It includes a total of 33 measures, which are divided into three themes: the prevention of violence, the protection of children against violence, and the promotion of national and international cooperation against sexual exploitation and sexual violence. The Action Plan draws attention to prevention in all situations and aims to nurture the sense of hope that exists even in the most difficult situations.</p> <p>According to the Action Plan, the notable increase in online sexual offences against children must be considered in the content of training and education. Thus, the plan is to continue to develop training focused on the prevention and investigation of online sexual offences against children and related child sexual abuse material. The main authorities in charge of ensuring that training is provided are the National Police Board and Police University College.<sup>24</sup></p> <p>Further, the Action Plan highlights the importance of international cooperation since online child sexual abuse does not stop at country borders. According to the Action Plan, Finland should seek to be an active member of international networks and engage in influencing and communication, for example, to harmonise legislation concerning CSAM (child sexual abuse material) crimes in the EU.<sup>25</sup></p> <p>An Action Plan for the Istanbul Convention for the years 2022–2025 was launched by the Committee for Combating Violence against Women (NAPE) working under the Ministry of Social Affairs and</p>
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<sup>23</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Lanzarote Convention: National Action Plan for 2022–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:20.

<sup>24</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Lanzarote Convention: National Action Plan for 2022–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:20, pp. 93–95.

<sup>25</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Lanzarote Convention: National Action Plan for 2022–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:20, p. 97.

		<p>Health.<sup>26</sup> The Action Plan includes long-term objectives and a total of 36 measures to be implemented in 2022–2025. The three main objectives are to strengthen the gender perspective and intersectionality in the implementation of the Istanbul Convention, reinforce intersectoral and multiprofessional cooperation and improve the identification of violence against women, domestic violence and their redress.</p> <p>An Action Plan to combat human trafficking was launched by the Ministry of Justice on 7 May 2021.<sup>27</sup> The Action Plan is based on five strategic objectives and 55 actions. The plan strives to promote the detection of human trafficking, improve the standing of victims and enhance the establishment of criminal liability. It also strengthens the mainstreaming of anti-trafficking into the wider activities of the government and intensifies cooperation with civil society. The plan links anti-trafficking closely with analysis, assessment and research activities. The Action Plan seeks to prevent and reduce trafficking in human beings. The plan is implemented in 2021–2023.</p>
<p>1.3.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?</p>	<p>X</p>	<p>The National Child Strategy includes a strategic policy, according to which work methods for the prevention of and early intervention in violence and harassment will be mainstreamed, and special attention will be paid to violence in the digital environment. Models of upbringing and instruction that reinforce safety awareness and digital skills will be developed.<sup>28</sup> In addition to this, as a strategic policy included in the National Child Strategy, the importance of the digital environment for children's close and peer relationships will be recognised, and children's media and interaction skills will be built up, also in relation to electronic communication.<sup>29</sup></p> <p>On 26 November 2019, the Ministry of Social Affairs and Health published an Action Plan for the</p>

<sup>26</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Action plan for the Istanbul Convention for the years 2022–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:10.

<sup>27</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2021), [Finland fights human trafficking: Action Plan against Trafficking in Human Beings](#), Helsinki, Publications of the Ministry of Justice, Memorandums and statements 2021:24.

<sup>28</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 33.

<sup>29</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 60.

		<p>Prevention of Violence against Children 2020–2025.<sup>30</sup> The plan includes measures aimed at preventing sexual harassment, sexual exploitation and negative consequences of sexual violence taking place in or through digital media. The measures include continuing education of persons working with children, skills training on safety issues for children in selected municipalities, increased awareness of available services, national agreement on the swift removal of illegal material from the internet, and provision of sufficient resources required for interference in sexual crimes against children.</p> <p>In autumn 2020, the Ministry of Education and Culture launched the New Literacies Programme for 2020–2023, which is part of the Ministry’s wider Right to Learn programme.<sup>31</sup> The New Literacies Programme aims to strengthen children’s and young people’s media literacy, and competence in information and communications technology (ICT).</p> <p>In 2021, the Ministry of Education and Culture appointed a working group to prepare a government proposal on the renewal of the Act of Audiovisual Programmes.<sup>32</sup> One aim of the proposal is to review the restrictions on the provision of image programmes, i.e., movies, television programmes, digital games and other similar audiovisual content, in order to protect children. The report of the working group was published on 28 April 2023. Due to ongoing government negotiations, following the parliamentary elections of 2 April 2023, the future of the reform is open.<sup>33</sup></p>
1.3.4. Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-	X	<p>The online participation platform Virtual Council (<i>Digiraati/E-panelen</i>) was launched in April 2022. The aim of the platform is to offer young people under the age of 29 an equal opportunity to participate and have their voice heard in societal issues. The aim is further to give organisations and</p>

<sup>30</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children 2020–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:34.

<sup>31</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*), [New Literacies Programme](#), web page, accessed on 3 March 2023.

<sup>32</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2021), [Kuvaohjelmallain uudistaminen](#), project OKM041:00/2021.

<sup>33</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2023), [Kuvaohjelmallain uudistaminen. Työryhmän raportti](#), Helsinki, Publications of the Ministry of Education and Culture 2023:20.

<p>national level to ensure children have a (direct) voice in or can indirectly influence policy making, e.g. children's rights forum, child surveys, child participation platform?</p> <p>If <u>yes</u>, are appropriate child protection and safety measures in place?</p>		<p>decision-makers the opportunity to consult young people in decision-making and in matters concerning young people and to give them the opportunity to raise topics they want to be heard about. By February 2023, some 20 events for children and young people have been organised at the Virtual Council platform. The topics of the council discussions have included safety issues, the new wellbeing services counties, child protection, bullying and discrimination, mental health, youth-friendly governance and youth work.<sup>34</sup></p> <p>The platform is part of a project launched by the Ministry of Justice for the period 11 May 2022 – 31 March 2024.<sup>35</sup> In addition to the online participation platform, the project aims to create an operating model that strengthens the opportunities for equal participation of children and young people and increases interaction between people of different ages and from different backgrounds, thereby improving the quality of decision-making and developing a concept that increases the partnership between administration, organisational actors and research. The project is part of the joint European CP4Europe project coordinated by the Council of Europe.</p> <p>The Virtual Council is one of the (many) consultation channels available to the authorities. It is especially intended for listening to children and young people and for creating a dialogue between children, young people, and decision-makers. The Virtual Councils can be organised, for example, by ministries, municipalities and other authorities as well as NGOs. Based on the topic discussed, a final statement is created which is then forwarded to the decision-makers and published at the Virtual Council platform. The discussions are guided and supervised by a trained moderator in order to ensure a smooth and safe discussion. Special efforts have been made to reach children and young people who do not take part in public debate and whose voice is otherwise not heard (e.g., clients of child welfare services). The Virtual Council is still at a piloting phase. At present, the Ministry of Justice has no data on how the final statements of individual councils have affected</p>
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<sup>34</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2023), '[Lasten ja nuorten Digiraati kiinnostaa — palvelua kehitetään edelleen helppokäyttöisemmäksi](#)', press release, 1 February 2023. For more information on the Virtual Council platform, see the website [Digiraati](#).

<sup>35</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), '[Digiraati-toimintamalli lasten ja nuorten verkko-osallistumisen tueksi](#)', project OM054:00/2022.



		<p>decision-making, including legislative drafting. To measure the direct effect of consultations is challenging, but the Ministry of Justice believes that when, for example, a ministry consults children and youth through the Virtual Council platform, this will also have an impact on the preparation process and decision-making.<sup>36</sup></p> <p>A national sub-project “Voice of Children and Young People in Europe” (<i>Lasten ja nuorten ääni Euroopassa/Barn och ungas röst i Europa</i>) was launched by the Ministry of Justice for the period 1 March 2021 – 30 June 2023.<sup>37</sup> The goal was to facilitate the participation of children and young people in policy-making at the national level, develop methods, gather best practices and produce training materials on child participation and to provide relevant training for public authorities. The project was part of the European CP4Europe project, which was coordinated and cofunded by the Council of Europe and has received funding from the European Union’s Rights, Equality and Citizenship (REC) programme.</p> <p>The Youth Parliament (<i>Nuorten parlamentti</i>) is organised as a cooperative effort of the Parliament of Finland and the Development Centre Opinkirjo (<i>Kehittämiskeskus Opinkirjo/Utvecklingscentralen Lärarik</i>). The most important forms of activity include the parliament clubs for students in 8th and 9th grades, club events, and other events under topical themes relevant to society. The activities reach their climax in the annual plenary session of the Youth Parliament, organised in the form of an oral question time session. The latest session day of the Youth Parliament was organised on 25 March 2022.<sup>38</sup></p> <p>The Child Barometer (<i>lapsibarometri/barnbarometern</i>), implemented by the Office of the Ombudsman for Children, is a series of studies aimed at surveying the views and experiences of 6-7-year-old children in Finland. The survey has been carried out every other year since 2016 with the objective to investigate the children’s own experiences of topics that are relevant to them. The Child Barometer 2022 is based on telephone interviews with 404 children</p>
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<sup>36</sup> Information received from the Ministry of Justice via email on 4 April 2023.

<sup>37</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), [Voice of Children and Young People in Europe](#), project OM016:00/2021, 1 March 2021.

<sup>38</sup> Development Centre Opinkirjo, [The Youth Parliament](#), website, accessed on 3 March 2023.

		<p>and focuses on the theme of security. The Child Barometer is published in Finnish, abstracts are available in English, Swedish and Sámi.<sup>39</sup></p> <p>In September 2021, the handbook for law drafters on hearing the views of children was launched as part of the implementation of the National Child Strategy.<sup>40</sup> The handbook examines hearing as part of the legislative process from a practical perspective. In this context, hearing refers to the opportunity for children to express their own views during the law drafting process based on their knowledge, understanding and experience.</p>
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#### 1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children’s participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children’s right to be heard).

1.4.1. Children victims of abuse, exploitation, or neglect	
In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)	
Policy developments	Legislative developments
An Action Plan for the Prevention of Violence against Children 2020–2025 was published in 2020. The objective of the action plan is to prevent	The Act on Child Custody and Right of Access was amended in 2019. <sup>53</sup> The amendments specified general provisions of the Act , including custodians’

<sup>39</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Lapsibarometri 2022: "Jos joku on mun lähellä, sillan mä en pelkää" — lasten näkemyksiä turvallisuudesta](#) ("If I've got someone close to me, I won't be scared — Children's opinions on security), Helsinki, Publications of the Office of the Ombudsman for Children 2022:9.

<sup>40</sup> Stenvall, E., Tiitinen, L., Saarinen, L., Pollari, P., Sirtamo, J. (2021), [Lasten kuulemisen käsikirja lainvalmistelijoille](#) (Handbook for law drafters on hearing the views of children), Helsinki, Publications of the Prime Minister's Office 2021:5.

<sup>53</sup> Finland, Act on the amendment of the Act on Child Custody and Right of Access ([laki lapsen huollosta ja tapaamisoikeudesta annetun lain muuttamisesta/lag om ändring av lagen angående vårdnad om barn och umgängesrätt](#)), Act No. 190/2019, 8 February 2019.

violence against children aged 0–17 in different growth and operating environments.<sup>41</sup> To give effect to the plan, various measures have been implemented, including an allocation of € 1.9 million as a government aid to hospital districts in 2022 and 2023 for extending the Barnahus model to the whole country.<sup>42</sup> The objective of the Barnahus project is to mainstream practices compliant with the European Barnahus standards in investigation processes of suspected cases of violence against children as well as in support and treatment provided for children who have encountered violence.<sup>43</sup>

The Barnahus project, jointly run by the Police and the Finnish Institute for Health and Welfare (THL), published a handbook in January 2022 which is a guide for the investigation of violent and sexual crimes against children. The handbook includes information regarding various pretrial investigation measures.<sup>44</sup>

In 2022, the Finnish Institute for Health and Welfare published a handbook on recommended terminology to be used when referring to sexual offences against children.<sup>45</sup> The handbook focuses

obligation to protect the child from violence.<sup>54</sup> According to section 1(2) of the said Act, a child shall be protected from all forms of physical and mental violence, maltreatment and exploitation. The provision was added in connection with the 2019 reform and it obliges parents and other custodians of a child to protect the child from violence and other abuse employed against the child by other people. Furthermore, parents and other custodians may not employ any form of violence, maltreatment or exploitation against the child. The child must also be protected from intimate partner violence that does not directly target the child.<sup>55</sup>

In August 2021, checking of criminal backgrounds of persons working with children was extended to short term employment lasting no more than three months.<sup>56</sup> However, this does not mean that the employer is obligated to inspect the criminal record of an employee, but only that the employer has the right to do so.

The new legislation on sexual offences entered into force on 1 January 2023 when the Criminal Code

<sup>41</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children 2020–2025](#), 25 November 2020.

<sup>42</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2021), [‘Valtionavustusta haettavissa suomalaisen Lastenasiantalo-mallin \(Barnahus\) jatkokehittämiseen’](#), press release, 31 May 2021.

<sup>43</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Barnahus project](#), web page, accessed on 15 March 2023.

<sup>44</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2022), [Käsikirja lapsiin kohdistuvien väkivalta- ja seksuaalirikosten tutkintaan](#) (Handbook on investigation of violent and sexual crimes against children), Helsinki, National Police Board.

<sup>45</sup> Rossi, M., Pietilä, M., Oinas, M.-M. (2022), [Sanoilla on merkitystä: Termikäsikirja lapsiin kohdistuvan seksuaaliväkivallan sanoittamiseen](#), Helsinki, Publication of the Finnish Institute for Health and Welfare.

<sup>54</sup> Finland, Government Bill HE 88/2018 vp on the amendment of the Act on Child Custody and Right of Access ([hallituksen esitys eduskunnalle laiksi lapsen huollosta ja tapaamisoikeudesta annetun lain muuttamisesta ja eräiksi siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till lag om ändring av lagen angående vårdnad om barn och umgängesrätt och till vissa lagar som har samband med den](#)), 8 February 2019.

<sup>55</sup> Finland, Government Bill HE 88/2018 vp on the amendment of the Act on Child Custody and Right of Access ([hallituksen esitys eduskunnalle laiksi lapsen huollosta ja tapaamisoikeudesta annetun lain muuttamisesta ja eräiksi siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till lag om ändring av lagen angående vårdnad om barn och umgängesrätt och till vissa lagar som har samband med den](#)), 8 February 2019, p. 35. See also, Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Report to Parliament by the Ombudsman for Children 2022](#), Helsinki, Publications of the Ombudsman for Children in Finland 2022:3, p. 114.

<sup>56</sup> Finland, Act on Checking the Criminal Background of Persons Working with Children ([laki lasten kanssa työskentelevien rikostaustan selvittämisestä/lag om kontroll av brottslig bakgrund hos personer som arbetar med barn](#)) Act No. 504/2002, 14 June 2002, section 5b.

on establishing a language use that pays respect to the rights of children.<sup>46</sup>

An Action Plan for the Istanbul Convention for the years 2022–2025 was launched by the Committee for Combating Violence against Women (NAPE). The purpose of the Action Plan for 2022–2025 is to promote the national implementation of the Istanbul Convention ratified by Finland in 2015.<sup>47</sup>

The National Child Strategy includes a chapter on the protection of children from violence. Among the key policies listed are strengthened support for parenting, prevention and early intervention; attention to violence and harassment in digital environments; enhanced services to children who have faced violence; and emphasis on child victims of human trafficking.<sup>48</sup> Key measures included in the Implementation Plan for the National Child Strategy are to carry out a child victim study to form an overall picture of the phenomenon as well as preparing a guide and training package on acrimonious divorces and post-divorce violence.<sup>49</sup>

In addition, an implementation and communication plan for the Action Plan for the Prevention of Violence against Children 2020–2025 was published on 7 June 2021.<sup>50</sup> An interim evaluation (from 2020

was amended.<sup>57</sup> The legislative reform strengthens everyone's right to sexual self-determination and personal integrity. The amended legislation classifies sexual offences against children as more serious offences. The punishments are also more severe. The starting point is that a child cannot consent to a sexual act with an adult. Sexual intercourse with a child under the age of 16 is, as a rule, rape of a child under the new legislation, when it was previously an abuse offence. Children over 16 but under 18 years of age are also better protected.<sup>58</sup>

In December 2022, Parliament approved the government bill on amendments to the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings.<sup>59</sup> The aim of the amendments, which entered into force in January 2023, is to improve the status of victims of human trafficking and strengthen their right to services. The right of a victim of human trafficking to continue to receive assistance through the Assistance System for Victims of Human Trafficking is based on an assessment of the victim's individual situation and is no longer connected to related criminal proceedings and their progress.

<sup>46</sup> Rossi, M., Pietilä, M., Oinas, M.-M. (2022), [Sanoilla on merkitystä: Termikäsikirja lapseen kohdistuvan seksuaaliväkivallan sanoittamiseen](#), Helsinki, Publication of the Finnish Institute for Health and Welfare, p. 4.

<sup>47</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Action plan for the Istanbul Convention for the years 2022–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:10.

<sup>48</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, 5 April 2022, p. 21.

<sup>49</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation Plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38, 29 April 2022.

<sup>50</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2021), [Väkivallaton lapsuus 2020–2025 – toimeenpano ja viestintä](#) (Non-Violent Childhoods 2020–2025 – implementation and communication), Helsinki, Reports and Memorandums of the Ministry of Social Affairs and Health 2021:17.

<sup>57</sup> Finland, Criminal Code (*rikoslaki/strafflagen*), Act No. 39/1889, 19 December 1889, Chapter 20, Sexual offences.

<sup>58</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), [New legislation on sexual offences](#), web page, accessed on 3 March 2023.

<sup>59</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [‘Government proposes legislative amendments to improve status of victims of human trafficking’](#), press release, 20 October 2022. Finland, Act amending the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings ([laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta annetun lain muuttamisesta/lag om ändring av lagen om mottagande av personer som söker internationellt skydd och om identifiering av och hjälp till offer för människohandel](#)), Act No. 1294/2022, 29 December 2022.

<p>to early 2023) of the action plan was published on 14 April 2023.<sup>51</sup></p> <p>In April 2022, the Ministry of Social Affairs and Health launched Finland’s first Action Plan for the Lanzarote Convention to prevent sexual violence against children and young people aged 0–17.<sup>52</sup></p> <p>On gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence, see 1.4.11.</p>	<p>In June 2021, Parliament approved amendments to the Aliens Act, which aim to prevent the exploitation of foreign labour and improve the legal position of victims of human trafficking as well as the disclosure of work-related exploitation.<sup>60</sup> The Aliens Act was amended with the inclusion of a new section 54 b which provides that if there are reasonable grounds to believe that a foreigner is a victim of labour exploitation, that person is granted a continuous residence permit to apply for a new job or start a business (subsection 1). According to subsection 3, a family member of a foreigner referred to in subsection 1 shall be granted a continuous residence permit. Thus, the amendments have a direct relevance for children whose family members are victims of labour exploitation.</p> <p>On gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence, see 1.4.11.</p>
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#### 1.4.2. Children with disabilities

Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities

Policy developments	Legislative developments
<p>In 2021, the Ombudsman for Children launched a publication “Disability and the rights of the child: a child’s life with disability”.<sup>61</sup> The aim of the publication is to stimulate the debate on how the rights of children with disabilities are implemented in society and how they could be better promoted. The publication was prepared by inviting people with disabilities to contribute to a collection of</p>	<p>The Ministry of Social Affairs and Health initiated a legislative project in 2021 on the revision of the legislation on disability services. The new Disability Services Act (675/2023) was adopted by Parliament on 17 March 2023 and will enter into force on 1</p>

<sup>51</sup> Korpilahti, U., Malja, M., Jääskeläinen, P., Murdoch, T. (2023), [Väkivallaton lapsuus — toimenpidesuunnitelma: väliarviointi 2020 – alkuvuosi 2023](#). Helsinki, Reports and Memorandums of the Ministry of Social Affairs and Health 2023:17.

<sup>52</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [Lanzarote Convention: National Action Plan for 2022-2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:20.

<sup>60</sup> Finland, Government Bill HE 253/2020 vp amending the Aliens Act ([hallituksen esitys eduskunnalle laiksi ulkomaalaislain muuttamisesta/regeringens proposition till riksdagen med förslag till lag om ändring av utlänningslagen](#)), 18 June 2021. Finland, Act amending the Aliens Act ([laki ulkomaalaislain muuttamisesta/lag om ändring av utlänningslagen](#)), Act No. 554/2021, 18 June 2021.

<sup>61</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2021), [Vammaisuus ja lapsen oikeudet: Lapsen elämä vamma-kanssa](#) (Disability and the rights of the child: a child’s life with disability), Helsinki, Publication of the Office of the Ombudsman for Children 2021:4.

articles and by launching an open call for contributions. 27 experts, some working in disability research, some in advocacy, and some in support services, contributed articles to the publication. All articles share the observation that Finland still has a long way to go before the rights of children with disabilities are fully realised.

October 2023.<sup>62</sup> The purpose of the reform is to support the independent life of disabled persons and the realisation of the right to self-determination, equality, inclusion and participation in society, and to secure adequate, high-quality services that meet individual needs. The right to services is determined based on need, not diagnosis. The new act includes regulations on special social care services for disabled persons.

The preparations of a government proposal in order to clarify the regulation of legal remedies for involuntary medication in psychiatric care started in May 2021 by the Ministry of Social Affairs and Health.<sup>63</sup> The goal is to strengthen the client's and patient's right to self-determination and reduce the use of restraint measures, taking into account the treatment and care as well as the client's and patient's autonomy. The aim is thus to renew means of legal protection related to involuntary medication in psychiatric care, update outdated regulation of involuntary care in the Act on Welfare for Substance Abusers and move legislation on the right to self-determination in the Act on Special Care for People with Intellectual Disabilities to the appropriate act. The process of the legislative renewal is on-going.

#### 1.4.3. Children in the context of migration

Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children

##### Policy developments

In March 2020, the Non-Discrimination Ombudsman published a report “Children without families — family reunification of under-age beneficiaries of international protection” (*Lapset ilman perhettä — kansainvälistä suojelua*

##### Legislative developments

In November 2022, Parliament adopted amendments to the Aliens Act with direct relevance for children.<sup>71</sup> With respect to family reunification, sufficient financial resources have been a requirement for persons with international

<sup>62</sup> Finland, Government Bill HE 191/2022 vp ([hallituksen esitys eduskunnalle vammaispalvelulaksi ja siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till lag om funktionshinderservice och till vissa lagar som har samband med den](#)), 27 September 2022. Disability Services Act ([vammaispalvelulaki/lag om funktionshinderservice](#)), Act No. 675/2023, 14 April 2023. The new Act repealed Disability Services Act No. 380/1987, 3 April 1987.

<sup>63</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2021), [Clarifying the regulation of legal remedies for involuntary medication](#), STM005:00/2021, statute drafting.

<sup>71</sup> Finland, Act amending the Aliens Act ([laki ulkomaalaislain muuttamisesta/lag om ändring av utlänningslagen](#)), Act No. 1167/2022, 20 December 2022.



saaneiden alaikäisten perheen yhdistäminen).<sup>64</sup> The research material of the report consists of 66 family reunification decisions made by the Finnish Immigration Service between 1 January 2018 and 18 September 2019. Out of all decisions, 31 were negative and 35 positive, which means that approximately half of the children, who have arrived in Finland alone and received asylum or subsidiary protection, do not get their families to join them in Finland. Based on the report, the Non-Discrimination Ombudsman issued eight recommendations. The conclusion of the report is that the regulation concerning the evasion of entry provisions seems to have a significant impact on the realisation of the rights of foreigners in Finland.

In February 2023, the Prime Minister's Office published a report on social rights of undocumented immigrants in Finland. The study examines how undocumented migrants appear in the public social welfare service system and what solutions to the key challenges of the social welfare can be found based on the current situation. Chapter 6.3 of the report focuses on social rights of undocumented children. According to the report, several professionals interviewed in the study expressed their concern that the status of undocumented children is particularly weak. This was considered a big ethical problem.<sup>65</sup>

The 2019–2023 government programme suggests that the quality of the asylum procedure and the pursuit of the best interests of the child is assessed,

protection who wish to bring their family members to Finland.<sup>72</sup> The amended Aliens Act repeals this requirement in the context of minors as sponsors for family reunification (section 114). The reform is expected to promote the protection of family life and the realisation of the best interest of the child.<sup>73</sup>

Furthermore, the definition of a minor is specified in all matters concerning residence permits on the basis of family ties. A minor will be determined in accordance with the date of the submission of the residence permit application and not the date of the decision (section 38). As a result, obtaining a residence permit for a family member will not depend on the length of the application processing period. These amendments to the Aliens Act entered into force on 1 February 2023.

In August 2022, the government presented a proposal to Parliament with the aim of clarifying the legislation related to the healthcare of undocumented persons and persons in situations similar to undocumented persons. The government bill, which was approved by Parliament in December 2022, includes amendments to e.g. the Act on Organising Healthcare and Social Welfare Services (612/2021), according to which, children will be given the right to receive healthcare services to the same extent as children who have their domicile in Finland. Further, necessary healthcare will be ensured to undocumented persons, including services related to pregnancy and birth.<sup>74</sup>

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<sup>64</sup> Finland, Non-Discrimination Ombudsman (*yhdenvertaisuusvaltuutettu/diskrimineringsombudsmannen*) (2020), [Lapset ilman perhettä — kansainvälistä suojelua saaneiden alaikäisten perheen yhdistäminen](#), Helsinki, Non-Discrimination Ombudsman. Summary of the report in English: [Children without families — family reunification of under-age beneficiaries of international protection](#).

<sup>65</sup> Katisko, M., Annala, I., Kalm-Akubardia, M., Kynsilehto, A., Marucco, C., Pehkonen-Elmi, T., Viljanen, K. (2023), [Paperittomien henkilöiden sosiaaliset oikeudet Suomessa](#) (Social right of undocumented immigrants in Finland), Helsinki, Publications of the Government's analysis, assessment and research activities 2023:6.

<sup>72</sup> Finland, Government Bill HE 100/2022 vp amending the Aliens Act ([hallituksen esitys laiksi ulkomaalaislain muuttamisesta/regeringens proposition till riksdagen med förslag till lag om ändring av utlänningslagen](#)), 16 June 2022.

<sup>73</sup> Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2022), '[Family reunification process for minors to be streamlined in future](#)', press release, 20 December 2022.

<sup>74</sup> Finland, Government Bill HE 112/2022 vp on amendments to the Act on Organising Healthcare and Social Welfare Services ([hallituksen esitys eduskunnalle laeiksi sosiaali- ja terveydenhuollon järjestämisestä annetun lain muuttamisesta/regeringens proposition till riksdagen med förslag till lagar om ändring av lagen om ordnande av social- och hälsovård](#)), 20 December 2022. Finland, Act amending the Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveydenhuollon järjestämisestä annetun lain muuttamisesta/lag om ändring av lagen om ordnande av social- och hälsovård](#)), Act No. 1185/2022, 20 December 2022.



and the competence and diligence of lawyers assisting asylum seekers is ensured.<sup>66</sup>

The rights of vulnerable children are also recognised, for example, in the work of the Finnish Immigration Service, which plans to develop regular consultations with minors in the asylum procedure.<sup>67</sup>

Ukrainian citizens or residents, including children, who flee from the war, can apply for temporary protection in Finland. Temporary protection is based on the EU Temporary Protection Directive. Residence permits on the basis of temporary protection were initially granted for one year, but in January 2023, this was extended so that the permits will be valid until 4 March 2024.<sup>68</sup> The family member of a child who has been granted temporary protection can apply for a residence permit in Finland. Family members may also be eligible for temporary protection themselves. As regards accommodation, after having applied for temporary protection, a child together with a parent/guardian can stay at a reception centre or in private accommodation. In either case a child will be registered as a client at a reception centre. All children who are in Finland without a parent or guardian will stay in a group home. All children between the age of 6–17 in Finland have the right to attend comprehensive school. The reception centre helps to get a school place for the child. Going to school is free of charge.<sup>69</sup>

As of March 2023, those who have been granted temporary protection and have lived in Finland for

In December 2022, Parliament approved amendments to the Act on the Promotion of Immigrant Integration,<sup>75</sup> which entered into force on 1 March 2023. According to the amended section 27(2), unaccompanied children and young persons may be covered by support measures until they reach the age of 25. Before the amendment, support measures covered children and young people up to the age of 21.<sup>76</sup>

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<sup>66</sup> Finland, Programme of the Government of Prime Minister Sanna Marin (2019), *Inclusive and competent Finland – a socially, economically and ecologically sustainable society*, Helsinki, Publications of the Finnish Government 2019:33, p. 94.

<sup>67</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), *Implementation Plan for the National Child Strategy*, Helsinki, Publications of the Finnish Government 2022:38, p. 22.

<sup>68</sup> Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*), *Temporary protection for people fleeing from Ukraine*, web page, accessed on 14 April 2023.

<sup>69</sup> Finland, Finnish immigration Service (*maahanmuuttovirasto/migrationsverket*), *Children who have fled Ukraine*, web page, accessed on 13 April 2023.

<sup>75</sup> Finland, Act on the Promotion of Immigration Integration (*laki kotoutumisen edistämisestä/laq om främjande av integration*), Act No. 1386/2010, 30 December 2010.

<sup>76</sup> Finland, Government Bill HE 135/2022 vp on amendments to the Act on the Promotion of Immigrant Integration (*hallituksen esitys eduskunnalle laeiksi kotoutumisen edistämisestä annetun lain ja kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta annetun lain 14 §:n muuttamisesta/regeringens proposition till riksdagen med förslag till lagar om ändring av lagen om främjande av integration och 14 § i lagen om mottagande av personer som söker internationellt skydd och om identifiering och hjälp till offer för människorhandel*), 20 December 2022.

<p>one year may apply to the Digital and Population Data Services Agency for a municipality of residence. On registering a municipality of residence, they will leave the reception services system and become clients of municipalities and wellbeing services counties and municipal residents.<sup>70</sup></p>	
<p>1.4.4. Children in alternative care</p> <p>Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>On 21 March 2022, the National Supervisory Authority for Welfare and Health together with the Regional State Administrative Agency published a guide on safeguarding good quality in child welfare services and basic rights of children placed in alternative care.<sup>77</sup></p> <p>On 2 December 2022, the National Supervisory Authority for Welfare and Health together with the Regional State Administrative Agency published guidelines for organising and implementing aftercare.<sup>78</sup> The guidelines specify the legislative obligations to cooperate with the authorities in situations where, after substitute care, the young person lives elsewhere than in the wellbeing services county of the alternative care.</p> <p>In March 2022, the Ministry of Social Affairs and Health, the National Police Board and the Emergency Response Centre Agency established together guidelines for various</p>	<p>Section 13 b of the Child Welfare Act was amended.<sup>87</sup> According to the new subsection, which entered into force in January 2022, one social worker can be responsible for the cases of no more than 35 children in 2022 and 2023, and no more than 30 children starting from 2024.</p> <p>On 1 January 2020, several amendments concerning children in alternative care entered into force.<sup>88</sup> Chapter 11 of the Child Welfare Act, regulating the restrictions in substitute care, was amended with the inclusion of a new section 61 a. It provides that all child welfare institutions must draw up a good treatment plan as part of the self-monitoring plan. The purpose of the good treatment plan is to support the realization of children's and young people's right to self-determination during their placement. The plan is mandatory only for child welfare institutions, but it is good to consider drawing up a plan in family homes and professional family homes as well, even though restrictive measures cannot be used in these foster homes. Section 70 of the Child Welfare Act, regulating the seclusion of a child from</p>

<sup>70</sup> Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*), [Temporary Protection for People Fleeing from Ukraine](#), web page, accessed on 13 April 2023.

<sup>77</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira) (2022), [Lastensuojelun hyvä laatu ja sijaishuoltoon sijoitettujen lasten perusoikeuksien turvaaminen](#), guidelines, 21 March 2022.

<sup>78</sup> Finland, Regional State Administrative Agency (2022), [Jälkihuollon järjestäminen hyvinvointialueiden välisenä yhteistyönä](#), guidelines, 2 December 2022.

<sup>87</sup> Finland, Government Bill HE 170/2021 vp amending section 13 b of the Child Welfare Act ([hallituksen esitys eduskunnalle laiksi lastensuojelulain 13 b §:n muuttamisesta/regeringens proposition till riksdagen med förslag till lag om ändring av 13 b § i barnskyddslagen](#)), 7 October 2021.

<sup>88</sup> Finland, Government Bill HE 237/2018 vp amending the Child Welfare Act ([hallituksen esitys eduskunnalle laiksi lastensuojelulain muuttamisesta/regeringens proposition till riksdagen med förslag till lag om ändring av barnskyddslagen](#)), 15 November 2018. Finland, Act amending the Child Welfare Act ([laki lastensuojelulain muuttamisesta/lag om ändring av barnskyddslagen](#)), Act No. 542/2019, 12 April 2019.

actors to return a child who is absent without permission from substitute care. The goal of the guidelines is to clarify the responsibilities and practices of different actors in a situation where a child has left their place of substitute care (foster family/child welfare institution) without permission or has failed to return there.<sup>79</sup>

A study on the development of state reform schools as part of the health and social services reform was conducted by the Ministry of Social Affairs and Health between 1 October 2021 and 22 February 2022.<sup>80</sup> The study explored where state reform schools and their education units should be located administratively. The study proposes that state reform schools are located under one collaborative area as a national specialised service.

A study on the wellbeing and experiences of services of children and adolescents who have been placed in out-of-home care was carried out in the spring of 2019 as part of the School Health Promotion Study conducted by the Finnish Institute for Health and Welfare (THL).<sup>81</sup> According to the results of the study, about half of the children and adolescents placed in care were satisfied with their placement.

As part of the implementation of the National Child Strategy, a study was conducted by the Ministry of Social Affairs and Health on international adoptions. The final report, published in November 2022, brings together current discussions and surveys of international adoptions made in four European countries; Sweden, Denmark, Switzerland and

other children in an institution, was amended so that the maximum length of seclusion was reduced from 48 hours to 24 hours.

In 2019, Parliament approved amendments to the Child Welfare Act, which entered into force on 1 January 2020.<sup>89</sup> Section 75 of the Child Welfare Act was amended so as to extend the duty to provide aftercare at the latest until a young person concerned becomes 25 years of age. Before the amendment, the duty to provide aftercare was terminated when a young person became 21 years of age.

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<sup>79</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), '[Yhteinen toimintaohje selkeyttää vastuita lastensuojelun luvattomissa poissaoloissa](#)', news release, 25 March 2022.

<sup>80</sup> Pohjola, A. (2022), [Valtion koulukotien kehittäminen osana sosiaali- ja terveystieteiden ministeriön uudistamista](#) (Development of state reform schools as part of the health and social services reform), Helsinki, Reports and memoranda of the Ministry of Social Affairs and Health 2022:4.

<sup>81</sup> Ikonen, R., Eriksson, P., Heino, T. (2020), [Sijoitettujen lasten ja nuorten hyvinvointi ja palvelukokemukset: Kouluterveyskyselyn tuloksia](#) (Well-being and experiences of services of children and adolescents who have been placed in out-of-home care: Results of the School Health promotion Study), Helsinki, Working Paper of the Finnish Institute of Health and Welfare 35/2020.

<sup>89</sup> Finland, Act amending the Child Welfare Act ([laki lastensuojelulain muuttamisesta/laq om ändring av barnskyddslagen](#)), Act No. 542/2019, 12 April 2019.

the Netherlands.<sup>82</sup> According to the study, there have been serious breaches of the law and other misconducts in international adoption operations. However, the most extensive and systematic shortcomings are from the time before the entry into force of the Hague Convention.

There is no specific data on children fleeing the war in Ukraine from children's homes and their adaptation in Finland. The Finnish Immigration Service provides general data of decisions made concerning residence permits, international protection, citizenship and removal from the country.<sup>83</sup> In February 2023, the Finnish Immigration Service reported that more than 50,000 people who have fled the war in Ukraine have applied for temporary protection in Finland, and of these about one in three are children.<sup>84</sup>

In the autumn of 2022, Finland was prepared to take in Ukrainian children in need of child protection services, at Ukraine's request. However, it turned out that the child protection legislation and practices in the two countries differ to the extent that children were eventually not evacuated to Finland.<sup>85</sup> Based on the Child Welfare Act, children's homes in Finland are small units and it would not have been possible to place a group of some 100 children all in one children's home only, as requested by Ukraine.<sup>86</sup>

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<sup>82</sup> Peltonen, R. (2022), *Neljän eurooppalaisen maan selvitykset kansainvälisistä adoptioista: Yhteenvetoa ja huomioita Suomen näkökulmasta* (Studies on international adoption conducted by four European countries: Summary and observations from Finland's perspective), Helsinki, Publications by the Ministry of Social Affairs and Health 2022:16.

<sup>83</sup> Finland, Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*), *Statistics*, updated on 15 March 2023, accessed on 16 April 2023.

<sup>84</sup> Finland, Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*) (2023), '[More than 50,000 have applied for temporary protection in Finland](#)', press release, 17 February 2023.

<sup>85</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), '[Ukrainian children in need of child protection services will not be evacuated to Finland](#)', press release, 19 October 2022.

<sup>86</sup> Finland, Child Welfare Act (*lastensuojelulaki/barnskyddslagen*), Act No. 417/2007, sections 57–60. Finnish Broadcasting Company (*Yleisradio/Rundradion*) (2022), '[Ukrainalaisia lastensuojelulapsia ei evakuoitakaan Suomeen — iso osa lapsista sijoitettu jo muualle Eurooppaan](#)', YLE news, 19 October 2022.

#### 1.4.5. Children affected by custody disputes, including parental abduction

Policy developments	Legislative developments
<p>As suggested in the Implementation plan of the Child Strategy, a guide and training package has been prepared on acrimonious divorces and post-divorce violence.<sup>90</sup> The aim is to enhance the skills and capabilities of professionals encountering children in their work.</p> <p>The Ministry of Justice published an information kit in January 2021 which provides information and instructions to parents, lawyers working on child abduction cases and authorities. The information kit focuses mainly on cases where the child has been wrongfully taken from Finland to a foreign country or has not been returned from a foreign country to Finland.<sup>91</sup></p> <p>In December 2016, the National Police Board of Finland issued instructions on international child abduction and the related threats.<sup>92</sup></p>	<p>The Act on Child Custody and Right of Access (361/1983) was amended in 2019.<sup>93</sup> With the reform, alternating residence was recognised as one possible living arrangement for a child. In addition, the law obliges parents to notify the other parent in advance of their intention to move, if the move would affect the implementation of custody or visitation rights. The reform also expanded the opportunity for parents to agree on matters related to child custody with a child supervisor.<sup>94</sup></p>

#### 1.4.6. Missing children

Policy developments	Legislative developments
<p>The National Police Board of Finland gave general instructions on missing persons and police investigations in March 2019. The instructions state that when the person in question is unable to take care of him/herself</p>	<p>The Child Welfare Act was amended with a new section 69a that came into force on 1 January 2020.<sup>99</sup> According to that section, if the child has left the child welfare institution without permission or does not return there as agreed, the institution must immediately take measures to find and return the child to the institution</p>

<sup>90</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Vaativat erotilanteet ja eron jälkeinen väkivalta](#), web page, accessed 25 August 2023.

<sup>91</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2021), [Information kit on international child abduction](#), Helsinki, Ministry of Justice.

<sup>92</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2016), Ohje POL-2015-11897: Kansainvälinen lapsikaappaus ja sen uhkatilanteet, 21 December 2016.

<sup>93</sup> Finland, Act on Child Custody and Right of Access ([laki lapsen huollosta ja tapaamisoikeudesta/lag angående vårdnad om barn och umgängesrätt](#)), Act No. 361/1983, 8 April 1983.

<sup>94</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), ['Lapsenhuoltolakiin uudistuksia 1. joulukuuta 2019'](#), press release, 14 November 2019.

<sup>99</sup> Finland, Government Bill HE 237/2018 vp on the amendment of the Child Welfare Act ([hallituksen esitys eduskunnalle laiksi lastensuojelulain muuttamisesta/regeringens proposition till riksdagen med förslag till lag om ändring av barnskyddslagen](#)), 12 April 2019.

<p>(for example a child) the search of the missing person has to start without delay.<sup>95</sup></p> <p>The handbook on the investigation of violent and sexual crimes against children, published in January 2022 by the Barnahus project, includes a chapter on missing children (see 4.1). According to the handbook, the younger the child is, the more seriously the police should take the disappearance.<sup>96</sup></p> <p>The Implementation plan for the National Child Strategy includes a measure to prepare a national operational programme for the prevention of unauthorised departure from a substitute care facility, activities during an unauthorised absence and aftercare measures.<sup>97</sup></p> <p>See also section 4.4 on guidelines for various actors to return a child who is absent without permission from substitute care.<sup>98</sup></p>	<p>and notify the authority responsible for the child's substitute care about the child's unauthorised absence.</p>
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#### 1.4.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (AROPE)

Policy developments	Legislative developments
<p>One of the key objectives of the 2019–2023 government programme is to improve the position of families with children, especially with regards to income security in low-income families, families of single parents and families with many children.<sup>100</sup></p> <p>On 12 October 2022, the government adopted</p>	<p>The most significant education reform of recent years was the extension of compulsory education adopted in 2020. As of 1 August 2021, compulsory education has been extended from the end of the 9th grade to the completion of secondary education or until the young person turns 18.<sup>108</sup> The reform imposes new obligations on educational authorities to ensure that all young people have a place where they can complete their</p>

<sup>95</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2019), ohje POL-2018-49972. Kadonneen henkilön etsintä ja poliisitutkinta, 8 March 2019, p. 6.

<sup>96</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2022), *Käsikirja lapsiin kohdistuvien väkivalta- ja seksuaalirikosten tutkintaan* (Handbook on investigation of violent and sexual crimes against children), Helsinki, National Police Board.

<sup>97</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), *Implementation plan for the National Child Strategy*, Helsinki, Publications of the Finnish Government 2022:38, s. 23.

<sup>98</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), *'Yhteinen toimintaohje selkeyttää vastuita lastensuojelun luvattomissa poissaoloissa'*, news release, 25 March 2022.

<sup>100</sup> Finland, Programme of the Government of Prime Minister Sanna Marin (2019), *Inclusive and competent Finland – a socially, economically and ecologically sustainable society*, Helsinki, Publications of the Finnish Government 2019:33, p. 169.

<sup>108</sup> Finland, Compulsory Education Act (*oppivelvollisuuslaki/läropliktslag*), Act No. 1214/2020, 30 December 2020.



the Action Plan for Reducing Poverty and Social Exclusion by 2030.<sup>101</sup> The Action Plan aims at reducing the number of people living at risk of poverty and social exclusion by 100,000, out of which one third should be children. To measure the development of poverty and social exclusion, the Ministry of Social Affairs and Health has compiled national indicators that will be used in parallel with the AROPE indicators designed at EU level. The Action Plan covers measures that have already been adopted or are under preparation as well as recommendations for future action. As to the former measures, the Action Plan lists the development of income and services for families with children, including increases in social benefit levels, reduction of customer fees in the context of early childhood education and the strengthening of multi professional cooperation between child welfare services, mental health and substance abuse services and schools.<sup>102</sup>

The Child Strategy includes a strategic policy, according to which, poverty among families with children will be reduced through determined measures taken across society. Ensuring an adequate income for families with children and reducing poverty among them will be highlighted as a priority in the

compulsory education. Further, the upper secondary education is free of charge, including education, school meals, textbooks, school journeys over 7 kilometres, school materials needed in lessons, and final tests.<sup>109</sup> This may increase the participation of children from low-income families.<sup>110</sup>

Amendments to the Act on Client Charges in Healthcare and Social Welfare (734/1992),<sup>111</sup> which entered into force in July 2021, made services such as primary healthcare appointments with a nurse and outpatient clinic visits free of charge for patients under the age of 18.

In March 2020, the government appointed a parliamentary committee to prepare the social security reform.<sup>112</sup> The term of office of the committee will last from 23 March 2020 to 31 March 2027. The reform aims at a clearer and more streamlined system, where people can balance work and social security in changing life situations. Additionally, general housing allowances will be developed so that they better respond to the specific needs of individual people.<sup>113</sup>

<sup>101</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Toimintasuunnitelma köyhyyden ja syrjäytymisen vähentämiseksi vuoteen 2030 mennessä](#) (Action Plan for Reducing Poverty and Social Exclusion by 2030), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:15.

<sup>102</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), [Toimintasuunnitelma köyhyyden ja syrjäytymisen vähentämiseksi vuoteen 2030 mennessä](#) (Action Plan for Reducing Poverty and Social Exclusion by 2030), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:15, pp. 33–36.

<sup>109</sup> Finland, Compulsory Education Act ([\*oppivelvollisuuslaki/läropliktslag\*](#)), Act No. 1214/2020, 30 December 2020. See also, Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2021), [The Government has decided to raise the leaving age in compulsory education from the start of autumn term 2021](#), Helsinki, Ministry of Education and Culture.

<sup>110</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Report to Parliament by the Ombudsman for Children 2022](#), Helsinki, Publications of the Ombudsman for Children in Finland 2022:3, pp. 46–47.

<sup>111</sup> Finland, Act on Client Charges in Healthcare and Social Welfare ([\*laki sosiaali- ja terveydenhuollon asiakasmaksuista/lag om klientavgifter inom social- och hälsovården\*](#)), Act No. 734/1992, 3 August 1992.

<sup>112</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2020), [‘Committee appointed to prepare the social security reform’](#), press release, 19 March 2020.

<sup>113</sup> Finland, Programme of the Government of Prime Minister Sanna Marin (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Helsinki, Publications of the Finnish Government 2019:33, p. 167.



development of social security.<sup>103</sup> According to the Implementation Plan for the Child Strategy, one measure will be to implement a cross-administrative research project to investigate the situation of children and young people who are disadvantaged or at risk of social exclusion.<sup>104</sup>

The European Child Guarantee aims to combat social exclusion and strengthen equal opportunities by safeguarding children's access to basic services. In Finland, the national action plan for the Child Guarantee is implemented within the framework of the National Child Strategy.<sup>105</sup>

In May 2020, the Ministry of Education and Culture appointed a working-group for the period 1 June 2020 — 31 December 2022, with the task to promote educational equality and positive discrimination in early childhood education and care, pre-primary, primary and lower secondary education. The mandate of the working-group included monitoring and analysing the effects of COVID-19 on inequality and proposing measures to strengthen equality.<sup>106</sup> In addition, the government granted organisers of education funding to bridge the learning gap caused by COVID-19, for example, € 60 million in 2021.<sup>107</sup> The funding covers early childhood education and care, pre-primary education, basic education and upper secondary education.

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<sup>103</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, pp. 26-27.

<sup>104</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation Plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38, p. 47.

<sup>105</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), ['European Child Guarantee implemented as part of the National Child Strategy in Finland'](#), press release, 25 April 2022.

<sup>106</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2020), [Working group to promote educational equality and positive discrimination in early childhood education and care, pre-primary, primary and lower secondary](#), Statute drafting project OKM029:00/2020. Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2022), [Kohti laadukasta ja tasa-arvoista lähipalvelua ja lähikoulua](#) (Towards high-quality and equitable neighbourhood services and neighbourhood schools), Publications by the Ministry of Education and Culture 2022:30, 28 September 2022.

<sup>107</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2021), ['Government proposes major support package to alleviate coronavirus harm in children and young adults'](#), press release, 27 May 2021.

#### 1.4.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.

Policy developments	Legislative developments
<p>On 9 February 2023, the Ministry of Social Affairs and Health published Finland’s third National Roma Policy for 2023–2030 (Rompo3). The aim of Rompo3 is to support Roma inclusion, participation and equality in accordance with the strategic framework programme of the European Union. The overarching goal of the programme is to eliminate discrimination against the Roma and anti-Gypsyism and to strive for an equal realisation of the basic rights of Roma. Rompo3 is based on the evaluation of the previous National Roma Policy for 2018–2022 (Rompo2).</p> <p>In accordance with the National Child Strategy,<sup>114</sup> the Ombudsman for Children carried out two surveys during 2022 regarding the realisation of the wellbeing and rights of Sámi and Roma children. The surveys were carried out by conducting interviews and with the help of electronic surveys created on the basis of the interviews. The results of these surveys were published in February 2023.<sup>115</sup></p> <p>Sámi children viewed that the most important means for promoting the wellbeing of Sámi children and the realisation of their rights are increased awareness of Sámi culture, more opportunities for using the Sámi languages in their free time, the availability of Sámi-language study materials and qualified teachers, as well as access to leisure venues,</p>	<p>According to section 8 of the Non-Discrimination Act (1325/2014),<sup>122</sup> no one may be discriminated against on the basis of age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relationships, state of health, disability, sexual orientation or other personal characteristics. Thus, all forms of discrimination against children are prohibited according to the Act.</p> <p>Notably, non-discrimination does not mean the same treatment of everyone, but different treatment is sometimes allowed and necessary to reduce discrimination. This is stipulated in section 9 of the Non-Discrimination Act which provides that proportionate different treatment that aims to promote de facto equality, or to prevent or remove the disadvantages attributable to discrimination, does not constitute discrimination.</p> <p>Amendments to the Non-Discrimination Act and Equality Act were adopted by Parliament in December 2022 and January 2023 and take effect on 1 June 2023.<sup>123</sup> The Non-Discrimination Act covers other grounds of discrimination than gender. With the amendments, the non-discrimination planning and promotion of equality under the Non-Discrimination Act were extended to early childhood education and care providers and service providers. In the amended Equality Act, the obligation to plan for gender equality was extended to early childhood education and care. The provisions on the prevention of discrimination based on gender</p>

<sup>114</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation Plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38, pp. 18–19.

<sup>115</sup> Weckström, E., Kekkonen, K., Kekkonen, O. (2023), ["Tulee fiilis, et nää oikeesti hyväksyy mikä mä oon": Romanilasten hyvinvointi ja oikeuksien toteutuminen](#) ("I get the feeling that these people really accept who I am": The well-being of Roma children and the realisation of their rights"), Helsinki, Publications of the Office of the Ombudsman for Children 2023:3 and Weckström, E., Kekkonen, K., Kekkonen, O. (2023), ["Kiva että juuri minä saan opiskella tätä kieltä ja se on osa kulttuuriani": Saamelaislasten hyvinvointi ja oikeuksien toteutuminen](#) ("I am glad that it is me who gets to study this language, and that it is a part of my culture": The well-being of Sámi children and the realisation of their rights) Helsinki, Publications of the Office of the Ombudsman for Children 2023:1.

<sup>122</sup> Finland, Non-Discrimination Act ([yhdenvertaisuuslaki/diskrimineringslag](#)), Act No. 1325/2014, 30 December 2014.

<sup>123</sup> Finland, Act amending the Non-Discrimination Act ([laki yhdenvertaisuuslain muuttamisesta/lag om ändring av diskrimineringslagen](#)), Act No. 1192/2022, 20 December 2022; Act amending the Equality Act ([laki naisten ja miesten välisestä tasa-arvosta annetun lain muuttamisesta/lag om ändring av lagen om jämställdhet mellan kvinnor och män](#)), Act No. 101/2023, 19 January 2023.

public and private transport, and driving licences. The survey shows that children are concerned about the attitude of others towards their own language, culture and towards the rights of the Sámi people.<sup>116</sup>

As to the survey on Roma children, they viewed that the most important means for promoting their wellbeing and the realisation of their rights are increased awareness of Roma culture, meetings between Roma children and the majority population, changed attitudes among majority population towards Roma, and the ability to see Roma children as individuals. The survey shows that the wellbeing of Roma children is weakened by the discrimination they face.<sup>117</sup>

In June 2020, the Finnish National Agency for Education appointed an expert group tasked with preparing a restoration programme for the endangered Finnish Romani language. The expert group completed its work in November 2022. As a result, the Programme for the Revival of the Finnish Romani Language 2023–2030 was adopted. The programme includes measures focusing on children such as measure no. 4 on making a series of children’s programmes in Romani language and measure no. 10 on creating a Romani language support network for families with children which will be launched across Finland.<sup>118</sup>

On 25 February 2021, the Ministry of Justice appointed a working group to prepare a Language Policy Programme, which was launched on 16 June 2022. The programme deals with languages spoken in Finland other than the national languages, in particular the Sámi languages, the Romani language, the

identity or gender expression was extended to include early childhood education and care.

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<sup>116</sup> Weckström, E., Kekkonen, K., Kekkonen, O. (2023), *”Kiva että juuri minä saan opiskella tätä kieltä ja se on osa kulttuuriani”: Saamelaislasten hyvinvointi ja oikeuksien toteutuminen* (“I am glad that it is me who gets to study this language, and that it is a part of my culture”: The well-being of Sámi children and the realisation of their rights) Helsinki, Publications of the Office of the Ombudsman for Children 2023:1.

<sup>117</sup> Weckström, E., Kekkonen, K., Kekkonen, O. (2023), *”Tulee fiilis, et nää oikeesti hyväksyy mikä mä oon”: Romanilasten hyvinvointi ja oikeuksien toteutuminen* (“I get the feeling that these people really accept who I am”: The well-being of Roma children and the realisation of their rights), Helsinki, Publications of the Office of the Ombudsman for Children 2023:4.

<sup>118</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) (2022), *Suomen romanikielen elvytysohjelma toimenpide-esityksineen* (Programme for the Revival of the Finnish Romani language and proposals for measures 2023–2030), Helsinki, Reports and reviews of the Finnish National Agency for Education 2022:6.

Karelian language and sign languages. The Language Policy Programme aims to respond to challenges identified for different language groups. The objectives of the programme are to protect, revive, support and strengthen the autochthonous languages of Finland.<sup>119</sup>

During the years 2020–2021, a development group worked on the development of Sámi language education and early childhood education and care services under the Ministry of Education and Culture.<sup>120</sup> The working group was tasked to examine the state of early childhood education and care and education in Sámi as a whole. In its final report of 15 April 2021, the working group highlighted the urgency to develop the teaching of the Skolt Sámi as it is the most endangered of the Sámi languages. It also proposes strengthening early childhood education and care in Sámi, especially outside the Sámi homeland. Remote connections should be used and changes to the operational and funding provisions of education should be introduced if Sámi languages and Sámi-language education are to be on sustainable footing throughout Finland.<sup>121</sup>

#### 1.4.9. Children involved in judicial proceedings as victims or witnesses or parties

Policy developments	Legislative developments
The Ministry of Justice published a guide in February 2017 which is intended for parents and guardians whose child is suspected of being a victim of a violent or sexual crime. The guide contains information on the different	With the aim of speeding up the processing of crimes against children, Parliament approved legislative amendments of the Criminal Investigation Act (805/2011) and the Criminal Procedure Act (689/1997) on 19 December 2022. <sup>128</sup> According to the amendment,

<sup>119</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Kielipoliittinen ohjelma: Valtioneuvoston periaatepäätös](#) (Language Policy Programme: Government Resolution), Helsinki, Publications of the Finnish Government 2022:51.

<sup>120</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Saamen kielten ja saamenkielisen opetuksen kehittämisyhmä](#), Project by the Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) OKM015:00/2020.

<sup>121</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2021), [Saamen kielten ja saamenkielisen opetuksen kehittämistyöryhmän raportti](#) (Report of the working group for developing teaching of and in Sámi languages), Helsinki, Publications by the Ministry of Education and Culture 2021:25.

<sup>128</sup> Finland, Government Bill HE 144/2022 vp amending the Criminal Investigation Act and the Criminal Procedure Act ([hallituksen esitys eduskunnalle laeiksi esitutkintalain ja oikeudenkäynnistä rikosasioissa annetun lain](#)

stages of the criminal process and how a parent or guardian can best support their child.<sup>124</sup>

The National Police Board of Finland published new instructions in December 2019 concerning children as interested parties and witnesses in a pre-trial investigation.<sup>125</sup> The police is instructed to start the preliminary investigation immediately and to deliver the preliminary investigation measures without delay.

In a decision issued by the Parliamentary Ombudsman on 2 September 2020, the Ombudsman highlighted problems related to the length of the judicial process in cases of crimes against children. The Ombudsman considered it justified to provide for the urgent delivery of the pre-trial investigation when the interested party is under 18 years, at least in cases related to crimes against life, health and sexual self-determination.<sup>126</sup>

The government published a study in January 2021 on the duration of criminal proceedings relating to sexual offences against children.<sup>127</sup> The study reveals that criminal proceedings in sexual offences involving children last longer than those related to other serious sexual and violent offences. Major regional differences in processing times were detected especially in pre-trial investigations.

the criminal investigation, the consideration of charges and the court proceedings shall be concluded urgently when the injured party is below 18 and the suspected offence involves a sexual crime or a crime against the injured party's life, health, freedom, integrity, peace or honor. Thus, the main hearing shall take place within 30 days of the commencement of the proceedings. The amendments will enter into force on 1 October 2023.

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[muuttamisesta/regeringens proposition till riksdagen med förslag till lagar om ändring av förundersökningslagen och lagen om rättegång i brottmål](#)), 3 February 2023. Finland, Act amending Chapter 3 section 11 of the Criminal Investigation Act ([laki esitutkintalain 3 luvun 11 §:n muuttamisesta/lag om ändring av kap. 3 11 § i förundersökningslagen](#)), Act No. 136/2023, 3 February 2023; Act amending Chapter 1 section 8 a and Chapter 5 section 13 of the Criminal Procedure Act ([laki oikeudenkäynnistä rikosasioissa annetun lain 1 luvun 8 a §:n ja 5 luvun 13 §:n muuttamisesta/lag om ändring av 1 kap. 8 a § och 5 kap. 13 § i lagen om rättegång i brottmål](#)), Act No. 137/2023, 3 February 2023.

<sup>124</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2017), [Lapsi rikoksen uhrina: Tietoa väkivalta- tai seksuaalirikoksen uhriksi joutuneen lapsen vanhemmille](#), guide, 21 January 2021.

<sup>125</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2019), [POL-2019-34669. Lapsi poliisitoiminnassa ja esitutkinnassa](#), instructions valid between 1 January 2020 – 31 December 2024, 23 December 2019.

<sup>126</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) (2020), Decision no. 5625/2020 regarding the duration of processing crimes against children ([Lapsiin kohdistuneiden rikosten käsittelyn kestoa koskeva sääntely](#)), 2 September 2020.

<sup>127</sup> Fagerlund, M., Toivonen, V-M. (2021), [Rikosprosessin kesto lapsiin kohdistuvissa seksuaalirikoksissa](#) (Duration of criminal proceedings relating to sexual offences against children), Helsinki, Publications of the Government's analysis, assessment and research activities 2021:3.

#### 1.4.10. Children involved in judicial proceedings as suspects or accused persons

Policy developments	Legislative developments
<p>In the 2020 Annual Report, the Ombudsman for Children stated that sentences of imprisonment imposed on minors must be arranged in a manner that supports the child's rehabilitation, education and attachment to society. According to the understanding of the Ombudsman for Children, this does not happen in adult prisons. Furthermore, it should be ensured in law, if necessary, that criminal cases of young people are handled in court by judges and prosecutors specialised in such cases, and that defence counsels of young people have the necessary competence for working with minors.<sup>129</sup></p> <p>The National Child Strategy highlights the need to protect the rights of children in vulnerable positions. Children who are suspects or accused in criminal proceedings are listed as vulnerable. Their vulnerability should comprehensively be considered in preventive work, corrective measures and services, and in legal protection systems.<sup>130</sup></p> <p>In March 2020, the Ombudsman for Children presented the Ministry of Justice with an initiative on the preparation of changes to the Act on the Publicity of Court Proceedings in General Courts (370/2007),<sup>131</sup> so that the Act would be in compliance with General Comment No. 24 of the Committee on the</p>	<p>On 29 January 2019, Parliament approved the legislative amendments required by the incorporation of the Directive 2016/800/EU on procedural safeguards for children who are suspects or accused persons in criminal proceedings. The amendments entered into force on 11 June 2019. In total eight laws were amended, including the Criminal Investigation Act (805/2011) and the Criminal Procedure Act (689/1997).<sup>134</sup> With the reform, the obligation to inform young suspects of their rights was extended to include information on the right of the guardian to be present during the hearing, alternatives to detention (e.g., travel ban), and the possibility to conduct the trial behind closed doors. In addition, the reform removed the possibility to ignore the need to draw up a pre-sentence report in case the young suspect is a foreign citizen with permanent residence abroad. During the parliamentary proceedings it was decided that the pre-sentence report can be disregarded only when it is justified in the special circumstances of the case and is not in conflict with the best interest of the young suspect.<sup>135</sup></p> <p>On 3 February 2023, Parliament approved an amendment of the Criminal Procedure Act (689/1997), which provides that in case the suspect is below 18, the main hearing shall take place within 30 days when the crime can lead to imprisonment of at least six months. The amendment will enter into force on 1 October 2023.<sup>136</sup></p>

<sup>129</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2021), [Pandemian varjossa kohti maapallon tulevaisuutta: Lapsiasiavaltuutetun vuosikertomus 2020](#) (Annual report 2020), Helsinki, Publications of the Ombudsman for Children 2021:1.

<sup>130</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2021), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 19.

<sup>131</sup> Finland, Act on the Publicity of Court Proceedings in General Courts ([laki oikeudenkäynnin julkisuudesta yleisissä tuomioistuimissa/lag om offentlighet vid rättegång i allmänna domstolar](#)) Act No. 370/2007, 30 March 2007.

<sup>134</sup> Finland, Criminal Investigation Act ([esitutkintalaki/förundersökningslagen](#)), Act No. 805/2011, 22 July 2011; Criminal Procedure Act ([laki oikeudenkäynnistä rikosasioissa/lag om rättegång i brottmål](#)), Act No. 689/1997, 11 July 1997.

<sup>135</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2019), [Rikoksesta epäillyn lapsen oikeuksia parannetaan](#), press release, 14 March 2019.

<sup>136</sup> Finland, Act amending Chapter 1 section 8 a and Chapter 5 section 13 of the Criminal Procedure Act ([laki oikeudenkäynnistä rikosasioissa annetun lain 1 luvun 8 a §:n ja 5 luvun 13 §:n muuttamisesta/lag om ändring av 1 kap. 8 a § och 5 kap. 13 § i lagen om rättegång i brottmål](#)), Act No. 137/2023, 3 February 2023.



<p>Rights of the Child.<sup>132</sup> According to the initiative, legislation should be changed so that the identity of a person who committed an offence as a minor could be ordered to be kept secret, and confidentiality would also be taken into consideration in the publicity of the court decision. Keeping offences, committed as a child, confidential should be the general rule and confidentiality should continue after reaching adulthood.<sup>133</sup></p>	
<p>1.4.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>An Action Plan for the Istanbul Convention for the years 2022–2025 was launched by the Committee for Combating Violence against Women (NAPE).<sup>137</sup></p> <p>The action plan for the prevention of female genital mutilation (FGM) was launched by the Ministry of Social Affairs and Health on 8 April 2019.<sup>138</sup> The main objective of the action plan is to increase healthcare and social welfare professionals' knowledge and competence by ensuring that they are offered training on how to talk about FGM and on their duty to notify. Another objective is to ensure effective dissemination of information to groups at risk of being subjected to FGM.</p>	<p>Finland ratified the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 1 August 2015.<sup>140</sup></p> <p>Based on a citizens' initiative, Parliament decided on 6 November 2020 to request that the government prepares urgently a legislative proposal which clarifies that the practice of female genital mutilation (FGM) is punishable under the Criminal Code.<sup>141</sup> In April 2021, the Ministry of Justice launched a legislative project to this effect. The legislative project is due on 31 December 2023.<sup>142</sup></p> <p>Section 4(2) of the Marriage Act (234/1929), which made it possible to grant a person under 18 years of age a dispensation to marry for special reasons, was repealed</p>

<sup>132</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2020), [Aloite alaikäisten rikosentekijöiden henkilöllisyyden salaamisesta tuomioistuimissa sekä Journalistin ohjeissa](#), 11 March 2020.

<sup>133</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Report to Parliament by the Ombudsman for Children 2022](#), Helsinki, Publications of the Ombudsman for Children in Finland 2022:3.

<sup>137</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*) (2022), [An action plan for the Istanbul Convention for the years 2022–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2022:10.

<sup>138</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*) (2019), [Action plan for the prevention of female genital mutilation \(FGM\)](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2019:7.

<sup>140</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), [NAPE – Committee for Combating Violence against Women and Domestic Violence](#), web page, accessed on 3 March 2023.

<sup>141</sup> Finland, Parliament of Finland (*eduskunta/riksdagen*), [Tyttöjen sukupuolielinten silpominen: lain säätäminen](#), (Banning female genital mutilation), Citizens' initiative, case processing KAA 1/2019.

<sup>142</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2021), [Legislative project to further clarify the punishment of female genital mutilation in the Criminal Code](#), project OM019:00/2021.

<p>The Action Plan for the Prevention of Violence against Children 2020–2025 includes a chapter on honour-related violence, where six actions are specified.<sup>139</sup> These involve the inclusion of the theme in basic and supplementary training, instructions for teachers, police, social welfare and healthcare professionals, cooperation between authorities and civil society organisations, guidelines for discussions with families in preventive child protection, question on honour-related violence in the School Health Promotion Study, and crime statistics on honour-related violence explored.</p>	<p>in 2019. Thus, marriages can currently only be concluded by adults.<sup>143</sup></p> <p>In October 2021, Parliament was presented with a government proposal on the annulment of forced marriages, which would also involve taking a stricter approach towards marriages concluded by minors abroad in situations where a spouse has lived in Finland at the time of entry into marriage. This would mean that a marriage concluded abroad by a person under the age of 18 years would not be recognised in Finland unless there was a special reason to do so. This aims to prevent situations such as attempts to evade the absolute age limit of 18 for concluding a marriage in Finland. As examples of special reasons, the government proposal mentions unreasonable consequences to the spouses if the marriage is not recognised, request for recognition of the marriage by a spouse who was married as a minor but is now an adult and the best interests of a mutual child of the spouses. These amendments were approved by Parliament in February 2023.<sup>144</sup></p>
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#### 1.4.12. Children whose parents are in prison/custody

Policy developments	Legislative developments
<p>In 2019, the Prison and Probation Service of Finland (<i>Rikosseuraamuslaitos/Brottspåföljdsmyndigheten</i>) renewed the Child and Family Work guidelines (<i>Lapsi- ja perhetyön linjaukset</i>).<sup>145</sup> The policies outline that the child's best interest and child-friendly practices must be considered in the work with children and in decision-making that impacts children. Officials must be aware of their responsibilities, as stipulated in the Child</p>	<p>There has been no legislative development in relation to children whose parents are in prison/custody.</p>

<sup>139</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children 2020–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:34, pp. 546–549.

<sup>143</sup> Finland, Government Bill HE 211/2018 vp amending the Marriage Act and the Act on Child Custody and Right of Access ([hallituksen esitys eduskunnalle laeiksi avioliittolain sekä lapsen huollosta ja tapaamisoikeudesta annetun lain muuttamisesta/regeringens proposition till riksdagen med förslag till lagar om ändring av äktenskapslagen och lagen angående vårdnad om barn och umgängesrätt](#)), 15 March 2019.

<sup>144</sup> Finland, Government Bill HE 172/2021 vp amending the Marriage Act and related acts ([hallituksen esitys eduskunnalle laiksi avioliittolain muuttamisesta ja siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till lag om ändring av äktenskapslagen och till lagar som har samband med den](#)), 21 October 2021, p. 13. See Act amending the Marriage Act ([laki avioliittolain muuttamisesta/lag om ändring av äktenskapslagen](#)), Act No. 484/2023, 23 March 2023.

<sup>145</sup> Finland, Prison and Probation Service of Finland (*Rikosseuraamuslaitos/Brottspåföljdsmyndigheten*) (2019), [Lapsi- ja perhetyön linjaukset](#) (Child and family work guidelines), Helsinki, Prison and Probation Service of Finland.

Welfare Act, the Social Welfare Act, the Imprisonment Act and in international agreements and recommendations.

The Finnish Foundation for Supporting Ex-offenders (*Kriminaalihuollon tukisäätiö*, KRITS) updated in 2020 its guide "*Päivä kerrallaan*", which is directed towards families and relatives of those serving a sentence or awaiting sentencing.<sup>146</sup> The guide serves also as a manual for convicted persons and professionals. In addition, KRITS together with prisons organise parenting groups and family and relationship camps, which aim to prevent recidivism through various family work methods.<sup>147</sup>

A project "Parents at the Prison Gate" (*Vanhempi vankilan portilla*) was implemented between 2017–2019 by the Federation of Mother and Child Homes and Shelters together with its three member associations - the Prison and Probation Service, KRITS and Vankien omaiset (VAO) ry. Through the project, a family work model for prisoners that strengthens children's safety, family interaction and everyday life was developed. Additionally, a Prisoner's Path tool was created to support the work of professionals, where children and parents with the help of pictures and cards, can share their experiences of the prison sentence.<sup>148</sup>

A new prison in the City of Hämeenlinna was set up in 2020. The prison contains modern family department facilities. The family department is a child welfare unit under the Finnish Institute for Health and Welfare, which offers parents the opportunity to serve a prison sentence or be in pretrial detention with their child under three years old, and where they can be placed already during pregnancy.<sup>149</sup>

According to the implementation plan for the

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<sup>146</sup> Finland, Finnish Foundation for Supporting Ex-offenders (*Kriminaalihuollon tukisäätiö/Kriminalvårdsstiftelsen*) (2020), [Päivä kerrallaan – Opas läheiselle ja rangaistukseen tuomitulle](#) (One day at a time: A guide to the sentenced persons and to their relatives), Helsinki, the Finnish Foundation for Supporting Ex-offenders.

<sup>147</sup> Information received from the Prison and Probation Service of Finland via email on 27 February 2023.

<sup>148</sup> Information received from the Prison and Probation Service of Finland via email on 27 February 2023.

<sup>149</sup> Information received from the Prison and Probation Service of Finland via email on 27 February 2023.

<p>National Child Strategy, COVID-19 may have undermined, among other things, the right of children whose parents are in prison to meet their parents. Therefore, the plan includes a measure to prepare a report on the impacts of the COVID-19 epidemic on the maintenance of children's close relationships and the protection of family life.<sup>150</sup></p>	
<p>1.4.13. Children who drop out of compulsory education and working children under the legal age for work</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>According to the Implementation plan for the Child Strategy, existing means will be used, and new ones will be sought with a multidisciplinary approach, to prevent dropping out and social exclusion. Attention will be paid particularly to the transition phases of education. The possibility of completing at least a secondary level qualification will be secured for each child.<sup>151</sup></p> <p>In 2021, the government granted organisers of education € 60 million to bridge the learning gap caused by the pandemic (see 1.4.7).<sup>152</sup> As to basic education, the funding is earmarked for measures that support learning among students in vulnerable positions, e.g., students that have interrupted their studies during the pandemic.</p> <p>Statistics Finland has produced data on the discontinuation of post-comprehensive level education by sector of education and by educational institution, field of education and region. Accordingly, a total of 6.7 % of students</p>	<p>The most significant education reform of recent years was the extension of compulsory education (see 1.4.7). As of 1 August 2021, compulsory education has been extended from the end of the 9th grade to the completion of secondary education or until the young person turns 18.<sup>155</sup></p> <p>In 2022, the Basic Education Act (628/1998) was amended with regard to school absenteeism in basic education.<sup>156</sup> The education provider has a duty to prevent, monitor and intervene in absenteeism in a systematic manner. The amendments take effect on 1 August 2023.</p> <p>Further, section 2 of the Young Workers Act (998/1993) concerning the age requirements to be admitted to work was amended in 2021.<sup>157</sup> The first part of the section remained unchanged. Thus, a person may be admitted to work if he/she has reached the age of 15. The second part of the section was amended with a requirement that a person has to have completed basic education, in accordance with section 26 subsection 1 of the Basic Education Act (628/1998), in order to be admitted to work. According to section 26 subsection 1 of the Basic</p>

<sup>150</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation Plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38, p. 14.

<sup>151</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation Plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38, p. 36.

<sup>152</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2021), '[Government proposes major support package to alleviate coronavirus harm in children and young adults](#)', press release, 27 May 2021.

<sup>155</sup> Finland, Compulsory Education Act ([\*oppivelvollisuuslaki/läropliktslag\*](#)), Act No. 1214/2020, 30 December 2020.

<sup>156</sup> Finland, Act amending section 26 of the Basic Education Act ([\*laki perusopetuslain 26 §:n muuttamisesta\*](#)), Act No. 947/2022, 25 November 2022.

<sup>157</sup> Finland, Government Bill HE 173/2021 vp on Act on Compulsory Education ([\*hallituksen esitys eduskunnalle oppivelvollisuuslaiksi ja eräiksi siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till läropliktslag och till lagar som har samband med den\*](#)), 5 November 2020. Finland, Young Workers Act ([\*laki nuorista työntekijöistä/lag om unga arbetstagare\*](#)), Act No. 998/1993, 19 March 1993.

<p>attending education leading to a qualification or a degree discontinued their studies and did not resume education leading to a qualification or degree in the academic year 2020/2021.<sup>153</sup></p> <p>No specific data exist as regards working children under the legal age for work. However, Statistics Finland provides data concerning labour market participation of young people (15–29) by year, age group and information.<sup>154</sup></p>	<p>Education Act, completion of basic education ends when the curriculum of basic education has been completed or, at the latest, when the schoolwork of the academic year ends in the calendar year in which the student turns 17.</p>
<p>1.4.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (<i>add rows as needed</i>)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The Substance Use and Addiction Strategy: Joint guidelines until 2030 was completed in 2021 by the Ministry of Social Affairs and Health.<sup>158</sup> The strategy sets out the priorities and joint guidelines until 2030. With respect to children, the strategy aims to promote high-quality and comprehensive basic and specialised substance abuse and addiction services for underage substance abusers and strengthen the cooperation with key actors, such as child welfare authorities and educational institutions. An overarching goal is to support the right of children and young people to drug-free environments.</p> <p>The Implementation Plan for the Child Strategy sets out a measure to prepare an action plan for supporting children and young people who abuse substances as a symptom of their problems.<sup>159</sup></p>	

<sup>153</sup> Finland, Statistics Finland (*Tilastokeskus/Statistikcentralen*), [Discontinuation of education](#), web page, accessed on 13 April 2023.

<sup>154</sup> Finland, Statistics Finland (*Tilastokeskus/Statistikcentralen*), [Participation of young people \(15–29\) in education and the labour market by sex and age 2009–2022](#), web page, accessed on 13 April 2023.

<sup>158</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*) (2021), [Päihde- ja riippuvuusstrategia: Yhteiset suuntaviivat vuoteen 2030](#) (Substance Use and Addiction Strategy: Joint guidelines until 2030), Helsinki, Publications of the Ministry of Social Affairs and Health 2021:17.

<sup>159</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation Plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38, p. 33.

On 24 February 2022, the National Supervisory Authority for Welfare and Health together with the Regional State Administrative Agency published a guide on the availability and organisation of mental health and substance abuse services for children and youth in child welfare services.<sup>160</sup> According to the guide, municipalities and wellbeing services counties must ensure cooperation within social and healthcare services, multidisciplinary expertise and a service package that protects the rights of a child when he/she is a client of child welfare services.

### 1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

Civil society organisations have emphasised their concern that while the UN Convention on the Rights of the Child and the national Child Welfare Act require the child's opinion to be ascertained whenever decisions concerning the child are taken, an opportunity to be heard must formally be reserved for children who have turned 12. Thus, finding out the opinion of younger children is not in practice perceived equally binding. The operating methods of alternative care appear also problematic and do not adequately support the child's participation in the processing of the matter concerning the child.<sup>161</sup>

More attention should be paid to the permanence and predictability of alternative care. Some of the children within child welfare have numerous placements, which causes unstable conditions and breaks in relationships.<sup>162</sup>

In its concluding observations on the seventh periodic report of Finland in March 2021, the UN Committee on Economic, Social and Cultural Rights expressed concern at reports of more frequent recourse to placing children in alternative care, and of insufficient assistance being provided to children of undocumented migrants and to unaccompanied children. It recommended that Finland prioritise efforts to keep children in, or return them to, the care of their family and to ensure families' access to support services in their caregiving role. It also recommended that Finland increase the capacity of preventive social care services, address the shortage of qualified personnel and ensure that unaccompanied children and children of

<sup>160</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira) (2022), [Lastensuojelun asiakkaina olevien lasten ja nuorten mielenterveys- ja päihdepalvelujen saatavuus ja järjestäminen](#), guide, 24 February 2022.

<sup>161</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*) (2022), [Rinnakkaisraportti YK:n lapsen oikeuksien komitealle](#) (Parallel report to the UN Committee on the Rights of the Child), September 2022, p. 21.

<sup>162</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*) (2022), [Rinnakkaisraportti YK:n lapsen oikeuksien komitealle](#) (Parallel report to the UN Committee on the Rights of the Child), September 2022, p. 35.



undocumented migrants benefit effectively from social care services.<sup>163</sup> The same Committee urged Finland to ensure equal access to inclusive education for all children, including children with a migrant background and Roma children, address the socioeconomic root causes of dropping out of school and ensure that delivery systems at all levels of education respond to the needs of students from different social and cultural backgrounds.<sup>164</sup> In its submission for the universal periodic review of Finland in August 2022, the United Nations High Commissioner for Refugees remained concerned about the continued practice of detention of children for immigration purposes.<sup>165</sup>

### 1.6. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

According to the National Child Strategy, the system of social welfare and healthcare services for children is currently fragmented and siloed and, in particular, children and families who need many different services may in fact be left without assistance and support.<sup>166</sup> While prevention is emphasised, the role of child protection has in reality been oriented towards intervention, as the resources have been inadequate.<sup>167</sup>

With the reform of the Social Welfare Act that entered into force in 2015, efforts have been made to enhance the focus on preventive services for families with children. However, shifting the focus towards early support has not reduced the need for remedial services. On the contrary, the number of placements outside the home increased in 2018–2020.<sup>168</sup> The 2019-2023 government programme states that preventive services for families under the Social Welfare Act will be strengthened, and the eligibility criteria for families to qualify for home services will be eased.<sup>169</sup>

### 1.7. Development in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

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<sup>163</sup> United Nations (UN), Committee on Economic, Social and Cultural Rights (CESCR) (2021), [Concluding observations on the seventh periodic report of Finland](#), E/C.12/FIN/CO/7, 30 March 2021, paras. 32–33.

<sup>164</sup> United Nations (UN), Committee on Economic, Social and Cultural Rights (CESCR) (2021), [Concluding observations on the seventh periodic report of Finland](#), E/C.12/FIN/CO/7, 30 March 2021, para. 47.

<sup>165</sup> United Nations (UN), Human Rights Council (2022), [Finland: Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), United Nations High Commissioner for Refugees (UNHCR) submission for the universal periodic review of Finland, A/HRC/WG.6/41/FIN/2, 17 August 2022, p. 7.

<sup>166</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 22.

<sup>167</sup> FRA (European Union Agency for Fundamental Rights) (2014), EU mapping of child protection systems, FRANET, 31 March 2014, p. 42.

<sup>168</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*) (2022), [Rinnakkaisraportti YK:n lapsen oikeuksien komitealle](#) (Parallel report to the UN Committee on the Rights of the Child), September 2022, p. 34.

<sup>169</sup> Finland, Programme of the Government of Prime Minister Sanna Marin (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Helsinki, Publications of the Finnish Government 2019:33, p. 157.

In the past eight years, many achievements have been made in child protection legislation and policies. Perhaps the most remarkable achievement was establishing Finland's first National Child Strategy. In August 2015 Finland ratified the Istanbul Convention. Further, in May 2016, Finland ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol. In February 2016, the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure entered into force in Finland. Other achievements have included the strengthening of the status of victims of human trafficking and improving the possibility of unaccompanied migrant children to reunite with their family.

According to the National Child Strategy, currently, children who are in a more vulnerable position for one reason or another do not always receive the support and assistance they need.<sup>170</sup> Further, the fact that violence and abuse in a child's family and peer relationships is too often invisible remains a challenge. The service system is not always able to respond to support needs efficiently enough.<sup>171</sup> At present, there are further inconsistencies and gaps in the collection of data on the status of children, which undermines information management in efforts to improve children's wellbeing.<sup>172</sup>

Challenges appear in coordinating services which are provided for in the Reception Act (746/2011), the Act on the Promotion of Immigrant Integration (1386/2010), the Social Welfare Act (1301/2014) and the Child Welfare Act (417/2007) and the regional differences are large. Even in a situation where a child/young person is in need of child welfare services, it might be assumed that the reception services will take care of the matter, which is against the Child Welfare Act and the rights of the child in general. Early support services are not offered equally.<sup>173</sup>

## 1.8. Promising practices

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

### ***The National Child Strategy***

Published in 2021, the National Child Strategy covers the current state of wellbeing and rights of children and young people in Finland as well as the key objectives and measures to promote these issues. Based on the UN Convention on the Rights of the Child, the National Child Strategy applies to all children and young people under the age of 18. In addition, the families in which children live and young adults in the transitional stage between childhood and adulthood are considered in the Strategy and its implementation plan.<sup>174</sup>

The Strategy has three guiding principles: 1. The strategy will create a genuinely child and family friendly Finland where the rights of the child are respected. 2. Children's rights and status will be mainstreamed, ensuring that children are consistently taken into consideration in all policies and activities alongside with

<sup>170</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 19.

<sup>171</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 20.

<sup>172</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 18.

<sup>173</sup> Information received from the unit of Social Work at University of Turku via email on 12 April 2023.

<sup>174</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2021), ['First National Child Strategy aims to build a Finland that respects children's rights'](#), press release, 23 February 2021.

other members of society and that they are informed of their rights. 3. The status of children in a vulnerable position will be secured, and their needs will be recognised better.<sup>175</sup>

The UN Committee on the Rights of the Child stressed in its concluding observations concerning Finland in 2011 that implementing the rights of the child requires a consistent child policy and the national coordination of issues relating to the rights of the child.

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<sup>175</sup> Finland, Government Bill HE 88/2018 vp on the amendment of the Act on Child Custody and Rights of Access ([\*hallituksen esitys eduskunnalle laiksi lapsen huollosta ja tapaamisoikeudesta annetun lain muuttamisesta ja eräksi siihen liittyviksi laeiksi/regeringens proposition till riksdagen med förslag till lag om ändring av lagen angående vårdnad om barn och umgängesrätt och till vissa lagar som har samband med den\*](#)), 7 September 2018, p. 35. See also, Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [\*Report to Parliament by the Ombudsman for Children 2022\*](#), Helsinki, Publications of the Ombudsman for Children in Finland 2022:3, p. 152.

## 2. Governance, coordination structures, and services

### 2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		In accordance with section 1 of the Government Decree on the Ministry of Social Affairs and Health (90/2008), the Ministry's duties include ensuring the wellbeing of children, youth, and families. <sup>176</sup>
<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X		The Department for Communities and Functional Capacity ( <i>yhteisöt ja toimintakyky – osasto/avdelningen för gemenskaper, organisationer och funktionsförmåga</i> , YTO) in the Ministry of Social Affairs and Health has the responsibility over matters related to health and social services for children, young people and families. The Children and Young People Unit ( <i>lapset ja nuoret – yksikkö/enheten för barn och unga</i> , LANU) working within the Department for Communities and Functional Capacity (YTO) handles issues pertaining to child welfare. <sup>177</sup>

<sup>176</sup> Finland, Government Decree on the Ministry of Social Affairs and Health ([valtioneuvoston asetus sosiaali- ja terveystieteiden ministeriöstä/statsrådets förordning om social- och hälsovårdsministeriet](#)), Decree No. 491/2017, 28 June 2017.

<sup>177</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [Department for Communities and Functional Capacity \(YTO\)](#), web page, accessed on 3 March 2023.

		In addition, the Finnish Institute for Health and Welfare (THL) produces information, develops and guides child welfare, and maintains statistics and registers of child welfare. <sup>178</sup>
2.1.3. Are there child focal points or similar in different ministries or agencies?  <u>If yes</u> , in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?	X	In international child abduction cases occurring between the Contracting States of the Hague Child Abduction Convention, the Ministry of Justice functions as the Central Authority in Finland. The Ministry for Foreign Affairs (Unit for Consular Assistance) assists in cases in which a child has been taken to a country that is not a Contracting State of the Hague Convention.  Furthermore, the Ministry of Justice is responsible for the Act on Child Custody and Right of Access (361/1983) and the Adoption Act (22/2012). The Ministry of Education and Culture is responsible for daycare, education, training and research as well as arts, culture, sports and youth work. <sup>179</sup>

Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

<b>Name of the body</b>	<b>Level (national/regional/local).</b>	<b>Area of responsibility and roles in child protection</b>  <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	<b>Comments</b>  <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
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<sup>178</sup> Information obtained from the Ministry of Social Affairs and Health via email on 7 March 2023.

<sup>179</sup> Information obtained from the Ministry of Social Affairs and Health via email on 7 March 2023.

<p>The Ministry of Social Affairs and Health (<i>sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet</i>)</p>	<p>National</p>	<ul style="list-style-type: none"> <li>- policy making</li> <li>- legislation</li> <li>-</li> <li>-</li> <li>- general guidance and steering</li> <li>- financing</li> </ul>	<p>Whereas the Ministry of Social Affairs and Health prepares the budget proposal for the social and healthcare sector, the overall responsibility for the budgetary process lies with the Ministry of Finance.<sup>180</sup></p>
<p>The Finnish Institute for Health and Welfare (<i>Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd, THL</i>)</p>	<p>National</p>	<ul style="list-style-type: none"> <li>- research</li> <li>- monitoring</li> <li>- development</li> <li>- informing</li> </ul>	<p>The Finnish Institute for Health and Welfare operates under the Ministry of Social Affairs and Health. It is subject to the performance guidance of the Ministry.</p> <p>The Finnish Institute for Health and Welfare provides a handbook on child welfare on its website. The handbook supports professionals in their development and customer work.<sup>181</sup></p>
<p>The National Supervisory Authority for Welfare and Health (<i>Sosiaali- ja terveystieteiden lupa- ja valvontavirasto/Tillstånds- och tillsynsverket</i>)</p>	<p>National</p>	<ul style="list-style-type: none"> <li>- monitoring</li> <li>- steering</li> <li>- permissions</li> </ul>	<p>The Adoption Board of Finland works under Valvira. The Adoption Board grants permission for both domestic and intercountry adoptions. The Adoption Board also licences intercountry</p>

<sup>180</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*), [the Budget, Formulation of the Budget](#), web page, accessed on 28 August 2023.

<sup>181</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Lastensuojelun käsikirja](#) (Handbook for child protection), web page, accessed on 4 March 2023.



för social- och hälsovården, Valvira)			adoption service providers and supervises their operations. <sup>182</sup>
Regional State Administrative Agencies (Aluehallintovirasto/Regionförvaltningsverket)	Regional	<ul style="list-style-type: none"> <li>- guidance</li> <li>- supervision</li> <li>- monitoring</li> <li>- steering</li> <li>- legality control</li> </ul>	The Regional State Administrative Agencies monitor the legality of the decisions made by officeholders, the adequate availability of the services and the practice and conduct of delivering the services. The Regional State Administrative Agencies grant licences to private service providers (alternative care) locally. <sup>183</sup>
Wellbeing services counties (hyvinvointialue/välfärdsområde)	Regional	<ul style="list-style-type: none"> <li>- implementation (main service providers)</li> <li>- coordination</li> <li>- monitoring</li> </ul>	As part of the social and healthcare reform, the responsibility of organising child welfare services was transferred from municipalities to 21 wellbeing services counties in January 2023. In the capital area, the City of Helsinki remains in charge of child welfare services.
Municipalities (kunta/kommun)	Local/regional	<ul style="list-style-type: none"> <li>- implementation</li> <li>- coordination</li> </ul>	The wellbeing services counties together with the municipalities are responsible for organising preventive child welfare. Preventive child welfare refers to the special support provided for families within the basic public services, for example, child

<sup>182</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira), [Finnish Adoption Board](#), web page, accessed on 4 March 2023.

<sup>183</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Aluehallintovirastot ja Valvira lastensuojelun valvonnassa](#) (Lastensuojelun käsikirja), web page, accessed on 4 March 2023.

			daycare, family centres, education, and youth work. <sup>184</sup>
Centres of Excellence on Social Welfare ( <i>sosiaalialan osaamiskeskus/kompetenscentrum inom det sociala området</i> )	Regional	<ul style="list-style-type: none"> <li>- coordination</li> <li>- developing practices and expertise</li> </ul>	In accordance with the Act on the Centres of Excellence on Social Welfare (1230/2001), <sup>185</sup> the tasks of the centres include developing and sharing competence and expertise in the social welfare sector, developing basic public services as well as special and expert services that require special expertise, and maintaining cooperation for the purpose of producing special and expert services at the regional level.
Police of Finland ( <i>poliisi/polis</i> )	National	<ul style="list-style-type: none"> <li>- law enforcement</li> <li>- supervision</li> </ul>	According to Chapter 5 section 25 of the Child Welfare Act (417/2007), officeholders listed in subsection 1 have a duty, notwithstanding confidentiality provisions, to notify the police when they have cause to suspect that a crime punishable under Chapter 20 (sexual offence) or 21 (homicide and bodily injury) of the Criminal Code has been committed against a child. <sup>186</sup>

<sup>184</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [Child welfare](#), web page, accessed on 4 March 2023.

<sup>185</sup> Finland, Act on the Centres of Excellence on Social Welfare ([laki sosiaalialan osaamiskeskustoiminnasta/lag om kompetenscentrumverksamhet inom det sociala området](#)), Act No. 1230/2001, 13 December 2001.

<sup>186</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007. See also, Finland, Criminal Code ([rikoslaki/strafflagen](#)), Act No. 39/1889, 19 December 1889.

<p>Finnish Immigration Service (<i>maahanmuuttovirasto/migrationsverket</i>)</p>	<p>National</p>	<ul style="list-style-type: none"> <li>- monitoring</li> <li>- coordination</li> </ul>	<p>In cases of unaccompanied minors applying for international protection, the Finnish Immigration Service shall take measures without delay to trace his or her parents or some other person responsible for his or her actual custody. If necessary, tracing shall be continued after the minor has been granted international protection. The same shall apply to unaccompanied minors who are victims of trafficking in human beings.<sup>187</sup></p>
<p>Administrative courts (<i>hallintotuomioistuim/förvaltningsdomstol</i>)</p>	<p>Regional</p>	<ul style="list-style-type: none"> <li>- implementation</li> <li>- legal protection</li> </ul>	<p>Administrative courts deal with appeals from private individuals and communities concerning decisions taken by public authorities in administrative matters. An appeal can be made to the administrative courts, for example, in matters concerning decisions on social and healthcare issues, such as disability services, child welfare and mental health issues.</p> <p>Administrative courts include six regional administrative courts, the Åland Administrative Court in connection with the Åland District Court and the Supreme Administrative Court.</p>
<p>Ombudsman for Children (<i>lapsiasiavaltuutettu/barnombudsmannen</i>)</p>	<p>National</p>	<ul style="list-style-type: none"> <li>- monitoring</li> <li>- coordination</li> <li>- advocacy</li> </ul>	<p>The Finnish Ombudsman for Children cooperates closely with the ombudsmen for children of the</p>

<sup>187</sup> Finland, Aliens Act ([ulkomaalaislaki/utlänningslagen](#)), Act No. 301/2004, 30 April 2004, section 105b.

			<p>other Nordic countries and the European Network of Ombudspersons for Children ENOC.</p> <p>The Ombudsman for Children is the chair of the Child Advisory Board.</p> <p>The Ombudsman for Children is also a member of the Human Rights Delegation, which, together with the Office of the Parliamentary Ombudsman and the Human Rights Centre, forms the Finnish National Human Rights Institution.</p>
<p>Child Advisory Board (<i>lapsiasianeuvottelukunta/ barnombudsmannadelegationen</i>)</p>	National	<ul style="list-style-type: none"> <li>- advocacy</li> <li>- coordination</li> </ul>	<p>The Child Advisory Board supports the work of the Ombudsman for Children. Appointed by the Finnish Government, the Child Advisory Board, e.g., makes proposals and promotes cooperation between national and international actors. The Board is composed of officials from different ministries, civil society organisations and other actors such as the Regional State Administrative Agency, the central administration of the evangelical Lutheran church in Finland and the Finnish Institute for Health and Welfare.</p>
<p>Parliamentary Ombudsman (<i>eduskunnan</i>)</p>	National	<ul style="list-style-type: none"> <li>- advocacy</li> <li>- supervision</li> </ul>	<p>The Parliamentary Ombudsman supervises that children's rights are implemented in Finland.<sup>188</sup></p>

<sup>188</sup> Finland, Act on the division of work between the Chancellor of Justice and the Parliamentary Ombudsman ([laki valtioneuvoston oikeuskanslerin ja eduskunnan oikeusasiamiehen tehtävien jaosta/lag om fördelningen av uppgifter mellan justitiekanslern i statsrådet och riksdagens justitieombudsman](#)), Act No. 330/2022, 1 October 2022.

<i>oikeusasiamies/riksdagens justitieombudsman)</i>		- implementation	<p>The Ombudsman investigates complaints in matters related to children’s rights. Further, the Ombudsman carries out inspections in schools, children's homes, youth homes and care institutions for children.</p> <p>The Parliamentary Ombudsman, the Human Rights Centre and the Human Rights Delegation together form the Finnish National Human Rights Institution, which is fully compliant with the Paris Principles.</p>
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2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

The responsibility for organising child welfare services was transferred from municipalities and joint municipal authorities to the wellbeing services counties on 1 January 2023. The health and social services reform restructured the organisation of public healthcare and social welfare in Finland. Rescue services were also restructured as part of the reform. The wellbeing services counties are bodies governed by public law that exercise autonomy within their own areas. Central government guidance and direction of wellbeing services counties is strategic in nature. The funding of wellbeing services counties is based on imputed universal central government funding.<sup>189</sup>

<sup>189</sup> Information obtained from the Ministry of Social Affairs and Health via email on 7 March 2023.

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

<b>Service providers</b>  <i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<b>Type of services</b>  <i>(Include counselling, care institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<b>Target groups</b>  <i>(For example, children with disability, children in risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)</i>	<b>Funding</b>  <i>(national budget, EU funded, other)</i>
Wellbeing services counties <i>(hyvinvointialue/välfärdsområde)</i> (public authority)	All types of services	No specific target group	Statutory government contribution (to wellbeing services counties)
Familiar (private, part of the Mehiläinen Group)	<ul style="list-style-type: none"> <li>- alternative care</li> <li>- aftercare</li> <li>- open care</li> <li>- family support services</li> <li>- legal advice</li> </ul>	No specific target group	Wellbeing services counties can purchase child welfare services from private service providers, such as Familiar, SOS Children’s Village Association, Humana and Friends of the Young. On the requirements concerning outsourcing of child welfare services, see 3.1.7.
SOS Children’s Village Association ( <i>SOS lapsikylä</i> )	<ul style="list-style-type: none"> <li>- alternative care</li> <li>- open care</li> <li>- aftercare</li> <li>- family support services</li> </ul>	No specific target group	See above



(part of international organisation)			
Humana (private)	<ul style="list-style-type: none"> <li>- alternative care</li> <li>- open care</li> <li>- aftercare</li> <li>- family support services</li> <li>- school support services</li> </ul>	No specific target group. However, the company has specialization in children with psychosocial disorders and mental health issues.	See above
Friends of the Young ( <i>Nuorten Ystävät</i> ) (registered association)	<ul style="list-style-type: none"> <li>- alternative care</li> <li>- open care</li> <li>- family support services</li> </ul>	No specific target group	<p>See above.</p> <p>In addition, activities are partly funded by the Funding Centre for Social Welfare and Health Organisations (STEA). STEA is a state-aid authority operating in connection with the Ministry of Social Affairs and Health. STEA is responsible for the preparation, payment, monitoring, and impact evaluation of funds granted to non-profit organisations.<sup>190</sup> STEA grants funding for general or targeted activities, investments, development projects, introductory projects and other projects with a defined purpose.<sup>191</sup></p>

<sup>190</sup> Finland, Funding Centre for Social Welfare and Health Organisations (*Sosiaali- ja terveystieteiden avustuskeskus/Social- och hälsoorganisationernas understödscentral*), [STEA avustukset](#), web page, accessed on 8 February 2023.

<sup>191</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [STEA grants](#), web page, accessed on 28 August 2023.

			International activities are often EU funded.
The Mannerheim League for Child Welfare ( <i>Mannerheimin lastensuojeluliitto/Mannerheims barnskyddsförbund</i> , MLL) (registered association)	<ul style="list-style-type: none"> <li>- short-term child welfare services</li> <li>- family support services</li> <li>- counselling</li> </ul> <p>MLL has 541 local associations throughout the country. The work of these associations is supported by the League's ten district organisations.</p>	No specific target group	<p>Partly funded through the Funding Centre for Social Welfare and Health Organisations (STEA). For more information on STEA funding, see above.</p> <p>Co-founder of the Children's Day Foundation, which raises funds for child welfare work.<sup>192</sup></p>
The Central Union for Child Welfare ( <i>Lastensuojelun Keskusliitto/Centralförbundet för barnskydd</i> , LSKL), (registered association)	<ul style="list-style-type: none"> <li>- supporting preventive child welfare services through a Social Impact Bond funding initiative</li> <li>- education awareness -training activities</li> <li>- advocacy work</li> </ul> <p>The Central Union for Child Welfare is an umbrella organisation that works to promote child welfare through advocacy, capacity building, training and coordination. Its members include NGOs working in</p>	No specific target group	<p>Projects have been partly funded, e.g., through the Funding Centre for Social Welfare and Health Organisations (STEA) and ESF+. For more information on STEA funding, see above.</p> <p>Co-founder of the Children's Day Foundation (see above).</p>

<sup>192</sup> [Children's Day Foundation](#), web page, accessed on 4 March 2023.

	the field of child welfare as well as municipalities and wellbeing services counties.		
State	Five state reform schools ( <i>valtion koulukodit/statens skolhem</i> ) (national service providers for demanding substitute care and demanding special care).	Children whose situation in life has led, e.g., to unsafety, school absence, substance abuse or crime. <sup>193</sup>	The State's reform schools operate under the performance guidance of the Finnish Institute for Health and Welfare and the Finnish National Agency for Education.

2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

Familiar Oy has developed a system of customer experience surveys, which provides data on children's experiences of participating in their own treatment, their everyday life as well as feedback from social workers regarding the realisation of goals set within the treatment.<sup>194</sup> Within the Mannerheim League for Child Welfare, the MLL YouthNet website and its social media channels provide a platform for online youth participation activities. The MLL Young Web Editors, recruited and coached by MLL staff, produce content and updates to the YouthNet social media channels and the website, facilitate discussion, promote positive peer support and self-expression. Further, MLL offers a Child and Youth Helpline which is open every day of the year and can be accessed via phone, chat and through a digital message service.<sup>195</sup> SOS Children's Village Association has created a chat-service named "Apuu" which is intended for children aged 7–15 in situations where the child feels worried, unsafe or threatened and needs help. Children get information in Apuu-chat about their own rights, child welfare and other services they need, which increases the child's participation experience and opportunities to act.<sup>196</sup> Children can make complaints to the Parliamentary Ombudsman if they feel that

<sup>193</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden- ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Koulukoti](#) (Lastensuojelun käsikirja), web page, accessed on 8 February 2023.

<sup>194</sup> Mehiläinen (2020), [Mehiläinen Annual Report 2020](#), Helsinki, Mehiläinen, p. 15.

<sup>195</sup> Mannerheim League for Child Welfare (*Mannerheimin lastensuojeluliitto/Mannerheims barnskyddsförbund*), [MLL YouthNet](#), web page, accessed on 4 March 2023.

<sup>196</sup> SOS Children's Village Association (2022), [Lapset ovat ottaneet Apuu-chatin omakseen: Apuu-chatin vuosi 2021](#), publication.

authorities, public servants and others who carry out public tasks have treated them badly or unfairly, for instance in a child protection institution. For this, the Parliamentary Ombudsman has published a website directed towards children.<sup>197</sup>

All of the mechanisms mentioned are free of charge and available for children. For instance, MLL's child and youth phone provides the ability for children to call, write letters or online chat about any issues they might be having. Children can contact the helpline anonymously every day of the year.<sup>198</sup>

With reference to the concept 'expert by experience', a broad range of civil society actors are advocating for strengthening the voice of child protection clients in the development of child protection services. In a recent report on the multi-actor approach to child welfare, published by the Finnish Institute for Health and Welfare, it is confirmed that the interest to apply the expert by experience method in child protection has grown during recent years.<sup>199</sup> It has been used, for example, in assessing the success of the child welfare system.<sup>200</sup> The Ministry of Social Affairs and Health confirms that the information obtained through that exercise will be used in the reform of the child welfare legislation during the next government term.<sup>201</sup> Further, the internet platform 'Innokylä' (Innovation Village), which is an open environment supporting development work in social services, lists several 'expert by experience' models that presently are in use regionally within wellbeing services counties.<sup>202</sup>

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<sup>197</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [The Parliamentary Ombudsman supervises children's rights](#), web page, accessed on 4 March 2023.

<sup>198</sup> Child Helpline International, [Finland: Lasten ja Nuorten Puhelin ja Netti – Child and Youth Phone](#), web page, accessed on 13 April 2023.

<sup>199</sup> Yliruka, L., Eriksson, P., Jokinen, L., Pasanen, K. (2022), [Kohti monitoimijaista lastensuojelua hyvinvointialueilla](#), Discussion Paper 5/2022, Helsinki, Finnish Institute for Health and Welfare, p. 119

<sup>200</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), ['Children and young people gave school grades for child welfare'](#), press release, 19 December 2022.

<sup>201</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), ['Children and young people gave school grades for child welfare'](#), press release, 19 December 2022.

<sup>202</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Innokylä on kaikille avoin yhteisen kehittämisen ja tiedon jakamisen ympäristö](#), web page, accessed on 19 April 2023.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>		X	<p>In accordance with section 47 of the Finnish Associations Act (503/1989),<sup>203</sup> the Finnish Patent and Registration Office (<i>patentti- ja rekisterihallitus/patent- och registerstyrelsen</i>) is responsible for maintaining a register of associations. There is no separate general register for civil society organisations operating in the child protection area.</p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church organisations, etc. in the area of child protection?</p> <p><u>If yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>		X	<p>There is no general obligation for accrediting/licensing/registering the activity of all civil society organisations in the area of child protection. If the organisation is involved in a particular area of child protection, for example, in providing alternative care services, then they must apply for a permission to deliver those services.</p> <p>The National Supervisory Authority for Welfare and Health (Valvira) and the Regional State Administrative Agencies grant licences for private service providers (child protection/welfare). A private service provider providing 24/7 child welfare services must apply for a licence from the Regional State Administrative Agency. If services are produced in the jurisdiction of more than one regional administrative agency, permission is sought from Valvira. A provider of private social services other than above mentioned must make a written notification of the activity.<sup>204</sup></p> <p>With the adoption of the Act on the Supervision of Social Welfare and Healthcare (741/2023) on 14 April 2023, a new system for registering social service providers will be introduced. As of 1 January 2024, private service providers, including civil society organisations, have to be registered in the Soteri registry maintained by the National Supervisory Authority for Welfare and Health.<sup>205</sup></p>

<sup>203</sup> Finland, Associations Act ([yhdistyslaki/föreningslag](#)), Act No. 503/1989, 26 May 1989.

<sup>204</sup> Finland, Act on Private Social Services ([laki yksityisistä sosiaalipalveluista/lag om privat socialservice](#)), Act No. 922/2011, 22 July 2011, Chapter 3.

<sup>205</sup> Finland, Act on the Supervision of Social Welfare and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården](#)), Act No. 741/2023, 14 April 2023.

<p>2.2.3. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p>If <u>yes</u>, What is the prevalence of this practice?</p> <p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>	X		<p>Wellbeing services counties can outsource their services to private actors including civil society organisations, when necessary.<sup>206</sup> However, the responsibility for statutory monitoring remains with the wellbeing services county. On the requirements concerning outsourcing of child welfare services, see 3.1.7.</p> <p>Furthermore, NGOs can be involved, e.g., in developing child welfare, producing knowledge for instance by conducting surveys, training professionals and/or lobbying new legislation.<sup>207</sup></p>
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### 2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
<p>2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and legislation in the area of child protection?</p> <p>If <u>yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p><u>For example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>	X		<p>The Ministry of Social Affairs and Health is primarily responsible for child protection at the national level. Together with the Association of Finnish Local and Regional Authorities, the Ministry of Social Affairs and Health issued a quality recommendation for child welfare, which was updated in 2019. The quality recommendation is intended to guide the child welfare work and to support its organisation.<sup>208</sup></p> <p>The Centres of Excellence on Social Welfare have a role in coordinating cooperation at a regional level, developing services, training and expertise and conducting research on social services.<sup>209</sup></p> <p>Through the social and healthcare reform, wellbeing services counties offer a new level of regional coordination. The Ministry of Social Affairs and Health and wellbeing services counties conduct annually regional</p>

<sup>206</sup> Finland, Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveydenhuollon järjestämisestä/lag om ordnande av social- och hälsovård](#)), Act No. 612/2021, 29 June 2021, section 12.

<sup>207</sup> Information obtained from the Ministry of Social Affairs and Health via email on 7 March 2023.

<sup>208</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [Quality recommendation for child welfare](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:28.

<sup>209</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [Centres of excellence on social welfare](#), web page, accessed on 4 March 2023.

		<p>negotiations.<sup>210</sup></p> <p>According to the Act on the Ombudsman for Children (1221/2004), one of the duties of the Ombudsman is to promote co-operation between different actors.<sup>211</sup> The Ombudsman for Children acts with the assistance of the Child Advisory Board established by the government. The Advisory Board makes proposals (for example in relation to legislative developments) and promotes cooperation between national and international actors (see 2.1.4.)</p>
<p>2.3.2. Is there inter-agency cooperation between the relevant actors having responsibility in the area of child protection (including civil society organisations)?</p> <p>If yes, please mention how this is done (for examples are there standing inter-agency committees or meetings, are digital tools used?). Which actor has a leading role?</p>	<p>X</p>	<p>The Child Advisory Board is composed of representatives of various ministries, civil society organisations and other actors. The Ombudsman for Children is the chairperson of the Advisory Board.</p> <p>There are no child representatives in the Child Advisory Board. Instead, the Office of the Ombudsman for Children has Young Advisers, that is, activities, where children and young people are the advisers of the Ombudsman for Children. Thus, six to ten meetings are organised annually with groups of children of different backgrounds and lives. Information obtained during the meetings is extensively utilised in the activities of the Ombudsman for Children, and also in the activities of the Child Advisory Board. In addition, in connection with each Advisory Board meeting, the members of the Board bring to the meeting information on whether the children's views have been clarified in relation to the current meeting theme.<sup>212</sup></p> <p>The Central Union for Child Welfare was founded in 1937 to promote and develop cooperation between NGOs, municipalities and state authorities in the area of child welfare.</p> <p>The Barnahus project promotes investigation of crimes against children in the regions of five</p>

<sup>210</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [Ministry of Social Affairs and Health guides and directs wellbeing services counties in organisation of health and social services](#), web page, accessed on 4 March 2023.

<sup>211</sup> Finland, Act on the Ombudsman for Children (*laki lapsiasiavaltuutetusta/lag om barnombudsmannen*), Act No. 1221/2004, 21 December 2004.

<sup>212</sup> Information received from the Ombudsman for Children via email on 12 April 2023. See also, Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*), [Young advisers](#), web page, accessed on 13 April 2023.



		<p>university hospitals. The project is jointly run by the Police and the Finnish Institute for Health and Welfare (THL). Additionally, it involves authorities from, e.g., the prosecutor's office, universities and NGOs.<sup>213</sup></p> <p>The Anchor work supports children who have committed crimes or are suspects of crimes. It has a steering group with representatives from the Ministry of the Interior, Ministry of Social Affairs and Health, Ministry of Education and Culture, the National Police Board, Association of Finnish Local and Regional Authorities, Finnish Institute for Health and Welfare, Police University College and the Anchor team.<sup>214</sup></p> <p>On 27 March 2019, the Ministry of the Interior published a manual on the national Anchor work. The work targets children and adolescents under 18 years of age and promotes their wellbeing and prevents crime, including radicalisation into violent extremism.<sup>215</sup> The Anchor teams are composed of professionals from the police, social services, health services and youth services.</p>
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2.3.3. What are the main challenges regarding effective cooperation and coordination? (For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced)?

According to the Parliamentary Ombudsman, shortcomings appear in cooperation and coordination of service systems regarding the implementation of multidisciplinary services needed by children and in the interaction between different administrative branches. Problems have appeared for a long time in the cooperation between substitute care and psychiatric care, but also, for example, in cooperation between student care, services intended for children with disabilities and child welfare services.<sup>216</sup>

One significant obstacle is that communication between ministries is not adequately structured and resourced. When it comes to key authorities within child welfare, legislation is not clear enough concerning national guidance. Resources are minimal and should be multiplied.<sup>217</sup>

The inadequacy of the control and monitoring mechanisms of foster care has been brought up many times over the years. Key obstacles to effective supervision are insufficient guidance and supervision resources

<sup>213</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Barnahus project](#), web page, accessed on 4 March 2023.

<sup>214</sup> Moilanen, T., Airaksinen, M., Kangasniemi, M. (2019), [Manual on multi-professional Anchor work](#), Helsinki, Publications of the Ministry of the Interior 2019:16, p. 51.

<sup>215</sup> Moilanen, T., Airaksinen, M., Kangasniemi, M. (2019), [Manual on multi-professional Anchor work](#), Helsinki, Publications of the Ministry of the Interior 2019:16.

<sup>216</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) (2022), [Eduskunnan oikeusasiamiehen kertomus vuodelta 2021](#) (Annual report 2021), Helsinki, Parliamentary Ombudsman, p. 126.

<sup>217</sup> Information received from the Finnish Institute for Health and Welfare via email on 2 March 2023.

and the large number of clients of child welfare social workers.<sup>218</sup> In addition, problems appear in the cooperation and flow of information between the authorities responsible for combating violence against children and child protection. There is no uniform, evidence-based national model for the care of children who have experienced maltreatment.<sup>219</sup> More than 20 % of children who have been placed in child welfare institutions experience maltreatment from other children. This is a problem that could be solved if the employee resources in the institutions were better, and adults could be more present in the children's everyday life.<sup>220</sup>

Question	YES	NO	Comments
2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental abduction, or migrant children?	X		<p>The Ombudsman for Children takes part in the work of the European Network of Children's Ombudsmen (ENOC) and cooperates with the representatives of the Nordic countries. The Ombudsman for Children participates in events organised by the European Union and the Council of Europe. The Ombudsman has pointed out that international cooperation is currently hampered by a lack of resources.<sup>221</sup></p> <p>The Council of the Baltic Sea States (CBSS) is an intergovernmental forum for cooperation. The Ministry for Foreign Affairs takes part in the actions of the Council.<sup>222</sup> The CBSS Expert Group on Children at Risk functions as a platform for regional cooperation to promote children's rights and child protection and works closely with the task force against trafficking in human beings. Finland is represented by a member from the Ministry of Social Affairs and Health.<sup>223</sup></p> <p>The Ministry of Justice is the central authority in case of abductions of children to a contracting state of the Hague Child Abduction Convention. If a child has been wrongfully removed from Finland to a contracting state, one may submit an application for the return of the child to the Ministry of Justice. As regards other countries that</p>

<sup>218</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*) (2022), [Rinnakkaisraportti YK:n lapsen oikeuksien komitealle](#) (Parallel report to the UN Committee on the Rights of the Child), September 2022, p. 35.

<sup>219</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*) (2022), [Rinnakkaisraportti YK:n lapsen oikeuksien komitealle](#) (Parallel report to the UN Committee on the Rights of the Child), September 2022, p. 26.

<sup>220</sup> Information received from the Central Union for Child Welfare via email on 2 March 2023.

<sup>221</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Lapsiasiavaltuutetun raportti YK:n lapsen oikeuksien komitealle 2022: Lisäraportti Suomen valtion 5- ja 6. määräaikaisraporttiin](#) (Report to the UN Committee on the Rights of the Child 2022), Helsinki, Publications of the Ombudsman for Children 2022:8, p. 16.

<sup>222</sup> Finland, Ministry for Foreign Affairs of Finland (*ulkoministeriö/utrikesministeriet*), [Council of the Baltic Sea States](#), web page, accessed on 4 March 2023.

<sup>223</sup> Council of the Baltic Sea States, [Expert Group on Children at Risk](#), web page, accessed on 4 March 2023.

		<p>are not part of the Hague Convention, the responsible authority is the Ministry for Foreign Affairs (Unit for Consular Assistance).<sup>224</sup></p> <p>The Finnish Immigration Service is responsible for the management, planning and supervision of the reception of migrant children. An unaccompanied child is accommodated in a group home or a supported housing unit. Finnish District Courts assign a representative to each asylum seeker who is younger than 18 and has arrived in Finland without a guardian. In case of an asylum seeker (14 years old and above), Eurodac fingerprint is taken to determine the Member State responsible for an asylum application in accordance with the Dublin Regulation.<sup>225</sup></p> <p>Pursuant to the Police Act section 1, subsection 2, if there are reasonable grounds to believe that someone has gone missing, the police shall take any action necessary to find that person. Thus, missing children are primarily the responsibility of the police.</p>
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If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

**Inter-country adoption:**

The Adoption Board, working under the National Supervisory Authority of Welfare and Health (Valvira), is a central authority as per Article 6 paragraph 1 of the Hague Convention. The section of international matters within the Adoption Board maintains information on foreign legislation concerning adoption and the international adoption services, and grants licences to service providers for cooperation with foreign service providers. The section is composed of representatives from the Finnish Immigration Service, the

<sup>224</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), [International child abduction](#), web page, accessed on 4 March 2023.

<sup>225</sup> Järvinen T., Snellman O., Helenius, M. (2014), [Ilman huoltajaa turvapaikkaa hakevan lapsen edustaminen – tietoa vastaanottokeskuksen toiminnasta ja edustajana toimimisesta](#) (Instructions for representatives of an unaccompanied minor asylum seeker), Helsinki, Finnish Immigration Service.

Ministry for Foreign Affairs, the Ministry of Social Affairs and Health and professionals in child welfare and deals with practical and legal matters pertaining to international adoptions.<sup>226</sup>

#### **Parental abduction:**

According to the Ministry of Justice, when there is an imminent threat of child abduction, emergency placement of a child, in accordance with the Child Welfare Act (417/2007), may be an appropriate measure. If the child is considered to be in a situation which endangers their wellbeing and development, for example, in a cultural environment alien to them or completely cut off from their near parent, the social services can make an urgent decision to take the child into care. In this case, the social services are entitled to executive assistance from the police and the border guard authorities. In these cases, the decisions based on the Child Welfare Act are a priority, in relation to decisions issued by district courts on the child's custody, residence and right of access. Only a decision by the Supreme Court or the Helsinki Court of Appeal based on the Hague Convention about the return of the child can be enforced regardless of a prior decision to take the child into care.<sup>227</sup>

#### 2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

The 2014 mapping exercise emphasised the lack of coordination at the regional level regarding child welfare services. In this regard, the social and healthcare reform is particularly welcome since it introduces a new level of regional coordination — wellbeing services counties. However, at this point it is still too early to measure the impact that the reform has on child welfare services.

In the past eight years, achievements linked to governance and coordination structures have included the adoption of the National Child Strategy in 2021, with the aim to strengthen the child rights-based nature of administration and decision-making, the Child Barometer commissioned by the Ombudsman for Children in 2016, collecting information every other year from 6-7-year-old children about their well-being and everyday life, and the national Anchor-work (see 2.5.). All these efforts have increased the level of cooperation between authorities and agencies having responsibility for child welfare at national, regional and local level.

However, many of the gaps and challenges brought up in the 2014 mapping exercise remain. Both the Ombudsman for Children and civil society organisations have emphasised their concern that the implementation of the UN Convention on the Rights of the Child is currently scattered in different ministries, and the overall responsibility for it is not defined. In addition, the cooperation between ministries in law drafting and other enforcement activities is minimal.<sup>228</sup>

<sup>226</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira), [Duties and organisation of the Finnish Adoption Board](#), web page, accessed on 4 March 2023.

<sup>227</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2021), [International Child Abduction](#), information kit, Helsinki, Ministry of Justice.

<sup>228</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*) (2022), [Rinnakkaisraportti YK:n lapsen oikeuksien komitealle](#) (Parallel report to the UN Committee on the Rights of the Child), September 2022, p. 9; Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Lapsiasiavaltuutetun raportti YK:n lapsen oikeuksien komitealle 2022: Lisäraportti Suomen valtion 5. ja 6. määräraikaisraporttiin](#) (Report to the UN Committee on the Rights of the Child 2022), Helsinki, Publications of the Ombudsman for Children 2022:8, p. 10.

## 2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

### ***The National Anchor work***

The purpose of Anchor work is to promote the well-being of adolescents and prevent crime at an early stage, including radicalisation into violent extremism. Locally, Anchor teams may also work on cases of domestic violence involving families or partners. Anchor work is carried out by 47 multi-professional teams consisting of professionals from the police, social services, health services and youth services. Anchor work is organised at a local or regional level, so that it meets the needs and special characteristics of the area, but it builds on shared national principles and objectives.

On 27 March 2019, the Ministry of the Interior published a manual on the multiprofessional national Anchor work,<sup>229</sup> which was further updated on 2 January 2023.<sup>230</sup> The manual facilitates the provision of unified services to children and youth in the whole country. Further, the government commits to securing the implementation of the Anchor model nationally in the youth policy programme for the years 2020–2023 adopted on 19 December 2019.<sup>231</sup>

Commissioned research on the effectiveness of the multi-professional Anchor work was published on 20 May 2022. The study shows that individuals, who have taken part in Anchor activities, have a lower risk of recidivism in the following year.<sup>232</sup>

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<sup>229</sup> Moilanen, T., Airaksinen, M., Kangasniemi, M. (2019), [Manual on multi-professional Anchor work](#), Helsinki, Publications of the Ministry of the Interior 2019:16.

<sup>230</sup> Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2022), [Ankkuritoiminnan käsikirja](#) (Manual on multi-professional Anchor work), Helsinki, Publications of the Ministry of the Interior 2022:40.

<sup>231</sup> Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2020), [National youth work and youth policy programme 2020–2023](#), Helsinki, Publications of the Ministry of Education and Culture 2020:4.

<sup>232</sup> Kaakinen, M., Vauhkonen, T., Tanskanen, M., Hoikkala, T. (2022), [Ankkuritoiminnan vaikuttavuus](#), Helsinki, Publications of the Government's analysis, assessment and research activities 2022:40, pp. 43 and 46.

### 3. Capacities (human and financial resources)

#### 3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		<p>The Child Welfare Act obliges municipalities or groups of municipalities and wellbeing services counties to draw up welfare plans for children and youth.<sup>233</sup> In municipalities the plan focuses on the promotion of children’s and young person’s welfare and it is approved by the municipal council. In line with section 12 of the Child Welfare Act, the plan has to be taken into account when the budget and financial plan is drawn up in the municipality.<sup>234</sup></p> <p>In wellbeing services counties the regional welfare plan for children and youth focuses on the organisation and development of child protection in the county. According to section 12 of the Child Welfare Act, the plan is approved by the county council. Further, it has to be taken into account when the budget, plan and service strategy of the wellbeing services county is drawn up.<sup>235</sup></p> <p>In line with the Implementation plan for the National Child Strategy, a model for carrying out child-oriented budgeting in municipalities and wellbeing services counties has been developed.<sup>236</sup> The model is based on “a traffic-light classification: green is for universal preventive services, yellow is for services that require temporary support and red is for corrective services that require full-time</p>

<sup>233</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007, section 12.

<sup>234</sup> Finland, Local Government Act ([kuntalaki/kommunallagen](#)), Act No. 410/2015, 10 April 2015, section 110.

<sup>235</sup> Finland, Act on Wellbeing Services Counties ([laki hyvinvointialueesta/laq om välfärdsområden](#)), Act No. 611/2021, 29 June 2021, sections 41 and 115.

<sup>236</sup> Penttilä, M., Aho, J. (2022), [Kuntien ja hyvinvointialueiden lapsibudjetointi ja toteumatietojen seuranta sekä raportointi: Selvityshenkilöiden raportti](#) (Child-oriented budgeting of municipalities and wellbeing services counties, and the monitoring and reporting of outturn data: Report by rapporteurs), Helsinki, Publications of the Ministry of Finance 2022:55.

		<p>support”.<sup>237</sup> It is proposed that the model would be further developed through pilots.<sup>238</sup></p> <p>The funding channelled from the central government to municipalities and wellbeing services counties is regulated in multiple laws. With respect to municipalities, the key act is the Act on State Subsidies for Municipal Basic Services.<sup>239</sup> The Act is applicable on various basic services, including education, culture, environmental health and social and healthcare, including child protection (section 1). As of 1 January 2023, the major part of the financing of social and healthcare goes directly to the wellbeing services counties. The municipalities continue to be responsible primarily for promoting welfare in connection with other tasks of the municipalities.<sup>240</sup> In addition to the system of state subsidies, municipalities are funding their activities through municipal taxation.<sup>241</sup> As to the newly established wellbeing services counties, the Act on Financing of Wellbeing Services Counties is central.<sup>242</sup></p>
<p>3.1.2. Is the budget allocated to child protection (alternatively on children’s rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?</p>	X	<p>Child-oriented budgeting was introduced as a new feature of the national budget in 2022. A section summarizing expenditures targeting children and families with children is included in the general part of the budget. The review of expenditures takes into account the (statutory and discretionary) expenditure directly aimed at and allocated to children, as well as expenditure clearly targeted at families with children. Nearly all appropriations listed concern education and</p>

<sup>237</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2022), [Child-oriented budgeting of municipalities and wellbeing services counties, and the monitoring and reporting of outturn data – Policy Brief](#), Helsinki, Publications of the Ministry of Finance 2022:55, p. 5.

<sup>238</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2022), [‘Rapporteurs: Child-oriented budgeting to be piloted in municipalities and wellbeing services counties’](#), press release, 25 August 2022.

<sup>239</sup> Finland, Act on State Subsidies for Municipal Basic Services ([laki kunnan peruspalvelujen valtionosuudesta/lag om statsandel för kommunal basservice](#)), Act No. 618/2021, 29 June 2021.

<sup>240</sup> Finland, Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveydenhuollon järjestämisestä/lag om ordnande av social- och hälsovård](#)), Act No. 612/2021, 29 June 2021, section 6.

<sup>241</sup> Finland, Local Government Act ([kuntalaki/kommunallagen](#)), Act No. 410/2015, 10 April 2015, section 111.

<sup>242</sup> Finland, Act on Financing of Wellbeing Services Counties ([laki hyvinvointialueiden rahoituksesta/lag om välfärdsområdenas finansiering](#)), Act No. 617/2021, 29 June 2021.



		<p>teaching, as well as social welfare and healthcare services.<sup>243</sup></p> <p>The 2022 national budget lists in total 37 budget items that target children or families with children. The biggest ones are the central government transfers to local governments for basic services, for education and culture and for social security benefits, in total € 6.6 billion.<sup>244</sup> With the social and healthcare reform in 2023, the transfers to local government has diminished and been replaced by transfers to the wellbeing services counties.</p>
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3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.

The Finnish Institute for Health and Welfare reports that the municipalities' operating net costs for child protection were € 1.19 billion in 2016, € 1.24 billion in 2017, € 1.35 billion in 2018, € 1.47 billion in 2019, € 1.57 billion in 2020 and € 1.65 billion in 2021.<sup>245</sup> The sums are composed of costs for institutional and family care, open care, and other open services for children and families. This means that 2.19 % of the total state budget was allocated to child protection in 2016, 2.23 % in 2017, 2.4 % in 2018, 2.65 % in 2019, 2.7 % in 2020 and 2.53 % in 2021.<sup>246</sup> Figures for 2022 are not yet available.

Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child</i></p>		X	<p>As noted in 3.1.3., there is an annual increase in the funding of child welfare and protection. Whereas this concerns institutional and family care as well as open care services, the biggest increase in the funding in 2020 compared to 2019 took place within institutional and family care. The funding for preventive measures is broadly considered inadequate. However, in 2021, the biggest increase appears to have taken place within the category "other open services for children and families". It is noted in</p>

<sup>243</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2021), [Budget review 2022: Review on central government budget proposal, September 2021](#), Helsinki, Publications of the Ministry of Finance 2021:57, p. 48.

<sup>244</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2022), [Valtion talousarvioesitykset](#) (State budget proposal), chapter 7 on child budgeting, web page, accessed on 15 March 2023.

<sup>245</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelu 2022: Yhä useammasta lapsesta tehdään lastensuojeluilmoitus](#), Statistical report 24/2023, 16 May 2023, tables 11 and 12, p. 24.

<sup>246</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*), [Valtion budjetti 2023](#) (State budget 2023), web page, accessed on 15 March 2023.

<p><i>protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>the statistical report that, due to changes in the collection of data in 2021, the figures are not fully comparable with previous years and do not necessarily reflect a development in the activities or cost structure.<sup>247</sup></p> <p>In the combined fifth and sixth state report to the UN Committee on the Rights of the Child it is noted that non-governmental organisations have expressed concern regarding the adequacy of financial resources directed at children. Despite significant amendments in the legislation concerning services for children and families and stricter law-based requirements to provide services, “inadequate central government transfers [to municipalities] have caused problems in implementation”.<sup>248</sup></p> <p>Further, in the report to the UN Committee on the Rights of the Child, the Ombudsman for Children notes that the resources of the Office of the Ombudsman remain low.<sup>249</sup></p>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p> <p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>	<p>X</p>	<p>Child-related topics are addressed most extensively in the ESF+ fund. In the 2021–2027 funding cycle, one of the specific objectives of the ESF+ programme focuses on supporting “the everyday lives and wellbeing of children who are clients of welfare services and, in particular, those children and young people who are placed outside their homes”. The funding reserved for this purpose amounts to € 29 million. The target groups eligible for funding are child protection actors, collaborative partners of child protection and civil society organisations.<sup>250</sup></p> <p>In addition, € 23 million is reserved for national strategic initiatives addressing the development of services for children, youth and families and</p>

<sup>247</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelu 2022: Yhä useammasta lapsesta tehdään lastensuojeluilmoitus](#), Statistical report 24/2023, 16 May 2023, p. 24.

<sup>248</sup> United Nations (UN), Committee on the Rights of the Child (CTC), [Combined fifth and sixth periodic reports submitted by Finland under article 44 of the Convention, due in 2017](#), CRC/C/FIN/5–6, para. 49.

<sup>249</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Lapsiasiavaltuutetun kirjallinen lausunto YK:n lapsen oikeuksien komitealle](#) (Written statement to the Committee on the Rights of the Child), LAPS/63/2022, 26 September 2022.

<sup>250</sup> Finland, Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*), [Uudistuva ja osaava Suomi 2021–2027: EU:n alue- ja rakennepoliittikan ohjelma](#) (Innovation and skills in Finland 2021–2027: EU regional and structural programme), 6 May 2022, pp. 96–99.

			<p>the promotion of wellbeing with the aim of achieving equality.</p> <p>In the AMIF and ISF funding programmes there are no specific objective focusing exclusively on children. However, the best interest of the child is addressed in the description of some objectives in the AMIF programme, such as reception services, family unification, detention practices, and return procedures.<sup>251</sup> In the ISF programme measures targeting children are addressed in connection with the specific objective on exchange of data and information.<sup>252</sup></p> <p>Further, Finland’s Recovery and Resilience Plan, adopted in 2021, includes funding for reinforcing preventative measures and early identification of problems. Children are mentioned as one among several target groups.<sup>253</sup> A total of € 30 million is allocated to this investment.</p>
<p>3.1.6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/ synergies.</p>		X	<p>The 2019–2023 government programme includes objectives on corporate social responsibility, proposing the development of a regulatory framework in the field.<sup>254</sup> During the said government term reports have been commissioned on regulatory options,<sup>255</sup> human rights performance of Finnish companies<sup>256</sup> and due diligence.<sup>257</sup> The main child rights issue discussed in the reports is due diligence obligations concerning child labour. However,</p>

<sup>251</sup> Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*), [AMIF-rahaston ohjelma](#) (Programme Finland — AMIF), 21 September 2022.

<sup>252</sup> Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*), [ISF-rahaston ohjelma](#) (Programme Finland — ISF), 29 July 2022.

<sup>253</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2021), [Sustainable Growth Programme for Finland: Recovery and Resilience Plan](#), Helsinki, Publications of the Finnish Government 2021:69, pp. 303–305.

<sup>254</sup> Finland, Programme of the Government of Prime Minister Sanna Marin (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Helsinki, Publications of the Finnish Government 2019:33, p. 117.

<sup>255</sup> Helminen, S., Alenius, J., Walta, V., Donner, S. (2020), [Judicial Analysis on the Corporate Social Responsibility Act](#), Helsinki, Publications of the Ministry of Economic Affairs and Employment 2020:44.

<sup>256</sup> Tran-Nguyen, E., Halttula, S., Vormisto, J., Aho, L., Solitander, N., Rautio, S., Villa, S. (2021), [Status of Human Rights Performance of Finnish Companies \(SIHTI\) Project: Report on the status of human rights performance in Finnish companies](#), Helsinki, Publications of the Ministry of Economic Affairs and Employment 2021:7.

<sup>257</sup> Piirto, L. (2022), [Memorandum on the due diligence obligation: Review of the national corporate social responsibility act](#), Helsinki, Publications of the Ministry of Economic Affairs and Employment 2022:52.

		<p>no national regulatory framework has been presented.</p> <p>Further, the Ministry of Economic Affairs and Employment has published a handbook on socially responsible public procurement. As to the procurement of social and healthcare services it is noted that the duration of the service contract should be carefully assessed in the context of child protection services.<sup>258</sup> The aim should be to avoid unreasonable or inappropriate consequences for the client.</p>
<p>3.1.7. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which outsource protection services for children? Please include civil society organisations and private companies contracted by government/local authorities to provide services.</p> <p><u>If yes</u>, please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.</p>	<p>X</p>	<p>The private sector involvement in child protection has continued to increase. It is estimated that in 2018 more than 90 % of all child protection units were run by private companies and civil society organisations compared to 55 % thirty years earlier. Out of all privately run child protection units 10 % are maintained by civil society organisations.<sup>259</sup></p> <p>The increase of private actors in child protection has taken place over a fairly long period of time. There is not one distinct reason for the increase. It seems that responsible authorities try to achieve efficiency in the social service production by outsourcing the services. Also difficulties in recruiting social welfare professionals to the public sector have been viewed as reasons for the privatization trend.<sup>260</sup></p> <p>As previously noted, the responsibility for organising social care, including child welfare services, has been transferred from the local government to the wellbeing services counties. This means that the legal basis for procuring services from the private sector has been amended. Previously the key provisions were included in the Local Government Act, while now the relevant act is the Act on Organising Healthcare and Social Welfare Services in the</p>

<sup>258</sup> Finland, Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*) (2017), [Opas sosiaalisesti vastuullisiin julkisiin hankintoihin](#) (Guidelines on socially responsible public procurement), Helsinki, Ministry of Economic Affairs and Employment guidelines and other publications 3/2017, p. 38.

<sup>259</sup> Porko, P., Heino, T., Eriksson, P. (2018), [Selvitys yksityisistä lastensuojelun yksiköistä](#), Working Paper 21/2018, Helsinki, Finnish Institute for Health and Welfare, p. 11.

<sup>260</sup> Porko, P., Heino, T., Eriksson, P. (2018), [Selvitys yksityisistä lastensuojelun yksiköistä](#), Working Paper 21/2018, Helsinki, Finnish Institute for Health and Welfare, p. 11

		<p>context of wellbeing services counties. More specifically Chapter 3 of the latter act regulates the acquisition of services from private actors, including companies and civil society organisations.<sup>261</sup></p> <p>In line with section 124 of the Constitution of Finland,<sup>262</sup> section 12, subsection 2, of the Act on Organising Healthcare and Social Welfare Services stipulates that services cannot be purchased from private actors if they involve exercise of public power unless otherwise stipulated in law. Also, social work directed at individuals and families, and emergency social services cannot be procured from private actors. This provision is applied also on social work within child welfare.<sup>263</sup> Furthermore, when private actors provide the services, the wellbeing services counties shall continue to be responsible for the assessment of the service needs.</p> <p>The responsibility of private actors is until 31 December 2023 regulated in the Act on Private Social Services.<sup>264</sup> As of 1 January 2024, the conditions for private service provision are specified in the new Act on the Supervision of Social Welfare and Healthcare (741/2023).<sup>265</sup></p> <p>As to taxation, no VAT is paid for social welfare services and healthcare services offered by business enterprises.<sup>266</sup> Further, corporate entities may in their taxation deduct donations supporting research, art and the cultural heritage. The donations have to be made to foundations or associations listed by the tax administration. At present the research</p>
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<sup>261</sup> Finland, Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveydenhuollon järjestämisestä/lag om ordnande av social- och hälsovård](#)), Act No. 612/2021, 29 June 2021, Chapter 3, sections 12–20.

<sup>262</sup> Finland, Constitution of Finland ([Suomen perustuslaki/Finlands grundlag](#)), Act No. 731/1999, 11 June 1999, section 124.

<sup>263</sup> Finland, National Supervisory Authority for Welfare and Health ([Sosiaali- ja terveystieteiden lupa- ja valvontavirasto/Tillstånds- och tillsynsverket för social- och hälsovården](#)), [Kuntien ja hyvinvointialueiden on noudatettava lakia julkisten hallintotehtävien ulkoistamisessa](#), Instruction, Dnro V/1193/2022, 1 April 2022, p. 4.

<sup>264</sup> Finland, Act on Private Social Services ([laki yksityisistä sosiaalipalveluista/lag om privat socialservice](#)), Act No. 922/2011, 22 July 2011.

<sup>265</sup> Finland, Act on the Supervision of Social Welfare and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården](#)), Act No. 741/2023, 14 April 2023.

<sup>266</sup> Finland, Value Added Tax Act ([arvonlisäverolaki/mervärdesskattelag](#)), Act No. 1501/1993, 30 December 1993.

			foundation of the Mannerheim League for Child Welfare is included on the list. <sup>267</sup>
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### 3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
<p>3.2.1. Are the allocated human resources in the area of child protection at all levels sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>The Finnish Institute for Health and Welfare published for the first time in 2022 a report on the number of clients per social worker in child protection. This followed an amendment of the Child Welfare Act, which sets the maximum number of clients per social worker.<sup>268</sup> The report shows that every seventh social worker has more clients than the law prescribes.<sup>269</sup> Since the beginning of 2022, social workers can at most have 35 clients within child protection. From 2024 onwards the number of children per social worker will be reduced to 30. The reported figures vary in different parts of the country. In 15 out of 22 areas the average number of children per social worker is too high.</p> <p>The report further notes that in November 2022 there were 170 open positions as social workers in the country.<sup>270</sup> This corresponds to 12 % of all positions.</p> <p>In the final report of a working group appointed to reform demanding substitute care in child welfare, it is stated that the minimum number of staff in general substitute care should be increased from 1 to 1.3 staff/child and in demanding substitute care from approx. 1.3 to</p>

<sup>267</sup> Finland, Income Tax Act ([tuloverolaki/inkomstskattelagen](#)), Act No. 1535/1992, 30 December 1992, section 57 (1)(2). For the list of foundations and associations, see [here](#).

<sup>268</sup> Finland, Act amending section 13 b of the Child Welfare Act ([laki lastensuojelulain 13 b §:n muuttamisesta/lag om ändring av 13 b § i barnskyddslagen](#)), Act No. 1276/2021, 22 December 2021, section 13 (b).

<sup>269</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelun sosiaalityön henkilöstömitoitus marraskuussa 2022](#), Statistics report 2/2023, 25 January 2023.

<sup>270</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelun sosiaalityön henkilöstömitoitus marraskuussa 2022](#), Statistics report 2/2023, p. 5.



		<p>2.<sup>271</sup> This would according to the report require a total increase of staff with 1,600 persons.</p> <p>The Deputy Chancellor of Justice notes in a case on the legal problems linked to the outsourcing of child welfare services to private actors that a root cause for the outsourcing is the insufficient number of social workers in the municipalities and joint municipal authorities (<i>kuntayhtymä/kommunförbund</i>).<sup>272</sup></p> <p>Despite an increase (N=300) of social workers between 2012 and 2017, the Ministry of Social Affairs and Health reports that the access to specialised services has become more challenging, particularly when it comes to placing children in care outside the home, drug and mental healthcare for parents, family counselling services and child psychiatry services.<sup>273</sup></p>
<p>3.2.2. Are the allocated human resources competent in the area of child protection and appropriately trained?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>	<p>X</p>	<p>Due to unfilled positions in child protection (see 3.2.1) the tasks of social workers can be taken care of by replacements who do not fulfil the formal competence requirements (e.g. students in social work).<sup>274</sup> The Finnish Institute for Health and Welfare reports that 26 % of all social workers in child protection belong to this category.<sup>275</sup> Section 12 of the Act on Social Welfare Professionals stipulates that a student of social work with approved studies in the subject and practical training in social work can be involved in the profession for a period of one year at most. However, a student of social work cannot be in charge of urgent cases involving decisions on taking children into care. Also,</p>

<sup>271</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*) (2020), [Lastensuojelun vaativan sijaishuollon uudistamistyöryhmän loppuraportti](#) (Final report of the working group appointed to reform demanding substitute care in child welfare), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:28, p. 35.

<sup>272</sup> Finland, Deputy Chancellor of Justice (*apulaisoikeuskansleri/biträdande justitiekansler*) (2021), [Julkisen vallan käyttöön liittyvien tehtävien ulkoistaminen lastensuojelussa](#), OKV/292/10/2020, 21 October 2021.

<sup>273</sup> Kananoja, A., Ruuskanen, K. (2019), [Selvityshenkilön ehdotukset lastensuojelun toimintaedellytysten ja laadun parantamiseksi: Loppuraportti](#) (Investigator's suggestions for improving the quality and operating conditions of child welfare), Helsinki, Publications of the Ministry of Social Affairs and Health 2019:4, pp. 20–21.

<sup>274</sup> Finland, Act on Social Welfare Professionals, ([laki sosiaalihuollon ammattihenkilöistä/laq om yrkesutbildade personer inom socialvården](#)), Act No. 817/2015, 26 June 2015, section 12.

<sup>275</sup> Finland, Finnish Institute for Health and Welfare (2023), [Lastensuojelun sosiaalityön henkilöstömitoitus marraskuussa 2022](#), Statistics report 2/2023, 25 January 2023, p. 5.



		<p>other students of licensed professions can work for at most one year in child protection.</p> <p>Based on interviews with supervisory authorities, a study on privately run child protection units reports that the professional competence of the staff has increased after the new Act on Social Welfare Professionals entered into force in 2016. At the same time it is noted that the competence among the staff to handle substitute care still needs to be improved. This involves enhanced knowledge on the rights of children in substitute care and a deeper understanding of the purpose of substitute care.<sup>276</sup></p>
<p>3.2.3. Is there a <u>compulsory certification or licencing</u> process for social workers and other professionals who work for child protection?</p> <p><u>If yes</u>, briefly describe the process.</p>	<p><b>X</b></p>	<p>On 1 March 2016, the new Act on Social Welfare Professionals came into effect.<sup>277</sup> The Act introduces a licencing system for social welfare professionals, including professionals working in child protection. The National Supervisory Authority for Welfare and Health (Valvira) functions as the key supervising authority. Upon application Valvira grants the right to act as a licensed social welfare professional, the right to use a protected professional title or a restricted licence to practice a profession. In addition, Valvira maintains a central register of all social welfare professionals. This means that social welfare professionals are subject to a similar licencing process as healthcare professionals, including doctors, nurses, and psychologists.</p> <p>The licenced social welfare professionals of relevance here are social workers (university degree in social work or major studies in social work) and social service professionals (vocational degree in social services). The protected professional titles of social welfare professionals are practical nurse, home support worker and disability support worker.</p> <p>The aim of the reform is to improve customer safety and the right to good quality social welfare services for social welfare customers.</p>

<sup>276</sup> Porko, P., Heino, T., Eriksson, P. (2018), [Selvitys yksityisistä lastensuojelun yksiköistä](#), Working Paper 21/2018, Helsinki, Finnish Institute for Welfare and Health, pp. 27–28, 30.

<sup>277</sup> Finland, Act on Social Welfare Professionals ([laki sosiaalihuollon ammattihenkilöistä/laq om yrkesutbildade personer inom socialvården](#)), Act No. 817/2015, 26 June 2015.

<p>3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?</p> <p><u>If yes</u>, please describe briefly.</p>	<p>X</p>	<p>According to section 4 of the Act on Checking the Criminal Background of Volunteers Engaged in Activities among Children,<sup>278</sup> the organiser of volunteer activities is obliged to develop instructions and processes that are necessary to reach the aim of the Act. In addition, the organiser shall identify those volunteer activities where the control of the criminal background of the volunteers is needed.</p> <p>Section 5 provides that the organiser of volunteer activities is entitled to request criminal records from the Legal Register Centre (<i>oikeusrekisterikeskus/rättsregistercentralen</i>) when the tasks of the volunteer include regular and extensive teaching, supervision, care or other interaction with children, personal contact with a child, and when the volunteer takes care of the task on his/her own or the circumstances are such that the personal integrity of the child cannot be secured with the measures outlined in section 4.</p> <p>The volunteer has to consent in writing to the request for criminal records (section 6).</p>
<p>3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?</p> <p><u>If yes</u>, please include information on the training of law enforcement officials (judges, persecutors, police), health and education personnel (doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its</p>	<p>X</p>	<p>The Finnish National University Network for Social Work (Sosnet) offers professional specialisation studies on social work in the field of children, youth and families.<sup>279</sup> The education is targeted at social workers in employment and is free of charge. There are two different programmes, one focusing on social work targeting families with children and youth, and one focusing on child protection. The first is offered jointly by University of Turku and University of Eastern Finland, and the second by University of Helsinki and University of Tampere. The scope of the studies is 70 credits and it is estimated to take 2.5 years to complete them. The latest enrolment took place in the autumn of 2022. Following a legislative reform of the Social Welfare Act (1301/2014) in 2019, the universities that offer specialisation studies in</p>

<sup>278</sup> Finland, Act on Checking the Criminal Background of Volunteers Engaged in Activities among Children ([laki lasten kanssa toimivien vapaaehtoisten rikostaustan selvittämisestä/lag om kontroll av brottslig bakgrund hos frivilliga som deltar i verksamhet bland barn](#)), Act No. 148/2014, 28 February 2014.

<sup>279</sup> Finland, Finnish National University Network for Social Work (*Valtakunnallinen sosiaalityön yliopistoverkosto, Sosnet*), [Erikoistumiskoulutus](#) (Specialisation programmes), web page, accessed on 30 January 2023.

<p>frequency, funding, if it relates to specific needs of children, etc.</p>		<p>social work may obtain financial support through state funds for educational costs based on the number of persons completing the studies.<sup>280</sup></p> <p>In addition, universities of applied sciences offer a 30 credits live online training on child protection for persons with a bachelor in social services degree or other equivalent degree.<sup>281</sup> The price of the training is € 1,500. The next enrolment takes place in the spring of 2023.<sup>282</sup></p> <p>The Finnish Institute for Health and Welfare offers continuing education for social workers on children and violence and how to listen, respond and support children and families in child protection work. The training is free of charge. The duration of the first training was nine months, the second training starts in 2023. The training is arranged within the Finnish Barnahus project.<sup>283</sup></p> <p>The Barnahus project offers also online training for professionals in social and healthcare services, schools and early childhood education as well as students in these fields. The course is free of charge. It is offered both in Finnish and Swedish.<sup>284</sup> Further, new courses targeting prosecutors are planned for each prosecution district in the autumn of 2023.<sup>285</sup></p> <p>All courses are voluntary.</p>
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include</p>	<p>X</p>	<p>The Police University College is Finland's only police educational institution. The curriculum for the bachelor degree in police services addresses child-specific topics particularly in the courses "Field operations and command" (14 credits) and "Pre-trial investigation" (15 credits). The topics addressed are investigation of</p>

<sup>280</sup> Finland, Act amending the Social Welfare Act ([laki sosiaalihuoltolain muuttamisesta/lag om ändring av socialvårdslagen](#)), Act No. 129/2019, 18 January 2019, section 60 a.

<sup>281</sup> Information obtained from the LAB University of Applied Sciences via phone on 1 March 2023.

<sup>282</sup> Finland, Häme University of Applied Sciences (*Hämeen ammattikorkeakoulu*, HAMK), [Lastensuojelutyön erikoistumiskoulutus](#), web page, accessed on 21 February 2023.

<sup>283</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Lapset ja väkivalta –lisäkoulutus sosiaalityöntekijöille](#), web page, accessed on 30 January 2023.

<sup>284</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Barnahus-verkkokoulu](#), web page, accessed on 30 January 2023.

<sup>285</sup> Information obtained from the National Prosecution Authority (*Syyttäjälaitos/Åklagarmyndigheten*) via email on 13 February 2023.

<p>information regarding law enforcement officials, judges, prosecutors, lawyers, health, and education personnel)</p> <p><u>If yes</u>, please describe briefly.</p>		<p>offenses against children and dealing with children during police operations.<sup>286</sup> The curriculum for the master degree in police services addresses child law in the course “Civil law for commanding officers” (5 credits).<sup>287</sup></p> <p>In addition, the National Police Board has published handbooks addressing child rights and child protection issues. One handbook deals with the investigation of violent and sexual crimes against children<sup>288</sup> and another with operational measures to interfere in and prevent violence in close relationships.<sup>289</sup> The handbooks are used in the police education.</p> <p>The master of law degree is offered at five universities. <u>No</u> compulsory course on child rights is included in the respective curricula. However, optional courses are available at University of Lapland,<sup>290</sup> University of Helsinki,<sup>291</sup> University of Eastern Finland,<sup>292</sup> and University of Turku.<sup>293</sup> At Åbo Akademi University child rights are addressed in a course on special protection of vulnerable groups. In addition, University of Eastern Finland has a chair in child law.</p> <p>The training programme for judges, adopted by the Judicial Training Board, addresses child-related topics in modules on alternative forms of dispute resolution and execution of administrative decisions. In the latter module the topic of child protection is explicitly addressed.<sup>294</sup></p>
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<sup>286</sup> Finland, Police University College (*poliisiammattikorkeakoulu/polisyreshögskolan*), [Bachelor of Police Services \(180 credits\). Curriculum Academic Years 2020–2022](#), POL-2020-31233, 5 May 2020, pp. 31 and 36.

<sup>287</sup> Finland, Police University College (*poliisiammattikorkeakoulu/polisyreshögskolan*), [Master of Police Services degree \(120 credits\). Curriculum 2021–2022](#), POL-2020-62498, 29 September 2020.

<sup>288</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2022), [Käsikirja lapsiin kohdistuvien väkivalta- ja seksuaalirikosten tutkintaan](#) (Handbook on investigation of violent and sexual crimes against children), Barnahus project, Helsinki, National Police Board.

<sup>289</sup> Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2022), [Toiminnallinen käsikirja lähisuhteiden väkivaltaan puuttumiseksi ja ennalta estämiseksi](#), Barnahus project, Helsinki, National Police Board.

<sup>290</sup> The [study guide](#) of the bachelor and master of law degrees of University of Lapland.

<sup>291</sup> The [study guide](#) of the master of law degree of University of Helsinki.

<sup>292</sup> The [study guide](#) of the master of law degree of University of Eastern Finland.

<sup>293</sup> The [study guide](#) of the bachelor and master of law degrees of University of Turku.

<sup>294</sup> Finland, Judicial Training Board (*tuomarinkoulutuslautakunta/domarutbildningsnämnden*) (2022), [Assessorin koulutusohjelman opinto-opas](#), Helsinki, Judicial Training Board, pp. 19 and 22.

		<p>In addition, the Judicial Training Board plans and coordinates, jointly with the National Courts Administration and the courts, in-service training for the staff involved in applying the law at the courts of law. In-service training includes thematic courses concerning different areas of the rights of the child.</p> <p>Medical doctors are taught at five universities in Finland. Abuse of children is addressed in the curriculum of, for example, University of Helsinki, where topics like understanding and recognising abuse and its risk factors are considered together with child protection notifications to authorities and available support services in a course on children’s health.<sup>295</sup> At University of Eastern Finland,<sup>296</sup> University of Oulu<sup>297</sup> and University of Tampere,<sup>298</sup> child protection and child rights topics are discussed in courses on childhood diseases, child psychiatry and basic healthcare.</p> <p>There are eight universities offering basic teacher education in Finland. Various models for integrating child rights content in the curriculum have been adopted. For example, a course on children’s rights and the status of children in multiprofessional networks is included in the teacher education of University of Lapland.<sup>299</sup> At University of Eastern Finland children’s rights and child protection are addressed in courses on democracy and human rights education, equality and diversity, and mobility as a societal and cultural phenomenon.<sup>300</sup> At University of Helsinki the same topics are considered at courses on learning support and wellbeing, and child research and child perspective.<sup>301</sup> At University of Jyväskylä children’s rights are addressed in discussions on participation as a part of inclusive pedagogy which is central to the university’s phenomenon-based learning</p>
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<sup>295</sup> Information obtained from University of Helsinki via email on 4 April 2023.

<sup>296</sup> Information obtained from University of Eastern Finland via email on 4 and 5 April 2023.

<sup>297</sup> Information obtained from University of Oulu via email on 17 April 2023.

<sup>298</sup> Information obtained from University of Tampere via email on 5 April 2023.

<sup>299</sup> Information obtained from University of Lapland via email on 12 April 2023.

<sup>300</sup> Information obtained from University of Eastern Finland via email on 12 April 2023.

<sup>301</sup> Information obtained from University of Helsinki via email on 26 April 2023.

		<p>curriculum.<sup>302</sup> At Åbo Akademi University the topic is addressed in courses on communication and group processes and study counsellors.<sup>303</sup> In addition, the special education curriculum includes child protection courses/themes at, for example, University of Turku,<sup>304</sup> University of Lapland,<sup>305</sup> University of Oulu,<sup>306</sup> University of Tampere<sup>307</sup> and University of Eastern Finland.<sup>308</sup> In accordance with the National Child Strategy, the Finnish National Agency for Education (<i>opetushallitus/utbildningsstyrelsen</i>) launched in 2023 new web pages for teachers on children's rights.<sup>309</sup> The pages offer eight teaching packages for early childhood education, basic education and secondary education. The material is produced in 10 languages.<sup>310</sup></p>
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place?</p> <p>Please provide some examples.</p>	<p>x</p>	<p>The Victim Support Finland runs a project funded by the Ministry of Justice on violence against women in close relationships. In 2022, six webinars were arranged for authorities in the criminal process, i.e., the police, prosecutors, judges and lawyers. All courses were composed of five modules and in most modules violence against children was addressed.<sup>311</sup> In 2023, the same training was organised jointly for law enforcement and social and healthcare professionals and volunteers. In total 1,050 persons attended the training.</p> <p>Multiprofessional teaching is also offered by universities. For example, University of Turku runs a multiprofessional teaching clinic, which brings together expertise from psychology, social policy, social work and speech-language</p>

<sup>302</sup> Information obtained from University of Jyväskylä via email on 12 April 2023.

<sup>303</sup> Information obtained from Åbo Akademi University via email on 15 May 2023.

<sup>304</sup> Information obtained from University of Turku via email on 19 April 2023.

<sup>305</sup> Information obtained from University of Lapland via email on 16 April 2023.

<sup>306</sup> Information obtained from University of Oulu via email on 18 April 2023.

<sup>307</sup> Information obtained from University Of Tampere via email on 21 April 2023.

<sup>308</sup> Information obtained from University of Eastern Finland via email on 14 April 2023.

<sup>309</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), '[Uusi sivusto kokoaa tietoa ja uutta opetusmateriaalia lapsen oikeuksista](#)', press release, 1 February 2023.

<sup>310</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), '[Lapsen oikeudet](#)', web page, accessed on 4 April 2023.

<sup>311</sup> Information obtained from the Victim Support Finland (*Rikosuhripäivystys/Brottsofferjouren*) via email on 9 February 2023.

		<p>pathology. The students of these subjects are offered a learning and teaching environment based on true customer relations, involving examination and counselling of children, adolescents, adults and families.<sup>312</sup></p> <p>Further, the Sote Academy (<i>Sote-akatemia</i>), hosted by University of Turku, offers a broad range of multidisciplinary courses, including in the field of child protection, to university students and others via the open university.<sup>313</sup></p>
<p>3.2.8. Outline briefly the <u>main challenges and/ or gaps relating to human resources, qualification requirements and training</u> underlined the relevant authorities and/ or child protection civil society organisations.</p>		<p>The study has shown that there is a shortage of social workers and social welfare professionals in child protection. This is not only due to lack of trained social welfare professionals, however, but also due to the difficulty to retain social workers in employment. The Deputy Chancellor of Justice notes that structural factors, including the salary system, do not at present encourage social workers to stay within the sector. Same salary can be obtained for less stressful work within other social sectors.<sup>314</sup></p> <p>With the new provisions on the ratio of clients per social worker, which were introduced in 2022 and which will become even stricter in 2024, it is expected that the shortage of human resources will continue to be a challenge also in the future.</p> <p>With respect to qualification requirements and training no major challenges have been identified. The adoption of the Act on Social Welfare Professionals in 2015 has with the new licencing system strengthened the qualification requirements for social workers and other social welfare professionals. As to training, the Deputy Chancellor of Justice points to the need to include more legal studies in the education of social workers.<sup>315</sup></p>

<sup>312</sup> Finland, University of Turku (*Turun yliopisto/Åbo universitet*), [Multiprofessional teaching clinic](#), web page, accessed on 13 April 2023.

<sup>313</sup> Finland, University of Turku (*Turun yliopisto/Åbo universitet*), [Sote Academy. Research and education to support the integration of healthcare, social welfare and care & education sector](#), web page, accessed on 13 April 2023.

<sup>314</sup> Finland, Chancellor of Justice (*oikeuskansleri/justitiekanslern*) (2020), [Valtioneuvoston oikeuskanslerin kertomus vuodelta 2019](#) (Annual report 2019), K 12/2020 vp, Helsinki, Office of the Chancellor of Justice, p. 30.

<sup>315</sup> Finland, Chancellor of Justice (*oikeuskansleri/justitiekanslern*) (2020), [Valtioneuvoston oikeuskanslerin kertomus vuodelta 2019](#) (Annual report 2019), K 12/2020 vp, Helsinki, Office of the Chancellor of Justice, p. 31.



### 3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

The adoption of the new Act on Social Welfare Professionals<sup>316</sup> in 2015 was an important legislative reform, which introduced a licencing system for social workers and other social welfare professionals. Social welfare professionals are hence treated in the same way as healthcare professionals that have had a licensing system for many years. The reform further facilitates the integration of social and healthcare, which is one of the key goals with the health and social services reform (SOTE reform) that was launched on 1 January 2023.<sup>317</sup> Another legislative reform with direct relevance for the capacities of the human resources within child welfare is the amendment of the Social Welfare Act in 2019, whereby government funding is secured for the realisation of specialisation studies in social work.<sup>318</sup> Further, the Child Welfare Act has been revised in 2021 through the inclusion of limits on the maximum number of children per social worker. As of 1 January 2022 the maximum number of children in child protection is 35, and as of 1 January 2024 the number is reduced to 30. In addition, the Act on controlling the criminal background of volunteers engaged in activities among children entered into force on 1 May 2014.

The outsourcing of child welfare services to private actors has continued during the last eight years. In some municipalities there has been a lack of understanding of what type of services can be outsourced and what services have to be provided by civil servants who are legally liable for their acts in office (*virkaavastuu/tjänsteansvar*). Based on a complaint, the Deputy Chancellor of Justice issued a decision on this matter on 21 October 2021.<sup>319</sup> The case concerned the outsourcing of tasks that involve the exercise of public powers, such as the assessment of the service needs of children, including the need for substitute care, to private actors that do not operate under public legal liability such as persons in a public-service employment relationship. The Deputy Chancellor of Justice confirms that irregularities have taken place in most regions and requests various measures to rectify the problems. These include the commissioning of a study on the outsourcing of social welfare, the systematic assessment by the supervisory organs (i.e., the National Supervisory Authority for Welfare and Health and the Regional State Administrative Agencies) of the procurement of social services from private actors, the amendment of the Child Welfare Act to clarify that needs assessment shall be carried out by civil servants, and the allocation of more resources to the supervision of the child welfare system.<sup>320</sup> After the SOTE reform the legal requirements concerning the procurement of services from private actors are regulated in section 12 of the Act on Organising Healthcare and Social Welfare Services.<sup>321</sup> For information on the content of the provision in the context of child protection, see 3.1.7. in this report.

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<sup>316</sup> Finland, Act on Social Welfare Professionals ([laki sosiaalihuollon ammattihenkilöistä/lag om yrkesutbildade personer inom socialvården](#)), Act No. 817/2015, 26 June 2015.

<sup>317</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), [Reform of healthcare, social welfare and rescue services](#), web page, accessed on 21 February 2023.

<sup>318</sup> Finland, Act amending the Social Welfare Act ([laki sosiaalihuoltolain muuttamisesta/lag om ändring av socialvårdslagen](#)), Act No. 129/2019, 18 January 2019, sections 60 a and b.

<sup>319</sup> Finland, Deputy Chancellor of Justice (*apulaisoikeuskansleri/biträdande justitiekansler*), [Julkisen vallan käyttöön liittyvien tehtävien ulkoistaminen lastensuojelussa](#), OKV/292/10/2020, 21 October 2021.

<sup>320</sup> Finland, Deputy Chancellor of Justice (*apulaisoikeuskansleri/biträdande justitiekansler*), [Julkisen vallan käyttöön liittyvien tehtävien ulkoistaminen lastensuojelussa](#), OKV/292/10/2020, 21 October 2021, pp. 18–19.

<sup>321</sup> Finland, Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveyshuollon järjestämisestä/lag om ordnande av social- och hälsovård](#)), Act No. 612/2021, 29 June 2021.

### 3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Child-oriented budgeting was introduced as a new feature of the central government budget proposal in 2022.<sup>322</sup> A section summarising expenditures targeting children and families with children during the last three years is included in the general part of the budget proposals from 2022 onwards. The review of expenditures takes into account the (statutory and discretionary) expenditure directly aimed at and allocated to children, as well as expenditure clearly targeted at families with children. Nearly all appropriations listed concern education and teaching, as well as social welfare and healthcare services.<sup>323</sup> In the documentation concerning the design of the child-oriented budgeting model in Finland,<sup>324</sup> explicit reference is made to CRC General Comment No. 19 on public budgeting for the realisation of children's rights.<sup>325</sup> The model for child-oriented budgeting adopted in Finland does not on its own provide for an impact assessment of the child expenditures. Additional measures will be required. Thus, the National Child Strategy provides that the required impact assessment of the strategy will cover also the preparation and monitoring of the central government budget.<sup>326</sup>

Further, in accordance with the Implementation plan of the Child Strategy a study on child-oriented budgeting at the level of municipalities and wellbeing services counties was commissioned by the Ministry of Finance in 2022.<sup>327</sup> The report proposes a joint child-oriented budgeting model based on a traffic-light classification where green stands for universal preventive services, yellow for services that require temporary support and red for corrective services that require fulltime support. It is further recommended that the model is tested in a pilot that initially focuses on financial statements data.<sup>328</sup>

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<sup>322</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), Government's budget proposal for 2022 to Parliament ([hallituksen esitys eduskunnalle valtion talousarvioksi vuodelle 2022/regeringens proposition till riksdagen om statsbudgeten för 2022](#)), Chapter 7 on child-oriented budgeting, pp. 71-77.

<sup>323</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2021), [Budget review 2022: Review on central government budget proposal, September 2021](#), Helsinki, Publications of the Ministry of Finance 2021:57, p. 48.

<sup>324</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2021), [Lapsibudjetoinnin pilotointi ja vakiinnuttaminen: Työryhmän mietintö lapsibudjetoinnin kehittämismahdollisuuksista valtion talousarviossa sekä kunnissa ja hyvinvointialueilla](#) (Piloting and standardisation of child-oriented budgeting: Working group report on developing child-oriented budgeting in central government Budgets and in local government and the wellbeing services counties), Helsinki, Publications of the Ministry of Finance 2021:29, p. 24.

<sup>325</sup> United Nations (UN), Committee on the Rights of the Child (CRC), [General Comment No. 19 \(2016\) on public budgeting for the realization of children's rights](#), 20 July 2016.

<sup>326</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2021), National Child Strategy: Committee report, Helsinki, Publications of the Finnish Government 2022:16, p. 35.

<sup>327</sup> Aho, J., Penttilä, M. (2022), [Kuntien ja hyvinvointialueiden lapsibudjetointi ja toteumatietojen seuranta sekä raportointi: Selvityshenkilöiden raportti](#) (Child-oriented budgeting of municipalities and wellbeing services counties, and the monitoring and reporting of outturn data: Report by rapporteurs), Helsinki, Publications of the Ministry of Finance 2022:55.

<sup>328</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2022), ['Rapporteurs: Child-oriented budgeting to be piloted in municipalities and wellbeing services counties'](#), press release, 25 August 2022.

## 4. Care

### 4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

The Finnish child welfare system was reformed in 2015. The purpose of the child welfare reform was to shift the focus from special services (child welfare) to general services (social services). Part of the child welfare open care measures were transferred to services under the Social Welfare Act.<sup>329</sup> The goal was to lower the threshold for applying for support and secure the necessary support for families and children in a timely manner without having to be a client of child welfare. The purpose of the reform was to reduce unwanted measures of child welfare and to offer support to families on a voluntary basis. The Social Welfare Act is established as a general law and the Child Welfare Act as a special law. The services can be organised in accordance with the Child Welfare Act and/or in accordance with the Social Welfare Act. A child who is a client of child welfare has the right to receive services based on both Acts. The child has the right to receive services based on assessment of the need for services.

The Finnish child welfare system is called a family-oriented and child-centered system.<sup>330</sup> Child welfare is implemented based on an extensive public service system and services are based more on the child's needs rather than on risks. Children and families are primarily supported with social services (e.g., family social work) under the Social Welfare Act. Placing a child outside the home under the Child Welfare Act is a measure of last resort. The basic principle is that if an intervention in the family's affairs is necessary, the least invasive route to help the family is preferred. Such primary services are called support measures in open care. A child is placed in alternative care only if the support measures in open care are not sufficient or do not provide care that is in the best interests of the child. Sometimes, however, the situation may require an emergency placement.

Responsible authorities and service providers in the child welfare and social services system are not always the same. Although there are many private service providers, in addition to public services, there is inherent coordination of the measures and interventions. Private providers of social services can provide public social services when a public organiser of social services procures services from them for social welfare clients.

The responsible authority for prevention and coordination measures in child welfare at national level is the Ministry of Social Affairs and Health. From 2023 onwards, the wellbeing services

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<sup>329</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), [Legislation concerning children, young people and families](#), web page, accessed on 13 March 2023 and Social Welfare Act ([sosiaalihuoltolaki/socialvårdslagen](#)), Act No. 1301/2014, 30 December 2014.

<sup>330</sup> Berrick, J., Dickens, J., Pösö, T., Skivenes, M. (2016), 'Time, Institutional Support, and Quality of Decision Making in Child Protection: A Cross-Country Analysis', *Human Service Organizations: Management, Leadership & Governance*, Vol. 40, No. 5, pp. 451–468.

counties are responsible for organising and providing publicly funded child and family social work and child welfare to all children and families in need.<sup>331</sup>

4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

Families are supported in their role of primary caregivers through universal and targeted services. The key principle in child welfare services is to support guardians in their exercise of parental duties. For this reason, the aim is, primarily, to help families by using less invasive means, i.e., by support measures in open care. These measures are always voluntary and based on cooperation with the family.<sup>332</sup>

The primary responsibility for a child's wellbeing rests with the child's parents and other custodians. The child's parents and custodians must safeguard the child's balanced development and wellbeing in the manner laid down in the Act on Child Custody and Right of Access (361/1983).<sup>333</sup> The public authorities that work with children and families must support parents and custodians in their child upbringing and must endeavour to provide families with the necessary assistance at a sufficiently early stage, and must refer the child and the family to the child welfare services when necessary. Thus, parents, custodians and other persons responsible for child care and upbringing should be provided support, including necessary services and support measures (e.g. family work, financial support, counselling, support person). As stipulated in section 36 of the Child Welfare Act (417/2007), based on the child's and family's need for support, welfare services counties must arrange financial and other support for solving problems of families in difficult situations, e.g. regarding schooling and housing, care and therapy services supporting the child's rehabilitation, family work and family rehabilitation. Under the conditions laid down in the Act, a child may be placed away from home or other measures may be taken to arrange care for and custody of the child.

4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

When the social services have identified a child in need of care, a social worker is assigned to take official responsibility for the case. The social worker writes an assessment of the need for services. In accordance with the Social Welfare Act (1301/2014), the assessment of the need for services must be initiated without delay. The assessment must be completed in three months from the filing of the report, as stipulated in section 26 of the Child Welfare Act (417/2007).

The assessment of the need for services includes an evaluation of the child's and the family's need for care and need for services at present and in the future. It is written in cooperation with the child, the child's family, and possibly other people who are close to the child. Conclusive remarks

<sup>331</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), [Wellbeing services counties will be responsible for organizing health, social and rescue services on 1 January 2023](#), web page, accessed on 13 March 2023.

<sup>332</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Support in open care is the first option](#), lastensuojelu.info, web page, accessed on 13 March 2023.

<sup>333</sup> Finland, Act on Child Custody and Right of Access (*laki lapsen huollosta ja tapaamisoikeudesta/ lag angående vårdnad om barn och umgängesrätt*), Act No. 361/1983, 8 April 1983.

of the assessment are written by the social worker responsible for the case. In these remarks, the social worker evaluates whether the child needs care, and in case that is not the case, what support services should the child and the family be provided. If needed, the social worker can decide to cooperate with another professional specialised in the assessment of service needs when writing the assessment. The cooperating actors in this process vary regionally.<sup>334</sup>

The assessment of the need for services is written even if the child or family members oppose it. In that case, the assessment is based on information received from authorities (such as the child's teacher) and other near ones. The child and the parents must be informed about the process of family assessment and the result thereof even when they do not cooperate.<sup>335</sup>

If there is need for child welfare services, a client plan is drafted by the social worker responsible for the child's case, as stipulated in section 30, subsection 1 of the Child Welfare Act (417/2007). The client plan is mainly based on the assessment of the need for services. As stipulated in section 29, subsection 1, the social worker responsible for the case, or another employee of the child welfare services such as a family worker or a social counsellor, must meet with the child on a regular basis during the time the child is a client of the welfare services. The client plan must include a specific plan on when and with whom these meetings take place. The social services should meet with the child at least two hours per month during the period of assessment of the child's situation. As stipulated in section 30, subsection 2 of the Child Welfare Act, the client plan must be evaluated at least once a year.

#### 4.1.4. What are the crisis emergency responses in place?

As stipulated in section 49, subsection 2 of the Child Welfare Act (417/2007), when a child is in immediate danger or is otherwise in need of urgent placement and substitute care, the child may be placed with urgency in family care or institutional care, or the care and custody that the child requires may be arranged in some other way.<sup>336</sup> Urgent placement is a serious interference in people's lives and privacy, so it is a measure of last resort when there are no other possibilities to secure the child's welfare. The decision on an emergency placement is made by the officeholder determined in accordance with section 13, subsection 1 of the Child Welfare Act, and an emergency placement based on the officeholder's decision may last 30 days at most (section 38).<sup>337</sup>

## 4.2. Identification and reporting procedures

Question	Yes	No	Comments
4.2.1. Is there an identification/	X		Finnish child welfare legislation requires an extensive notification obligation from adults. It emphasises that the primary responsibility for the

<sup>334</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden- ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Lastensuojelun tarpeen selvittäminen](#) (Lastensuojelun käsikirja) web page, accessed on 14 March 2023.

<sup>335</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>336</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden- ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Kiireellinen sijoitus](#) (Lastensuojelun käsikirja) web page, accessed on 14 March 2023.

<sup>337</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<p>reporting obligation foreseen in the legislation?</p> <p>If <u>yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>		<p>child rests with the adults. While everyone has the right to report a child in need of child welfare, only listed professionals have an obligation to do so. Further, the law provides that the notification should be made primarily in cooperation with the child and the family and be based on consent.</p> <p>Section 25 of the Child Welfare Act (417/2007)<sup>338</sup> stipulates that the following <b>professionals are obliged</b> to immediately report to the social services, notwithstanding confidentiality provisions, about a child that they have encountered or heard about in their professional life, and whose behaviour, needs or environment requires that their need for child protection must be investigated:</p> <ul style="list-style-type: none"> <li>• social and healthcare services</li> <li>• day care services</li> <li>• education services</li> <li>• youth services</li> <li>• police</li> <li>• Criminal Sanctions Agency</li> <li>• fire and rescue services</li> <li>• social welfare and healthcare service providers</li> <li>• education or training providers</li> <li>• a parish or other religious community</li> <li>• a reception centre and organisation centre referred to in section 3 of the Act on Reception of People Seeking International Protection (746/2011)</li> <li>• a unit engaged in emergency response activities</li> <li>• a unit engaged in morning or afterschool services for schoolchildren</li> <li>• Finnish customs</li> <li>• Finnish border guard</li> <li>• National Enforcement Authority Finland</li> <li>• Social Insurance Institution of Finland</li> </ul> <p>A person, other than the professionals mentioned above, <b>can</b> also make a notification about a child on the ground that the child's need for protection must be investigated.</p> <p>The professionals mentioned above are also obliged to report to the police when they suspect that a child has become a victim of a sexual</p>
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<sup>338</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.



		<p>offence as stipulated in Chapter 20 of the Criminal Code of Finland (39/1889).<sup>339</sup> Professionals are also obliged to report to the police and child welfare if they suspect child abuse. Notification to the police and child welfare must be made without delay in order to assess the need for child protection and to initiate a police investigation. Based on the report, the police will consider whether there is reason to suspect a crime and, if necessary, start a preliminary investigation.</p> <p>An anticipatory child welfare notification is made before the birth of a child if there is reason to suspect that the child may need support from the child welfare services once born. This may be required if the parents have serious mental health problems or addiction, for example. The notification allows the welfare services to discuss necessary support measures, care or rehabilitation with future parents in advance.<sup>340</sup></p> <p>In addition, the reporting obligation in section 25 of the Child Welfare Act can be carried out by contacting social services together with the child or parent to assess the need for support, in accordance with section 35 of the Social Welfare Act. This requires that the contact is made without delay and that the person obligated to notify states the reasons for the contact. Confidentiality regulations are not a hindrance for contacting social services under the Social Welfare Act.</p> <p>Since 2019, the national Barnahus project has been running in Finland.<sup>341</sup> In the project, processes for clarifying suspected violent crimes against children have been developed and professionals' skills in identifying and confronting violence have been increased. Following the European Barnahus standards, the project is based on child-centeredness, effectiveness and cooperation between professionals. In 2023, the Barnahus project has prepared guidelines for</p>
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<sup>339</sup> Finland, Criminal Code ([rikoslaki/strafflagen](#)), Act No. 39/1889, 19 December 1889.

<sup>340</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Glossary](#), [lastensuojelu.info](#), web page, accessed on 13 March 2023.

<sup>341</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Barnahus project](#), web page, accessed on 16 May 2023.



		<p>professionals in situations of suspected violent crime against a child or young person.<sup>342</sup></p> <p>In 2019, the Ministry of Social Affairs and Health published the Action Plan for the Prevention of Violence against Children 2020–2025.<sup>343</sup> The action plan includes a section on safety skills education for children in a child-friendly way. Safety skills are concrete skills with which children and young people learn to identify and defend themselves in threatening situations. The objective is that every child knows how to act when they, for example, receive messages or images from a strange sender or with strange or harassing content. It can be explained to a child that it is forbidden by law to send nude pictures to children or to ask children to do so, and if this happens, the child should speak to an adult right away. The Action Plan also strives to strengthen the skills of professionals working with children and young people in relation to the prevention of various forms of violence against children by means of continuing training and development.</p> <p>The Let’s Talk about Children method has been developed and implemented in Finland since 2001.<sup>344</sup> It provides a means of early intervention with the purpose of building a shared understanding between parents, the child and other important persons in the child’s life. The idea is to find ways of working together to promote family wellbeing and to give support in vulnerabilities a family may have. The method provides practical advice and a structure for discussions and is intended for both professionals and parents.</p>
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<sup>342</sup> Finland, Barnahus (2023), [Toimintaohje ammattilaisille lapsen tai nuoreen kohdistuvan väkivaltaepäilyn tilanteisiin](#), Guidelines, 24 April 2023.

<sup>343</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children 2020–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:34.

<sup>344</sup> Finland, MIELI Mental Health Finland, [Let’s Talk about Children](#), web page, accessed on 16 May 2023.

4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in all available reporting mechanisms, including, helplines and hotlines. Include the legislative and regulatory framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.

Please provide details such as if there a common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?

Any person can report a case to the social services when they suspect that a child's situation requires investigation, including children themselves, notwithstanding confidentiality provisions. The report can be made in writing, by phone, or face to face to the social services. To safeguard confidentiality, a report should not be made by email. A report can be filed by filling out a specific form, available in the internet,<sup>345</sup> but this is not required. The use of the reporting form is encouraged in cases when the person filing the report wants to ensure that all information is written down correctly. Section 33 of the Child Welfare Act (417/2007)<sup>346</sup> stipulates that the social worker receiving a child welfare report must take it down in writing. The social worker must immediately evaluate the situation and whether it requires urgent action.

Any person, including children, can report a case to the police when they suspect that a crime against a child has been committed. However, the child has the right to receive protection from an adult, and reporting a crime to the police is primarily the task of adults. A police report in cases of abuse and sexual offences against children must be filed personally at a police station. As stipulated in Chapter 3, section 2 of the Criminal Investigations Act (805/2011),<sup>347</sup> the police is obliged to take down the report if the person filing the report believes that a crime has been committed. The child welfare officials must immediately file a report with the police when they have become aware of a suspicion of abuse against a child.

The law on investigating sexual offences against children came into force on 1 January 2009.<sup>348</sup> Its aim was to improve the position of a child who is victim of a sexual crime, by concentrating services that require special expertise to five university hospitals. In 2013, the law was revised to also cover crimes of assault.<sup>349</sup> The law stipulates how to organise an investigation within the wellbeing services counties at the request of the police, the prosecutor or the court in order to investigate a suspected sexual or assault offence against a child and to assess the harm of the offence.

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<sup>345</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden- ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Lastensuojeluilmoitus](#) (Lastensuojelun käsikirja) web page, accessed on 14 March 2023.

<sup>346</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>347</sup> Finland, Criminal Investigation Act ([esitutkintalaki/förundersökningslagen](#)), Act No. 805/2011, 22 July 2011.

<sup>348</sup> Finland, Act on Organising the Investigation of Sexual and Assault Offences against Children ([laki lapseen kohdistuneen seksuaali- ja pahoinpitelyrikoksen selvittämisen järjestämisestä/lag om ordnande av utredningar av sexual- och misshandelsbrott mot barn](#)), Act No. 1009/2008, 19 December 2008.

<sup>349</sup> Finland, Act amending the Act on Organising the Investigation of Sexual and Assault Offences against Children ([laki lapseen kohdistuneen seksuaalirikoksen selvittämisen järjestämisestä annetun lain muuttamisesta/lag om ändring av lagen om ordnande av utredningar av sexualbrott mot barn](#)), Act No. 793/2013, 8 November 2013.

Question	Yes	No	Comments
<p>4.2.3. Do children have the right to report independently?</p> <p>If <u>yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights' violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	X		<p>According to child welfare legislation, a child over the age of 12 has the right to speak in many matters. Having the right to speak means that the child's opinion must be taken into account in matters concerning him/her in the same way as adults. However, the fact that the child participates in the processing of matters concerning him/her does not mean that the child can decide on the matter. It is the responsibility of adults to protect children's rights and make decisions and take responsibility for them. When hearing the child's opinion, the child's age and level of development should be taken into account. Age should not be an obstacle for hearing the child's views.</p> <p>This means that children who are 12 years old can report to the social services independently. Children under 12 can contact an officeholder such as the professionals mentioned in section 25 of the Child Welfare Act (417/2007),<sup>350</sup> including their teacher, kindergarten teacher, a school nurse or a policeman, who are obliged to immediately report to the social services when they become aware of a child in need of protection (see 4.2.1 above).</p> <p>If the person who files a report is obliged under the law to file a report, the family must be informed about their identity. The identity of the person who filed a report can be safeguarded in some cases, if it is considered that disclosing this information would be against the child's best interest, or would threaten the safety of the person who filed the report. A threat of violence against the child or the reporter is such a situation.</p> <p>Professionals have been trained in the Child Welfare Act and its obligations. The number of child welfare reports/notifications has increased in recent years indicating that the child welfare notification system functions fairly well. However, it has not always been possible to respond to the increased number of notifications as required by law due to the lack of employees and other resources. There is no information on whether</p>

<sup>350</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

			reporting procedures or employee skills differ for children under 12 and over 12.
4.2.4. Are children informed of their right to report and how they can do it? If yes, by whom and how?	X		<p>The Parliamentary Ombudsman<sup>351</sup> and the Ombudsman for Children supervise that children's rights are implemented. Children can complain to the Parliamentary Ombudsman if their rights have been violated. The Parliamentary Ombudsman carries out inspections in institutions such as schools, children's homes, youth homes and care institutions for children. During the inspections, the Ombudsman interviews children and young people and hears their views.</p> <p>Children can send a complaint to the Parliamentary Ombudsman using the complaint form available on the web page of the Office of the Parliamentary Ombudsman or by sending an e-mail or letter to the Ombudsman. In 2017, the Office of the Parliamentary Ombudsman introduced child-friendly web pages with information on how to complain.<sup>352</sup> In the 2021 annual report, the Parliamentary Ombudsman further notes that children may orally be in touch with the Office of the Parliamentary Ombudsman to initiate a complaint.<sup>353</sup></p> <p>The visibility of children's rights has increased in public and social media. The Parliamentary Ombudsman has encouraged children to report grievances and make complaints, for example, by informing about children's rights on the Ombudsman website and in social media channels used by young people. According to the Ombudsman, the number of complaints made by children has increased in recent years. Children's complaints also lead to measures more often than complaints made by adults.<sup>354</sup></p>

<sup>351</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [Can the Parliamentary Ombudsman help?](#), web page, accessed on 14 March 2023.

<sup>352</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [The Parliamentary Ombudsman supervises children's rights](#), web page, accessed on 16 April 2023.

<sup>353</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) (2022), *Eduskunnan oikeusasiamiehen kertomus vuodelta 2021*, K 18/2022 vp, Helsinki, Office of the Parliamentary Ombudsman, p. 110.

<sup>354</sup> Finnish Broadcasting Company (*Yleisradio/Rundradion*) (2022), '[Liisa, 18, ei saanut huostassa ollessaan pitää puhelinta yli kolmeen vuoteen – oikeusasiamies kannustaa alaikäisiä kantelemaan lastensuojelusta](#)', YLE news, 27 January 2022.

		<p>During the COVID-19 pandemic, when the Parliamentary Ombudsman could not visit child protection institutions, new methods of informing children of their rights and the complaint mechanism were introduced. At the initiative of the children in a school home, two online discussion events were organised in 2021 for the children, staff and social workers. Representatives of the Office of the Parliamentary Ombudsman answered questions on children’s rights and legal protection in substitute care. In addition, in 2021, representatives of the Office of the Parliamentary Ombudsman took part in four virtual chat events organised by civil society organisations, where complaint mechanisms were presented.<sup>355</sup></p> <p>Also, civil society actors are disseminating information on child welfare and rights as well as on reporting channels. Among important initiatives can be mentioned two social workers, who have since 2020 produced content on child welfare, often in collaboration with child protection clients, through TikTok videos, TikTok live discussions and podcasts.<sup>356</sup> The TikTok channel has been popular among children. It is reported that 3,000 viewers are attending the TikTok live discussions on an average.<sup>357</sup></p> <p>In 2019, the Ministry of Social Affairs and Health published the Action Plan for the Prevention of Violence against Children 2020–2025.<sup>358</sup> Among its many goals the action plan also seeks to promote measures for strengthening children’s and young people’s digital safety skills, for example, in situations of sexual harassment, grooming and sexual violence. Both public authorities and NGOs provide training, materials and online support for children and the youth who have encountered sexual harassment and abuse.<sup>359</sup></p>
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<sup>355</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) (2022), *Eduskunnan oikeusasiamiehen kertomus vuodelta 2021*, K 18/2022 vp, Helsinki, Office of the Parliamentary Ombudsman, p. 111.

<sup>356</sup> Information obtained from the [‘TikTok sossut’](#) web page on 18 April 2023.

<sup>357</sup> Information obtained from the [‘TikTok sossut’](#) web page on 18 April 2023.

<sup>358</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children 2020–2025](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:34.

<sup>359</sup> Korpilahti, U., Malja, M., Jääskeläinen, P., Murdoch, T. (2023), [Väkivallaton lapsuus – toimenpidesuunnitelma: väliarviointi 2020 – alkuvuosi 2023](#) (Non-violent Childhood Action Plan: interim

4.2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

Child protection notifications concerned a total of 93,705 children in 2021. The increase from the previous year was 7 %. The number of child protection notifications has grown steadily in recent years and this official reporting procedure seems to work well.<sup>360</sup>

In Finland, there is no hotline or internet-based helpline for children that functions as a publicly offered protection tool. There are children's and young people's phone lines, online letter services and chat services, which function as anonymous support channels.<sup>361</sup> These are maintained by civil society organisations. The services are structured so that the administrator of the service does not store any information that could identify the person who uses the services.

### 4.3. Referral procedures(s) and investigation and protection

4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

As stipulated in section 26 of the Child Welfare Act (417/2007), a child welfare case is initiated by an application or when a social worker or other child protection employee has otherwise learned about a child in possible need of child welfare. After a report on the child welfare case has been filed with the social services, the social worker responsible for the case must evaluate the need for urgent measures and then, within seven days from the receipt of the child welfare notification, the assessment of the service needs must start. The social worker writes a service needs assessment, and this assessment must be completed in three months from the filing of the report. When the child is identified as a child in need of care, a social worker is assigned to take responsibility for the case.

The assessment includes evaluations of whether the child needs care, and in case not, what support services should the child and the family be provided. If the assessment concludes that there is no need for social or child welfare services, the child's client relation to the social services ends.

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evaluation from 2020 to early 2023), Helsinki, Publications of the Ministry of Social Affairs and Health 2023:17, p. 199–203 and 266–274. See also, for example, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) (2022), [Instructions for students in vocational education and training and general upper secondary education – Preventing and intervening in sexual harassment and violence](#) (brochure); Protect Children (*Suojellaan lapsia*), [Online Road Safety: Enhancing children's digital safety skills](#) and [#MyFriendToo](#), web pages, accessed on 17 May 2023; and Save the Children (*Pelastakaa lapset/Rädda barnen*), [Finnish Hotline Nettivihje and Prevention of Sexual Abuse](#), web page, accessed on 17 May 2023.

<sup>360</sup> Finland, Finnish Institute for Health and Welfare (*Terveystieteiden tutkimuskeskus/Institutet för hälsa och välfärd*) (2022), [Lastensuojelu 2021: Huostaanottojen määrä väheni vuonna 2021](#), Statisticals report 22/2022, 6 June 2022.

<sup>361</sup> Mannerheim League for Child Welfare (*Mannerheimin lastensuojeluliitto/Mannerheims barnskyddsförbund*), [Lasten ja nuorten puhelin](#), web page, accessed on 16 March 2023.

The social services are under the obligation to report to the police when a suspicion of a sexual crime or assault offence has arisen, and the police are obliged to report to the social services when they suspect that a child needs welfare services.<sup>362</sup>

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		<p>The social worker responsible for the case must evaluate the need for services within seven days from the receipt of the child welfare notification. As stipulated in section 27 of the Child Welfare Act (417/2007), the child and parents or guardians must also be informed about the receipt of the welfare notification as well as the following procedures in seven days.<sup>363</sup></p> <p>When the social services have identified a child in need of care, a social worker is assigned to take responsibility for the case. The social worker writes an assessment of the needs for services, and this assessment must be completed in three months from the filing of the report, as stipulated in section 26 of the Child Welfare Act (417/2007).</p>
4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?	X (but not always)		<p>In child welfare, the social worker assigned the responsibility for the case is also doing the assessment of the needs for services. This social worker can cooperate with other professionals who are specialised in child welfare assessments.</p> <p>Section 41 of the Child Welfare Act (417/2007) stipulates that “cases relating to taking a child into care and substitute care are prepared by the social worker responsible for the child’s affairs in cooperation with another social worker or some other employee familiar with child welfare. Legal expertise and other expertise necessary for the implementation of child welfare must be available to support the preparation work.”<sup>364</sup></p> <p>If a child welfare worker suspects that a crime has occurred, she/he is obliged to inform the police. The police decides whether there is cause to start a preliminary investigation. If the police requests executive assistance in the form of specialist statements in investigations, the case must be</p>

<sup>362</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>363</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>364</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.



		<p>handled urgently by these specialists. All investigations must be completed within two months. The medical examinations should take place in hospitals with specialised expertise, such as central and university hospitals. The examination should be carried out in cooperation by at least two professionals. Their statement should be handed out to the police within three months from their request. It is advisable to admit the child to a hospital for the duration of the examinations, especially when it is likely that abuse has taken place or the child is afraid of the parents, and to forego all examinations within two days. All central hospitals must appoint a working group on abuse cases, whose members discuss cases with the family members.</p> <p>To further develop the work nationally the Barnahus project started in June 2019. In the project, the investigation processes in cases of suspected violence against children, and the support and treatment of children who have experienced violence are enhanced. The project builds on collaboration between the five university hospitals, the National Police Board, the National Prosecution Authority, the Finnish Institute for Health and Welfare and the Wellbeing Services County of Ostrobothnia.<sup>365</sup></p> <p>In the police, when a report about a crime against a child has been received, the police must contact the child welfare agency about the investigation, and also file a report if the child is not already a child welfare client. Furthermore, as stipulated in the Criminal Investigation Act (805/2011),<sup>366</sup> the police must notify the prosecution office when an investigation involves a child welfare notification. The National Prosecution Service and the Ministry of the Interior further instruct that the prosecution must be given a chance to comment and cooperate on the investigation of such crimes.<sup>367</sup></p>
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<sup>365</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden- ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Barnahus-hanke](#), web page, accessed on 14 March 2023.

<sup>366</sup> Finland, Criminal Investigation Act (*esitutkintalaki/förundersökningslagen*), Act No. 805/2011, 22 July 2011.

<sup>367</sup> HUS, [Investigating suspected abuse of a child](#), web page, accessed on 14 March 2023.

4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.

When the social services have identified a child in need of care, a qualified social worker is assigned to take responsibility for the case. As stipulated in section 13, subsection 3 of the Child Welfare Act (417/2007),<sup>368</sup> it is the responsibility of the social worker to conduct an assessment of the need for services, and this assessment must be completed in three months from the filing of the report. The aim of the assessment is to find out whether the child is in need of child welfare services and care. The assessment is made in cooperation with the child, the family and other people close to the child when possible, and should include a mapping of the child's social networks. Even when they exercise their right not to cooperate with the social services in making the assessment, parents or guardians or the child cannot prevent the execution of the assessment. The child and the parents or guardians must be informed about the process and the outcome.

Sections 16 and 17 of the Act on the Status and Rights of Social Welfare Clients (812/2000)<sup>369</sup> regulate the information that can be given to the social services by other actors, such as the professionals at school or day care, and by the social services to other actors when compiling a service needs assessment.

If there is a suspicion of a crime, such as abuse of the child, the social services are obliged to inform the police. The police assess the need to start a preliminary investigation and requests executive assistance from other professionals in the investigation, if needed. If the police requests executive assistance in the form of specialist statements in investigations, the case must be handled as urgent by these specialists. The medical examinations should take place in hospitals with specialised expertise, such as central and university hospitals. The examination should be carried out in cooperation by at least two professionals.<sup>370</sup>

Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?		X	The legislative and regulatory framework and procedures are not defined very clearly although the law states that when arranging child welfare, the public authority responsible for social services must cooperate as necessary with the various administrative bodies, other public authorities and other service-providing organisations and institutions. According to the Child Welfare Act (section 14 – Safeguarding multiprofessional expertise), wellbeing services counties must set up a team of child welfare experts consisting of social and healthcare representatives, child growth and development experts and other experts needed in

<sup>368</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>369</sup> Finland, Act on the Status and Rights of Social Welfare Clients ([laki sosiaalihuollon asiakkaan asemasta ja oikeuksista/lag om klientens ställning och rättigheter inom socialvården](#)), Act No. 812/2000, 22 September 2000.

<sup>370</sup> HUS, [Investigating suspected abuse of a child](#), web page, accessed on 14 March 2023.

			child welfare work. The team of child welfare experts will assist social workers in preparations for taking a child into care and for substitute care, and in other aspects of child welfare provision. <sup>371</sup>
4.3.6. Are there any inter-agency cooperation protocols and agreements in place to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?	X		<p>According to the Child Welfare Act, the wellbeing services counties are required to facilitate multiprofessional cooperation in child welfare processes. Such cooperation has over the years been realised in a variety of ways. With the first quality recommendation for child welfare, adopted by the Ministry of Social Affairs and Health in 2014, multiprofessional cooperation in child welfare is emphasised even more than before.<sup>372</sup> The latest quality recommendation for child welfare, adopted in 2019, further supports the development towards a multidisciplinary working team structure.</p> <p>The Ministry of Social Affairs and Health has in 2020-2022 funded the Programme to Address Child and Family Services (<i>lapsi- ja perhepalveluiden muutosohjelma/programmet för utveckling av barn- och familjetjänster, LAPE</i>). The aim of the programme is to strengthen the early support and wellbeing of children, young people and families, combat inequality and secure multiprofessional services for children who need special support.<sup>373</sup></p>
4.3.7. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? <i>Please also consider potential</i>		X	The Finnish child welfare system covers all children irrespective of migration status. However, the regulatory framework differs with respect to asylum seekers. According to the Reception Act (746/2011), <sup>374</sup> social welfare services are provided based on an assessment of a

<sup>371</sup> Finland, Child Welfare Act (*lastensuojelulaki/barnskyddslagen*), Act No. 417/2007, 13 April 2007, section 14 – Safeguarding multiprofessional expertise.

<sup>372</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2019), *Quality Recommendation for Child Welfare*, Helsinki, Publications of the Ministry of Social Affairs and Health 2020:28.

<sup>373</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), '*Lastensuojelun monialainen kehittäminen alkaa osana lapsi- ja perhepalvelujen muutosohjelmaa*', press release, 3 December 2020.

<sup>374</sup> Finland, Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings (*laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta/lag om mottagande av personer som söker internationellt skydd och om identifiering av och hjälp till offer för människohandel*), Act No. 746/2011, 17 June 2011.

<p><i>divergences depending on main actors involved.</i></p>			<p>social care professional working within the reception services. These services include child welfare services. However, in practice this has meant that the child welfare needs of asylum seekers or the support needs of families with children who are asylum seekers are not always met equally. The regional variations are large. In some areas, these children and families are deemed not to be covered by the services, contrary to child protection legislation.<sup>375</sup> There is still little research and public information on the subject.<sup>376</sup></p>
<p>4.3.8. Are affected children heard as part of the procedures?</p> <p><u>If yes</u>, are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?</p>	<p>X</p>		<p>According to the Child Welfare Act (417/2007), a child must be heard in all child welfare proceedings in a child-centred way that is appropriate for the child's age and development.<sup>377</sup> Section 20 of the Child Welfare Act stipulates that the child's wishes and views must always be ascertained and considered when decisions are taken on matters concerning the child. In addition, children that have turned 12 years of age have an independent right to be heard.</p> <p>The child's hearing should be arranged with the support of competent professionals. Official guidelines for the child's hearings have not been determined.</p> <p>The child is entitled to all information concerning himself/herself that affect the child protection decision. Should the background documents include information that is not in conformity with the best interest of the child, the social worker can refrain from giving the documents to the child.<sup>378</sup></p>

<sup>375</sup> Tuomisto, K., Tiittala, P., Helve, O. and Vuori, J. (2016), [Turvapaikanhakijoiden sekä oleskeluluvan ja kuntapaikan saaneiden kunnalliset sote-palvelut](#), Helsinki, Report of the Finnish Institute for Health and Welfare 18/2016.

<sup>376</sup> Kääriälä, A., Keski-Säntti, M., Aaltonen, M., Haikkola, L., Huotari, T., Ilmakunnas, I., Juutinen, A., Kiilakoski, T., Merikukka, M., Pekkarinen, E., Rask, S., Ristikari, T., Salo, J., Gissler, M. (2020), [Suomi seuraavan sukupolven kasvuympäristönä: Seuranta Suomessa vuonna 1997 syntyneistä lapsista, joilla on ulkomailla syntynyt vanhempi](#), Helsinki, Report of the Finnish Institute for Health and Welfare 15/2020.

<sup>377</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>378</sup> Rätty, T. (2023), [Lastensuojelulaki: Käytäntö ja soveltaminen](#), Helsinki, Edita, p. 227.

<p>4.3.9. Are there mental health support services available for affected children?</p> <p><u>If yes</u>, how are services working together? How is it ensured that the child is informed and can make use of these services?</p>	<p>X</p>	<p>According to section 13 of the Social Welfare Act (1301/2014), children and their families have the right without delay to such social services that are necessary for the health and development of the child. These services include mental health services (section 14). However, there are problems with the adequacy of services and the separation of social (child welfare) and healthcare, as well as basic and specialised medical care. The Deputy Chancellor of Justice<sup>379</sup> has stated that the long-term inadequacy of psychiatric and mental health services for children and young people is a fundamental rights problem, the unsolvable nature of which conflicts with the rights guaranteed to children and young people by law. The Ombudsman for Children has raised the same concern.<sup>380</sup></p> <p>In practice, a child welfare worker who recognises, e.g., a trauma background in a child protection case may consult an expert, in particular, when the child welfare worker does not have enough knowhow for handling the case. The social worker responsible for the child has to ensure that the child is informed about available mental health services.</p>
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4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.

In 2013, the working group appointed by the Ministry of Social Affairs and Health concluded that despite the fact that the Child Welfare Act (417/2007) requires multiprofessional cooperation in child welfare processes, the procedures and outcomes of such cooperation vary.<sup>381</sup> There are many good collaborative practices that have been employed at local level, but they have not been introduced and adopted nationally. The Programme to Address Child and Family Services (LAPE) launched by the Ministry of Social Affairs and Health has operated in 2016–2023. The aim of the programme has been to strengthen the early support and wellbeing of young people and families, combat inequality and secure multiprofessional services for children who need special support.<sup>382</sup> The Parliamentary

<sup>379</sup> Finland, Deputy Chancellor of Justice (*apulaisoikeuskansleri/biträdande justitiekanslern*), [Lasten ja nuorten mielenterveys- ja psykiatriset palvelut, Decision OKV/294/70/2020, 12 January 2023.](#)

<sup>380</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Yhdenvertaisuus pandemian ajassa: Lapsiasiavaltuutetun vuosikertomus 2021](#) (Annual report 2021), Helsinki, Publications of the Office of the Ombudsman for Children 2022:6.

<sup>381</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2013), [Toimiva lastensuojelu: Selvitystyöryhmän loppuraportti](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2013:19.

<sup>382</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2020), [‘Lastensuojelun monialainen kehittäminen alkaa osana lapsi- ja perhepalvelujen muutosohjelmaa’](#), press release, 3 December 2020.

Ombudsman reports in 2021 that “there are shortcomings in the implementation of the multidisciplinary services needed by children, in the cooperation between different administrative branches and in the coordination of service systems”.<sup>383</sup>

#### 4.4. Placement decisions – care orders

4.4.1. Following the investigation and assessment of the child’s situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

Section 43 of the Child Welfare Act (417/2007)<sup>384</sup> stipulates that the decisions on taking a child into care and substitute care are made by leading officeholders. The decision is made after the social worker responsible for the child’s affairs has prepared the case in cooperation with another social worker or another employee familiar with child welfare and if the custodian or a child of 12 years of age or more does not oppose the substitute care. If the child's custodian or the child of 12 years of age or more opposes the substitute care, the case is decided by an administrative court on application by a officeholder from the wellbeing services county.

Question	Yes	No	Comments
<p>4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of necessity and appropriateness considered?</p>	X		<p>Section 20 of the Child Welfare Act (417/2007)<sup>385</sup> stipulates that the views of a child must always be ascertained and considered when deciding on taking a child into care.</p> <p>Section 40 of the Child Welfare Act (417/2007) defines the duty to take a child into care and provide substitute care as follows:</p> <p>“Children must be taken into care and substitute care must be provided for them by the wellbeing services counties if</p> <ol style="list-style-type: none"> <li>1) their health or development is seriously endangered by lack of care or other circumstances in which they are being brought up; or</li> <li>2) they seriously endanger their health or development by abuse of intoxicants, by committing an illegal act other than a minor offence or by any other comparable behaviour.</li> </ol>

<sup>383</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justititeombudsman*) (2022), [Parliamentary Ombudsman of Finland: Summary of the annual report 2021](#), Helsinki, Parliamentary Ombudsman of Finland, p. 123.

<sup>384</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>385</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

			<p>Taking a child into care and provision of substitute care may, however, only be resorted to if</p> <ol style="list-style-type: none"><li>1) the measures referred to in Chapter 7 would not be suitable or possible for providing care in the interests of the child concerned or if the measures have proved to be insufficient</li><li>2) substitute care is estimated to be in the child's interests in accordance with section 4."</li></ol> <p>Section 4 of the Child Welfare Act (417/2007) defines the criteria to be taken into consideration when assessing the best interest of the child as follows:</p> <p>"When assessing the interests of the child, consideration must be given to the extent to which the alternative measures and solutions safeguard the following for the child:</p> <ol style="list-style-type: none"><li>1) balanced development and wellbeing, and close and continuing human relationships;</li><li>2) the opportunity to be given understanding and affection, as well as supervision and care that accord with the child's age and level of development;</li><li>3) an education consistent with the child's abilities and wishes;</li><li>4) a safe environment in which to grow up, and physical and emotional freedom;</li><li>5) a sense of responsibility in becoming independent and growing up;</li><li>6) the opportunity to become involved in matters affecting the child and to influence them; and</li><li>7) the need to take account of the child's linguistic, cultural and religious background."</li></ol>
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<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p> <p>If <u>yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>	X		<p>Section 20 of the Child Welfare Act (417/2007)<sup>386</sup> stipulates that the views of a child must always be ascertained and considered when deciding to take a child into care.</p> <p>Section 20, subsection 3 of the Child Welfare Act stipulates that this can be foregone only when the child’s physical or psychic situation does not allow for a hearing of the child or when this would be clearly unnecessary. With respect to children who have turned 12, mandatory hearing in custody cases is regulated in section 42 of the Child Welfare Act. Only under exceptional conditions can the hearing be ignored, that is, when the hearing would cause serious danger to the development or security of the child, and the best interest of the child requires that the hearing is not conducted.</p> <p>The opinion of the child is usually heard by the social worker who is responsible for the case, and the social worker must document the hearing and also inform the child about the reason of the hearing. This documentation will be delivered to the administrative court who makes the decision on taking a child into care if the child opposes the procedure.<sup>387</sup> The hearing of a child that has turned 12 can be conducted also in writing.<sup>388</sup></p>
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#### 4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
Foster care	X			Wellbeing services counties operating at a regional level are responsible for providing social services, including foster

<sup>386</sup> Finland, Child Welfare Act (*lastensuojelulaki/barnskyddslagen*), Act No. 417/2007, 13 April 2007.

<sup>387</sup> de Godzinsky, V. (2013), 'Lapsen etu ja osallisuus tahdonvastaisissa huostaanotoissa' in: Hakalehto-Vainio S., Nieminen, L. (eds), *Lapsioikeus murroksessa*, Helsinki, Lakimiesliiton kustannus, pp. 168–169.

<sup>388</sup> Rätty, T. (2023), *Lastensuojelulaki: Käytäntö ja soveltaminen*, Helsinki, Edita, p. 503.

			care. Family care refers to the organisation of care for the child in the private home of the family caregiver. The goal of family care is to give a child in foster care the opportunity for home-like care and close human relationships, and to promote his/her basic security and social development. <sup>389</sup>
Residential – institutional care	X		According to section 57 of the Child Welfare Act (417/2007), child welfare institutions include children’s homes, correctional schools and other comparable child protection institutions. Other child protection institutions are, for example, reception homes and youth homes. Child welfare institutions are maintained by the state, wellbeing services counties and private service providers.
Other forms of family-based or family-like care placements	X		Private service providers (a professional foster family home licensed as a family home or child welfare institution).  As a form of foster care, professional family homes are positioned between family care and institutional care. They operate in the same way as ordinary family homes, but their operation requires more expertise compared to family care. Therefore, it is also possible to place children and young people who need special care in professional family homes. Professional family care is a licensed activity. According to the Act on Private Social Services (922/2011), <sup>390</sup> a private service provider that continuously provides round-the-clock social services must obtain a license from the licensing authority before starting operations and before making substantial changes to the activities. For information on the new registration system of social service providers to be applied from 1 January 2024 onwards, see 4.5.7.
Supervised independent living arrangements for children	X		There are public and civil society organisations offering supervised living and housing arrangements for young people and children. Wellbeing services counties are responsible for providing child welfare aftercare services to support independent living. The emphasis is on actively managing one's own affairs and strengthening social relationships.

<sup>389</sup> Finland, Family Carer Act ([perhehoitolaki/familjevårdslagen](#)), Act No. 263/2015, 20 March 2015.

<sup>390</sup> Finland, Act on Private Social Services ([laki yksityisistä sosiaalipalveluista/laq om privat socialservice](#)), Act No. 922/2011, 22 July 2011.

Question	Yes	No	Comments
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	X		<p>Child welfare statistics consist of child- and service-specific information provided by municipalities (from 2023 onwards wellbeing services counties). The Child Welfare Register, maintained by the Finnish Institute for Health and Welfare, contains information on children and young people who have been placed as a support measure in open care, emergency placement, foster care or aftercare. The statistics also include information on where the child or young person is placed and the duration of the placement.</p> <p>The statistics only provide rough information. Many issues that are central to understanding the reality of child protection are not recorded in statistics. For example, national statistics do not provide information on the reasons for the need of child welfare and foster care, the family structure of the clients or other background information of the clients. Statistics on alternative care is disaggregated by gender (female/male), age groups (0–17) and region.</p> <p>Based on data obtained from the Child Welfare Register and from municipalities/wellbeing services counties, the Finnish Institute for Health and Welfare publishes an annual statistical report on child welfare.<sup>391</sup></p> <p>According to the Child Welfare 2021 statistical report,<sup>392</sup> the number of children in care (11,210) decreased (-3 %) from the previous year for the first time since 2016. As taking a child into care is a longer-term placement, the decrease in the number of children in care is explained by the fact that there were fewer (-11 %) new cases of children taken into care (1,592) compared to one year earlier. The number of new cases decreased for the third consecutive year.</p> <p>In 2018, there were 1,905 new cases of children taken into care, which means that the number of new cases has decreased by 16 % in three years. The drop in new cases has occurred evenly in all age groups. Emergency placements also declined from the previous year. In 2021, 4,503 children were subject to an emergency placement (-5 %).</p> <p>In 2021, 38,343 children were child welfare clients in open care. This represents a year-on-year reduction of 983</p>

<sup>391</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Child welfare 2022](#), web page, accessed on 14 March 2023.

<sup>392</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2022), [Child welfare 2021: The number of children taken into care continued to decline in 2021](#), Statistical report 22/2022, 6 June 2022.

			<p>children (-3 %). The number of open care clients has decreased since 2015, when a legislative amendment emphasised the role of other social welfare services for families with children.</p> <p>In 2021, a child welfare notification was filed for a total of 93,705 children. Both the number of notifications (173,466) and the number of children subject to a notification increased by 7 % from the previous year. The number of children subject to child welfare notifications grew the most in the age group 13–17. On average, 1.9 child welfare notifications were filed per child</p>
4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?		X	<p>Statistics on how many children go missing in child welfare foster care are not published in Finland. A report published in 2023 estimates that disappearances of children placed in alternative care concern thousands of children annually.<sup>393</sup> On the basis of information obtained from the police regarding the frequency of executive assistance to child protection institutions and apprehension warrants concerning children, the above study reports that in 2022 there were 3,731 executive assistance matters and 2,545 apprehension warrants involving children. This is a decrease of the figures with around 1,000 from the previous year.<sup>394</sup></p>
4.5.3. Is there a <u>national</u> registry of foster care families?  How many children can be fostered in one family?		X	<p>There is no national registry of foster care families.</p> <p>According to section 8 of the Act on Family Care (263/2015), the maximum number of persons that may be cared for in a foster family at the same time is seven if the care, upbringing or other attendance in the family home is the responsibility of at least two persons residing in the family home and at least one of them meets the qualifications laid down in the Act.<sup>395</sup></p> <p>In other family care homes the maximum number of children that can be cared for at the same time is four, including other children and persons in need of special care who live in the same household (section 7). The number can increase to six when two adults are responsible for the care (section 8).</p>

<sup>393</sup> Haapala, M., Kaijanen, M., Minkkinen, M., Westlund, O. (2023), [Hatkassa Suomessa: Kohti kansallista tilannekuvaa lastensuojelu sijaishuollosta kadonneista lapsista](#), Pesäpuu ry, p. 44.

<sup>394</sup> Haapala, M., Kaijanen, M., Minkkinen, M., Westlund, O. (2023), [Hatkassa Suomessa: Kohti kansallista tilannekuvaa lastensuojelu sijaishuollosta kadonneista lapsista](#), Pesäpuu ry, p. 48.

<sup>395</sup> Finland, Act on Family Care ([perhehoitolaki/familjevårdslagen](#)), Act No. 263/2015, 20 March 2015.

4.5.4. How and by whom foster families are recruited, vetted, and trained? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.

Wellbeing services counties recruit, vet and train foster families.

Section 6 of the Act on Family Care (263/2015)<sup>396</sup> provides that a person with training, experience or personal qualities showing that they are suitable as family carers, can be accepted. Before becoming a family carer, one has to complete training. In individual cases the training can be completed within one year of the placement. When it comes to family carers who run professional family homes, at least one of the carers has to have appropriate education and enough experience of work in the area of care and up-bringing.

The Act on Checking the Criminal Background of Persons Working with Children (504/2002) includes provisions on the need of family carers to provide a clean criminal record.

Section 15 of the Act on Family Care (263/2015) stipulates that the wellbeing services county is responsible for providing adequate training, support and guidance for the family carers as well as providing pre-training for persons becoming family carers. Further, to support the family carer, the Act stipulates that a responsible worker has to be appointed for each child who is cared for in the family home. The family carer has to be given enough opportunity to obtain support and to meet with the responsible worker.

Training for foster families is given using the PRIDE method which is used for training families preparing for adoption. Training is organised by wellbeing services counties, regional alternative care units (part of the social services), child welfare associations and private service providers.<sup>397</sup>

4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

Section 79 of the Child Welfare Act (417/2007)<sup>398</sup> provides that it is the duty of the placing wellbeing services county to supervise the conformity of the placement of a child in family care or institutional care with the Act. This concerns also the child's access to the services and supportive measures that the child needs during the placement. The alternative care placements are also supervised by the Regional Administrative Agencies, which work in cooperation with the wellbeing services counties.

Section 53 of the Child Welfare Act provides that one of the means to monitor foster homes are visits by the social workers in the foster homes. During such visits the social worker is able to monitor the operational conditions of the foster home and the principles of child care and upbringing. During the visits, the social worker has to meet with the child in order to give the child an opportunity to have a confidential discussion. The child's experience of the care is important in assessing foster care. The frequency of visits is not regulated by law.

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<sup>396</sup> Finland, Act on Family Care ([perhehoitolaki/familjevårdslagen](#)), Act No. 263/2015, 20 March 2015.

<sup>397</sup> Pesäpuu ry, [Mitä PRIDE-valmennus on?](#), web page, 14 March 2023.

<sup>398</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?	X		<p>Section 50 of the Child Welfare Act (417/2007)<sup>399</sup> provides that when a place is chosen for alternative care, particular attention must be paid to the justification for taking the child into care, the child's needs, and maintenance of relations with siblings and other close human relations and the continuation of the care. In addition, the child's linguistic, cultural and religious background must be considered as far as possible. Children's alternative care must be arranged so that the distance to the place does not constitute an obstacle to maintaining contacts with persons close to the child.</p> <p>In addition, section 54 provides that children in alternative care must be guaranteed human relations that are important, continuous and safe for their development. Children have the right to meet their parents, siblings and other people close to them by receiving visitors or by making visits outside the place of substitute care and to keep in touch through other means, such as phone calls, letters or comparable confidential messages or other deliveries. The body responsible for social services and the place of substitute care must support and promote contact between children and their parents and other persons close to the children concerned.</p>
4.5.7. Is there a <u>national registry</u> of residential institutions for children?  <u>If yes</u> , please provide information regarding the existent number of residential institutions and their capacity (beds).		X	<p>There is a registry of private service providers, but since public service providers do not need a permission to provide services, there is at present no national registry of all residential institutions. With the adoption of the new Act on the Supervision of Social Welfare and Healthcare (741/2023), this will change in the future.<sup>400</sup> All service providers will be registered in the Soteri registry maintained by the National Supervisory Authority for Welfare and Health. The Act enters into force on 1 January 2024. With respect to public service providers, Chapter 3 of the Act on the registration of service providers, will enter into force on 1 January 2026.</p>
4.5.8. Are there <u>accreditation and licensing procedures</u>		X	<p>Public service providers do not need a permission to provide services, and no accreditation or licensing procedure is presently required.</p>

<sup>399</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>400</sup> Finland, Act on the Supervision of Social Welfare and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården](#)), Act No. 741/2023, 14 April 2023.

<p>for residential institutions in place?</p> <p>If <u>yes</u>, please provide information on the legislative framework, the responsible authority and procedure.</p>		<p>However, the Act on Private Social Services (922/2011)<sup>401</sup> provides that private service providers need to apply for permission from the Regional State Administrative Agency where the residential institution will be situated. However, if the residential institutions will operate under the domain of several Regional State Administrative Agencies, the permission has to be applied from the National Supervisory Authority for Welfare and Health (Valvira).</p> <p>A revision of the present system is introduced on 1 January 2024, when the Act on the Supervision of Social Welfare and Healthcare (741/2023) enters into force.<sup>402</sup> According to the Act, only service providers who will be registered in the new Soteri registry, maintained by the National Supervisory Authority for Welfare and Health, will be eligible to offer social and healthcare services. This requires fulfilling general financial, functional and administrative conditions laid down in section 6 and providing information listed in section 16 of the Act. The Act covers both social welfare and healthcare as well as private and public service providers.</p>
<p>4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?</p>	<p>X</p>	<p>The Ministry of Social Affairs and Health and the Association of Finnish Local and Regional Authorities issued a quality recommendation for child welfare for the first time in 2014. The quality recommendation is intended to guide the child welfare work concerning families and children and to support its organisation. In 2019, the recommendation was supplemented with quality criteria for substitute care and its monitoring.<sup>403</sup> Multiprofessional cooperation in child welfare work is also now emphasised more than before. The recommendation supports the development of multi-sectoral team structures. According to the recommendation, the obligation to protect children is best met when there is cooperation and trust between the children and young people concerned, those close to them and the employees. All operators who organise, procure, produce or supervise substitute care must take these quality criteria into account.</p> <p>The Child Welfare Act (417/2007)<sup>404</sup> provides that child welfare institutions must have adequate and appropriate facilities and operating equipment, and child care and</p>

<sup>401</sup> Finland, Act on Private Social Services ([laki yksityisistä sosiaalipalveluista/lag om privat socialservice](#)), Act No. 922/2011, 22 July 2011.

<sup>402</sup> Finland, Act on the Supervision of Social Welfare and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovård](#)), Act No. 741/2023, 14 April 2023.

<sup>403</sup> Malja, M., Puustinen-Korhonen, A., Petrelius, P., Eriksson, P. (2020), [Quality Recommendation for Child Welfare](#), Helsinki, Publications of the Ministry of Social Affairs and Health 2020:28.

<sup>404</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.



		<p>upbringing must be arranged so that the privacy of the children is respected.</p> <p>Also, the Child Welfare Act includes provisions on the number of children and young people to be cared for together and the required number of employees. The Act provides that a residential unit must have a minimum of seven employees in care and upbringing work. If there is more than one residential unit in the same building, there must be a minimum of six employees in care and upbringing work per residential unit.</p> <p>In addition, the provisions of the Act on Child Custody and Right of Access (361/1983)<sup>405</sup> must be complied with in child care and upbringing and in the arrangement of circumstances in which children are brought up.</p>
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#### 4.5.10. How is the residential care staff recruited, vetted, and trained?

The personnel of residential care institutions must have adequate competency. The Act on Social Welfare Professionals (817/2015)<sup>406</sup> provides for qualification requirements for people working in the field of social services, including child protection.

Suitable training for personnel working in residential institutions with demanding tasks are, e.g., social instructor (the qualification requirement for the post of a social instructor is a suitable polytechnic degree in social services and healthcare within a study programme in social work). Other qualifications that can be accepted upon consideration are college-level training or a polytechnic degree with additional training in child protection. Basic qualification from welfare and health, such as practical nurse (*lähihoitaja*), can be accepted in other positions than demanding tasks.

The Act on Checking the Criminal Background of Persons Working with Children (504/2002)<sup>407</sup> contains provisions on the procedure for obtaining the criminal record of persons appointed to work with minors. The Act provides for the duty of the employer to ask for an extract from the criminal record when the person is appointed for the first time to a position which includes work with minors.

Question	Yes	No	Comments
4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against	X		One can file a complaint with the Parliamentary Ombudsman if one feels that a public authority or an official has not observed the law or fulfilled a duty, or if the complainant suspects that fundamental and human rights

<sup>405</sup> Finland, Act on Child Custody and Right of Access ([laki lapsen huollosta ja tapaamisoikeudesta/lag angående vårdnad om barn och umgängesrätt](#)), Act No. 361/1983, 8 April 1983.

<sup>406</sup> Finland, Act on Social Welfare Professionals ([laki sosiaalihuollon ammattihenkilöistä/lag om yrkesutbildade personer inom socialvården](#)), Act No. 817/2015, 26 June 2015.

<sup>407</sup> Finland, Act on Checking the Criminal Background of Persons Working with Children ([laki lasten kanssa työskentelevien rikostaustan selvittämisestä/lag om kontroll av brottslig bakgrund hos personer som arbetar med barn](#)), Act No. 504/2002, 14 June 2002.

<p>the personnel /foster parents and care workers and report abuse or violations of their rights? Are these procedures child-friendly and respective of confidentiality?</p> <p><u>If yes</u>, briefly describe to whom and how children can lodge complaints.</p>			<p>have not been appropriately implemented. Other bodies and officials are likewise subject to the Ombudsman's oversight when they perform tasks of a public nature. The complaint mechanism is open to all, including children. In 2017, the Parliamentary Ombudsman has introduced internet pages for children on how to file a complaint with the Ombudsman.<sup>408</sup> A complaint can be initiated also orally. Representatives of the Parliamentary Ombudsman have taken part in online events with children in institutional care to inform of rights and remedies. For more information, see 4.2.4.</p> <p>In addition, the parents, other guardians and children may file a complaint with the Regional State Administrative Agency on actions of authorities or public and private service providers. The content of the complaint may be, e.g., dissatisfaction with treatment or suspicion of illegality of action of authorities.</p>
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills, mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>	X		<p>The Child Welfare Act (417/2007)<sup>409</sup> includes provisions of aftercare in sections 75, 76 and 77. The wellbeing services county responsible for social services must provide aftercare for children or young people after the termination of alternative care. Aftercare must also be provided after the termination of a placement carried out as a supportive measure in open care, if the placement has lasted at least six months without interruption and has been applied to the child alone.</p> <p>The child's right to aftercare begins after the end of custody. The obligation to arrange aftercare ends when the young person reaches the age of 25 or five years after the child was last a client of child protection after the end of the out-of-home placement.</p>
<p>4.5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.</p>			
<p>The aim of the alternative care is to support the return of the child in the family by responsible authorities. For example, family work is organised to support the child's return home. The cooperation between the foster care place and the child's birth parents, as well as the social worker's</p>			

<sup>408</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Legal remedies](https://lastensuojelu.info), lastensuojelu.info, web page, accessed on 14 March 2023. Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [The Parliamentary Ombudsman supervises children's rights](https://www.ombudsman.fi), web page, accessed on 14 March 2023.

<sup>409</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](https://www.finlex.fi/eng/laki/urn:fi:1989-05-03/417)), Act No. 417/2007, 13 April 2007.

cooperation with the family and the child, is particularly important in terms of the child's balanced development, the continuity of the child's care and the success of the alternative care. As stipulated in section 52 of the Child Welfare Act (417/2007), the social worker or other child protection worker responsible for the child's affairs and the employee responsible for the care and upbringing of the child in foster care must cooperate with the child placed in foster care and his/her parents and guardians, as well as the representative of the foster care place, in order to ensure the continuity of the child's care.

The ideal situation would be that the discussions take place with the consent of the child and the parents and in good mutual cooperation. From the parents' point of view, it is essential that they understand the goals set for foster care and the principles of child care.

According to the Child Welfare Act (417/2007),<sup>410</sup> a client plan must be drawn up for every child who is a child welfare client, unless the client relationship is terminated after an investigation of the need for child welfare or the advice and guidance is provided only temporarily. Client plans are updated on demand, but at least once a year. In addition, it is required that the plan is revised when special care is terminated. If needed, the plan is supplemented with a separate care and upbringing plan. A separate client plan offering parenting support for the parents of a child taken into care must be drawn up, unless this is deemed unnecessary. Where necessary, the plan will be drawn up in cooperation with other social and healthcare organisations, such as substance abuse and mental health services.

<p>4.5.14. Is any <u>assistance provided to children and families upon return of the child in the family?</u> Briefly describe. Who is responsible for such assistance?</p>	X		<p>According to the Child Welfare Act (417/2007),<sup>411</sup> children are entitled to aftercare. It is the responsibility of the wellbeing services county to organise aftercare. Aftercare must be arranged for the child and young person after the end of alternative care. The obligation to arrange aftercare ends five years after the end of the alternative care and at the latest when the young person turns 25. Aftercare refers to the support and help provided after alternative care. Aftercare is intended to facilitate a child or young person returning home or becoming independent.</p>
<p>Is there any monitoring and follow-up of such cases?</p>			<p>The responsible authority for social services must provide aftercare for children or young people after the termination of substitute care.</p>
<p>Who is coordinating assistance and support?</p>			<p>When providing aftercare, the wellbeing services county must give due consideration to the client plan drawn up on the basis of the needs of the child or young person concerned, by supporting the child or young person and their parents, custodians and persons in charge of their care and upbringing (section 76).</p> <p>Further, when the aftercare is terminated, the social worker concerned must, when necessary, draw up a plan together with the young person, recording the services and</p>

<sup>410</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>411</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

			supportive measures available to the young person after the termination of aftercare.
<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p><u>If yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	X		<p>The Child Welfare Act (417/2007) regulates the duration and termination of care, including alternative care.<sup>412</sup></p> <p>Section 47 provides that the social worker responsible for the child's affairs must assess the conditions for continuing the care when the client plan is reviewed, when a child or custodian applies for termination of care, or when it otherwise proves necessary.</p> <p>When the need for care and substitute care under section 40 no longer exists, the officeholder with the mandate to decide on child protection matters (section 13) must make a decision on terminating the care after the social worker responsible for the child's affairs has prepared the case. Even if the conditions for taking a child into care no longer exist, care must not be terminated, if the termination is manifestly not in the interests of the child.</p> <p>When a child's interests are being considered in a case concerning termination of care, e.g., the following must be taken into account: the duration of substitute care, the quality of the affection between the child and the party providing substitute care, interaction between the child and the parents and the child's views.</p> <p>In addition, care is terminated when the child concerned becomes 18 years of age.</p> <p>Client plans are updated on demand, but at least once a year. In addition, it is required that the plan is revised when special care is terminated. As stipulated in section 30 of the Child Welfare Act (417/2007), the client plan must be drawn up and reviewed in cooperation with the child.</p> <p>Although the decision on placement has been taken by an administrative court, the decision to terminate alternative care is taken by the social worker. The decision by the social worker can be appealed in court.</p>

<sup>412</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

4.5.16. Is there a legal framework regarding adoption? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?

The Adoption Act (22/2012)<sup>413</sup> covers general provisions (e.g., purpose of adoption, best interest of the child), conditions for adoption (e.g., prohibition of remuneration, age of the adopter and age difference, adoptee's and parents' consents), legal effects of adoption, adoption counselling, placement of child, intercountry adoption service (e.g., service providers), permission procedure, granting of adoption, adoptee's right to maintain contact with former parent and rules of private international law.

The adoption process begins with adoption counselling. A single person or a married couple, including a married same-sex couple, intending to adopt a minor must request adoption counselling from the wellbeing services county's social welfare organ or from Save the Children Finland (NGO). Adoption counselling is also provided for a parent of a minor child intending to relinquish the child for adoption. Adoption is subject to a permission which can be granted upon prospective adopters' application by the Adoption Board of the National Supervisory Authority for Welfare and Health.

A prospective adopter, who is habitually resident in Finland and intends to adopt a child under the age of 18 years, who, in turn, is habitually resident in a foreign state, must request for an intercountry adoption service. Intercountry adoption service can be provided by Save the Children Finland (NGO), Interpedia (NGO) and the City of Helsinki social services and healthcare.<sup>414</sup> The Adoption Act regulates international adoption processes, including the requirements for obtaining an adoption permit (Chapter 5 and 6).

. Inter-family parental adoption has been possible for same-sex couples since 2009.<sup>415</sup> The amendment of the Marriage Act in 2017 allowed same-sex marriage and enabled thus married same-sex couples to adopt also outside the family.<sup>416</sup>

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

The National Supervisory Authority for Welfare and Health (Valvira) has reminded municipalities (wellbeing services counties 2023 onwards) of the appropriate organisation of mental health and substance abuse services for children in child welfare alternative care.<sup>417</sup> According to the findings of

<sup>413</sup> Finland, Adoption Act ([adoptiolaki/adoptionslagen](#)), Act No. 22/2012, 20 January 2012.

<sup>414</sup> Finland, National Supervisory Authority for Welfare and Health (*Sosiaali- ja terveystieteiden tutkimuskeskus*), [Intercountry adoptions](#), web page, accessed on 13 March 2023.

<sup>415</sup> Finland, Act on Registered Partnerships ([laki rekisteröidystä parisuhteesta/laq om registrerat partnerskap](#)), Act No. 950/2001, 9 November 2001.

<sup>416</sup> Finland, Marriage Act ([avioliittolaki/äktenskapslag](#)), Act No. 234/1929, 13 June 1929.

<sup>417</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira) and the Regional State Administrative Agency (*aluehallintovirasto/regionförvaltningsverket*), [Lastensuojelun asiakkaana olevien lasten ja nuorten mielenterveys- ja päihdepalvelujen saatavuus ja järjestäminen](#), Instruction (Ohje) Dnro V/6085/2022, 24 February 2022.

Valvira, access to mental health services for children and young people, both basic and specialised medical care, has become more difficult. Placement in accordance with the Child Welfare Act alone is not a sufficient measure in situations where the health condition of the placed child or young person requires receiving mental health or substance abuse services.

Multidisciplinary expertise in social and healthcare as well as long-term and goal-oriented cooperation are necessary to realise the best interests of the child and to evaluate and secure the appropriate set of services. Timely and adequate services implemented in cooperation between social and healthcare services can probably reduce the risk of placing a child or young person outside the home and the need for specialised medical care.

#### 4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past eight years, incl. achievements and (persisting) gaps and challenges

The child welfare service system was renewed with the entry into force of the Social Welfare Act in 2015 (1301/2014), when the provisions of preventive child welfare were transferred to the Social Welfare Act. According to the preparatory material of the new Act, it was considered important to change some of the child protection support measures into services in accordance with the Social Welfare Act, to lower the threshold for applying for support and thus to strengthen the support families receive without being a client of child protection.

As previously noted, the organisation of public healthcare, social welfare and rescue services has been reformed in Finland. The responsibility for organising these services was transferred from municipalities to wellbeing services counties on 1 January 2023. The key objective of the reform is to improve the availability and quality of basic public services throughout Finland.<sup>418</sup>

The implementation of the Programme to Address Child and Family Services (LAPE) has contributed to the improvement of child and family services during the past years. The implementation of the LAPE programme continues and it is expected that there will be positive developments also in the future.<sup>419</sup> The programme strengthens the following services in particular: Family centers and early support for children, young people and families in everyday life, low-threshold mental health and substance abuse services for children and young people, and multidisciplinary child protection.

#### 4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

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<sup>418</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), [SOTE-uudistus: Health and social services reform](#), web page, accessed on 14 March 2023.

<sup>419</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), [SOTE-uudistus: Health and social services reform](#), web page, accessed on 14 March 2023.

Since 2016, the Finnish Institute for Health and Welfare has supported the reform of child welfare with the systemic child welfare practice model.<sup>420</sup> The reform can be considered the largest nationally coordinated change in child protection. It has been motivated by the fact that child welfare has become tougher and the service system and multidisciplinary cooperation have been dysfunctional. The systemic practice model brings systemic and family therapeutic thinking, tools and structures to child welfare. The life of children and families is seen in a holistic way where all parts of the family effect each other. The cause-and-effect relationships are therefore often circular. The core working methods are based on respectfulness, conversation and solution-oriented interaction. The model also includes principles of effective interpersonal work.

The Finnish systemic practice model is based on the so-called Hackney's model, which has been used in the United Kingdom.<sup>421</sup> In the model, the employee teams are small and each team takes care of its own clients together. The team consists of two to three social workers, a family therapist, a consulting social worker and a team coordinator. In addition, the team can have one to two social counsellors or family workers. There are about 200 child welfare teams trained in the systemic model throughout Finland.<sup>422</sup> However, there is still limited research on the effectiveness of the model. The results of the first-stage study partially show that the systemic work model is not necessarily more effective than usual customer work.<sup>423</sup> However, the functionality of the systemic model is also affected by scarce resources, a shortage of social workers and high turnover.

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<sup>420</sup> Aaltio, E., Isokurtti, N. (2019), [\*Systeminen lastensuojelun toimintamallin ydinelementit: Kuvaus asiakastason ydinelementeistä, tavoitteista ja toimintamekanismeista\*](#), Helsinki, Finnish Institute for Health and Welfare. See also web page of the Finnish Institute for Health and Welfare, [\*Systeminen toimintamalli lastensuojelussa\*](#), accessed on 18 April 2023.

<sup>421</sup> Forrester, D., Westlake, D., McCann, M., Thurnham, A., Shefer, G., Glynn, G., Killian, M. (2013), [\*Reclaiming Social Work? An Evaluation of Systemic Units as an Approach to Delivering Children's Services: Final report of a comparative study of practice and the factors shaping it in three local authorities\*](#), Luton, Tilda Goldberg Centre for Social Work and Social Care, June 2013.

<sup>422</sup> Fagerström, K, Rautiainen, E-L. (2023), [\*Lastensuojelun systemisen toimintamallin kouluttajakoulutuksen kehityskaari ja vuoden 2022 kouluttajakoulutuksen arviointi\*](#), Helsinki, Finnish Institute for Health and Welfare Working Paper 113/2023.

<sup>423</sup> Aaltio, E. (2022), [\*Effectiveness of the Finnish Systemic Practice Model for children's social care: A realist evaluation\*](#), JYU dissertations, University of Jyväskylä.



## 5. Accountability, data collection, and monitoring mechanisms

### 5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child's ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

The National Supervisory Authority for Welfare and Health (*Sosiaali- ja terveysalan lupa- ja valvontavirasto/Tillstånds- och tillsynsverket för social- och hälsovård, Valvira*) is the main supervisory body of social welfare at national level. It collaborates with six independent regional state administrative agencies (*aluehallintovirasto/regionförvaltningsverk*), which carry out supervisory tasks at regional level. Valvira aims at providing harmonised licensing, guidance and supervisory practices throughout Finland. The licensing include licensing of social welfare and healthcare professionals, protected occupational titles and fixed-term licenses. In addition to granting rights to pursue social care professions, Valvira handles matters that may lead to disciplinary proceedings or the restriction or withdrawal of professional rights. Licensing is also granted to private social and healthcare providers. The guidance is directed first and foremost to the regional state administrative agencies and to the wellbeing services counties.

As to supervision, Valvira is in charge of the national supervision programmes for social and healthcare, which are carried out in collaboration with the regional state administrative agencies. The supervision programmes are directed at services where the biggest challenges regarding availability, quality or timeliness have been established. In 2022, the target of supervision included basic level mental health and drug services for children and youth.<sup>424</sup> In 2021, the focus of the supervision programme was on the realization of the rights of children and youth in care outside the home.<sup>425</sup> The supervision was directed at care units in different parts of Finland. Specific emphasis was put on good treatment of children in care and the appropriateness of restriction measures, including the requirement in law to write down the decision on restrictive measures together with the reasons for the decision.<sup>426</sup>

The Ombudsman for Children and the Parliamentary Ombudsman form together the national independent monitoring mechanism of children's rights required by the UN Convention on the Rights of the Child.<sup>427</sup> The Ombudsman for Children promotes the realisation of the rights and best interest of children by following legislative developments and decision-making and their impact on children's

<sup>424</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira), [Sosiaali- ja terveydenhuollon valtakunnallinen valvontaohjelma 2020-2023](#), web page, accessed on 11 February 2023.

<sup>425</sup> Finland, National Supervisory Authority for Welfare and Health (Valvira) (2022), [Valviran tilinpäätös ja toimintakertomus 2021](#) (Annual report 2021), Dnro V/3977/2022, p. 42.

<sup>426</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007, section 74.

<sup>427</sup> United Nations (UN), Committee on the Rights of the Child (CRC), [Concluding observations: Finland](#), CRC/C/FIN/CO/4, 3 August 2011, para. 14; and Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) (2022), [Eduskunnan oikeusasiamiehen kertomus vuodelta 2021](#) (Annual report 2021), Helsinki, Parliamentary Ombudsman, p. 282.

wellbeing.<sup>428</sup> The Parliamentary Ombudsman and Deputy Ombudsmen consider complaints. In 2017, the Office of the Parliamentary Ombudsman published web pages for children and youth with instructions for how to make a complaint to the Ombudsman.<sup>429</sup> In addition to handling complaints, the Ombudsmen may on own initiative address topics for further consideration. On 15 December 2022 the Deputy Ombudsman published a decision on child protection in difficult custody disputes.<sup>430</sup> Also the Chancellor of Justice has addressed child protection issues, including in the context of outsourcing child protection services to private actors (see chapter 3). However, in a new act adopted on 13 May 2022, the division of labour between the Chancellor of Justice and the Parliamentary Ombudsman has been defined. According to the new provisions, oversight over matters concerning rights of children, social welfare and healthcare, care against one's own will and self-determination fall under the purview of, primarily, the Parliamentary Ombudsman (section 3).<sup>431</sup>

The Ombudsmen together with the Chancellor of Justice report annually to Parliament about their activities, including about children's rights and child protection. All reports are publicly available on the internet. As to the consideration of complaints, the Parliamentary Ombudsman and the Chancellor of Justice inform relevant authorities about any recommendations and decisions made in concrete cases. All complaints are published on the website of the respective body. The Ombudsman for Children publishes a newsletter, which is open for subscriptions. All bodies are also active on social media.

The National Audit Office of Finland audits the legality and productivity of government finances and compliance with the state budget. The audit work covers central government transfers and subsidies paid to municipalities, wellbeing services counties, companies and other entities. The National Audit Office has conducted performance audits on children in mental healthcare in 2017 and 2018.<sup>432</sup> Also, the Audit Committee of Parliament oversees the management of government finances and compliance with the budget. Based on commissioned research on the service system for the prevention of social exclusion among young persons,<sup>433</sup> the Committee published a report in 2022. In the report, the Audit Committee requests that the functioning of the service system is secured in the new social and healthcare reform. Further, the government is asked to explore how the information and data regarding social exclusion could be improved and the overall responsibility for preventive services and data exchange concentrated at one entity.<sup>434</sup> According to section 90 of the Constitution

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<sup>428</sup> Finland, Act on the Ombudsman for Children ([laki lapsiasiavaltuutetusta/lag om barnombudsmannen](#)), Act No. 1221/2004, 21 December 2004, section 2.

<sup>429</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [The Parliamentary Ombudsman supervises children's rights](#), web page, accessed on 15 February 2023.

<sup>430</sup> Finland, Deputy Parliamentary Ombudsman (*eduskunnan apulaisoikeusasiamies/riksdagens biträdande justitieombudsman*), [Lastensuojelun ohjeistaminen ja yhteistyö vaikeissa huoltoriidoissa](#), EOAK/4063/2022, 15 December 2022.

<sup>431</sup> Finland, Act on the division of tasks between the Chancellor of Justice and the Parliamentary Ombudsman ([laki valtioneuvoston oikeuskanslerin ja eduskunnan oikeusasiamehen tehtävien jaosta/lag om fördelningen av uppgifter mellan justitiekanslern i statsrådet och riksdagens justitieombudsman](#)), Act No. 330/2022, 13 May 2022.

<sup>432</sup> Finland, National Audit Office of Finland (*Valtiontalouden tarkastusvirasto/Statens revisionsverk*) (2017), ['Preventing children's mental health problems and supporting their wellbeing through school healthcare services'](#), press release, 29 August 2017 and (2018), ['Considering children of clients in mental health services for adults'](#), press release, 17 May 2018.

<sup>433</sup> Leskelä, R-L., Käsmä, L., Jokiranta, V., Salonen, N., Valtakari, M., Yli-Koski, M., Määttä, M. (2022), [Nuorten syrjäytymisen ehkäisyn palvelurakenne, rahavirrat sekä seurannan haasteet](#), Helsinki, Publication of the Audit Committee of Parliament 1/2022.

<sup>434</sup> Finland, Audit Committee of Parliament (*eduskunnan tarkastusvaliokunta/riksdagens revisionsutskott*) (2022), [Nuorten syrjäytymisen ehkäisyn palvelujärjestelmän toimivuus ja palveluiden vaikuttavuus](#), report, TrVM 9/2022 vp – O 41/2020 vp, 30 November 2022, p. 16.

of Finland, the Audit Committee and the National Audit Office have the right to receive information needed for the performance of their duties from public authorities and other entities that are subject to their control.<sup>435</sup> All reports produced by the Audit Committee and the National Audit Office are available on their websites.

The wellbeing services counties that have started to operate on 1 January 2023 are in law required to supervise producers of welfare services, including child protection services.<sup>436</sup> Section 10 of the Act on Wellbeing Services Counties (611/2021) stipulates that respective wellbeing services county has, notwithstanding confidentiality provisions, the right to receive information and reports from service providers and their subcontractors as needed for the monitoring of the services. Also, the authority in charge of the supervision within the wellbeing services county has the right to conduct inspections at the premises of the service provider.

Further, the wellbeing services counties are requested by law to appoint a social ombudsman (*sosiaaliamies/socialombudsman*) with the task to advise clients in social care matters and the rights of the client. The social ombudsman assists clients both in public and private social care.<sup>437</sup> Previously social ombudsmen were appointed by municipalities. As of 1 January 2024, a new Act on Patient Ombudspersons and Social Services Ombudspersons will enter into effect.<sup>438</sup> The title of the social ombudsman position changes to social services ombudsperson (*sosiaalivastaava/socialombud*). The tasks remain largely the same as before. The wellbeing services counties are requested to appoint a sufficient number of ombudspersons. The Act stipulates that the independence and impartiality of the ombudspersons should be ensured, by organising their activities separately from the duties related to the provision of healthcare and social welfare.<sup>439</sup>

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

As a rule, the monitoring mechanisms of strategies and action plans are defined in the instruments themselves. For example, in the Child Strategy it is noted that the preparation, execution and monitoring of each implementation plan must be linked to carefully selected indicators used to monitor the effectiveness of the policies laid down in the strategy.<sup>440</sup> In the first implementation plan this is further developed. Firstly, it is observed that the implementation of the measures must be supported through the establishment of a structure for the implementation, monitoring and assessment of the strategy. Secondly, to ensure the continuity of the Child Strategy beyond the 2019–2023 government term, the first implementation plan specifies that the implementation, monitoring

<sup>435</sup> Finland, [Constitution of Finland](#) (*Suomen perustuslaki/Finlands grundlag*), Act No. 731/1999, 11 June 1999, section 90.

<sup>436</sup> Finland, Act on Wellbeing Services Counties ([laki hyvinvointialueesta/laq om välfärdsområden](#)), Act No. 611/2021, 29 June 2021, section 10.

<sup>437</sup> Finland, Act on the Status and Rights of Social Welfare Clients ([laki sosiaalihuollon asiakkaan asemasta ja oikeuksista/laq om klientens ställning och rättigheter inom socialvården](#)), Act No. 812/2000, 22 September 2000, sections 24 and 25.

<sup>438</sup> Finland, Act on Patient Ombudspersons and Social Services Ombudspersons ([laki potilasasiavastaavasta ja sosiaaliasiavastaavasta/laq om patientombud och socialombud](#)), Act No. 739/2023, 14 April 2023

<sup>439</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2023), '[New act on the activities of patient and social services ombudspersons enters into force at the start of 2024](#)', press release, 13 April 2023.

<sup>440</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 35.

and assessment of the strategy will be entrusted to a specific strategy unit.<sup>441</sup> The unit was established within the Ministry of Social Affairs and Health on 1 January 2023.<sup>442</sup> Also, it is stated that the government, at the end of its term, submits a report on the progress made in the strategic guidelines and the measures used to promote them. This will take place for the first time in 2023. The report must include a concise overview of changes achieved in the wellbeing of children, young people and families and a structured description of the progress of the measures listed in the implementation plan and the achieved objectives. The report shall include a summary of observations made by authorities and stakeholders, and remarks made by individuals during the consultation when preparing the report.

Question	YES	NO	Comments
<p>5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights' assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.</p>	<p><b>X</b></p>		<p>The government published new guidelines for impact assessment in law drafting in November 2022. With reference to the UN Convention on the Rights of the Child, it is noted in a section on children and youth that “decision-making must be guided by the best interests of the child when drafting legislation that concerns or affects children”.<sup>443</sup></p> <p>In 2021, the government published a handbook on child impact assessment for legislators.<sup>444</sup> The handbook examines the assessment of child impacts in the drafting of statutes from both a theoretical and a practical perspective. Further, there is a separate guide for concrete tools and mechanisms that can be used when consulting stakeholders and individuals in connection with the drafting of new legislation.<sup>445</sup></p> <p>Further, one of the strategic policies of the National Child Strategy is to ensure that the assessment of impacts on children and families is adopted systematically in decision-making and activities at all levels of administration.<sup>446</sup></p>

<sup>441</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [Implementation plan for the National Child Strategy](#), Helsinki, Publications of the Finnish Government 2022:38.

<sup>442</sup> Finland, Ministry of Social Affairs and Health (2022), [‘National Child Strategy Unit to be established in Finland’](#), press release, 2 September 2022.

<sup>443</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2023), [Guidelines for Impact Assessment in Law Drafting](#), Helsinki, Publications of the Finnish Government 2023:53, p. 77. Finnish version published in 2022.

<sup>444</sup> Iivonen, E., Pollari, K. (2021), [Lapsivaikutusten arvioinnin käsikirja lainvalmistelijoille](#) (Handbook on child impact assessment for legislators), Helsinki, Publications of the Prime Minister’s Office 2021:5.

<sup>445</sup> Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), [Säädösvalmistelun kuulemisopas: Ohje kuulemiseen säädösvalmisteluprosessissa](#), web page, accessed on 10 February 2023.

<sup>446</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2022), [National Child Strategy: Committee report](#), Helsinki, Publications of the Finnish Government 2022:16, p. 32.

5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.

Section 13 b of the Child Welfare Act stipulates that a social worker has to be appointed for each child who is a child protection client. The social worker has to fulfil the educational requirements in line with the Act on Social Welfare Professionals (817/2015) and can be responsible for 35 children at most. After 1 January 2024 the maximum number of children per social worker will be reduced to 30.<sup>447</sup> Provisions on the maximum number of children per social worker was introduced by way of a legal amendment in the Child Welfare Act in 2021.<sup>448</sup>

According to section 26 of the Child Welfare Act, the assessment of the service needs in child protection shall commence at the latest on the seventh day from the start of the case and be finalised within three months.

With respect to substitute care in child protection units, the Child Welfare Act provides that the premises and working tools have to be sufficient and appropriate (section 58). Further, in one housing unit there can be seven children or youth at most and in the same building a total of 24 persons (section 59). In emergency situations deviations can be made temporarily to the maximum number of children. Also, in a housing unit there has to be at least seven care and educational staff members. In case there are several housing units in the same building six staff members are sufficient (section 59). In child protection units there has to be sufficient social care professionals that fulfil the requirements in section 3 of the Act on Social Welfare Professionals (section 60). The responsible manager of the unit has to fulfil the requirements of section 46 a, subsection 3 of the Social Welfare Act, including possess adequate leadership skills.<sup>449</sup>

Child protection units that are run privately have to be approved before they start operating, enlarge or change their activities (section 80). In line with the Act on Private Social Services (922/2011), the permission is awarded by the National Supervisory Authority for Welfare and Health or one of the Regional State Administrative Agencies depending on whether the service provider operates nationally or regionally.<sup>450</sup> As reported in 4.5.7. and 4.5.8. the registration system of social service providers will change with the entry into force of the Act on the Supervision of Social Welfare and Healthcare on 1 January 2024.<sup>451</sup> Public and private service providers will be registered together with healthcare providers in the same registry called Soteri, which is maintained by the National Supervisory Authority for Welfare and Health.

Requirements regarding substitute care in families is regulated in the Act on Family Care (263/2015).<sup>452</sup> A maximum of four persons can be cared for in a family home. The maximum number is six provided that there are two adults, who take part in the care work (section 7). In professional family homes that have been approved by the National Supervisory Authority for Welfare and Health,

<sup>447</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>448</sup> Finland, Act on the amendment of section 13 b of the Child Welfare Act ([laki lastensuojelulain 13 b §:n muuttamisesta/lag om ändring av 13 b § i barnskyddslagen](#)), Act No. 1276/2021, 22 December 2021.

<sup>449</sup> Finland, Social Welfare Act ([sosiaalihuoltolaki/socialvårdslagen](#)), Act No. 1301/2014, 30 December 2014.

<sup>450</sup> Finland, Act on Private Social Services ([laki yksityisistä sosiaalipalveluista/lag om privat socialservice](#)), Act No. 922/2011, 22 July 2011, sections 7 and 8.

<sup>451</sup> Finland, Act on the Supervision of Social Welfare and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården](#)), Act No. 741/2023, 14 April 2023.

<sup>452</sup> Finland, Act on Family Care ([perhehoitolaki/familjevårdslag](#)), Act No. 263/2015, 20 March 2015.

the number of persons that can be cared for is seven provided that there are at least two adults who take part in the care work (section 8). The persons in charge of the care work in the family have to attend preparatory training (section 6).

With the revision of the Social Welfare Act in 2014, provisions on self-monitoring for all social welfare services were introduced as of 1 April 2015. Previously self-monitoring was only applied on privately run services. Section 47 stipulates that social welfare units shall develop self-monitoring plans to secure the quality, security and appropriateness of the activities.<sup>453</sup> Closely linked to the self-monitoring plan, child protection units are also obliged to adopt a plan for good treatment.<sup>454</sup> The Child Welfare Act includes detailed instructions on the content of such plans (section 61 b). Among other things, children placed in the unit have to be heard when the plan is drawn up.<sup>455</sup> In addition, the 2014 revision of the Social Welfare Act introduced a new obligation of social welfare professionals to report malpractice and abuse to the person in charge of the unit (sections 48–49). As of 1 January 2024, the self-monitoring and reporting obligations of the personnel (i.e., current sections 47–49 of the Social Welfare Act) will be regulated in the new Act on the Supervision of Social Welfare and Healthcare.<sup>456</sup>

In addition to quality requirements in legislation, the Ministry of Social Affairs and Health has published updated quality recommendations for child welfare on 30 September 2020.<sup>457</sup> The first quality recommendation was launched in 2014.

Question	YES	NO	Comments
<p>5.1.5. Is consultation with children and families foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child protection policies and legislation?</p> <p>If yes, at what level is this done? Please provide indicative examples.</p>	X		<p>Chapter 4 of the Child Welfare Act concerns children’s participation in decisions regarding themselves.<sup>458</sup> Section 20 stipulates that when child protection measures are implemented the views and wishes of the child shall be examined and taken into account based on the age and maturity of the child. This concerns all children. In accordance with section 20, the views of the child shall be reported in the case file together with a description of how the views have been established. Further, a child above 12 years shall, in accordance with section 34 of the Administrative Procedure Act,<sup>459</sup> be given opportunity to be heard in child protection matters concerning him or herself. The hearing must be effective and can be done in writing or orally.<sup>460</sup> Also</p>

<sup>453</sup> Finland, Social Welfare Act ([sosiaalihuoltolaki/socialvårdslagen](#)), Act No. 1301/2014, 30 December 2014.

<sup>454</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007, section 61 b.

<sup>455</sup> Rätty, T. (2023), *Lastensuojelulaki: Käytäntö ja soveltaminen*, Helsinki, Edita, pp. 725–728.

<sup>456</sup> Finland, Act on the Supervision of Social Welfare and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen av social- och hälsovården](#)), Act No. 741/2023, 14 April 2023, Chapter 4.

<sup>457</sup> Malja, M., Puustinen-Korhonen, A., Petrelius, P., Eriksson, P. (2020), *Quality Recommendation for Child Welfare*, Helsinki, Publications of the Ministry of Social Affairs and Health 2020:28.

<sup>458</sup> Finland, Child Welfare Act ([lastensuojelulaki/barnskyddslagen](#)), Act No. 417/2007, 13 April 2007.

<sup>459</sup> Finland, *Administrative Procedure Act* ([hallintolaki/förvaltningslagen](#)), Act No. 434/2003, 6 June 2003, section 34.

<sup>460</sup> Rätty, T. (2023), *Lastensuojelulaki: Käytäntö ja soveltaminen*, Helsinki, Edita, p. 503.



		<p>the guardian or legal representative shall be heard in these cases. According to section 20, subsection 3 of the Child Welfare Act, the establishment of the views of the child can be ignored only when this would endanger the health and development of the child or would otherwise be clearly unnecessary. This provision is not applied on the hearing of children above 12 years of age.<sup>461</sup></p> <p>The hearing of 12-year-old children and their parents and guardians in decisions on substitute care is regulated in Chapter 9, section 42 of the Child Welfare Act. The provision stipulates also under what exceptional conditions the hearing can be ignored.</p> <p>In 2022, the Central Union for Child Welfare conducted a survey (N=297) for the Ministry of Social Affairs and Health where children with experience of child protection measures were asked to grade the child welfare system in terms of fairness, safety, timeliness, consideration of opinions, success and clarity.<sup>462</sup> On a scale from 4 to 10 (cf. school grades) the average grade for child welfare was 6.33. The survey forms part of an ongoing study that gauge the views of children, young people and parents on child welfare. It will contribute to the overall reform of the child welfare legislation that presently is prepared at the Ministry of Social Affairs and Health.<sup>463</sup></p>
5.1.6. Is the responsibility for data collection on child protection determined in the legislative framework?	X	<p>The Statistics Act stipulates in section 2 that Statistics Finland and the Finnish Institute for Health and Welfare are statistical data authorities in Finland.<sup>464</sup> The Finnish Institute for Health and Welfare is mandated in law to study, follow, evaluate, develop and guide social welfare activities in the country. To be able to do this, the Institute is entitled to receive necessary data from authorities and private actors that organise social welfare services, including child protection services.<sup>465</sup> The Finnish Institute for Health</p>

<sup>461</sup> Rätty, T. (2023), *Lastensuojelulaki: Käytäntö ja soveltaminen*, Helsinki, Edita, p. 226.

<sup>462</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), '[Children and young people gave school grades for child welfare](#)', press release, 19 December 2022.

<sup>463</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*) (2022), '[Lastensuojelun kokonaisuudistuksen tavoitteena on turvata lasten hyvinvointi ja kehitys](#)', press release, 18 May 2022.

<sup>464</sup> Finland, Statistics Act (*tilastolaki/statistiklagen*), Act No. 280/2004, 23 April 2004.

<sup>465</sup> Finland, Act on the Finnish Institute for Health and Welfare (*laki Terveyden ja hyvinvoinnin laitoksesta/lag om Institutet för hälsa och välfärd*), Act No. 668/2008, 31 October 2008, sections 2 and 5.



			and Welfare publishes annually child welfare statistics. <sup>466</sup>
<p>5.1.7. Is there a single authority responsible for monitoring data collection and centralised coordination and data sharing at national level?</p> <p><u>If yes</u>, Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional, or local level?</p>	X	<p>The Statistics Finland is the general statistical data authority tasked to collect and maintain data files on society, coordinate national statistical services, and develop the national statistical services in collaboration with other government institutions. However, the mandate of Statistics Finland does not include monitoring of data collection.<sup>467</sup></p> <p>In practice, Statistics Finland publishes available statistics on their web page, including statistics produced by the Finnish Institute for Health and Welfare and the Finnish Social Insurance Institution.<sup>468</sup> Under the heading Health and social protection, child-related statistics are listed, including on child welfare, adequacy of personnel in social work, and processing times in child welfare. The data concerning alternative care is disaggregated by gender (female/male), age groups (0–17) and region.</p> <p>Other child-related statistics concern child benefits, child day care subsidies, child maintenance allowances, and child maintenance and custody as well as determination of paternity. The Finnish Social Insurance Institution gathers data on payments.</p>	
<p>5.1.8. Are there common indicators in place to monitor the performance of the child protection system?</p>	X	<p>The Finnish Institute for Health and Welfare maintains the Register of Child Welfare, which includes indicators that address the performance of the child protection system.<sup>469</sup> These measure the processing time of child protection matters, the number of children in substitute care, type of substitute care, number of child protection notifications, and child protection resources (human and financial). With respect to human resources, the Finnish Institute for Health and Welfare published in</p>	

<sup>466</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Lastensuojelu](#), web page, accessed on 11 February 2023.

<sup>467</sup> Finland, Act on Statistics Finland (*laki tilastokeskuksesta/laq om statistikcentralen*), Act No. 48/1992, 24 January 1992, section 2.

<sup>468</sup> Finland, Statistics Finland (*Tilastokeskus/Statistikcentralen*), [Health and social protection](#), web page, accessed on 6 April 2023.

<sup>469</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelu 2022: Yhä useammasta lapsesta tehdään lastensuojeluilmoitus](#), Statistical report 24/2023, 16 May 2023.

		<p>2022 for the first time a report on the ratio of professionals in child protection.<sup>470</sup></p> <p>As to the indicators on processing time of child protection matters and the ratio of human resources per client in child protection, these correspond to the legal requirements laid down in the Child Welfare Act. Section 26 stipulates that the assessment of the service needs in child protection cases should be initiated within seven days from the start of the case and finish within three months. Section 13b provides that a social worker should be responsible for 35 children at most (30 from 1 January 2024). The child protection notification refers to the obligation of listed officials to report to the wellbeing services county when they discover a child, whose child welfare need should be investigated, on account of the child's need for care, circumstances endangering the child's development, or the child's behaviour (section 25).</p> <p>Furthermore, the Finnish Institute for Health and Welfare maintains annual statistics on the financial resources directed at institutional and family care, open care services and other open services.<sup>471</sup></p> <p>In connection with the new health and social services reform, the knowledge management system of social and healthcare data is presently being reformed (see 5.1.10). It is expected that the reform will improve the quality of the indicators and enable evidence-based monitoring, evaluation, steering, and supervision at national level.<sup>472</sup></p>
5.1.9. Are there data protection protocols in place and adhered to?	X	<p>The data protection protocol of the Register of Child Welfare is displayed on the web page of the Finnish Institute for Health and Welfare.<sup>473</sup></p>

<sup>470</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2022), [‘THL julkaisee ensimmäistä kertaa tietoja lastensuojelun henkilöstömitoituksesta: toteutuu keskimäärin hyvin, alueellinen vaihtelu suurta’](#), press release, 14 October 2022.

<sup>471</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2023), [Lastensuojelu 2022: Yhä useammasta lapsesta tehdään lastensuojeluilmoitus](#), Statistical report 24/2023, p. 24.

<sup>472</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), [Toivo programme looks to develop knowledge management in health and social services counties and national authorities](#), web page, accessed on 22 February 2023.

<sup>473</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Register of Child Welfare](#), web page, accessed on 16 February 2023.

5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.

As shown in the presentation above, there is a regular collection of data related to child protection in Finland. Based on the data collection practices so far, academics have pointed out that the knowledge of the effectiveness of social services, including child welfare services, remains poor.<sup>474</sup> More research is needed particularly on what types of services are effective. Substitute care continues to form an important part of the child protection system. Despite a slight decrease in the number of children in substitute care in 2021, the figure continues to be high. More than 17,000 children were placed in out-of-home care in 2021.<sup>475</sup> Research points to the fact that children in substitute care face more difficulties later in life than other children who have grown up in their own families.<sup>476</sup> To better understand the factors at play, it is suggested that a registry of child protection units should be established.<sup>477</sup> Together with data on the children, this would allow the collection of information on what happens in substitute care. For example, the application of restrictive measures that interfere with fundamental rights of the children could better be integrated in the analysis of the effectiveness of substitute care. With the adoption of the new Act on the Supervision of Social Welfare and Healthcare, a new register for both private and public service providers will be established.<sup>478</sup> Previously only private actors have been registered.

The need to improve the knowledge base of social and healthcare is acknowledged. Section 29 of the Act on Organising Healthcare and Social Welfare Services (612/2021) stipulates that the wellbeing services counties are obliged to monitor the health and welfare of their inhabitants, the need of social and healthcare services, the access and quality of the services, the impact and equality of the care, the coordination of services, and the costs of and productivity of the care.<sup>479</sup> The Ministry of Social Affairs and Health is in charge of the implementation programme for knowledge-oriented leadership, steering, and supervision in social welfare and healthcare (Toivo programme).<sup>480</sup> The aim of the programme is to improve the knowledge management required by the ongoing social and healthcare reform. The programme targets both the knowledge needs of the wellbeing services counties and the needs for reforming the knowledge production at national level. It facilitates the monitoring of the social and healthcare regionally and the overall steering and supervision of the sector nationally. The former part of the programme (focus on wellbeing services counties) is implemented within the Virta project and the latter part (focus on national level) within the Valtava project. The Virta project aims

<sup>474</sup> Hiilamo, H. (2022), 'Child policy and society 2017–2020', [Report to Parliament by the Ombudsman for Children 2022](#), Helsinki, Publications of the Ombudsman for Children in Finland 2022:3, p. 23

<sup>475</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (2022), [Lastensuojelu 2021: Huostaanottojen määrä väheni vuonna 2021](#), Statistical report 22/2022, 6 June 2022.

<sup>476</sup> Kääriälä, A. (2020), [Always a step behind?: Educational and employment transitions among children in out-of-home care](#), Itla Research 2020:1, Helsinki, University of Helsinki.

<sup>477</sup> Kääriälä, A. (2021), [Emme tiedä mitä saamme miljardilla! – Palveluiden vaikuttavuudesta tarvitaan lisää tietoa](#), blogpost, Sosiaalipoliittinen yhdistys ry, 21 January 2021.

<sup>478</sup> Finland, Act on the Supervision of Social Welfare and Healthcare (*laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården*), Act No. 741/2023, 14 April 2023, section 11.

<sup>479</sup> Finland, Act on Organising Healthcare and Social Welfare Services (*laki sosiaali- ja terveydenhuollon järjestämisestä/lag om ordnande av social- och hälsovård*), Act No. 612/2021, 29 June 2021, section 29.

<sup>480</sup> Finland, Finnish Government (*valtioneuvosto/statsrådet*), [Toivo Programme looks to develop knowledge management in health and social services counties and national authorities](#), web page, accessed on 22 February 2023.

at developing common operational models, tools and knowledge management solutions for the wellbeing services counties, municipalities and joint municipal authorities. The Valtava project intensifies the collaboration between national authorities through common reporting practices and knowledge production processes. The principle “same information is reported only once” is used to harmonise the processing of customer and patient information as far as possible.<sup>481</sup> The Toivo programme is still ongoing and detailed information on its outcome is not yet available.

A prerequisite for the ongoing development work has been the adoption of the Act on the Secondary Use of Health and Social Data in 2019.<sup>482</sup> The Act allows a processing of personal data, which have been registered in conjunction with social and healthcare activities together with a simultaneous processing of personal data maintained by other authorities, i.e., the Social Insurance Institution, the Digital and Population Data Services Agency, Statistics Finland, and the Finnish Centre for Pensions (section 1). The Social and Health Data Permit Authority (*Sosiaali- ja terveystietojen tietopalveluviranomainen/Tillståndsmyndigheten för social- och hälsovården*, FINDATA) has been set up in connection with the Finnish Institute for Health and Welfare with the task to provide guidance, grant permits for the secondary use of social and health data and to ensure that data subject to a permit is combined and disclosed in a secure manner (section 5).<sup>483</sup>

Whereas the new manner of data collection in social welfare has commenced in 2023, the reform will be implemented in stages. It is expected that the new system will be fully operational in 2027.<sup>484</sup>

## 5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

No major changes have taken place in the external accountability structures linked to the child protection system. The National Supervisory Authority for Welfare and Health, the Regional State Administrative Agencies, the Ombudsman for Children, the Parliamentary Ombudsman, the Deputy Ombudsmen and the National Audit Office of Finland remain key institutions in the supervision and oversight of child protection in Finland. Whereas the Chancellor of Justice in the past also took an active part in the oversight of child protection, the Chancellor’s role is from 1 October 2022 onwards less prominent. The new Act on the division of tasks between the Chancellor and Ombudsman stipulates that the Chancellor of Justice is no longer obligated to handle child protection issues which fall under the mandate of the Parliamentary Ombudsman.<sup>485</sup>

As previously noted, the biggest institutional reform during the reporting period is the establishment of 21 new wellbeing services counties, which replace municipalities and joint municipal authorities

<sup>481</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), [SOTE-tiedolla johtamisen, ohjauksen ja valvonnan toimeenpano-ohjelman johtoryhmä](#), decision, VN/12236/2019, 12 May 2022, p. 2.

<sup>482</sup> Finland, Act on the Secondary Use of Health and Social Data ([laki sosiaali- ja terveystietojen toissijaisesta käytöstä/lag om sekundär användning av personuppgifter inom social- och hälsovården](#)), Act No. 552/2019, 26 April 2019.

<sup>483</sup> Finland, [Finnish Social and Health Data Permit Authority Findata](#), web page, accessed on 22 February 2023.

<sup>484</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Sosiaalihuollon rekisteriuudistus](#), web page, accessed on 22 February 2023.

<sup>485</sup> Finland, Act on the division of tasks between the Chancellor of Justice and the Parliamentary Ombudsman ([laki valtioneuvoston oikeuskanslerin ja eduskunnan oikeusasiamiehen tehtävien jaosta/lag om fördelningen av uppgifter mellan justitiekanslern i statsrådet och riksdagens justitieombudsman](#)), Act No. 330/2022, 13 May 2022, section 3.

as organisers of social and healthcare in Finland, with the exception of the City of Helsinki, which continues to organise social and healthcare in the capital. This change means in practice that the national steering of the social and healthcare sector is strengthened. In the past the municipal self-government ensured stronger decision-making powers at local level. The Ministry of Social Affairs and Health is in charge of the general steering, planning, development and supervision of the social and healthcare sector in the whole country.<sup>486</sup> According to information provided by the Ministry of Social Affairs and Health, the steering should in the future be based on trust and a continuous dialogue between the Ministry and the wellbeing services counties.<sup>487</sup> The Regional State Administrative Agencies supervise the legality of the organisation of social and healthcare services in the respective region. The National Supervisory Authority for Welfare and Health supervises the Regional Agencies and provides guidance in matters of principled importance. In accordance with section 44 of the Act on Organising Healthcare and Social Welfare Services (612/2021), all supervisory authorities are, if necessary, obligated to collaborate with each other and with other authorities when handling the tasks enumerated in the Act.

Each wellbeing services county is responsible for the supervision of all social services, including child protection services offered within its area (section 10 of the Act on Wellbeing Services Counties, 611/2021). In addition to supervising the activities of private service providers, the wellbeing services counties are obliged to conduct self-monitoring of their own activities (section 40 of the Act on Organising Healthcare and Social Welfare Services, 612/2021).

To facilitate the planning, monitoring and supervision of the wellbeing services counties, the knowledge base of social and healthcare has been strengthened. Hence, the ongoing Toivo programme aims at bringing together data and information through common reporting procedures for the use of both the wellbeing services counties and national authorities. Despite these developments, researchers have noted that there is a lack of information needed for evaluating the effectiveness of child protection measures. For example, a registry of child protection units is missing (5.1.10). Following the adoption of the Act on the Supervision of Social Welfare and Healthcare on 14 April 2023, a new register for both public and private child protection units will be established. It will be operational from 1 January 2024 with respect to private service providers and from 1 January 2026 with respect to public service providers.<sup>488</sup>

Further, to encourage academic research on child welfare, the Social Welfare Act was amended in 2020 by the inclusion of a provision on state aid for peer reviewed university-based research on social work.<sup>489</sup> To evaluate the research proposals, the Ministry of Social Affairs and Health has appointed a national expert group.

With respect to child rights impact assessments, the Ombudsman for Children reports that in 2022 the Ombudsman submitted 57 statements on legislative proposals. In some statements the Ombudsman noted that the child perspective was not taken adequately into account in the

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<sup>486</sup> Finland, Act on Organising Healthcare and Social Welfare Services ([laki sosiaali- ja terveydenhuollon järjestämisestä/lag om ordnande av social- och hälsovård](#)), Act No. 612/2021, 29 June 2021, section 21.

<sup>487</sup> Finland, Ministry of Social Affairs and Health ([sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet](#)), [Sosiaali- ja terveydenhuollon uudistus \(sote-uudistus\)](#), web page, accessed on 11 April 2023.

<sup>488</sup> Finland, Act on the Supervision of the Social and Healthcare ([laki sosiaali- ja terveydenhuollon valvonnasta/lag om tillsynen över social- och hälsovården](#)), Act No. 741/2023, 14 April 2023, section 52.

<sup>489</sup> Finland, Act amending the Social Welfare Act ([laki sosiaalihuoltolain muuttamisesta/lag om ändring av socialvårdslagen](#)), Act No. 449/2020, 11 June 2020, section 60 c.

proposals. This was the case, for example, in the proposals on the mental healthcare and substance abuse services, trans legislation and the right of undocumented migrants to healthcare services.<sup>490</sup>

Also, the Finnish Council of Regulatory Impact Analysis has in its annual review of 2022 reported that “the impact assessments in draft government proposals usually do not address the proposal’s concrete impacts on fundamental and human rights”. According to the Council, “a summary of valid legislation or international conventions does not qualify as an assessment of how the draft proposal will affect children in different positions”.<sup>491</sup> In a statement on the amendment of the Child Welfare Act concerning provisions of the maximum number of clients per social worker, the Council notes that the child perspective is too weak and the effect of the reform on children remains unclear.<sup>492</sup>

### 5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

The Office of the Parliamentary Ombudsman launched web pages for children and youth in 2017. The focus of the pages is on why, what and how to file a complaint with the Ombudsman.<sup>493</sup> The instructions are written in a child-friendly manner. Following the launch of the web pages for children, the number of complaints filed with the Parliamentary Ombudsman by children has increased. This is reflected also in the number of decisions issued by the Ombudsman and Deputy Ombudsman. There were 118 decisions stemming from a complaint submitted by a child in 2021, 65 in 2020, and 45 in 2019.<sup>494</sup> Most of the complaints concern substitute care. A study conducted between 1 January 2018 and 28 October 2020 on the decisions issued by the Ombudsman and Deputy Ombudsman in the area of child protection, shows that most decisions submitted by children concern the organisation of substitute care or aftercare. The main themes addressed in the complaints are linked to the quality of the substitute care, including the consideration of the needs of the child, participation of the child and his/her educational rights, the legal supervision of the child’s substitute care, the organisation of aftercare, and the accumulation of funds to support the independence of the young person.<sup>495</sup>

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<sup>490</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2023), *Lapsen oikeus turvallisuuteen kolmoiskriisin ajassa: Lapsiasiavaltuutetun vuosikertomus 2022* (Annual report 2022), p. 25–27.

<sup>491</sup> Finland, Finnish Council of Regulatory Impact Analysis (*lainsäädännön arviointineuvosto/rådet för bedömning av lagstiftningen*) (2023), [Finnish Council of Regulatory Impact Analysis. Annual review 2022](#), Helsinki, Publications of the Prime Minister’s Office 2023:6, p. 30.

<sup>492</sup> Finland, Finnish Council of Regulatory Impact Analysis (*lainsäädännön arviointineuvosto/rådet för bedömning av lagstiftningen*) (2021), [Lainsäädännön arviointineuvoston lausunto sosiaali- ja terveysministeriölle hallituksen esityksen luonnoksesta lastensuojelulain muuttamisesta](#), statement no. VN/16311/2021-02, 1 July 2021.

<sup>493</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [The Parliamentary Ombudsman supervises children’s rights](#), web page, accessed on 19 February 2023.

<sup>494</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) (2022), [Eduskunnan oikeusasiamiehen kertomus vuodelta 2021](#) (Annual report 2021), Helsinki, Parliamentary Ombudsman, p. 282.

<sup>495</sup> Saastamoinen, K. (2021), [Lasten oikeuksien toteutuminen sijaishuollossa vuosina 2018–2020: Lasten eduskunnan oikeusasiamiehelle tekemien kantelujen näkökulmasta](#) (Realisation of the rights of the child in substitute care in 2018–2020: From the perspective of complaints filed by children with the Parliamentary Ombudsman), Helsinki, Reports and Memorandums of the Ministry of Social Affairs and Health 2021:6, pp. 10–11.



## 6. General education, promotion, and awareness raising

### 6.1. Education on child rights

6.1.1. Does education on child rights form part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

The national core curriculum for basic education includes education on fundamental and human rights, including child rights.<sup>496</sup> Child rights are taught at all grades (1–9), specifically as part of religion, ethics, and social studies. Education providers draw up local curricula and annual plans based on the core curriculum, which is legally binding. Learning to know about child rights by using the CRC is included in the national core curriculum for pre-primary education as one of the objectives of learning about the society.<sup>497</sup> Rights of the child are an underlying value of the national core curriculum for early childhood education and care, while best interests of the child, as a primary consideration, constitutes its general principle. Participation, equality and equity are guiding principles of the inclusive operational culture and shall be promoted in all activities. Child rights as such are, however, not included in the learning areas, which describe the key objectives and contents of pedagogical activities.<sup>498</sup> The underlying values of the National Core Curriculum for General Upper Secondary Education (2019) comprise human rights and key human rights conventions. Fundamental and human rights are included in the core contents of several subjects, namely philosophy, history, social studies and ethics. Child rights are expressly mentioned only in the contents of ethics, however.<sup>499</sup>

6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors were those commissioned, funded, and implemented?

The adoption of the new National Child Strategy in 2022 with a focus on children's access to information and participation, has sparked the production of new teaching materials on child rights. As part of the Strategy, the Ministry of Social Affairs and Health published a set of ten e-learning courses in child rights aimed at various professionals working with children and child affairs.<sup>500</sup> They are openly available and free of charge via the child rights website maintained by the Ministry of Social Affairs and Health in cooperation with the Children's Rights Communication Network (*lapsen oikeuksien viestintäverkosto/kommunikationsnätverket för barnets rättigheter*). Previously, these type of activities have been carried out mainly by NGOs and INGOs.<sup>501</sup>

<sup>496</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [Perusopetuksen opetussuunnitelman perusteet 2014](#), Regulations and guidelines 2014:96.

<sup>497</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [Esiopetuksen opetussuunnitelman perusteet 2014](#), Määräys (Regulation) 102/011/2014, s. 19.

<sup>498</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [Varhaiskasvatussuunnitelman perusteet 2022](#), Regulations and guidelines 2022:2a, pp. 39–48.

<sup>499</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) (2019), [Lukion opetussuunnitelman perusteet 2019](#), Regulations and guidelines 2019:2a.

<sup>500</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) and the Children's Rights Communication Network, [ChildRights365](#), website, accessed on 15 March 2023.

<sup>501</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*), '[Lapsen oikeuksista julkaistu verkkokoulutus](#)', press release, 16 February 2023.



Also, the Finnish National Agency for Education published a new website on child rights targeting teachers and educators.<sup>502</sup> The aim of the site is to collect information and simultaneously secure the coverage and accessibility of teaching materials in child rights.<sup>503</sup> The site offers new material packages which have been produced together with child rights organisations and teachers; also children's opinions have been considered in their development. The materials are linked to the core curricula and include videos. They have been translated into nine languages, besides Finnish. They include a video aimed to be used in so called parent-evenings organised by schools. In addition, the site offers links to materials targeting parents produced by different child rights organisations.<sup>504</sup>

## 6.2. Promotion and awareness raising

6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

The Children's rights week (*Lapsen oikeuksien viikko/Barnrättsveckan*), which is organised annually in connection with the World Children's Day, is the main national campaign aiming to increase awareness of the Convention on the Rights of the Child among children and the youth.<sup>505</sup> It is organised by the Children's Rights Communication Network and funded by the Ministry of Education and Culture, and the Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*). The week is observed in schools, pre-schools, and leisure activities, and may also be joined, e.g., by organisations, municipalities, and parishes. A different thematic focus is chosen for the campaign each year and its resource materials are kept available online throughout the whole year; in 2022 the theme was child security. According to the Child Strategy, interest towards the Children's week in schools has been increasing and its materials are being frequently used.<sup>506</sup> Since 2020 the World Children's Day is an official flag day in Finland. The Children's Rights Communication Network, which comprises both authorities and civil society actors, maintains a website on child rights, which is operated by the Central Union for Child Welfare. The network is funded by the Ministry of Education and Culture and the Union for Child Welfare. Child rights specific websites are also maintained by, e.g., the Parliamentary Ombudsman, whose website is child-friendly,<sup>507</sup> and the Ombudsman for Children,<sup>508</sup> who offers information on the Convention on the Rights of the Child,

<sup>502</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [Lapsen oikeudet/Barnets rättigheter](#) (Child rights), website, accessed on 15 March 2023.

<sup>503</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), '[Uusi sivusto kokoaa tietoa ja uutta opetusmateriaalia lapsen oikeuksista](#)', press release, 1 February 2023.

<sup>504</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [Lapsen oikeuksien materiaaleja vanhempainiltaan](#) (Child rights materials for parents' evenings), website, accessed on 13 April 2023.

<sup>505</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Lapsen oikeuksien viikko/Veckan för barnets rättigheter](#) (Child Rights Week), web page, accessed on 15 March 2023.

<sup>506</sup> Custódio, I., and Hurskainen, J. (2022), [Lapsen oikeuksien kansallinen viestintästrategia vuosille 2022–2026](#), Helsinki, Publications of the Office of the Ombudsman for Children 2022:4, p. 14.

<sup>507</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [Children's rights](#), web page, accessed on 15 March 2023.

<sup>508</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*), [Brochures about children's rights](#), web page, accessed on 15 March 2023.

and has among others, produced, also child-friendly, e-brochures about children's rights in different languages, including Romani, the three Sámi languages that are spoken in Finland, as well as English and Russian. One of the objectives of the National Communication Strategy on Child Rights 2022–2026 is to strengthen the activities of the network and to activate the media to communicate on child rights, targeting children and the youth, parents and other adults, journalists and education professionals.<sup>509</sup> Awareness raising on the EU Charter of Fundamental Rights in the area of child rights, however, does not exist.<sup>510</sup>

A survey carried out among children aged 10 to 17 by the Central Union of Child Welfare in 2021 shows that children's awareness of the UN Convention on the Rights of the Child has increased: 71 % of the interviewed children (n=16,636) had heard about the Child Rights Convention (compared to 56 % out of 4,588 in a similar survey carried out in 2017), 63 % of them could remember that child rights had been discussed in school (42 % in 2017), and 24 % of the children knew when the World Child Rights Day is celebrated (21 % in 2017).<sup>511</sup>

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure<sup>512</sup>? Please briefly describe.

According to section 32a of the Child Welfare Act, child welfare service providers have an obligation to inform the child and the child's custodians on available complaint and appeal mechanisms.<sup>513</sup> Several authorities, such as the Parliamentary Ombudsman and the Ombudsman for Children, offer information on complaint mechanisms on their websites. The Parliamentary Ombudsman's web page provides a direct link to a complaint form. The Ombudsman for Children's website contains information on how to complain to the UN Committee on the Rights of the Child, with a link to the UN complaint form.<sup>514</sup> Also, the Child Rights website maintained by the Central Union for Child Welfare offers information on national and international complaint mechanisms<sup>515</sup> and an e-publication on available national remedies.<sup>516</sup> In addition, the Finnish Institute for Health and Welfare has published a Child Protection Guide for children and the youth, which is currently available in Finnish and Swedish on its website as part of the Child Protection Handbook. The guide includes detailed information on the national mechanisms available in child protection issues.<sup>517</sup> The Finnish Competition and Consumer Authority offers information on what to do in cases of inappropriate marketing targeting children.<sup>518</sup>

<sup>509</sup> Custódio, I., and Hurskainen, J. (2022), *Lapsen oikeuksien kansallinen viestintästrategia vuosille 2022–2026*, Helsinki, Publications of the Office of the Ombudsman for Children 2022:4.

<sup>510</sup> Information obtained from the Ministry of Social Affairs and Health via phone on 9 May 2023.

<sup>511</sup> Finland, Central Union of Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Lapsen oikeudet lapsen silmin](#), web article, accessed on 9 May 2023.

<sup>512</sup> URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-communications> [12/12/2022]

<sup>513</sup> Finland, Child Welfare Act (*lastensuojelulaki/barnskyddslagen*), Act No. 417/2007, 13 April 2007.

<sup>514</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*), [Submitting a complaint to the UN Committee on the Rights of the Child](#), web page, accessed on 15 March 2023.

<sup>515</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Kun lapsen oikeuksia loukataan](#), web page, accessed on 15 March 2023.

<sup>516</sup> Peltonen, R. (2017), *Oikeusturvakeinot lastensuojelussa* (Legal remedies in child welfare), Helsinki, Central Union for Child Welfare.

<sup>517</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), [Oikeusturvakeinot](#) (Lastensuojelun käsikirja), web page, accessed on 15 March 2023.

<sup>518</sup> Finland, Finnish Competition and Consumer Authority (*Kilpailu- ja kuluttajavirasto/Konkurrens- och konsumentverket*) [Marketing aimed at children](#), web page, accessed on 15 March 2023.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

Media literacy is included in the national core curricula, and a New Literacies Development Programme aims to strengthen the media literacy, ICT competence and programming skills of children and young people in early child education and care, and pre-primary and basic education.<sup>519</sup> The National Audiovisual Institute's (KAVI) Department for Media Education and Audiovisual Media (MEKU) is responsible for the promotion and coordination of media education at the national level, and supervises the provision of audiovisual programmes from the perspective of protection of children.<sup>520</sup> The Department develops media education practices, models and materials, and supports the educators, for example, by maintaining an online Media Literacy School. It acts in cooperation with various other actors and coordinates, for example, the Safer Internet Day campaign (Media Literacy Week) and the National Game Day, which connect organisations, corporations, municipal actors, and authorities. The materials produced in the framework of the Media literacy week target teachers and educators, including parents, and contain materials produced by KAVI and its collaborators, such as child rights organisations and the National Cyber Security Center.<sup>521</sup> Also, the Finnish National Agency for Education has published e-learning materials on privacy and internet security targeting the age group 9–17 years.<sup>522</sup> In addition to authorities, several organisations, such as the Finnish Society on Media Education and the Mannerheim League for Child Welfare, offer media education materials for different target groups, including parents.<sup>523</sup>

### 6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

The new Child Rights Communication Strategy observes positive developments in recent years as regards awareness of child rights and the CRC, both among the adult population and among children and the youth.<sup>524</sup> In addition, the number of actors communicating on child rights has grown and diversified and the status of child rights in the core curricula has strengthened, even though big differences still exist between different groups of children.<sup>525</sup> The role of the Child Rights Communication Network which was established on the basis of the previous strategy has been

<sup>519</sup> Finland, National Audiovisual Institute (*Kansallinen audiovisuaalinen instituutti/Nationella audiovisuala institutet*), [New literacies](#), web page, accessed on 15 March 2023.

<sup>520</sup> Finland, National Audiovisual Institute (*Kansallinen audiovisuaalinen instituutti/Nationella audiovisuala institutet*), [KAVIn mediakasvatus](#), web page, accessed on 15 March 2023.

<sup>521</sup> Finland, National Audiovisual Institute (*Kansallinen audiovisuaalinen instituutti/Nationella audiovisuala institutet*), *Mediataitoviikko*, [Materiaalit](#) (Media literacy week, Materials), web page, accessed on 13 April 2023.

<sup>522</sup> Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [Sinä päätät/Du bestämmer](#) (You decide), e-learning material, web page, accessed on 15 March 2023.

<sup>523</sup> Finland, Finnish Society on Media Education (*Mediakasvatusseura/Sällskapet för mediafostran*), [Materiaaleja mediakasvatukseen](#), web page, accessed on 13 April 2023, and Mannerheim League for Child Welfare (*Mannerheimin lastensuojeluliitto/Mannerheims barnskyddsförbund*), [Mediakasvatus](#), web page, accessed on 13 April 2023.

<sup>524</sup> Custódio, I., and Hurskainen, J. (2022), [Lapsen oikeuksien kansallinen viestintästrategia vuosille 2022–2026](#), Helsinki, Publications of the Office of the Ombudsman for Children 2022:4, pp. 1–3.

<sup>525</sup> Custódio, I., and Hurskainen, J. (2022), [Lapsen oikeuksien kansallinen viestintästrategia vuosille 2022–2026](#), Helsinki, Publications of the Office of the Ombudsman for Children 2022:4, p. 5.

central for this development. The network maintains a child rights website, and several other social media channels, organises communication campaigns, and events, participates in the public discussion and produces materials.<sup>526</sup> Currently it has 32 members, representing key authorities, such as the Ombudsman for Children, the Finnish Institute for Health and Welfare, and the Finnish National Agency for Education as well as child rights organisations, Finland's parents' union, and the Trade Union of Education (OAJ). Strengthening the activities of the network is included as an objective in the new Child Rights Communications Strategy. The network also supports the Ombudsman for Children in monitoring the implementation of the Child Rights Communication Strategy.

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<sup>526</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för barnskydd*), [Lapsen oikeudet/Barnets rättigheter](#) (Child rights), website, accessed on 15 March 2023.

## 7. Child participation and community engagement

### 7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles <sup>527</sup> in place, with an ability to hear, review and enforce individual complaints from children?	X		In Finland, the Parliamentary Ombudsman (part of the Finnish NHRI) receives, and processes child rights related complaints, whereas the Ombudsman for Children, which is a separate institution, lacks such competence. The Parliamentary Ombudsman's decisions are <u>not</u> enforceable, however, but they are usually very well complied with. The number of complaints made by children themselves has considerably increased during the last years, which may at least partly be attributable to the child-friendly web pages that the Ombudsman published in 2017. <sup>528</sup> Also, the increase in the number of inspections carried out to foster care units is considered to have contributed to this phenomenon. <sup>529</sup>
7.1.2. Are there specialised Courts and compliant procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for violations of the child protection rights?		X	There are <u>no</u> juvenile courts, but criminal procedures observe the offenders' age in accordance with relevant international standards. The age of criminal responsibility being 15 years, offenders younger than 15 are dealt with by child welfare authorities; civil liability may arise, however. Offenders aged 15–20 years are subject to the Act on Investigating the Circumstances of Suspected Young Offenders, the special provisions of which include drafting a penalty report assessing the impact of different penalty alternatives on the social rehabilitation of the alleged young offender (section 5); also, child

<sup>527</sup> URL: [https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20\(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness](https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness) [12/12/2022]

<sup>528</sup> Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [The Parliamentary Ombudsman supervises children's rights](#), web page, accessed on 4 March 2023.

<sup>529</sup> Saastamoinen, K. (2021), [Lasten oikeuksien toteutuminen sijaishuollossa vuosina 2018–2020: Lasten eduskunnan oikeusasiamiehelle tekemien kantelujen näkökulmasta](#) (Realisation of the rights of the child in substitute care in 2018–2020: From the perspective of complaints filed by children with the Parliamentary Ombudsman), Helsinki, Reports and Memorandums of the Ministry of Social Affairs and Health 2021:6, p. 10.

		<p>welfare authorities are involved in these cases.<sup>530</sup> There are no special chambers or hearing rooms for young offenders in courts, but their guardians or legal representatives have the right to be present at the trial, and their social worker and the official responsible for drafting the penalty report need to be given the opportunity to be heard. Hearing of children victims of crime is conducted outside court rooms. When hearing young victims or witnesses, special arrangements, such as protective screens or mirror glasses, may be used. Hearings may also be conducted behind closed doors.<sup>531</sup></p> <p>Ordinary administrative review and appeal procedures are available concerning child protection services, with adjusted procedures being applied, e.g., in cases where a 12 years old child or the child's parents oppose a placement in foster care. In such cases the decision will be made by an administrative court, the Supreme Administrative Court being the appeal instance.<sup>532</sup></p>
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## 7.2. Feedback mechanisms

Question	YES	NO	Comments
7.2.1. Are there government support fora such as children's groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children's groups who have received child protection services?	X		The main official participatory mechanisms available for children and the youth at the local level are the municipal youth councils and children's parliaments. Since 2015, the youth councils are statutory bodies, and since 2023, also the new wellbeing services counties are required to establish youth councils at regional level. According to section 26, subsection 2 of the Local Government Act (410/2015), youth councils <u>must</u> be given the opportunity to influence the planning, preparation, execution, and monitoring of the activities of the municipality's different areas, as well as to be involved in the municipality's work to develop children's and

<sup>530</sup> Finland, Act on Investigating the Circumstances of Suspected Young Offenders ([laki nuoren rikoksesta epäillyn tilanteen selvittämisestä/lag om utredning av unga brottsmisstänkta situation](#)), Act No. 633/2010, 24 June 2010, section 5.

<sup>531</sup> Finland, Victim Support Finland (*Rikosuhripäivystys/Brottsofferjouren*), [A minor in the criminal process](#), web page, accessed on 17 April 2023.

<sup>532</sup> Peltonen, R. (2017), [Oikeusturvakeinot lastensuojelussa](#) (Legal remedies in child welfare), Helsinki, Central Union for Child Welfare, pp. 7–8.

		<p>young people’s participation and the opportunities for their views to be presented.<sup>533</sup> Even though youth councils may also propose own initiatives, their mandate is purely consultative.</p> <p>There are no formal feedback mechanisms in place at local level for children and children’s groups who have received child protection services, other than the responsible social worker who is appointed for each child receiving child protection services. At the regional level hearings are conducted by the Regional State Administrative Agencies in the context of oversight activities. At the national level, the Ombudsman for Children has a <u>statutory duty</u> to stay in contact with children and to convey information they provide to decision-makers.<sup>534</sup> The Ombudsman realises this duty by organising meetings with teams of Young Advisers, among others, around themes proposed by children and young persons themselves; the teams often consist of vulnerable children.<sup>535</sup> Also, the Child Barometer implemented by the Office of the Ombudsman for Children, is used to survey children’s own experiences on topics that are relevant to them.<sup>536</sup> The Barometer is run every two years among 6–7 year-old children. The topics vary. The latest survey, which was conducted in 2022, e.g., focused on children’s safety, and children were asked about things that increase and reduce their sense of safety. The number of children participating in the latest surveys have varied between 150–402.</p> <p>At the informal level use of experts by experience (<i>kokemusasantuntijat</i>) provided mostly by organisations has increased and the introduction of the model into the formal structures is currently under vivid discussion also in the context of the ongoing overall reform of child</p>
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<sup>533</sup> Finland, Local Government Act (*kuntalaki/kommunallagen*), Act No. 410/2015, 10 April 2015.

<sup>534</sup> Finland, Act on the Ombudsman for Children (*laki lapsiasiavaltuutetusta/lag om barnombudsmannen*) Act No. 1221/2004, 21 December 2004, section 2, subsection 2, para. 4.

<sup>535</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombdusmannen*), [Young advisers](#), web page, accessed on 15 March 2023.

<sup>536</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombdusmannen*), [Child Barometer](#), web page, accessed on 15 March 2023.



		welfare legislation (see also below, under promising practice). <sup>537</sup>
7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?	X	<p>There are essentially two types of mechanisms that may be referred to as community-based child protection mechanisms functional across Finland, namely the child welfare expert groups that support the child welfare social workers and the support persons or families who support children, young people and families in need of special support.</p> <p>Earlier, the municipalities had a statutory obligation to establish multiprofessional child protection support groups, whose task was to support the social workers in matters concerning children's growth and development, healthcare and legal issues. After the social and healthcare reform, the newly established regional wellbeing services counties have an obligation to establish a child protection expert group, whose task it is to assist social workers in the preparation of foster care decisions, including issuing statements.<sup>538</sup> The Regional State Administrative Agencies monitor the provision of child protection services in their operating area.</p> <p>According to section 36 of the Child Welfare Act, support person services for families receiving child welfare services may be provided as part of the child welfare open care when the social worker deems this necessary. Support persons may be provided by the regional wellbeing services counties (earlier by municipalities), child welfare organisations or private enterprises. They may be professionals or volunteers. Support persons are interviewed for their suitability and trained for their tasks. They are supported by the social workers and supervised by the organisers of the services, that is, the wellbeing services counties.<sup>539</sup></p>

<sup>537</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), ['Voice of clients in child welfare services to be heard in legislative reform'](#), press release, 23 November 2022.

<sup>538</sup> Finland, Act on the amendment of the Child Welfare Act ([laki lastensuojelulain muuttamisesta/lag om ändring av barnskyddslagen](#)), Act No. 610/2022, 8 July 2022.

<sup>539</sup> Finland, Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*), Support persons and families ([Tukihenkilöt ja perheet](#)), web page, accessed 17 April 2023.

### 7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In the latest report to Parliament, the Ombudsman for Children raised concerns about disregard of children's views and opinions.<sup>540</sup> The same message was repeated in the results of a survey carried out by the Central Union for Child Welfare among children and young people aged 10 to 25 with personal experience of child welfare.<sup>541</sup> The respondents were asked to give school grades for six child welfare "subjects", including consideration of opinions. In their verbal assessments, the respondents asked for increased participation, reduced staff turn-over and improvement of the regulation related to the use of restrictive measures. The survey was commissioned by the Ministry of Social Affairs and Health and implemented in the end of 2022. It was connected to an ongoing project which collects information on expert by experience -activities in child welfare.<sup>542</sup> The results are expected to also contribute to the development of the regional structures for child welfare and the overall reform of the legislation.

The monitoring group of Regional State Administrative Agencies supervision of child protection services used participation as an indicator in its evaluation of the supervision activities and found that during 2019 and 2020 children were consulted for their views more often than before (in 2016, 2017 and 2018) in the context of conducting inspections or supervision.<sup>543</sup> This is seen to reflect the legislative amendment which entered into force in 2020 introducing an obligation for the Regional State Administrative Agencies to hear children in the context of supervision activities<sup>544</sup> as well as an increase in the resources.<sup>545</sup>

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<sup>540</sup> Finland, Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022), [Report to Parliament by the Ombudsman for Children 2022](#), Helsinki, Publications of the Ombudsman for Children in Finland 2022:3, pp. 136–137, and Ombudsman for Children (*lapsiasiavaltuutettu/barnombudsmannen*) (2022) '[Aikuiset ohittavat lasten näkemykset liian usein](#)', press release, 6 October 2022.

<sup>541</sup> Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2022), '[Children and young people gave school grades for child welfare](#)', press release, 19 December 2022.

<sup>542</sup> Central Union for Child Welfare (*Lastensuojelun keskusliitto/Centralförbundet för Barnskydd*), [Kokemus tiedoksi](#), project website, accessed on 15 March 2023.

<sup>543</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*), [Aluehallintovirastojen lastensuojelun valvonnan seurantaryhmän raportti](#) (Report of the monitoring group for the supervision of child welfare by Regional State Administrative Agencies), Helsinki, Publications of the Ministry of Finance 2021:37, p. 10.

<sup>544</sup> Finland, Act on the amendment of the Child Welfare Act ([laki lastensuojelulain muuttamisesta/lag om ändring av barnskyddslagen](#)), Act No. 542/2019, 12 April 2019.

<sup>545</sup> Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*), [Aluehallintovirastojen lastensuojelun valvonnan seurantaryhmän raportti](#) (Report of the monitoring group for the supervision of child welfare by Regional State Administrative Agencies), Helsinki, Publications of the Ministry of Finance 2021:37, pp. 23, 24.