

EQUALITY IN FINLAND

Information for immigrants

1. INTRODUCTION

The status of women and men in society is defined differently in different cultures. The concept of family also varies in different parts of the world. This booklet is about the status of women and men in Finland, and it describes how the concept of equality is understood in Finland.

The booklet is aimed at women and men and their families moving to Finland. It contains basic information about family life, the upbringing of children, education and working life. The aim is to facilitate the understanding of the Finnish way of life.

All people in Finland have the right to be treated equally. No one should be discriminated against on the basis of sex, ethnic origin or religion. Such discrimination is forbidden by Finnish law as well as by many international agreements binding Finland. The same rights, duties and opportunities apply to both women and men. The principle of equal treatment is valid for both immigrants and Finnish citizens.

Further information concerning the contents of this booklet is available from the local authorities. If your knowledge of the Finnish language is not adequate for dealing with the authorities, you can ask about the possibility of having an interpreter. When dealing with administrative matters, it is not advisable to use your spouse or children as interpreters. Please use a professional interpreter whenever possible.



Ask the authorities about the opportunity to use an interpreter or a free interpreting service.

Immigrant counselling

Many municipalities have special **counselling points for immigrants** and personnel specialised in providing services to immigrants. They can help you with everyday problems or tell you where to obtain help.

2. FAMILY LIFE

In 2000, almost 2,800 Finns married a foreigner. Men most often married Russian, Estonian and Thai women, whereas women most often married American, British and Swedish men.

Finnish families are generally fairly small, because there are usually no other relatives sharing the house with the parents and children. Families can consist of spouses or common-law spouses living together, with their children, or of a single parent living with children. Many families include children from the spouses' former marriages in addition to the ones they have together.

The word spouse refers to couples living either in a common-law marriage (cohabitation) or marriage. Couples of the same sex are also allowed to register their relationship in Finland. In Finland it is not the parents who decide the future spouse of their child. Both women and men are free to choose their partner.

MARRIAGE

Marriage can be concluded either in a church or in a registry office in Finland. Before the actual ceremony, it must be verified that no impediments to marriage exist. According to Finnish law, a person who is legally married cannot get married again. An age under 18 and close family relations are also deemed an impediment to marriage. The impediments are investigated according to Finnish legislation if at least one person intending to marry is a Finnish citizen or a permanent resident of Finland.



Before you can get married in Finland, you must make a request for the investigation of possible impediments to marriage. The investigation can be made either by the **registry office** or the **congregation** the future spouses or one of them belongs to.

Surname

Before the marriage, the spouses must decide on their future surname. According to Finnish law, they can either both keep their surnames or take the surname of one of the spouses as a common name.

The selection of the surname also affects the children's surname

ALTERNATIVE 1

The spouses take the surname of either the man or the woman as a common name. The spouse whose surname changes can use a compound name, in which the old surname followed by the new one.

In this case, the children will obtain the parents' surname.

ALTERNATIVE 2

Both spouses retain their own surname.

In this case the spouses can choose whether the children will use the father's or mother's surname. All siblings must have the same surname.

Rights and duties in marriage

According to Finnish law, the same rights and duties apply to both spouses. The tasks linked with maintaining the family, such as working outside the home and domestic tasks that are usually shared.

Both spouses can work to earn the living for the family. If either one of them does not work outside the home, he or she participates in family maintenance by doing housework. The spouse who works outside the home, or otherwise earns more than the other spouse, has to provide the other spouse with enough money for joint household purposes and basic personal needs. If the spouse who earns more refuses to provide enough money for the one staying at home, they can be legally compelled to pay maintenance support for the other one. Finnish

law determines the right to such maintenance support, i.e. financial support, and its quantity is established either by an agreement or by a court order.

The effects of marriage on possessions

The spouses have the right to possess their own property. According to Finnish law, both spouses possess the property they have owned at the time of getting married or that they acquire during the marriage. However, neither spouse can without the consent of the other sell or give away, for instance, the dwelling intended as a common home, furniture or children's belongings.

If either one of the spouses takes a loan alone, he or she is alone responsible for paying it back. The spouses share the responsibility for a loan taken together or to provide for the family.

The property relations between the spouses are usually dealt with according to the law of the country which becomes their home at the time of getting married. If the spouses later move to another country, its laws are applied. The law of the new place of residence is usually applicable only after the spouses have lived there at least five years.

If the spouses stay in Finland permanently, the effects of marriage on their possessions are defined by Finnish law. If they have first lived in another place and then move to Finland permanently, Finnish law becomes effective after they have lived here for five years. Before the termination of the five-year period, the law of their previous country of residence is effective. If the spouses are returning migrants, Finnish law is effective immediately when the spouses have settled in Finland.

However, the spouses can determine by a written agreement that the property relations within their marriage are determined by the law of the country of their citizenship or their previous country of residence. The spouses who have moved to Finland can also agree on Finnish law becoming effective as regards their property relations before the five-year period of permanent residence is over. To make such an agreement, it is often advisable to ask for help in a general **legal aid office**, an **advocate** or other **lawyer**.

Inheritance

In Finland, both women and men inherit property in the same way. Children and their descendants have the right to inherit their parents' property after the parents' death. If, at the time of the death of one spouse, the couple has no children or their descendants, the spouse who is still alive will inherit the whole property of the deceased.

However, this rule is not effective if the spouse has ruled otherwise in a **will**. By drawing up such a document concerning inheritance, people can influence the division of their property after their death.

Normally immigrants have a similar right to inheritance in Finland as Finnish citizens. The law of the country of residence of the deceased at the moment of death is primarily applied to inheritance. The will can also determine the law to be applied to inheritance.



Legal aid offices and other **lawyers**, for example, provide assistance in inheritance issues and the drawing up of a will.

COHABITATION (COMMON-LAW MARRIAGE)

Cohabitation refers to a relationship in which the spouses live together, yet are not married to each other. Cohabitation is a common form of family life in Finland. It is often considered equal to marriage, for instance, in many decisions concerning social security. However, cohabitation or common-law marriage differs from marriage in the following ways according to Finnish law:

- The children of the spouses in common-law marriage do not automatically have the same jurisdictional status as the children of married spouses. Their status is secured by the establishment of fatherhood, however.
- If the spouses in common-law marriage get separated, both keep their own property unless a different agreement is made.
- The spouses in common-law marriage do not inherit anything from each other without a written will.

In the case of common-law marriage, it is important to agree on how to divide common property after separation or the death of either one of the spouses. Such agreements concerning property must be made in writing.

Common-law marriage and residence permit

Common-law marriage can be a reason for obtaining a residence permit if the person living in Finland and his/her spouse have lived together for a minimum of two years or they have a common child. The permit is not granted, however, if either one of the spouses is married to someone else.

3. CHILDREN

Fathers can stay at home to take care of their children for 1-3 weeks after the birth of the child. This is called paternity leave. Over 60% of fathers make use of this right.

The aim of Finnish family policy is to create a safe growing environment for the child as well as to secure the parents the material and mental capacities to give birth to children and to raise them. The equal right of both parents to raise children is emphasised nowadays. Shared responsibility facilitates the reconciliation of work and family life and also enriches the life of men.

According to Finnish law, children must be treated as equal individuals. Hitting a child or otherwise physically abusing the child is illegal. The rights of Finnish and immigrant children are the same. Girls and boys have equal rights in Finland.

Family planning

Having children is a decision made jointly by man and woman, and they usually want to do this at a suitable time in life. Women and men can get information about family planning and contraception at local **health care centres** and **family planning clinics** free of charge. You can buy contraceptives at normal grocery stores and pharmacies in Finland.

It is recommended that women have regular check-ups with their gynaecologists. At the same time, you can discuss various contraception alternatives, if you wish. The gynaecology services at local health care centres are cheaper than those provided at private medical clinics. Women may ask to see a female doctor. You can verify a pregnancy either by having a

pregnancy test done at the health care centre or by performing a pregnancy test yourself. You can buy pregnancy test kits at pharmacies.

Abortion

It is possible to have an abortion in Finland when giving birth would cause a threat to the woman's health or when pregnancy and giving birth would be a considerable strain on the woman's life. If a woman wishes to have an abortion, it is always possible, if she is under 17 or over 40 years old. Pregnancy can be terminated only on the woman's application. An abortion due social reasons must take place during the first 12 weeks of the pregnancy. If you consider abortion, contact your doctor as soon as possible.

CHILDBIRTH

It is important for pregnant women to have a check-up at a **prenatal clinic** or at a doctor's office before the end of the fourth month of pregnancy. Only the women who have had the check-up in time are entitled to a maternity benefit. In order to obtain a maternity allowance, you are also required to provide a certificate indicating the duration of the pregnancy, given by the clinic or a doctor.

The well-being of both the mother and the child is monitored by regular check-ups at the prenatal clinic. The check-ups are free of charge, and fathers are also welcome. Information and guidance for childbirth are provided by the prenatal clinic as well as on courses aimed at both parents, organised by most **health care centres**.

In Finland, birth takes place at specialised maternity hospitals (**synnytyssairaala**). It is possible for fathers to be present when the child is born, and many Finnish fathers want to support the mother by participating in the birth of their child.

The Child's father

The child is entitled to material and mental support from both parents. To secure the rights of the child, it is important to establish the identity of the father. According to Finnish law, the husband is the father of a child of a married couple. If the child is born outside marriage, the fatherhood is investigated by the municipal **child welfare supervisor** of the place of residence, unless the mother is opposed this. The father of a child born in common-law marriage must also confirm his paternity at the child welfare supervisor's office. As soon as paternity has been established, the child has the same rights as a child born during a marriage.

Child's citizenship

The child receives Finnish citizenship if

- the child's mother is Finnish citizen at the time of birth
- the child's father is a Finnish citizen and married to the non-Finnish mother of the child
- the child's father is dead, but was a Finnish citizen at the time of death and married to the child's mother
- the child is born in Finland and cannot receive the citizenship of any other country

CARING FOR THE CHILD

Experience has shown that bilingualism and multiculturalism are resources for the future of immigrant children. The parents can invest in these future resources by consistently speaking their own native language to their children and familiarising them with their own culture.

Children will learn the Finnish language and culture outside the home in day care and at school.

Children's health care

Society participates in the child's health care together with the parents. The welfare of both the child and his/her mother is monitored from birth up to seven years of age with regular check ups at a **child health clinic**. All necessary vaccinations are given by the clinic, and they also provide information about the nurturing and raising of a child as well as parenthood. The parents can ask questions about problematic issues at the maternity clinic. You can also obtain psychiatric and speech therapy through a **family health clinic**. Children who go to school are cared for by the **school nurse**, school doctor and school dentist in co-operation with the parents.

Female circumcision is forbidden

The mutilation of girls and women is illegal in Finland, and may lead to several years in prison. Male circumcision is not forbidden in Finland. However, it should be remembered that even male circumcision against the boy's will is questionable, if he is old enough to consent to the operation. In Finland, children of school age are usually considered mature enough to have their opinion taken into account.

Because male circumcision due to religious reasons is not considered to be part of general health care, such operations are not performed by the public health care services everywhere. However, circumcision must be performed in such conditions where adequate medical expertise, hygiene and anaesthesia can be secured.

Financial support to families with children

The income of families with children is facilitated through various financial aids in Finland. Some aids are aimed at all residents of Finland, whereas some are intended only for those who have lived in Finland permanently for a longer period.

- **Maternity benefit (äitiysavustus)** is given to every mother living in Finland who has had a check-up at a maternity clinic or at a doctor's office before the end of the fourth month of pregnancy. The grant can be received either in form of money or a maternity package. The maternity package contains clothes and other accessories needed to take care of a newborn baby.
- **Parental allowance (vanhempainpäiväraha)** is paid to the parent who stays at home taking care of the baby for the first ten months. The allowance consists of maternity, paternity and parental allowance. Everybody who has been a permanent resident of Finland at least for 180 days before the calculated date of birth is entitled to the allowance. The amount of the allowance is determined by the amount of earned income. Parents who are not employed receive the minimum allowance.
- Families with children also receive a **child benefit (lapsilisä)** to help them cope with everyday expenses. It is paid monthly for every child under 17 years of age who permanently lives in Finland.



More information about financial benefits for families with children can be obtained from the offices of the Social Insurance Institute, **KELA**, where you also submit your applications for such allowances. Information about the suitable time for application is also provided by **maternity clinics**.

DAY CARE

In Finland it is common for children to be outside the home in **day care** in daytime. Day care aims at supporting the balanced and versatile development of the child and promotes the equal participation of the parents in working life and education. Parents can organise the care of their child in three ways:

- 1) The mother or father may stay at home to take care of the child without pay. The parent who stays at home receives a financial support called **child home care allowance** (**kotihoidon tuki**) until the time the child is three years old.
- 2) The child can also be in the care of a **private caretaker** or a **private day care centre**. The parents receive a subsidy to cover some of the expenses caused by the day care called **private care allowance** (**yksityisen hoidon tuki**).
- 3) The place of residence organises the day care of a child under school age at a **day care centre** or by providing **children's private day care**. The fee is determined by the income of the family. For low-income families, day care is free of charge.

Co-operation between parents and the day care centre is important

One task of day care is to support the linguistic and cultural development of immigrant children and to support their multicultural identity. It is important that the parents discuss the raising of their children with the day care personnel and agree on details concerning their children's education.



More information about children's day care can be obtained from the municipal day care advisory centre. Information about the day care support forms can be obtained from the offices of the Social Insurance Institute **KELA**.

SCHOOL ATTENDANCE

All children who permanently live in Finland are subject to general compulsory education. This also means that immigrant children must attend comprehensive school for nine years. Before starting school, children can attend pre-school organised by the day care centre or a school. Comprehensive school is usually started in the year the child becomes seven years old. Girls and boys have equal opportunities to go to school. Basic education, all study material, school meals and health care are free of charge.

Schools support immigrant cultures

Education aims at paying attention to and maintaining the cultural identity of the immigrant. Before transferral to a normal class, an immigrant child has the opportunity to receive preparatory teaching. Children who do not speak Finnish as their mother tongue can receive remedial teaching at school as well as teaching in their own native language. Immigrant children can study their mother tongue so that they have at least two lessons a week in their native language.

Parents can discuss religious instruction and special diets with the school. Schools cooperate with homes. Therefore it is advisable that parents attend the parents' evenings arranged at schools, discussions with the teachers and school nurses as well as participate in the activities of the parents' association.



You can discuss educational issues at the **local school office or central educational agency** or school personnel.

4. EDUCATION

Finnish women and men are often well educated. Currently, under 50-year old women are more highly educated than men. Over half the students at universities and schools of higher education are women.

Education is highly valued in Finland. Obtaining a good education is essential for employability, because most jobs require professional training. Education also improves equality between women and men. Educated people have better abilities to act in society and take care of themselves.

Finland wishes to provide all people with equal opportunities to educate and develop themselves, irrespective of, for instance, sex, ethnic background or wealth.

The implementation of equality in education is promoted by providing students with financial support and organising children's day care outside the home. Thanks to such arrangements, it is very common for women to study in Finland. Through education, immigrants can obtain the necessary knowledge and skills needed in the Finnish society as well as maintain their own native language and culture.

Lifelong learning

The principle of lifelong learning is implemented in Finland. This means that also adults keep on acquiring new knowledge and skills. Further education ensures that the professional skills of those employed meet the rapidly changing requirements of today.

Language studies

It is important for a foreigner who moves to Finland to learn Finnish or, in some regions, Swedish. Many educational institutes organise Finnish and Swedish language courses for foreigners. In addition to attending such courses, it is worthwhile practising the language by getting acquainted with Finns for example through leisure activities. Language skills and friendships facilitate adaptation to the new country.

Studies abroad

The studies and work experience the immigrant has gained abroad are the basis for his/her further educational plan in Finland. You can apply for foreign university degrees to be recognised in Finland or equated with Finnish university or polytechnic degrees by the **National Board of Education**. It also gives equivalence statements about other types of training and education acquired abroad. These services are subject to a fee. If a student wishes to supplement his or her previous degree at a Finnish educational institute, the institute in question will evaluate the appropriateness of the previous degree as the basis for the new one.

Study options

After the nine-year comprehensive schooling, it is common to continue education either at an **upper secondary school**, which provides general education, or at a **vocational school**. After this, a student may continue to study at an **institution of higher education, polytechnic, or university**.

Immigrants can attend comprehensive and upper secondary school, for instance, at an **secondary school for adults** or a **folk high school**. In addition, there are plenty of **vocational adult education centres**, where adults can acquire a profession or supplement their previous degree. Before attending vocational training, immigrants can improve their language skills and educational readiness by attending various supplementary and preparatory courses at educational institutes. You can also get a profession by participating in **apprenticeship training**. Unemployed job seekers can attend **employment training** of varying duration. Immigrants can also apply for unemployment training at an employment office.

Integration plan facilitates integration

If a person who has moved to Finland cannot find a job or student place, they may have an integration plan drafted at an **employment office** or **social service centre**. Its aim is to facilitate the employability of the immigrants as well as their integration into the Finnish society.

The immigrant drafts the plan together with an official at the employment office or social worker. The wishes, life situation and current professional skills of the applicant are included in the plan. The integration plan often contains studies of the Finnish language, vocational training and on-the-job training. Sometimes it may contain a plan to obtain a new occupation. The integration plan covers a period of maximum three years.

While the immigrant implements his or her integration plan and has no other income, his/her income is secured by the **integration allowance**. The requirement for obtaining the allowance is that the immigrant follows the drafted integration plan.

Integration training

Many municipalities organise integration training for adult immigrants. It lasts for about six months. Training is provided in the Finnish language and in matters concerning the Finnish society. Guidance is provided in educational and employment matters, and participants can familiarise themselves with working life through on-the-job training, for example. Each student has an individual study and employment plan. The primary target group consists of the unemployed job-seeking immigrants. Special training is also organised for the illiterate in some localities.



More information about study alternatives, the integration plan and integration training can be obtained from the **employment office** of your place of residence.

Study grant

The financial situation of students is secured with a student allowance in Finland. Foreigners who live in Finland permanently are eligible for the student allowance, if they have lived in Finland for at least two years for other than study reasons. The study grant is also given to refugees and their family members or return migrants even if they haven't lived in Finland for two years. Also, people who have moved to Finland while younger than 18 years of age are entitled to the student allowance immediately after having moved here, if their parents are permanent residents of Finland.



More information about the study grant can be obtained from the offices of the **Social Insurance Institute KELA**.

5. WORKING LIFE

*Both women and men work outside the home in Finland.
Currently women make up almost half of the Finnish workforce.*

Women and men enjoy the same rights, duties and opportunities in working life in Finland. It is very common for women to work outside the home or be entrepreneurs. Participation in working life improves the financial independence of women.

Equality in working life

The Act on Equality between Women and Men pays special attention to the improvement of women's status in working life. The law also obliges the employer to facilitate the reconciliation of work and family life. The aim is to give women and men equal opportunities to participate both in household tasks and salaried work.

Not only sexual discrimination is illegal in Finland but also discrimination based on ethnic origin, religion, or age. Everybody is guaranteed equal treatment in applying for a job and employment. The aim is to integrate immigrants into working life and social activities as equal members of society.

Remember the work permit

Immigrants, apart from certain exceptions, must have a work permit to work in Finland. It is issued by the **Directorate of Immigration**.

Applying for a job

Employment offices help immigrant to get started with job seeking, and they often have workers specialised in serving immigrants. Immediately after you have moved to Finland, it is advisable to have yourself registered as a job seeker at the local employment office. In addition to jobs, the employment office provides information on various internships and training opportunities. The fact that you are active and contact employers counts most when you are looking for a job.

Pay

The income earned by working is the personal property of the employed person. Usually the employer pays the salary to a personal bank account the employee has notified the employer of. You can open an account at the bank of your choice; you need a valid passport or identity card to do so.

Taxes

All employees living in Finland pay taxes on their earnings both to the state and to the municipality. Those who earn more pay more than those with a low income. The employer is responsible for paying the taxes on the basis of the tax card of the employee. The employee must give his or her tax card to the employer at the beginning of the employment relationship.



An immigrant must obtain a tax card from the local **tax office** before starting work. It is essential to announce that you are an immigrant at the same time. After the first year, the tax card will be posted to you.

Social security

The money collected by taxes is used to finance, among other things, the social security system. Usually both women and men earn their own and their family's living by working. However, this is not always possible due to, for instance, unemployment, old age, handicap or illness. In such cases, society aims at securing the livelihood of people. The Social Insurance Institute **KELA** is in charge of most social support forms. All residents of Finland have the right to obtain them independent of their nationality.

Employment benefits your pension, too

The income earned by working affects also your financial independence in the future. If you lose your job, your unemployment allowance is **earnings-related**, and often higher than that of someone who has been unemployed for a long time. Similarly, the more people earn during their lives, the higher the pensions they will get. The social security of those who participate in working life is in many cases independent of the earnings of their spouses.

Leisure activities

Despite active searching, it is sometimes impossible to find a job. You should not be discouraged by such a situation and isolate yourself at home. You have plenty of opportunities to be actively involved in voluntary work or organisational work. There are activities aimed solely at women in many localities. Immigrants' own associations and multicultural meeting places provide an opportunity to maintain contacts with your own culture and to meet new people. Voluntary work and NGOs enable the maintenance and development of your own knowledge and skills, and they can later have a significant impact on your employability.



More information about the leisure activities in your place of residence can be obtained from the **municipal culture and leisure office**, NGOs and **announcements in local newspapers**.

Be careful when signing contracts

Before you sign written contracts and documents, make sure you know their contents. Written contracts are binding. If your language skills aren't adequate for understanding the contracts, ask the help of an interpreter. It is also important to understand the terms and conditions of an employment contract before you sign it.

For example, contracts concerning divorce and the division of property can be very complicated. To draw up such documents, expert help is often required. Help in all legal questions is provided by general legal advisers, advocates and other lawyers. If you have little income, you can get free legal advice at the general **Legal Aid Office**.

6. PROBLEMS IN FAMILY LIFE

Unfortunately, domestic violence is very common. Even though women fear more being a victim of a stranger's act of violence, they are most commonly attacked at home. One in five Finnish women say that they have experienced physical abuse or threats in their current relationship.

Every family's life entails problems and disputes in addition to happy moments. Sometimes people's own resources and methods are not sufficient to solve problems. It is then good to search for solutions together with professionals before the problems grow too much.

HELP IN CONTROVERSY

There are child guidance centres and family clinics in all Finnish municipalities to provide help in questions concerning relationships, family life and the upbringing of children. One form of family counselling is voluntary conciliation of family matters. You can ask how to be included in such conciliation programmes at your local social service centre. Conciliation of family matters means that the family members try to find an impartial solution that is satisfactory for all partners together with a social worker or a psychologist. All family members or only some of them can be present at the conciliation. It can be used for any kind of family controversy as well as for problems linked with a divorce.

At municipal level, the conciliation of family matters is free of charge, and the discussions between the people involved and the conciliator are strictly confidential. In addition to the municipalities, conciliation services are also provided by churches and other organisations as well as persons familiar with family counselling.

Mental health problems

Moving into a new country and adapting to the new circumstances may be mentally very demanding. Moreover, you may be troubled by the problems experienced in your home country and the destiny of those who were left behind. The municipal **mental health offices** provide advice and care to persons with mental health problems. The services are free of charge for the residents of the municipality.

There is a **Crisis Prevention Centre for Foreigners (Ulkomaalaisten kriisikeskus)** in Helsinki that serves all immigrants and their families in Finland. You can obtain free help in your efforts to resolve mental health and social problems. Refugees who have been victims of torture and their relatives are cared for at the **Centre for Torture Survivors (Kidutettujen kuntoutuskeskus)** located in Helsinki. You must make an appointment for such services in advance.

Homes for unmarried mothers

The birth of a first baby in the family means a new life situation as well as the need to learn a host of new things. Occasionally there are special problems in the family at the time of birth, such as family crises or homelessness. **Homes for unmarried mothers (Ensikoti)** aim at supporting motherhood in such difficult situations. Pregnant women and mothers with their newborn babies can go there. The homes for unmarried mothers give advice on issues concerning motherhood and caring for the child, and promote independent parenthood. The period of residence at a home for unmarried mothers varies; usually the mother stays in such a home for about six months.



You can obtain information about homes for unmarried mothers from municipal **social service centres** and **maternity clinics**.

Problems of children and the young

Children and adolescents often adapt themselves to a new culture faster than older people. They adopt new manners from their friends and at school, and sometimes parents may have difficulties in understanding them. In addition to the problems involved in the reconciliation of the new and old culture, children may have to face different kinds of problems outside the home, such as bullying at school. When such problems accumulate, there is an increasing risk of getting involved with drugs or other types of criminality.

To prevent problems it is essential that parents discuss matters with their children and keep in close contact with the day care centre and school. It is worthwhile to deal even with the smallest problems in time. Parents must remember that in Finland young people have the right to make personal decisions on their own, for instance, when choosing a spouse.



You can get help for the problems of children and young people from **municipal child guidance clinics and family clinics** and **mental health offices**.

DOMESTIC VIOLENCE

To batter one's spouse or children is domestic violence. Domestic violence is a criminal offence in Finland, and it can never be justified, for instance, by cultural habits. The victim of violence should report it to the police and have a medical check-up.

It is important to stop violence

In Finland, violence at home is also a criminal offence subject to public prosecution. This means that prosecution for domestic violence does not depend on the victim's decision. The public prosecutor will always press charges unless the victim is strongly opposed to it when the case is not aggravated.

The abuse of one's spouse or children may be physical, mental, financial or sexual. Often the various forms of violence are present at the same time.

- Physical abuse entails e.g. hitting, pushing, kicking and strangling.
- Mental abuse entails extortion, threatening, accusing, belittling, oppression, intimidation as well as the restriction of mobility or friendships or contact with relatives.
- Financial abuse entails not allowing the spouse to take a job or not giving him or her money.
- Sexual abuse entails sexual touching without the spouse's consent, forcing the spouse into sexual intercourse, or raping.

The physical punishment of children is also forbidden in Finland. Family violence never stops by itself; rather, it often gets worse. However, there is help available for domestic violence. There are **shelter homes (turvakoti)** in bigger cities to help victims of violence, and they are open to residents of other localities as well. You can also get help from the local **social service centre, health care centre, mental health office or family clinic**. You can also talk about domestic violence at a **prenatal and maternity clinic**. The authorities have the obligation to help.

The abusers need help as well. Local **authorities and professionals specialised in violent behaviour** help those who want to stop acting violently. At the crisis phase, it is advisable

that the victim and the abuser get help separately, because the victim may find it difficult to talk about the experiences in the presence of the abuser.

Shelter homes

Every victim of domestic violence can go to a shelter home. You can go directly to a shelter home in a crisis or emergency situation, or you can make a phone call or contact the shelter home through your own social worker later on. Mothers and children may live temporarily in a shelter home when it is impossible or dangerous to stay at home due to violence, threats or fear. The personnel of the shelter home will help to find solutions to the problems, and measures to stop violent behaviour. All decisions are made by the client. Shelter homes are open and their crisis phones are answered 24 hours a day. Municipalities have crisis and shelter apartments as well.



You can obtain information about shelter homes and apartments from the local **social welfare centres**. In emergency situations and evenings or during weekends, you will be able to obtain the necessary information from the **police**.

Restraining order for protection

Finland has a law concerning the restraining order. A restraining order means that in order to protect a person's life, health, freedom or peace another person may be forbidden to contact him or her. You can call for a restraining order, for instance, if your ex-spouse or cohabitation partner behaves in a threatening way.

When the authorities issue a restraining order, they evaluate the story of the person who applies for the order as well as other possible evidence, such as medical records, reports to the police and the accounts of witnesses. An act of violence may be considered a reason for issuing a restraining order. However, it is not the only valid reason for issuing the order.

A restraining order cannot be issued between people living in the same household. For instance, **social workers** can help in matters concerning a restraining order. You can apply for a restraining order orally or in writing either from the **police** or the **court of first instance**.

Rape

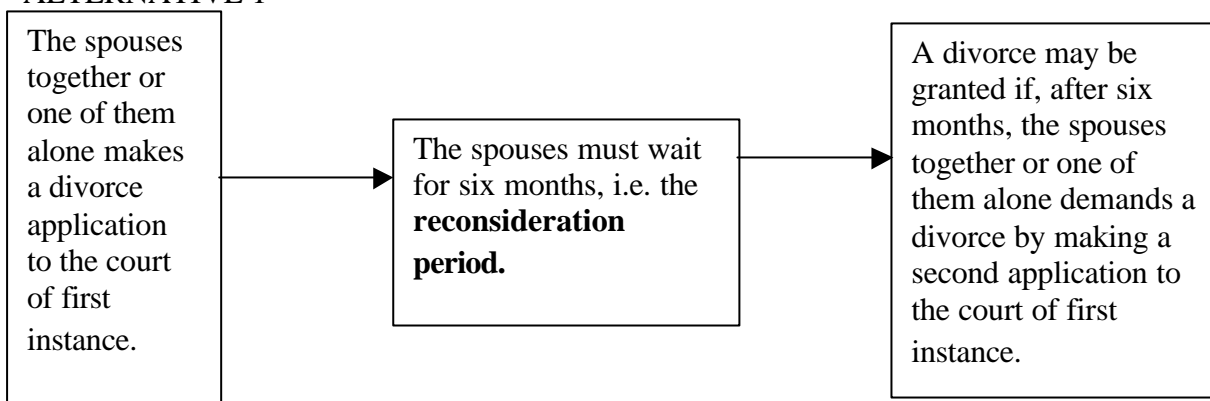
According to Finnish law, rape is a criminal offence. Likewise, it is a criminal offence to rape one's spouse. The victim of rape should contact the **police** and have a medical check up carried out immediately after the crime has taken place. Rape is never the victim's fault, and there is no reason for the victim of rape to be ashamed. The victim of rape can seek help to problems caused by rape from the local **authorities**. There is a **rape crisis support centre** called **Tukinainen** in Helsinki, and it serves the whole country.

DIVORCE

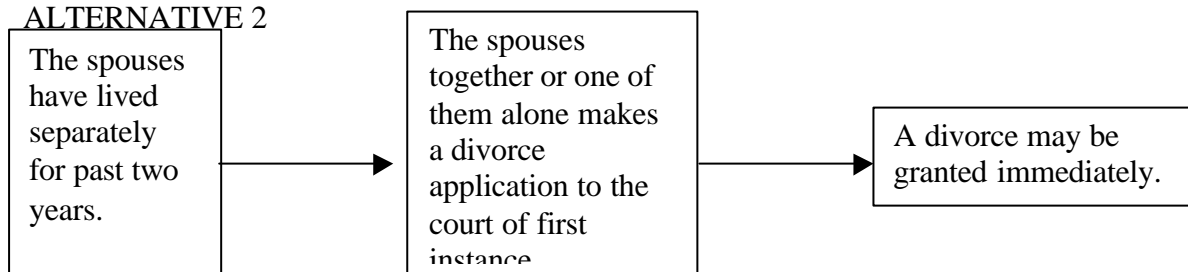
Marriage is a voluntary contract, which can be dissolved. If life together seems impossible, you may want to consider divorce. Divorce is fairly common in Finland. Divorce is initiated with an application to the local **court of first instance**. It will not investigate reasons for the divorce or personal relationships between the spouses. Divorce can be granted even if the other spouse is against it.

You file for divorce at the court of first instance

ALTERNATIVE 1



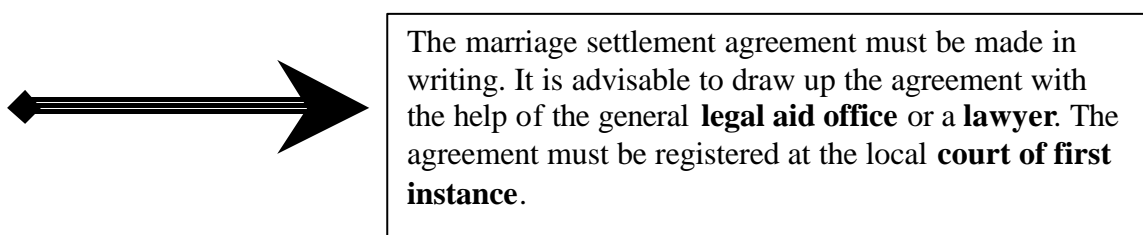
ALTERNATIVE 2



Division of property in connection with a divorce

When you separate from your spouse, you must decide on the division of property, matters concerning children and which one of the spouses may stay in the family's home. How the property is divided depends on which country's law is applied to the property relations of the spouses. If Finnish law is applicable, usually the whole property is divided equally between the spouses. This is called the **marital right** to property. The spouses can divide their property according to an agreement they have jointly negotiated. If they cannot reach an agreement, a court may appoint a lawyer to clear up the case.

However, property is not divided equally between the spouses, if the spouses have made a **marriage settlement agreement** before getting married or during the marriage. By the marriage settlement agreement the spouses may agree that neither of them hold any rights to the other one's property or a certain part of it. Hence both spouses retain the part of their property determined in the marriage settlement agreement in case of divorce. The marriage settlement agreement also affects the division of property, if one of the spouses dies.



The effect of divorce on residence permit

When a divorce is granted, the continuing or revoking of a residence permit is always considered case by case. The termination of marriage or common-law marriage may affect the continuation of a residence permit only if the immigrant has a temporary residence permit granted on the basis of family ties. Divorce has no effect on a permanent residence permit. If the permanent permit is based on false information given about the marriage or common-law marriage, this may have an impact on the residence permit.

Residence permits are always granted on the basis of consideration. The authorities take into account all the details affecting the matter when making a decision. Whether the applicant's family ties are stronger in his or her previous home country than in Finland also affects the decision. A Finnish ex-spouse cannot require that a residence permit should be revoked.

If a divorcee has a temporary residence permit, usually a residence period of at least two years in Finland is required for the continuance of the permit. If the immigrant is pregnant or if she has a child, a job or studies in Finland, the continuation of a residence permit may be considered even if she has lived in Finland for less than two years.

Two years' residence may not necessarily be required in a situation where the marriage has ended due to the violent behaviour of the other spouse. However, sufficient evidence of the violence of the spouse must be presented to the authorities responsible for the residence permit. Evidence may consist of a medical certificate of the signs of physical violence or a statement given by a family clinic. You are also advised to attach your own description of your situation in the residence permit application.

Children's status in the divorce

The person having custody of the child is responsible for the well-being, upbringing and balanced development of the child. Custodianship means the right to take care of the child and make decisions concerning the child. When needed, the custodian is the child's representative in court and with the authorities. Only the custodian may have the child marked in his or her passport.

Both parents of a child born during a marriage are the child's custodians. The parents' divorce is a difficult situation also for the children, and they have the right to be cared for by both parents even after the divorce. Usually, the aim is **joint custody**.

Whenever possible, the parents jointly agree on the solutions concerning the children's care and residence in a divorce situation. This agreement may be confirmed at a municipal social service centre, for instance, by a **family affairs office**. If the parents disagree on the outcome, the decision on custodianship is made in court. The decision takes into account the best interests of the child and is affected by an assessment of the parents' situation by social workers.

Joint custody means that the parents must be able to co-operate even if they have problems with each other. If joint custody is impossible, it can be revoked and one of the spouses can be appointed as the **sole custodian** of the child.

Matters concerning the children are agreed upon in the divorce

ALTERNATIVE 1

Joint custody

Joint custody means that both parents raise the child and jointly agree on matters concerning the child even after a divorce. In practice, the parent with whom the child is living decides on many issues. However, the other parent's agreement is required in decisions concerning

- Moving the child to another place of residence (esp. abroad)
- granting a Finnish passport to the child
- health care
- changing the name or religion
- education
- use of the child's money

ALTERNATIVE 2

Lone custody

The child's custodian, i.e. one of the parents takes care of the child alone and also makes all the decisions concerning the child alone.

Visiting rights

Independent of whether the form of custodianship is joint custody or sole custody, the child has the right to maintain close and safe relationships with both the mother and father. The parents must ensure that children have the opportunity to meet the parent with whom they do not live often enough. Meeting the other parent is the child's right, which the ex-spouse cannot deny.

Maintenance support

Both parents are responsible for maintaining the child. If the parents do not live together, the child has the right to **maintenance allowance (elatusapu)** from the parent living elsewhere. The amount of maintenance allowance is determined by a contract made by the child welfare officer or by a court order. The amount of maintenance allowance is determined on the basis of the economic situation of the parent liable for providing maintenance. If the liable parent cannot pay the maintenance allowance agreed upon, the child is entitled to a municipal **maintenance support (elatustuki)**.



More information about the child's position in divorce can be obtained from the municipal **child welfare officers** and **social workers**.

Contact information of the important authorities:

Office of the Ombudsman for Equality

The ombudsman for equality can help the people who have encountered discrimination to secure their rights. You can ask for a statement about gender discrimination. The task of the equality ombudsman is to

- monitor that the Act on Equality between Women and Men is complied with, especially that the bans on discrimination and discriminatory advertising are complied with
- promote the objectives of the Act with the aid of proposals, initiatives and advice
- provide information about the Act on Equality between Women and Men and its applications
- observe the implementation of equality between women and men in various sectors of society

Office of the Ombudsman for Equality

Postal address: P.O. Box 33, FIN-00023 VALTIONEUVOSTO

Visiting address: Mikonkatu 2 D, 6th floor, FIN-00100 Helsinki

Tel. +358 9 160 4582

E-mail: tasa-arvo@stm.vn.fi

www.tasa-arvo.fi

Directorate of Immigration

- solves matters concerning immigration, residence and refugees
- solves matters concerning Finnish citizenship
- provides information services to the authorities and international organisations
- maintains the register of aliens.

The customer service of the Directorate of Immigration is open:

- Reception of documents Monday–Friday at 8.00 a.m.– 4.15 p.m.
- Enquiries concerning applications only by post or by phone.
- Phone enquiries Tuesday – Thursday: +358 9 476 5500
 - Immigration matters at 10 a.m. – 11 a.m.
 - Refugee and asylum matters at 2 p.m. – 3 p.m.
 - Matters concerning citizenship at 2 p.m. – 3 p.m.

Enquiries about the beginning of lis pendens of an application and the stage of the process Monday – Friday at 8 a.m. – 4.15 p.m., telephone number +358 9 300 44300, charge EUR 0.08 per minute + local service charge.

Directorate of Immigration

Postal address: P.O. Box 18, FIN-00581 Helsinki

E-mail: ulkomaalaisvirasto@uvi.fi

www.uvi.fi

Office of the Ombudsman for Minorities

The objective of the office of the Ombudsman for Minorities is to prevent ethnic discrimination, promote good ethnic relations, secure the rights of ethnic minorities and foreigners, and supervise that everyone is treated equally regardless of their ethnic background. The tasks of the Ombudsman for Minorities include

- monitoring and improving the status and rights of ethnic minorities
- reporting on the implementation of equal treatment as well as taking initiatives on removing any discrimination or injustice
- providing information about the legislation concerning ethnic discrimination and the status of ethnic minorities and foreigners and the applications of such legislation
- carry out the tasks laid out in the Aliens Act (378/1991) for the Ombudsman for Minorities

Office of the Ombudsman for Minorities

Postal address: P.O. Box 34

FIN-00023 VALTIONEUVOSTO

Tel. +358 9 160 06

E-mail: vahemmistovaltuutetun.toimisto@mol.fi

www.mol.fi/vahemmistovaltuutettu

Equality in Finland – information for immigrant women and men

The brochure provides information on the following:

- Getting married
- Upbringing and school attendance of children
- Studying in Finland
- Seeking a job
- Problems in family life

Other language versions are available online at: www.mol.fi/migration

Orders:

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