



HANDBOOK

ON VICTIMS OF TERRORISM

FINLAND

The EU Centre of Expertise for Victims of Terrorism (EUCVT) is set up and run by the European Commission. The tasks of the EU Centre are executed by a consortium led by Victim Support Europe and include ARQ National Psychotrauma Centre, Association française des Victimes du Terrorisme and Fondation Lenval.

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INTRODUCTION

Recently, the threat of terrorism has hung over the European Union and the rest of the world. The occurrence, on an almost regular basis, of terrorist attacks – whether by suicide bomber or other means – has shaken society to the core, especially as EU citizens are often caught up in such events outside their home borders as well as within EU borders. The impact of terrorism on individuals can be terrible whilst the recovery of victims of terrorist attacks can be affected by the way in which governments, organisations, and individuals respond to the immediate attack and by how victims are supported afterwards.

The Victims' Rights Directive, together with provisions in the Counter-Terrorism Directive (Title V) and the Directive on Compensation, provide a general framework of rights for victims of terrorism. The Counter-Terrorism Directive goes beyond the Victims' Rights Directive to establish services supporting the specific needs of victims of terrorism. EU Member States are

bound by these instruments, have the obligation to transpose them into national legislation and to ensure that they are correctly applied in practice. In doing so, each Member State must evaluate how to implement these provisions to ensure measures are appropriate to the specific situation and to national circumstances.

There has only been one terrorist attack recorded in Finland. In 2017, a man, who had arrived in Finland as an asylum seeker, stabbed ten people with a knife in the Turku city centre: two of the victims died from their injuries. Since 2000, other violent attacks in Finland include three on educational institutions, each of which involved fatalities: Jokela in 2007, Kauhajoki in 2008 and Kuopio in 2019; an explosion of the Myyrmanni shopping centre in Vantaa in 2002; and the shootings at the Sello shopping centre in Espoo in 2009, in Hyvinkää in 2012, and in Imatra in 2016. None of these attacks, however, was seen as terrorist in nature.

Further reading:



- **On rights:**
 - Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, *OJ L 315, 14.11.2012, p. 57–73*, hereafter referred to as Victims' Rights Directive
 - Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA, *OJ L 88, 31.3.2017, p. 6–21*, hereafter referred to as Counter-terrorism directive
 - Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims, *OJ L 261, 6.8.2004, p. 15–18*, hereafter referred to as Directive on compensation to crime victims
- **On needs:**
 - Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- **On psychosocial support:**
 - Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide
- **On legal support:**
 - Victim Support Europe, APAV (2019) VOCIARE Synthesis Report
- **On organisations of victims of terrorism:**
 - RAN (2017) The power of victims of terrorism: how to give support
- **On the recognition of victims and useful figures:**
 - MEP Maité Pagazaurtundúa (2019) le livre blanc et noir du terrorisme en Europe

TERRORIST ATTACKS

Terrorism evolves constantly as perpetrators, methods and targets are changing. The characteristics of an attack will influence the scale of the response and the impact of the attack on its victims and associated local, regional, national or international communities.

Key characteristics

Influential key characteristics include:

- scale (a single victim or large numbers of victims)
- location (open or closed environment; one or more points of attack)
- timing (within hours or on consecutive days, during the day/night/rush hour)
- weapons used
- target groups
- degree to which the terrorists are organised

Regardless of the attack characteristics, thorough preparation is required to ensure the crisis is managed in line with the EU rules on victims' rights.

Scale

The scale of the attack (the number of those killed or wounded) varies from event to event. In the Halle attack in 2019, 2 people were killed and 2 people were seriously injured. These figures only confirm the numbers of dead and injured. Those affected will be much larger. The greater the number of victims, the more resources are required during both the emergency response phase (e.g. hospital beds) and in the longer term (e.g. in criminal proceedings, professional mental health services, information and support providers). The larger an attack, the greater the media attention will be on the victims, their families and society.

Location

In the recent past, attacks have tended to concentrate on a single localised area. However, during the Paris attacks in November 2015, six separate events took place in different locations within a short period of time. The multiple sites, in both enclosed and open venues, and numbers of victims created a chaotic environment: identification of victims and securing individual locations required complex management of the various services involved.

Timing

In the case of multiple, related, terrorist attacks, the timing of any consecutive attack(s) has usually been within hours of the first, for instance in 2016, two attacks in Brussels occurred within an hour of each other; the attacks in Barcelona, on 17 August 2017, were followed by an attack in Cambrils, about 100 kilometres to the south, the next day. In Asia and the Middle East, follow-up attacks have been timed to hit first responders and helpers.

Weapons

Bombs are not the only weapon used by terrorists: trucks are driven through crowds; airplanes are taken down by missiles; suicide vests, knives, firearms, chemical, biological, radiological or nuclear (CBRN) agents etc. are used. Each weapon impacts its victims differently and will require a different response: for example, the truck attack in Nice initiated a new approach in defining victims eligible for compensation and the French government delineated zones around the attack location to help establish victim lists.

Target groups and organisation

Various ideologies motivate terrorists to carry out attacks: e.g. antisemitism (Halle, Germany in 2019), jihadism (London, UK in 2019), right-wing extremism (Hanau, Germany in 2020), etc. Europol's annual Terrorism Situation and Trend (TE-SAT) Report lists jihadist, ethno-nationalist and separatist, left-wing and anarchist, right-wing and single-issue terrorist groups, in addition to a new grouping of attacks committed by informal organisations or lone wolves.

Cyberterrorism

The internet can also be used for terrorist purposes: by threatening individuals, organisations or governments with violence that may result in bodily harm or loss of life, or by large-scale disruption of computer networks. These forms of terrorism are not explicitly addressed in this handbook. However, preparation for such attacks, and support of their victims, are similar to 'offline' terrorist attacks.

CASE STUDY: TURKU ATTACK

Scale

On 18 August 2017, two people were killed and eight wounded in Turku. In addition, several people were witnesses.

Location and timing

The attack took place in a busy market on a sunny Friday afternoon, many people were on their way home from school and work.

Weapons

The attacker used a knife.

Target groups and organisation

The attacks were motivated by Jihadism. The attacker wrote a manifesto justifying his ideology and goals.

Some important learnings

Psychosocial support should be part of preparedness planning and should include plans for longer-term support. In particular, the planning, implementation and monitoring of longer-term support following the acute crisis should be improved. In addition, development needs were identified in the co-operation and exchange of information between psychosocial support providers, the police, and the hospital. A key learning point was that it is important to take into account eyewitnesses, and other individuals, who think that "it could have been me", and provide crisis support for them.

Co-operation, between embassies and other authorities, is important to the organisation of crisis support for foreign nationals, caught up in the event, on returning to their home country. Referrals to Victim Support Finland must also be improved by raising awareness of victim support services and their importance to victims. This should also be taken into account in preparedness plans and exercises.

Further reading:

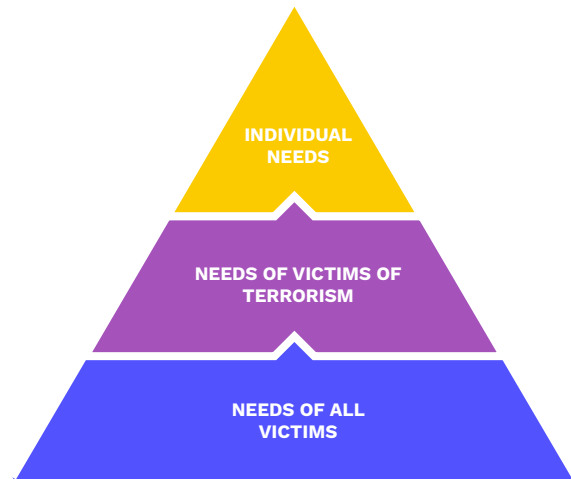


- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index
- Safety Investigation Authority (2018) Investigation: Turku Stabbings on 18 August 2017

VICTIMS' NEEDS

As specified in Recital 27¹ of the Counter-terrorism Directive, Member States should adopt measures of protection, support and assistance in responding to the specific needs of victims of terrorism, in accordance with the Victims' Rights Directive and as specified by the Counter-terrorism Directive. The measures on protection, support, and assistance to victims of terrorism are further developed in Title V of the Counter-terrorism Directive.

Recital 16 of the Victims' Rights Directive specifically addresses the needs of victims of terrorism, who have suffered injuries – whether physical or psychological – from attacks that were intended to harm society. They may need special consideration, support and protection due to the nature of the crime committed against them. Member States should pay attention to the needs of victims of terrorism, and should seek to protect their dignity and security.



Layers of needs

To understand the needs of victims of terrorism, it is important to comprehend that there are different layers of needs. The first layer consists of the needs of all victims of crime. The second layer consists of specific needs due to the nature of the terrorist attack. The third layer of needs depend on personal and environmental factors of the individual victim.

Emergency support to meet victims' needs immediately following a terrorist attack is critically important: survivors need to be safe and secure, receive emergency medical – and psychological – aid, food and drink. Member States shall ensure that support services addressing the specific needs of victims are in place and easily accessible immediately after a terrorist attack, and for as long as necessary.

¹ Under EU law, Recitals provide background information and reasoning for the inclusion of particular Articles in legislative acts.

Non-urgent needs of all victims of crime are divided into five major categories:



Needs of victims of terrorism

Once emergency care has been given to victims of terrorism, their specific needs, as related to the above five categories, can be evaluated. These needs may differ from, or be more intense compared to, victims of other intentional crimes:

1. Recognition and respect: as victim of terrorism.
2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc.
3. Protection: physical protection, protection from secondary victimisation.
4. Access to justice: safe participation in the criminal justice process.
5. Compensation and restoration: financial compensation and help with the financial impact of a terrorist attack. Restoration includes overall recovery and restorative justice processes.

Individual needs

Individual victims' needs will depend on personal characteristics (previous victimisation or stressful life events); (mental) health; social network; socio-economic situation; cross border situation; and daily stressors. These needs will evolve over time, therefore, responding to the needs of victims of terrorism requires an individualised victim-centred approach.

The needs and rights of victims are described on the following timeline

The proposal of the working group preparing for the information needs of victims of terrorism broke down the phases of support for victims of terrorism and the information needs of victims in the acute, mid-term and long-term phases. The phases can be illustrated and their contents described in the timeline shown in Annex I.

Further reading:



- Dolci, L. (2018) A Victimless Crime? A Narrative on Victims of Terrorism to build a case for support
- INVICTM (2018) Symposium Report: Supporting Victims of Terrorism
- RAN (2018) Enhancing the resilience of victims after terrorist attacks
- Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism

1. THE RIGHTS OF VICTIMS OF TERRORISM

1.1 VICTIM OF TERRORISM – DEFINITION UNDER NATIONAL LAW AND IMPACT

DEFINITION UNDER EU LAW Victim of Terrorism

Under the Counter-terrorism Directive, a victim of terrorism is defined as follows, in line with the definition offered by the Victims' Rights Directive:

- a natural person who has suffered harm, including physical, mental or emotional harm or economic loss, insofar as that was directly caused by a terrorist offence, or
- a family member of a person whose death was directly caused by a terrorist offence and who has suffered harm as a result of that person's death.

Note: the use of the word 'victim' is not always appreciated by those who survived or were otherwise affected by terror attacks, they may not identify themselves as victims despite severe trauma, but may see themselves as 'survivors', which indeed they are. However, for practical reasons, this handbook will identify those involved by the word 'victim'.

Terrorist offence

The Counter-terrorism Directive lists the intentional acts that shall be criminalised as terrorist offences by Member States. These acts are discussed in detail in Subchapter 1.1 of the EU Handbook on Victims of Terrorism.

DEFINITION UNDER FINNISH LAW Victim of terrorism

Finnish legislation does not provide a definition for a victim of terrorism. A victim of a crime is defined in a broad manner as "person who owns the case" (*asianomistaja*) in the Finnish Criminal Procedure Act (689/1997) and the Criminal Investigation Act (805/2011).

The role of a victim as an injured party in criminal proceedings has been defined in jurisprudence and case law. The injured party is usually the holder of the legal interest violated or endangered by the offence or a person who has immediately incurred a private claim through the offence. The status of the injured party is accompanied by the right to demand punishment for the suspect. The injured party often also has a private legal claim, in practice a claim for damages, through the offence. Depending on the case, the injured party may be a natural person or a legal person.

Finnish legislation does not lay down any special rights concerning victims of terrorism or their families and friends that differ from those of other victims of crime.

Terrorist offence

Chapter 34a of the Criminal Code (39/1889) applies to terrorist offences. The Criminal Code also lays down provisions on the general prerequisites for criminal liability, which are applicable to all offences.

CASE STUDY – THE DEFINITION OF THE INJURED PARTY:

Hyvinkää shooting 2013

- The instrument was two rifles, and the incident took place in the centre of Hyvinkää.
- From a roof, the perpetrator shot people inside and outside restaurants and on the street.
- The injured parties were considered to be those who were killed as well as those who had suffered physical injuries, in addition to persons in the range of fire at the time who could have suffered physical injuries (causing danger).

Turku attack 2017

- The instrument was a knife and the incident took place in Turku's market square.
- Only persons **with physical injuries** were considered injured parties.
- Other people in the market were not considered injured parties, though they could be thought to have been so with respect to attempted murder/aggravated assault, unlawful threat, endangerment, or the preparation of a serious crime against life or health.

Kuopio school attack 2019

- The instrument was a large sword, and the incident took place in a school classroom where the only exits were two doors at the front of the room.
- The prosecutor defined the injured parties as all those who were in the classroom at the time of the attack – including those who were not physically injured but who were in the confined space and may have randomly become victims.
- Other people, outside the classroom, who were at school and saw the perpetrator moving about the premises with the weapon were not considered injured parties.
- As a primary offence, the prosecution pursued charges of attempted murder against those who were physically injured in the classroom, and a secondary offence of the preparation of an aggravated offence against life and health.
- At the time that this handbook was published, the court case was still pending before an appellate court.

IMPACT OF TERRORIST ATTACKS ON VICTIMS

All victims of all violent crimes face physical, mental health, and financial consequences; however, the impact on those present at a terrorist attack means the violence of their experience is different from that of their peers.

Physical consequences

Terrorists intend for their attacks to cause many casualties, as indicated by the weapons they use (firearms, explosives, etc.). Hence, the fatality rate in a terrorist attack is relatively high and injuries tend to be severe.

Mental health consequences

Victims experience fear and anxiety after a terrorist attack at levels that may not incur psychological problems, but that may have behavioural, relational and financial consequences. Post-traumatic stress is often diagnosed in victims following a terrorist attack. Victims may re-experience the event, have repeated and unwanted intrusive thoughts, hyper arousal, emotional numbing and/or avoidance of stimuli reminding them of the traumatic experience.

Financial consequences

Victims of terrorism may incur severe injuries, that are linked with a (higher) probability of developing a psychological disorder. This implies that the costs related to victimisation will be higher (for the victims, their property, their insurers and/or the government).

Future events

While the risk of involvement in another terrorist attack is relatively small, the perception of this risk may be high. Consequently, victims may experience feelings of insecurity, especially if they suffer from a Post-Traumatic Stress Disorder (PTSD). Perceived risk and the presence of PTSD contribute to psychological damage caused by terrorism.

Risk groups

Previous physical or psychological trauma, existing mental disorders, lack of social support and low socio-economic status may lead to a greater psychological impact on victims. Children and minority groups have a higher risk of developing psychological problems. Children are at risk when they are too young to be able to express their symptoms verbally or when the ability of parents to support them is diminished. Minority groups have a higher risk when their health literacy is low or if they have experienced similar trauma in the past.

Loss and grief

The sudden loss and violent death of a loved one in a terrorist attack may lead to complicated psychological reactions in family members, which may be further aggravated by the specifics of a terrorist attack: e.g. having to identify a severely damaged body.

Further reading:



- Letschert, R.M., Staiger, I., Pemberton, A. (2010) Assisting victims of terrorism: towards a European standard of justice
- Damiani, C., Victime et traumatisme, in Tigrane Tovmassian, L., & Bentata, H. (2013) Le traumatisme dans tous ses éclats, p. 61-70
- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Lundell, S. (2019) VOIARE National Report Finland
- Finnish Ministry of Justice (2017) The transposition of the Counter-terrorism directive
- Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism

1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

THE RIGHTS UNDER EU LAW

Recognition and respect underpin the healing process of victims as individuals and community members. Under EU law, Member States must ensure that victims are treated in a respectful manner by all those they come into contact with. Recital 16 of the Victims' Rights Directive mentions that victims of terrorism often need social recognition and respectful treatment by society.

Recognition and respect are established by ensuring that actors appreciate the victims' situation, their individual and group circumstances, the nature of the attack and how that can influence victims' behaviour.

The first step towards recognition and respect of victims of terrorism is their identification, while subsequent commemorative events and memorials form an integral part of the healing process for victims of terrorism, their families and all those affected.

Identification of victims and information about victims

The Counter-terrorism Directive requires Member States to have mechanisms and protocols in place that will activate support services for victims of terrorism immediately after an attack and that will facilitate the identification of victims and their families. In the aftermath of a terrorist attack, especially those involving a large number of victims, it is key to establish mechanisms of gathering information from the scene that serves multiple purposes. Identification is necessary to complete several key actions, including to:

- Establish the identity of the deceased and injured;

- Cross-refer these identities to the information received from the concerned public, friends and family members, who fear that their loved ones were at the scene;
- Enable the authorities to make sure that the loved ones are informed about the loss of life or injury of those who were identified at the scene;
- Inform other countries about the fate of their nationals.

Recognition

Society (local, regional or national government; politicians; media; support providers, and justice/law enforcement actors) can recognise victims of terrorism in many ways: formal written acknowledgement of status as (indirect) victim, remembrance ceremonies, memorials, financial compensation, and/or granting of specific rights. In its EU Strategy on victims' rights, the Commission urges Member States to ensure proper recognition for all victims of terrorism, especially since terrorist attacks are directed at the state and society as a whole.

Commemorative events and memorials form an integral part of the healing process for victims, their families and all those affected. While states may face competing community ideas in the preparation and delivery of such events, it is the wishes and input of the victims that are decisive in the development and realisation of any commemoration: this may be one of the few times victims come together.

Commemoration events provide victims as well as the general public with the opportunity to express feelings and opinions; to experience and receive social support; to show societal acknowledgment and to give meaning to the attack. If done properly, the commemoration can contribute to the victims' recovery process,

however, as acts of remembrance may ‘dilute’ over time, changes in frequency and form should be discussed with the victims. The aim should be to invite all victims and all responders, even those who will not be able to attend due to injuries or geographical distance. Financial reasons should not weigh in on the victims’ decision to attend anniversaries.

Respect

Treating victims with respect can significantly influence victim satisfaction with government and criminal justice systems. Fundamental to respectful treatment are:

- the way professionals interact with victims and
- the procedures and infrastructures in place.

The cultural and religious backgrounds of the individual victim of terrorism determine, to a large extent, what the victim considers respectful treatment.

Respect begins with empathy. Understanding the victims’ situation empowers professionals to act in an empathetic manner. However, compassion should be moderated by sufficient professional distance to provide the best possible support.

Respect is not only important for individual victims, but also for the entire group victimised. It is particularly important for vulnerable victims or minority groups, the elderly, children and people with disabilities.

Victim registration – a necessary pre-condition for recognition and respect

To ensure respect and recognition for all victims, especially in attacks affecting large number of people, it is fundamental for the authorities to plan and execute a rigorous victim registration procedure. This procedure should be designed in such a way as to centralise victim information – including the information and contact details of concerned family members, witnesses and bystanders, first responders and other persons, who might have been impacted by the attack in different ways.

AN OVERVIEW OF RIGHTS IN FINLAND

In Finland, victims of crime do not have an explicit statutory right to commemoration events or other similar actions intended to respect or commemorate victims.

In general, patients, including physically and psychologically injured victims, are entitled to respectful treatment in healthcare, medical care and social care in Finland. Under the Act on the Status and Rights of Patients (785/1992), patients have the right to high-quality healthcare, which must be arranged so that the patient’s human dignity is not violated and that the patient’s conviction and privacy are respected. Similarly, clients of social welfare services have the right to high-quality social care and good treatment. When implementing social welfare, the client’s wishes, opinion, best interests and individual needs, as well as their mother tongue and cultural background, must be taken into account.

During criminal proceedings, efforts will be made to ensure the respectful treatment of the parties, including victims, involved. In criminal proceedings, parties to the pre-trial investigation and others involved in the pre-trial investigation must be treated with due care (Criminal Investigation Act, chapter 4, section 6). In particular, the interests of the victim, as the injured party in criminal proceedings, may require careful handling when a sensitive crime, such as a sexual offence, is under investigation. The factors to be taken into account may also relate to the person’s age or state of health, etc. In addition, policies have been drawn up, training organised for public authorities, and other forms of co-operation have been developed to ensure approaches that are kind and respectful towards victims.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Identification and registration of victims

INTERNATIONAL PRACTICE: VICTIMS' REGISTRATION IN FRANCE

The French Ministry of Justice is engaged in improving its victim registration procedure. A digital tool is currently being designed to list victims of major crises, along with their contact details and details of their family

members, within one single file. This tool will ensure that privacy and data protection rights are respected and the information it contains will only be available to organisations, which assist victims in exercising their rights.

Commemoration events and monuments

On 11 March each year, the European Day of Remembrance of the Victims of Terrorism is organised with victims, and for victims, together with the European Commission.

However, after any violent attack, flowers and candles are usually brought to the scene, and moments of silence are arranged in Finland. Usually, flags are flown at half-mast at a pre-arranged time. After the 2017 Turku attack, a memorial service was held that same evening at Turku Cathedral, and the next day the City

of Turku requested that flags be flown at half-mast in the city centre. The Ministry of the Interior recommended flying flags at half-mast in all government agencies and institutions and expressed the hope that Finland, as a whole, would join in the action.

Monuments create a physical place where victims can gather to share their individual loss with society. Such monuments preserve the collective memory to be shared with future generations. After flowers and candles brought to the site had been removed, the City of Turku planted an apple tree near the site to honour the memory of the victims.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- European Commission (2020) EU Strategy on victims' rights (2020-2025)
- VSE (2019) Remembering Victims of Terrorism: A guidance document

1.3 VICTIMS' RIGHTS TO ACCESS INFORMATION

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope of the victims' rights to access information:

- the information should be easy to understand and available in multiple formats. In choosing the distribution medium particular attention should be paid to reaching vulnerable groups;
- the victims' right to receive advice and information advice and information on relevant legal, practical or financial matters as an integral part of the support offered to victims after a terrorist attack;
- the victims' right to receive information from the first contact with a competent authority;
- the victims' right to receive information on the investigation and justice procedures with regard to their case;
- the victims' right to understand and be understood.

AN OVERVIEW OF RIGHTS IN FINLAND

In Finland, the authorities have a general obligation to provide advice and information to victims on legal, practical and financial matters. The police services have a legal obligation to inform victims of their rights in criminal proceedings. In matters related to healthcare and social welfare services, advice is provided by Kela, the Social Insurance Institution of Finland. Information and advice on compensation are provided by the State Treasury.

During a criminal investigation, victims should be informed of their rights from first contact with the pre-trial investigation authorities. This should include the provision of information on available support services, protection measures,

legal assistance, mediation, accompaniment by a support person during proceedings, interpretation and translation of documents, avenues for claiming compensation and about the opportunity to receive a per diem allowance, and compensation for travel expenses and loss of income, when the victim is obliged to appear, in person, at the trial. If victims report a crime to the police, they have the right to receive written confirmation of this report. In addition, victims have the right, at their request, to obtain information on the proceedings in the case, the time and place for a court hearing in the case, and a decision issued in a criminal matter. Victims also have the right to be informed about the criminal investigation authority's decision to discontinue the criminal investigation and the prosecutor's decision not to prosecute. The criminal investigation authority provides victims with more detailed information on their rights and obligations as an injured party during questioning.

In certain serious offences, victims have the right to be notified if the prisoner or remand prisoner is released, escapes or, under certain conditions, exits the prison for some other reason. Victims must inform the criminal investigation authority or prosecutor that they wish to receive this notification.

Everyone has the right to use Finnish or Swedish languages during a criminal investigation and its court proceedings. The Saami people have the right to use the Saami language in their homeland. Victims speaking any other language have the right to use a language they understand in all situations related to the investigation of the offence. When necessary, the authorities must arrange translation/interpretation into a language that the victim understands. The authorities must arrange interpreters during criminal investigations and court proceedings when the victim is a sign language user or if the victim needs interpretation due to another sensory or speech defect. The interpreter is subject to a non-disclosure obligation. The interpreter's fee is paid by the State. The

victim may request to receive a translation of certain key documents in the case. If a written translation of the entire document is not deemed necessary, an oral translation of the document or a written translation of a part thereof may be provided, as long as the legal safeguards for the victim are ensured.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

In practice, it is essential that information is made available to victims of terrorism at all times. Information reassures victims, helps them understand and make decisions, and aids their recovery. The provision of adequate, timely information about the terrorist attack and its consequences is important to victims and their family members.

Working group to prepare for the information needs of victims of terrorism

Some of the practical development needs, identified in the national implementation of the Counter-terrorism directive, concerned informing victims and their family members in accordance with Articles 24 and 26. It was identified that there is a need for services, such as websites and bulletins, where information can be shared in the event of a terrorist attack. This also applied to cross-border incidents, which is why it was regarded as necessary to issue information targeted at victims of

terrorism in various languages. Those who have become victims abroad also need information when returning to Finland.

In 2019, the Ministry of Justice appointed a working group to elaborate on the information needs of victims of terrorism, partly on the basis of the needs identified in implementing the Counter-terrorism directive. The working group's main task was to prepare information material for the needs of the victims of terrorism and their family members. The working group identified that the content should deal with the support and the compensation schemes available to victims of terrorism and their family members, with a view to informing them about their rights as victims. Based on its work, a report was drafted, which stresses – amongst other items – the importance of a centralised access to information, the permanence and accessibility of information, and the consideration of victim support services in preparedness planning. To ensure that victims can be reached, the report refers to the need to take into account the victim's perspective, for instance at press conferences organised in crisis situations. The report lastly highlights good practices that take the needs of victims of terrorism into account and identifies areas for development. The working group published its report in March 2021.

Availability of information in Finland

In addition to the material prepared by this working group, a large amount of information material, intended for victims of crime, is available in Finland but it has not been designed to respond to the special needs of victims of terrorism. Authorities and organisations provide assistance, support and counselling to victims through a number of channels. In addition to various guides and brochures, information and support are available through telephone helplines and websites of several organisations. Information for victims is available on the websites of the Police, the State Treasury (compensation), the Ministry for Foreign Affairs (cross-border incidents), the Emergency Response Centre Agency as well as local social and crisis services. Information is also provided on the websites of Victim Support Finland and other organisations.

In addition, the oikeus.fi website contains information on the Finnish judicial system. For example, the Ministry of Justice published a brochure that contains essential information for victims of all crimes in light of legal, practical and financial matters. The police already give a leaflet on the “Rights of a Crime Victim” to all crime victims on first contact. The Ministry of Justice have also issued a brochure “If you become a victim of a crime”. It is a practical guide introducing the different stages of the criminal procedure. As well as the Finnish national languages, the brochure is currently available in five foreign languages. In addition, the brochure has been published in the Finnish sign language.

Helpline and online chat service

Victim Support Finland runs a confidential, and free of charge, helpline for victims of crime (116 006). A separate helpline for the provision of legal advice is also available to victims in Finland (0800 161 177). Furthermore, Victim Support Finland runs an online chat service, RIKUchat. Victims have access to a personal support person, who can provide information and advise them on issues related to the criminal process and compensation issues. In addition to Victim Support Finland, several organisations offer crisis-related advice and support by phone and online.

Information centres

It is recommended that victims of terrorism are provided with a centralised, single contact point that coordinates the work of all those involved in the support and protection of victims. Additionally, a dedicated website, providing all relevant information, can act as – or be supported by – a one-stop-shop, a centre where a range of services (e.g., psychosocial, legal, medical and financial) is provided in the immediate aftermath of an attack.

In the event of a terrorist attack in Finland, a crisis centre can be set up to serve as a channel for centralised access to information. The crisis centre consists of psychosocial support authorities (crisis workers, social workers) and voluntary actors. Depending on the situation and needs of victims, the crisis centre may ask the police, pre-hospital care services and the employees of Victim Support Finland to be present at the centre. In a crisis, the centre provides psychosocial support and assistance for victims, urgent social care, contact with friends and family, as well as information. A follow-up plan for psychosocial support will also be drawn up at the crisis centre.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
 - German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
 - Lundell, S. (2019) VOIARE National Report Finland
 - Finnish Ministry of Justice (2015) Working group proposal: Promotion of crime victims' right to receive information
 - Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism
- 🌐 oikeus.fi portal: Rights of Victims of A Crime

1.4 VICTIMS' RIGHTS TO ACCESS SUPPORT SERVICES

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope of a victims' rights to access support services:

- Ensure victims' access to generic and specialist support services that are confidential, free of charge and easily accessible;
- Provide at least the following support to victims of terrorism: emotional and psychological support, assistance regarding compensation claims and provision of adequate medical treatment;
- Facilitate referral of victims to support services by the competent authority.

This subchapter focuses on the rights to access support services, as established mainly by the Victims' Rights Directive. Chapter Three describes the organisation of support in the specific context of terrorist attacks and other crisis situations in light of provisions in the Counter-terrorism Directive.

AN OVERVIEW OF RIGHTS IN FINLAND

General victim support services

The general services for victims of crime (Victim Support Finland) include assistance and support to victims of terrorist attacks or similar large-scale violent attacks. All victim support services are confidential and provided free of charge, and interpreter services are used if necessary.

Victim Support Finland provides advice on practical matters relating to the status and rights of victims of crime. These may include questions related to the progress of criminal process, legal counsel's costs or damages. Victim Support Finland also provides emotional support and the opportunity to discuss the incident with Victim Support employees or

volunteers, who are specialists in dealing with the consequences of crime.

In addition, a victim may request a Victim Support Finland support person to accompany them to a police interview or a trial. These services are intended for all victims of crime, victims' friends and family, and witnesses of criminal offences. In the case of a terrorist attack or similar major crime, Victim Support Finland will inform the public of its local and national services as quickly as possible. The services are not available 24 hours a day, but opening hours can be temporarily extended when necessary. The number of the Victim Support Finland's national helpline is 116006.

The police also have a legal obligation to inform victims about available support services. If victims need special protection, or if the seriousness of the crime, or the victim's personal circumstances so require, the police must ask the victim whether their contact details may be forwarded to a support service provider. If the contact information is forwarded, the provider will reach out to the victim. Social and health care services may also refer victims to support services.

Healthcare services

In the event of major accidents and emergencies, such as a terrorist attack, the healthcare and social welfare authorities are responsible for organising pre-hospital care services, services for psychosocial support, and the care and accommodation of those in distress as a result of the accident.

In the event of a crisis, emergency services send the pre-hospital care (ambulance) to the scene. Pre-hospital care includes an assessment of the injured person's need for treatment, urgent treatment and, if necessary, transportation to a hospital. The pre-hospital care team refers the patient, their friends and family, and others involved in the incident, to psychosocial support

as needed. Public healthcare services provide urgent medical care to everyone; follow-up care and rehabilitation are arranged within the framework of the health and social services.

Health centres, hospitals and private medical centres deliver immediate on-call or urgent medical care and assessment of the need for treatment, which may be physical or mental. Instructions on how, and where, to get emergency medical care can be found on the websites of municipalities and hospital districts. If necessary, healthcare emergency departments will refer patients to psychosocial support. Anyone can ask for advice on sudden health and social problems 24/7 by calling 116117, the free helpline number.

Even after the acute situation has passed, the victim may need healthcare services. In such cases, primary healthcare providers can help and then refer the victim to specialised healthcare if necessary. The victim may visit their nearest health centre, a private healthcare provider, or their occupational healthcare provider, if available.

Psychosocial support

In a situation such as a terrorist attack, victims are entitled to statutory psychosocial support services, provided free of charge in Finland. It is the responsibility of municipalities to organise these services, covering urgent social care and acute crisis work.

Psychosocial support includes urgent social care and acute crisis work. Acute crisis work refers to immediate face-to-face support and efforts such as crisis meetings with individuals, families or appropriate groups. Urgent social care refers to support measures for individuals, families and groups based on the assessment of service needs, such as providing practical support at home, arranging emergency accommodation and referrals to further support. Support will be provided immediately and its duration will be ensured for as long as necessary.

In the event of a sudden crisis, psychosocial support services include:

- Taking care of basic needs: drink, food, clothing, accommodation, interpretation.
- Contacting friends and family together with the victim.
- Necessary financial support, e.g. travel tickets and repatriation assistance.

The aim is to provide assistance in the victim's native language using interpreters, if necessary.

In the acute phase of the crisis, psychosocial support and crisis assistance are organised as follows:

- Initially, a crisis centre will be set up where victims, their relatives, and all those exposed to the incident, can seek refuge. The centre must be located near the scene of the incident, on a site that is accessible and as safe a place as possible. The crisis centre identifies the need for victim assistance and psychosocial support. The crisis centre also seeks to refer victims to appropriate aid, such as medical care, Victim Support Finland or longer-term crisis work. The duration of the crisis centre's activities is assessed according to the situation and need.
- A crisis helpline is opened to identify the number of victims and those involved, as well as to assess the necessary and targeted assistance. The crisis helpline offers an opportunity for victims to talk about the incident and information on how people usually respond to a crisis.
- A separate family point/family helpline can be set up at the hospital, for friends and family to inquire about their loved ones.

Psychosocial support also provides the victim with advice and guidance on how to deal with the crisis, including via social media and the media.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

As each victim will undergo a different recovery process, victims' needs change over time and the assistance and support provided has to be adapted to meet these changes.

Victims, especially if they have to deal with serious (mental) health problems after a terrorist attack, will face difficulties in absorbing information. Information on (organisations that provide) assistance and support will be more effective when it is provided on different occasions. Ideally, those offering help will be proactive: reaching out to victims on a regular basis, finding ways and opportunities to connect with them. Victims need information on available services, but should not be coerced into using them.

Previous national experience, in Finland, has shown that the co-operation between the police, health and social care and municipal authorities is important. Appropriate, detailed documentation is essential so that no one in need of assistance is left out. It is also important to involve Victim Support Finland, as a provider of general services for victims of crime, at an early stage and to plan the aftercare phase in co-operation with its staff.

For example, after the Kuopio school attack in 2019, psychoeducational events were organised for the victims and their parents. In addition, activities were held later at which representatives of Victim Support Finland reported on the rights of victims of crime and the criminal process. Central to this was the inclusion of the school's representatives in the management team's work: this was essential to be able to successfully manage the incident.

Victim assistance centres

It is beneficial to set up a victim assistance centre after large-scale terrorist attacks: a one-stop-shop, where victims can go to get information and support. With the exception of crisis centres, no such centres have been set up in Finland in the period before July 2021.

INTERNATIONAL PRACTICE: THE ESTABLISHMENT OF A VICTIM ASSISTANCE CENTRE AFTER A TERRORIST ATTACK IN FRANCE

In France, the Centre *d'Accueil des Familles* (CAF) was set up under the authority of the prefect of the competent Department in Strasbourg, on 12 December, to provide immediate treatment and support for victims of the terrorist attack of 11 December 2018. It mobilised the resources of local associations of the France Victimes network, SOS Aide aux Habitants FV67 and VIADUQ FV67 to assist the victims. Nearly 700 victims were helped

in the aftermath of the attack. Such centres are set up whenever a terrorist attack causes multiple direct victims. In certain cases (as for the 2015 Paris attacks, the 2016 Nice attack and the 2018 Strasbourg attack) the CAF, as such, closes after the crisis phase, and the new information and support centre (*Espace d'information et d'accompagnement - EIA*) continues to provide support services for the rehabilitation of the attack survivors.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Lundell, S. (2019) VOIARE National Report Finland
- Finnish Ministry of Social Affairs and Health (2019) Final report of the working group on the development of psychosocial support for sudden traumatic events
- Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism

1.5 VICTIMS' RIGHT TO ACCESS JUSTICE – PROCEDURAL RIGHTS

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope of a victims' rights to access justice:

- the right to be heard;
- the right to access legal aid, where victims have the status of parties to criminal proceedings;
- the right to reimbursement of expenses resulting from their active participation in the proceedings.

AN OVERVIEW OF RIGHT TO ACCESS TO JUSTICE IN FINLAND

Overview of the status and rights of the injured party

The position of victims of crime is considered legally strong in Finland. The victim is considered an injured party in the trial: they have the right to make their own claims alongside the prosecutor. They may present new evidence, demand punishment on the basis of a more aggravated offence category, or demand a different punishment for the defendant than required by the prosecutor. It is also possible to process a victim's claim for damages at the time of the criminal proceeding. If a person has died as a result of the offence, the rights granted to the injured party also belong to the persons close to the deceased, under chapter 1, section 17, subsection 1 of the Criminal Procedure Act. These rights apply to those who, under the law, have the right to demand punishment for the defendant. The victim's children and widow

have the primary right to demand punishment for the defendant; if the victim had no children nor spouse, the victim's parents and siblings adopt this right.

The criminal proceedings consist of a pre-trial investigation, consideration of charges, court proceedings and enforcement of the sentence. During the pre-trial investigation, the police will determine whether a crime has been committed, what were the circumstances of the offence, and who has been affected. The pre-trial investigation will also examine the damage caused by the offence, the benefit gained, and the claims of the injured party. During the pre-trial investigation, the victim and others involved are usually interviewed by the police.

Once the pre-trial investigation has ended, the record of the pre-trial investigation may be completed and submitted to the prosecutor for evaluation. On the basis of the pre-trial investigation, it is the duty of the prosecutor to decide whether to bring charges, i.e. whether the case is brought before a court for consideration.

If the prosecutor decides to bring charges, a district court will hear the case. In addition to the victim, who is the injured party, the parties in a trial are the prosecutor and the accused. The district court normally summons all parties and possible witnesses to the trial. The summons will indicate if personal attendance is necessary. If the court obliges the victim to appear at the trial in person, the victim will be paid a per diem allowance, and compensation for travel expenses and loss of income. If a participant is absent from the trial without a legal excuse (such as an illness, supported by a medical certificate, etc.) the court can impose a fine on him or her.

Right to support and legal assistance

During the legal process, a victim is entitled to support, and the pre-trial investigation authority must inform the victim, and those close to the victim, of the support services available. If the victim is in need of special protection, or the nature of the offence, or the circumstances of the injured party so require, the pre-trial investigation authority will obtain the victim's consent to forward their contact information to the support service provider. In certain situations, the victim may be entitled to a court-appointed support person. Even if the support person is not appointed on the basis of the legal provision in question, the injured party can request a support person, free of charge, from Victim Support Finland for all stages of criminal proceedings.

The victim also has the right to legal counsel in their case. An attorney-at-law, public legal aid attorney or licensed legal counsel may assist the injured party. In certain circumstances, the court may appoint a legal counsel for the victim, for the purposes of the pre-trial investigation and trial, if the matter relates to an offence against life, health or liberty and if this is deemed justified in view of the gravity of the offence, the personal circumstances of the injured party, and other circumstances. In this case, the state will pay the legal counsel's fee. It is likely that the conditions for the appointment of a legal counsel are met in terrorist offences and other similar, serious criminal cases. In addition, the injured party is expected to have claims in the case, such as a claim for compensation against the defendant.

As a rule, family members of a person, who has died as a result of a crime, also have the right to a court-appointed legal counsel. The court may appoint a legal counsel for the victim or those close to the victim either on application

or on its own initiative. The application may be submitted at the pre-trial investigation stage, or it may be submitted by the head of the investigation or the prosecutor. The application is submitted to the court dealing with the criminal case in question or which may take it up for consideration.

Costs of court proceedings

The trial in itself does not incur any costs to the victim, if the prosecutor pursues the case. However, costs may arise from the use of legal counsel. As a rule, legal counsel is subject to a fee but, usually in serious criminal cases, the court can appoint a legal counsel for the victim, whose fee is paid by the state regardless of the victim's income.

There are also other ways to cover the legal counsel costs. A Finnish home insurance policy will often include a legal expenses policy, which may cover the cost of legal aid. If the perpetrator is convicted in a trial in a case pursued by the prosecutor, the perpetrator must usually reimburse the injured party's legal costs.

In addition, low-income and middle-income earners may have access to state legal aid. In this case, the legal counsel's fee is paid in part, or in full, by the state. An application for legal aid can be submitted to a legal aid office or online. The victim may also request that a law firm applies for legal aid on their behalf. A victim of crime may also be entitled to compensation from state finances for their legal costs under the Act on Compensation for Criminal Damage (1204/2005). Under this Act, compensation for legal costs can be paid, if the applicant is also entitled to other criminal damages. This also applies to the close relatives of a person who perished as a result of the offence. Applications for compensation are submitted to the State Treasury.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Large scale attacks

Criminal proceedings and trials for large scale attacks are complex. Large numbers of victims and witnesses are involved, and all should equally have the right to take part. States may need to establish special measures to facilitate participation, which may include holding proceedings in a larger, secure, location to accommodate those involved.

Where criminal proceedings for terrorist attacks and other disasters account for large numbers of victims, there may be a need for more support compared to other criminal proceedings.

CASE STUDY: CRIMINAL PROCEEDINGS OF THE KUOPIO KNIFE ATTACK

In 2019, Victim Support Finland established a support point at the courthouse during the Kuopio knife attack trial to help, and to advise, victims, their family members and witnesses of the incident. This ensured that victims and witnesses, who had not previously received help, were also given the

opportunity to discuss their concerns with a specialist. The on-call service was provided by Victim Support Finland's employees and volunteers. This pop-up service proved essential and the lessons learned can be utilised in other similar situations.

Public inquiries

Victims of terrorist attacks, as other victims, express a need for truth. They want to know what happened, how it happened, who was involved and why. The instigation of formal criminal procedures takes time and victims are often left without answers. A public inquiry can serve as an alternative means of answering the questions of victims and society as a whole.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Lundell, S. (2019) VOIARE National Report Finland
- 🌐 oikeus.fi portal: Rights of Victims of A Crime

1.6 VICTIMS' RIGHTS TO PROTECTION: PHYSICAL AND PRIVACY

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum victims' rights to protection, in particular physical protection and privacy:

- Availability of measures for the protection of privacy, personal integrity and personal data of victims and their family members, particularly in the context of criminal proceedings. In balancing these measures against the pluralism and freedom of the media, self-regulatory measures should be encouraged;
- Availability of measures to protect victims and their family members from intimidation and retaliation as well as from the risk of emotional and psychological harm;
- Requirement for an individual assessment of victims' protection needs to determine whether and to what extent the victim would benefit from special measures in the course of criminal proceedings.

AN OVERVIEW OF RIGHT TO PROTECTION IN FINLAND

After a very serious crime, victims may find the criminal process especially difficult. The authorities assess whether it is necessary to take protective measures to meet the victim's needs during the pre-trial investigation and trial. For example, pre-trial hearings may be conducted in such a way that the interviewer is always the same person, or that the interviews are carried out in specially designed premises. During the trial, the victim may be placed behind a screen or heard via video link or without the presence of the defendant or the public.

The assessment of the need for protection is carried out in co-operation with the victim and takes into account the victim's personal characteristics, personal circumstances and the nature of the crime. Victims are allowed to express

their views on whether they need protection. In the pre-trial investigation, protective measures may be taken, if they do not significantly delay the proceedings or cause any other harm. The court will always consider the arrangements and protection measures in the trial on a case-by-case basis, taking into account that the rights of the defence should not be restricted. The court's decision may therefore differ from any previous assessment. The Ministry of Internal Affairs has developed a form and handbook to guide this assessment process.

In addition to the protection measures in the criminal procedure, there are other ways of protecting the victim or the victim's family. A person may apply for a non-disclosure order, if there are reasonable grounds to suspect that their own or their family's health or safety are at risk. A restraining order can be requested by anyone who justifiably feels threatened or seriously harassed by another person. In some serious offences, the victim is entitled, on request and under certain conditions, to be notified of the release or escape of a prisoner or remand prisoner and, sometimes, of their exit from prison. If the victim wishes to be notified, they must inform the pre-trial investigation authority or prosecutor during the criminal proceedings.

To protect a victim's privacy, legislation governing the criminal procedure restricts publicity around the process. During the pre-trial investigation and its criminal proceedings, some documents are kept confidential. These include documents containing sensitive information about the injured party's private life, and documents containing information on the injured party, if disclosure would violate the rights of the injured party or their memory or those close to them, unless the disclosure is necessary for the performance of an official duty. In the trial phase, the victim may also request the court to order the trial documents and the judgment to be secret to the extent necessary. The court may in some cases order that the identity of the victim be kept confidential, for example in court proceedings related to sex offences.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Government and the media

While governments may agree that the (social) media, with its various roles, can be a strategic resource at times of crisis, finding the right tone in communicating with the media is a challenge. To be able to practise reliable, respectful messaging, to prevent the spread of rumours and to contribute to the recognition of those affected by terrorist attacks, government officials must work hard to communicate with the media.

To make communication more manageable, state authorities can proactively approach the media in the aftermath of a terrorist attack. However, to make the best of the relationship, communication frameworks should be defined, key messages prepared, and the timing of press releases coordinated.

There must be a balance between respecting the privacy and needs of victims and their relatives, and informing the public through media channels. Information from government sources must respect the dignity and security of victims, particularly children. Secondary victimisation must be avoided. In the medium- to long-term, personalised information should be made available to victims and relatives prior to a formal report being made publicly available through media channels.

In Finland, Government Guidelines for Enhanced Communications apply to specific incidents; in such cases, the authorities play a key role in

communicating information related to these events. In crises, incident management structures are responsible for all external communications: in addition to ordinary channels, communication of incidents can also be carried out through statutory public announcements.

The authorities have developed their communication strategy from previous school shootings and other similar crises. For example, communication of the Jokela school shooting in 2007 received criticism, which led to improvements in communication methods. When the Kauhajoki school shooting took place in 2008, the authorities' crisis communication was, overall, deemed to have improved.

In the 2017 terrorist attack in Turku, communications were mainly the responsibility of the police, the Government and the City of Turku. The City announced the availability of crisis support on its website and on social media, which are efficient channels in a crisis. According to a separate report on the attack, the authorities made significant use of social media, especially Twitter and Facebook, once the events began to unfold. In times of crisis, the vast majority of the public seem to rely on communications from the authorities and news content by traditional media.

Victims and the media

It is difficult to balance the freedom of the media, the general populations' need for information and the privacy protection of victims. While speaking out in the media can be empowering for victims and helpful to the general public, intrusive media

attention may violate their privacy and negatively affect the lives of those portrayed, even in the future. Information may be (come) distorted or manipulated, by journalists or others using news footage.

For example, in the aftermath of an attack or disaster, broadcast and print media show images of the scene of the attack and, potentially, of victims and witnesses. These images will likely be shown again in light of commemorations and remembrance activities of this attack or disaster, which is retraumatising to victims and victims' families. It is advised that victim support organisations are sensitised about the recurring of distressing images in order that this can be dealt with in a victim-sensitive manner.

It is difficult to restrict harmful information flows on social media channels. However, these can be useful tools for victims and law enforcement agents in the aftermath of an attack.

In Finland, the media is regulated by the Council for Mass Media, which provides guidelines for journalists. According to these recommendations, particularly sensitive private life details can only be published with the consent of the person concerned or if such facts have specific societal relevance. The use of images must take into account the protection of private life.

Even when making public information available, the protection of private life must be considered

as not all public information may be appropriate for publication. In reporting on victims of crime, discretion must always be exercised. Information about a perpetrator of a crime, defendant or suspect should not normally be published if it reveals a victim of a particularly sensitive crime and specific care should be taken when dealing with matters concerning minors. The identity of the victim of a sensitive crime must be protected unless it has special relevance for society.

The 2007 Jokela school shooting raised media awareness that journalists should be given training to better handle distressing situations that shock both those involved and the media representatives themselves. After the event, the media updated its guidelines for crisis situations; the Council for Mass Media called for open and honest reporting. Meeting grieving and shocked injured parties poses major challenges for journalists looking for information: those who are affected by an incident should not be persuaded to give interviews. After the Jokela school shooting, many news desks changed their methods of announcing major news events and drew up precise ethical guidelines.

The information prepared by the working group for victims of terrorism also provides guidance for victims on how to face the media. For example, it is recommended that victims do not to take photos, videos or recordings of other people.

Further reading:



- [Ivanković, A., Altan, L., Verelst, A. \(2017\) How can the EU and Member States better help victims of terrorism?](#)
- [UNESCO \(2017\) Terrorism and the Media: A handbook for journalists](#)
- [Lundell, S. \(2019\) VOIARE National Report Finland](#)
- [Ministry of Interior \(2016\) Manual: Procedure for assessing the need to protect the victim of crime](#)
- [Office of the Finnish Prime Minister \(2019\) Guideline on communication under normal and extraordinary circumstances](#)
- [Council for Mass Media \(2014\) Guidelines for journalists](#)
- [oikeus.fi portal: Rights of Victims of A Crime](#)

1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

THE RIGHTS UNDER EU LAW

According to the Victims' Rights Directive and the Counter-terrorism Directive, Member States should ensure that measures are available to protect victims and their family members from secondary victimisation.

Terrorist attacks result in deaths, physical and psychological injuries or material damages that affect those involved. This is called primary victimisation: the direct consequences of the violent act. If, in the aftermath of an attack, victims receive poor or inadequate assistance from the staff and institutions in charge of their care (public authorities, first-responders, state security forces, social workers, lawyers), their suffering can be aggravated. This is known as secondary victimisation, re-victimisation or double victimisation.

Causes

The effect of an attack on victims can be magnified in many ways:

- repetition of statements in police interviews;
- lack of information;
- government, police or hospital staff engrossed solely in the immediate events without attending to the shock suffered by the victims;
- experts questioning the credibility or mental health of victims;
- delay in judicial procedures, confrontation with terrorists in the court room, having to recount publicly and in detail their traumatic experience;
- media exposure;
- lack of support from colleagues/peers in the workplace, school, university.

Solutions

It should be kept in mind that many solutions reflect the understanding that victims of terrorism are in an abnormal situation and require greater care. Such solutions can include the training of professionals on how to engage with victims of terrorism, specific procedures, nomination of staff solely for these cases, forward planning and ensuring victims' participation.

AN OVERVIEW OF RIGHT TO PROTECTION FROM SECONDARY VICTIMISATION IN FINLAND

In Finland, the aim is to prevent re-victimisation by considering the needs of the victims, both in legislation and through practical means such as education. In general, a principle of sensitivity is observed in the pre-trial investigation: the parties to the investigation and others involved in it must be treated sympathetically. Legislation governing criminal procedure contains many provisions, the fundamental purpose of which can be connected to the prevention of re-victimisation.

The Victims' Rights Directive has been particularly important for victims. As a result of its implementation, legislation has been supplemented with several provisions on, for example, the notification of the injured party's rights, the personal assessment of the injured party, and the relaying of the injured party's contact information to the support service provider. While in Finland, legally, the victim's position was already strong before the Directive came into force, the Directive has nevertheless introduced significant improvements in criminal proceedings.

Additionally, practical proposals have recently been made to improve the position of victims of crime. For example, the objectives of the Commission for Victim Policy (2013–2014)

were to develop a national strategy for the organisation of support services for victims of crime and to secure appropriate funding, to promote the implementation of the Government Programme's targets, and the fulfilment of recommendations and Finland's international obligations in a co-ordinated manner. In 2016, proposals were submitted to promote the victim's access to information and, also in 2016, a working group, on the assessment for the victim's need for protection procedure, published their handbook. In 2018, a proposal for good practices addressing the needs of victims in criminal proceedings was published. The latest working group report proposed a more systematic use of numerous victim-sensitive procedures at different stages of the criminal process (see below).

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

The aforementioned Finnish working group, on good practices addressing the needs of victims in criminal proceedings, proposed measures on:

1. Addressing the needs of victims in Police departments and in courts
2. Providing information to victims
3. Realising the victim's linguistic rights
4. Addressing the need for legal counsel
5. Accessing victim support and referrals to support services
6. Assessing the victim's need for protection

7. Summoning the victim for hearing
8. Addressing the victim's needs in trial
9. Recognising the status of child victims

The working group also highlighted several ways to develop the awareness and competences of public authorities:

1. Concentrating competences and specialising
2. Providing training
3. Improving pre-trial co-operation between the Police and prosecutors
4. Providing supervision

The working group presented a proposal to modify official procedures by the use of best practices.

INTERNATIONAL PRACTICE: DEVELOPMENT OF GUIDANCE TO AVOID SECONDARY VICTIMISATION IN SPAIN

The “Victims of Terrorism Quality Assistance Guide” resulted from the collaboration, which started in 2015, between the Ministry of the Interior, with its General-Directorate for Support to Victims of Terrorism, and the Spanish Psychological Association (*Consejo General de Colegios Oficiales de Psicólogos - COP*).

The Guide recognises the immense psychological impact caused by a terrorist attack and provides various genres of professionals with information on various victims’ reactions to the trauma of terrorist

victimisation. In addition to psychologists, there are other actors involved in assisting victims. This Guide aims to provide the State Security Forces, the fire brigade, local police officers, social workers, public authorities, consular office staff, members of associations and foundations of victims of terrorism, and any other groups offering assistance to victims, with an efficient tool in the provision of quality victim support and to minimize, or at least not to increase, the psychological damage they suffer.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Lundell, S. (2019) VOIARE National Report Finland
- Finnish Ministry of Justice (2015) From legislation to action: proposal to improve the position of crime victims
- Finnish Ministry of Justice (2015) Working group proposal: Promotion of crime victims’ right to receive information
- Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism
- Finnish Ministry of Justice (2018) A victim of crime in a criminal procedure – a proposal concerning good practices for recognising the needs of victims
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1.8 VICTIMS' RIGHTS IN RELATION TO ACCESS TO COMPENSATION

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive, the Counter-terrorism Directive and the Compensation Directive set out the following minimum scope of a victims' rights in relation to compensation:

- the Member States' obligation to set up a compensation scheme for victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims and applies to cross-border situations;
- Provision of advice, support and assistance to victims, including cross-border victims, regarding compensation claims.

AN OVERVIEW OF RIGHTS IN FINLAND

Emergency payments

There is no financial emergency relief specifically for victims of crime in Finland. In the event of a crisis, Finnish legislation ensures that urgent social assistance, including accommodation and clothes, will be provided to victims, when they cannot cover such expenses themselves. Social assistance is a means-tested benefit, and it is usually granted for a month at a time. Its amount is based on the client's essential expenses. Urgent essential social assistance is granted by Kela, the Social Insurance Institution of Finland. Outside the opening hours of Kela's offices, municipalities can grant social assistance to ensure urgent and absolutely necessary support. However, urgent social assistance is a subsidiary form of financial assistance and victims must first ascertain whether they can get assistance elsewhere, for example from their insurance providers.

Compensation

Victims of a crime, in particular victims of terrorism, and their family members have three avenues for claiming compensation in Finland: compensation from the offender, compensation from state funds and insurance claims.

Information on claiming compensation is included in the leaflet "Rights of a Crime Victim" that is given to victims by the police, during their first contact. Victim Support Finland and the State Treasury also provide assistance and support regarding compensation claims.

Offender compensation

The perpetrator is always liable to make good the damage caused by the offence. The process of claiming compensation from the offender is made in accordance with the Tort Liability Act (412/1974). Compensation from the offender can be claimed for personal injury, damage to property, and suffering caused by the act. Based on the personal injury provision, victims can receive compensation for medical expenses, loss of earnings, pain and suffering, and permanent harm, etc. If a person paying maintenance costs perishes in a terrorist attack, the victim may be compensated for the loss of maintenance. In addition, family members of a person who died as a result of the crime may be entitled to compensation for their suffering. Claims for damages from the offender are usually dealt with during the criminal proceedings. When claiming compensation, the victim must provide evidence of the extent of the damage involved.

Compensation from state funds

The victim of a terrorist offence may be compensated from State funds for personal injury and suffering, as set out in the Act on Compensation for Criminal Damage, the Tort Liability Act, and the general principles of the

Finnish law of torts. Typical personal injuries include disability and illness. Suffering refers to the emotional distress caused by an abusive event, even when the person's state of health is not affected. Damage to property and financial damage will only be compensated in exceptional cases. Compensation is paid by the State Treasury.

A person who has suffered personal injury may be compensated for medical expenses and other expenses incurred as a result of the damage, for pain and suffering, and other temporary harm, for permanent harm and permanent cosmetic harm, for loss of earnings and, in connection with personal injury, for damage to clothing and other personal effects. Victims of serious violent crimes and those whose liberty or personal integrity have otherwise been seriously violated may be compensated for suffering. If certain conditions are met, compensation may be paid to the victim's family member for costs incurred and for loss of earnings. Funeral expenses can also be reimbursed. However, no compensation can be paid to the deceased's family members for the suffering caused by the victim's death. Legal costs may be reimbursed up to a reasonable amount when the case has been heard in court and the applicant is also awarded other criminal damages.

To receive compensation, victims and their family members must inform the police that they have been a victim of a crime connected to a terrorist attack. The victim should document the damage and expenses incurred. If the case is heard in court, the victim must claim compensation for the damage from the offender first. However, when the matter is not the subject of criminal proceedings, the victim does not have to seek compensation from the offender before applying for compensation from state funds. In this case, the victim can claim

compensation from the State Treasury after the pre-trial investigation has ended and within 10 years following the crime.

Compensation for criminal damage from state funds is paid only to the extent that the damage is not compensated on the basis of other legal provisions or from voluntary insurance. This means that any compensation the victim receives from Kela (the Social Insurance Institution of Finland), an insurance company, or from the offender will be deducted from the compensation for criminal damage paid from State funds.

Insurance claims

If the terrorist attack occurred while the victim was at work or away on business, compensation for personal injury is primarily sought from the insurance company, if the victim's employer has an employee insurance policy for accidents at work. If the terrorist attack was carried out by a vehicle, compensation may be paid from the motor insurance associated with the vehicle used in the act.

Voluntary personal insurance policies taken out in Finland usually cover damage caused by a terrorist attack. In other words, the victim may be entitled to compensation on the basis of accident or medical expenses insurance. In general, travel insurance policies also cover damage caused by a terrorist attack. In addition, family members may be entitled to compensation from the deceased's life insurance policy. For damage to property and personal effects, compensation may be paid from travel or home insurance. As a rule, business insurance policies for property and loss of profits do not cover damage caused by a terrorist attack.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS

RECOGNITION
& RESPECT

SUPPORT
INCLUDING
INFORMATION

PROTECTION

ACCESS TO
JUSTICE

COMPENSATION
& RESTORATION

EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Access to information

The State Treasury advises victims on compensation issues. In addition, the State Treasury offers short videos, in several languages, providing advice and guidance to victims of crime on how to apply for compensation. The videos can be viewed on the State Treasury's website.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VSE (2019) A Journey from Crime to Compensation
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- 🌐 State Treasury
- 🌐 oikeyus.fi portal: Rights of Victims of A Crime

2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

2.1 CROSS-BORDER VICTIMS

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive, the Counter-terrorism Directive and the Compensation Directive set out the following minimum scope:

- Appropriate measures should be taken to minimise the difficulties faced where the victim is a resident of a Member State other than that where the criminal offence was committed;
- Expenses, incurred as a result of their active participation in criminal proceedings and according to their role in the relevant criminal justice system, should be reimbursed;
- Member States should ensure that victims of terrorism, who are residents of a Member State other than that where the terrorist offence was committed, have effective access to information as well as access to support services;
- Appropriate action should be taken to facilitate cooperation between Member States to improve victims' access to the rights.

AN OVERVIEW OF RIGHTS IN FINLAND

Persons living in Finland who become victims abroad

When the Ministry for Foreign Affairs is informed of a terrorist attack abroad, public information will be provided on social media and through other channels. All persons who have submitted a travel notification will also receive the information by text message and email.

The Finnish mission or the Ministry for Foreign Affairs 24/7 service can provide advice and, if

necessary, refer victims abroad to the relevant local authorities for assistance. The Ministry of Foreign Affairs 24/7 service is available by phone and by email. The Finnish mission can also advise and assist persons who are temporarily abroad and in need of assistance on issues such as legal aid, reporting a crime, and obtaining assistance as required by the situation. In the event of a death, the Finnish mission assists and advises the next of kin to arrange the burial, cremation or repatriation of the deceased.

Those who have become victims of a terrorist attack or have been in the area affected by the attack and need emergency assistance from abroad in Finnish may also get in touch with the national 24/7 Social Emergency and Crisis Centre located in Vantaa. The Finnish mission or the 24/7 service may also forward the victim's contact details to the Centre with the consent of the victim. The national crisis helpline, in Finnish, is available 24/7 on +358 9 2525 0111. Victims can also contact the Victim Support Finland helpline from abroad, via +358 40 9401 867. However, the number is not free of charge and costs the same as calling any other Finnish mobile number from abroad. Lastly, several EU countries operate a 116 006 helpline, which is available to all victims, including visitors, free of charge.

If the terrorist act took place abroad, the victim may be entitled to criminal damages on the basis of the legislation of the country where the incident took place. Victims, who are resident in Finland, can submit an application for compensation to the State Treasury for a crime committed in another EU country. Victims can deal with the State Treasury in Finnish, Swedish or English. The State Treasury provides general advice on how to apply for compensation and assists in the preparation of the application. The State

Treasury is also responsible for translating the documents and sending them to the competent authority. In certain situations, a Finnish resident may be entitled to compensation for criminal damages paid by the State Treasury in the event of a terrorist attack abroad. Under Finnish law, compensation for personal injury and suffering can be paid when the victim's stay abroad was due to work, study or other similar reasons, or the payment of compensation is otherwise considered justified.

Persons who become victims in Finland and live abroad

Victims, who have travelled to Finland from abroad and become victims of terrorism in Finland, have the right to urgent medical care anywhere in Finland. This means immediate treatment for sudden illness, injury or accident, which cannot be postponed without worsening the condition or making the injury more severe. The costs of treatment vary, depending on the victim's country of residence.

In the event of a crisis, social services or social and crisis emergency services provide psychosocial support to all victims, which is generally completely free of charge for all victims resident in EU countries. In Finland, psychosocial support providers also help victims contact their family and the victim's embassy if, for example, the victim has lost their mobile. Together with the victim's embassy, psychosocial support providers in Finland help victims with repatriation and travel tickets, and seek to ensure that the victim receives psychosocial support in their home country. The aim is to arrange assistance in the victim's mother tongue using interpreters, if necessary.

The victim can also receive additional information and assistance from their embassy or consulate. Many missions have a 24/7 service that can be contacted in an emergency. The Ministry for Foreign Affairs maintains a list of foreign missions. Victim Support Finland also helps when a person, living in another country, becomes a victim in Finland. If necessary, interpretation is arranged. Victim Support Finland provides victims with information on victim support services in other European countries. Its contacts can be used to find assistance when a person, who has been the victim of a crime in Finland, returns to their country of residence after the incident. Victim Support Finland can also help a foreign victim with the criminal process after the victim has returned to their home country.

Compensation schemes (when the attack took place in Finland)

Essential financial support is granted on the basis of need. Any financial support is considered a last resort. In other words, it can only be granted if the victims do not have the necessary funds themselves. Support is granted by local social services. Municipalities may also assist with items such as medication, food, clothing and the organisation of temporary accommodation, if necessary. This also includes arranging transportation to temporary accommodation.

The victim is entitled to compensation for the offence. If the victim is resident in another EU Member State, an application may be submitted to the competent authority of the Member State of residence for compensation for damage caused by a terrorist attack in Finland.

Participation in criminal proceedings (when the attack took place in Finland)

The victim should first report the crime to the police in Finland. To be able to receive compensation, a crime must be reported to the police.

In Finland, victims of crime have the right to legal counsel to demand punishment for the perpetrator and to claim compensation in the case. The victim may be interviewed by the police and may have to appear at a court hearing while the case is being heard. If the victim of a crime is summoned to appear before a court, they are usually entitled to compensation from state funds for the costs incurred from travelling to the court. In some cases, the victim may be heard in their country of residence.

Translation of official documents (when the attack took place in Finland)

In all situations related to the investigation of a crime, the victim has the right to use a language that they know. If necessary, the authorities will arrange interpretation services. The victim may also request the translation of certain key documents.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Travel notification system

For Finnish residents traveling abroad, the Ministry for Foreign Affairs of Finland has developed a travel notification system to be able to contact travellers in case of an emergency or a crisis situation. When necessary, the Ministry can provide contact details of the Vantaa Social and Crisis Emergency Services via this notification system. This happened, for instance, following the terrorist attack in Sri Lanka.

Single contact point

As of July 2021, no national contact point in Finland had been designated responsible for the provision of information on support, assistance, protection and compensation systems available to victims of terrorism. The 2021 report of the working group, on the need for information for victims of terrorism, proposed a designated contact point, but as of yet the proposal has not been implemented. However, designated contact persons at the Finnish Ministry of Justice have been assigned to the Council of Europe's Network of Contact Points, which was launched in 2019.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Lundell, S. (2019) VOciare National Report Finland
- Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism
- 🌐 [Finnish Ministry for Foreign Affairs](#)
- 🌐 [oikeus.fi portal: Rights of Victims of A Crime](#)
- 🌐 [European e-Justice Portal – Victims of Crime](#)

2.2 CHILDREN

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope:

- Member States should ensure that the child's best interests are their primary consideration and that the specific protection needs of child victims are assessed;
- Special protection measures for child victims should be available in light of judicial proceedings;
- The public dissemination of information that could lead to the identification of a child victim should be prevented.

AN OVERVIEW OF THE RIGHTS IN FINLAND

Efforts are made to protect child victims by various means, both by legislative and practical means.

In accordance with the UN Convention on the Rights of the Child, the best interests of the child must be taken into account in all official activities involving children. The Convention has entered into force by law in Finland. The best interests of the child, therefore, guide all measures concerning the child in health and social care, in addition to a great deal of other child-related legislation. For example, the Act on the Status and Rights of Patients and the Act on the Status and Rights of Social Welfare Clients contain special provisions concerning the status of minor clients and patients, which must be complied within official activities.

In Finland, the Child Welfare Act (417/2007) obliges authorities to protect children in sudden traumatic situations, where the aim is to ensure that the child is supported by familiar, and safe, adults. If the child's parents have died or been seriously injured, the authorities will seek out an adult who is safe and known to the child. If

this is not possible, the authorities will ensure that the child is not left alone. It is important that children are further supported by offering support to their parents. Crisis work includes the whole family, ensuring that the children are involved and considered as individuals. As part of any psychosocial support, guidance and advice will be given to parents as to how to discuss the incident with the child: in Finland, several guidelines have been published on discussing traumatic situations with children.

Various measures are taken to protect children in criminal proceedings. According to the Criminal Investigation Act, persons under the age of 18 must be treated in the pre-trial investigation according to their age and level of development. Particular care shall be taken so that criminal investigation measures do not cause unnecessary inconvenience at school, at work or in other environments important to the child. Attention should be paid to the sensitive treatment of a minor injured party, for example in the investigation of a violent crime or sexual offence committed against them, due to the traumatic experiences and effects associated with such offences.

Investigations concerning persons under the age of 18 shall, as far as possible, be entrusted to investigators specialised in this task. Under the Criminal Investigation Act, the guardian, legal guardian or other legal representative of the injured child is subject, as appropriate, to the provisions of the Act concerning the injured parties. The Act lays down provisions on the presence of a legal representative of a person without legal capacity in the interviews, and on the obligation to notify, with regard to the interview, a legal representative of a person not having legal capacity as well as a legal guardian appointed for a person under 18 years of age. Although the need for protection is assessed individually for each victim, it is assumed for injured parties under the age of 18 that they are vulnerable victims and may therefore need special protection measures.

A child victim may be assigned legal counsel for the pre-trial investigation and the trial in cases such as crime against life, health or liberty. The legal counsel's fee is paid from state funds. A child victim may be granted legal aid and a legal counsel may also be appointed under the Legal Aid Act. In addition, interviews with a person under the age of 18 can be recorded in audio and video formats, and in certain situations the recording can be used in the trial as evidence so that the child no longer needs to be heard in court.

In the case of child victims, criminal proceedings comply with the general provisions on the publicity of pre-trial investigations, prosecution and legal proceedings (see above subchapter 1.6).

Guidelines and recommendations are available on the treatment of children in the criminal process. The National Police Board of Finland has published a guideline, 'Children in policing and pre-trial investigation': the police must consider the well-being of children in pre-trial investigations and other policing matters. The police must ensure that the child's situation and circumstances continue to be safe after the encounter and that they are in the best interests of the child. In addition, the National Police Board instructs the police to initiate

the pre-trial investigation, and any coercive measures, without delay when a child is an injured party in a criminal case. Efforts were also made to improve the position of child victims in the criminal proceedings in the 2018 recommendation on good practice, focusing on the requirement to take into account the particular needs of the victim.

IMPACT OF TERRORIST ATTACKS ON CHILDREN

Most children respond sensibly and appropriately to disaster, especially if they experience protection, support, and stability from their parents and other trusted adults. Like adults, they may exhibit a wide range of reactions in the aftermath of a terrorist attack: headaches and stomach pain. It must be noted that children's fears may also stem from their imagination as, unlike adults, they are less able to judge which fears are real and which are not; however, their fears should be taken seriously. Information for children and adolescents should be provided in an age-appropriate manner. For child survivors of terrorism: remember to also ask about the health and wellbeing of their brothers and/or sisters.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICE

Barnahus-model

In Finland, as in other Nordic countries, criminal investigations involving violence against children follow the principles of the Barnahus-model, in which interviews, by highly trained police officers, and medical examinations are conducted in a child-friendly manner. Since 2008, Finland has had five Forensic Child and Adolescent Psychiatry Units operating in University hospitals. Upon request for assistance from the police or prosecutor, usually with small children and minors with disabilities, forensic psychologists of these units interview the children in a child friendly environment. In 2014, the Finnish Government launched a “Children’s House” -project (Child Advocacy Centre, Lastenasiainentalo) to develop the clinical treatment and support of abused children through a child-friendly approach to investigative interviews. The project piloted a model, using existing professional networks in an integrative and systematic way, exploiting the expertise of the Forensic Child and Adolescent Psychiatry and the Social Paediatric Units of the University Hospitals.

In 2019, a new Barnahus-project was launched. It aims to mainstream standard Barnahus compliant practices in the investigation of cases involving suspected violence against children as well as in the support and treatment provided for children who have encountered violence.

Guide on Children as crime victims

Many authorities and organizations provide information regarding children and crisis situations, and children as victims of crime.

For example, the Finnish authorities have published a guide, “Children as crime victims”, which is aimed at parents and guardians of child victims of violent and sexual offences. The guide provides information on the criminal proceedings, advice for parents and guardians on how to support their child as well as basic information on practical arrangements during the criminal investigation and the trial.

Interaction between TV broadcasting or written media and children

After the Jokela school shooting in 2007, young people involved in the incident drew up a petition criticising the conduct of the media when reporting the event. General criticism was directed, for example, at the ways in which journalists and photographers obtained information and at violations of privacy.

In 2014, the Council for Mass Media published a declaration of principles concerning the appearance of children in the media. It states that permission of the parent, carer or legal guardian should be sought for interviewing and filming children under the age of 15 in a place other than a public area. A person under the age of seven always needs their parent’s/guardian’s permission. Children and young people have freedom of expression and opinion, but also have a special right to the protection of their private life. The current guidelines published by the Council for Mass Media take into account that children as a group require special care in the media.

Since the 2017 Turku attack and the 2019 Kuopio school attack, experts have issued instructions to the public on how to discuss traumatic events with children, as well as instructions and advice on how to protect them against information and images they may be exposed to in the media.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Lundell, S. (2019) VOCIARE National Report Finland
- Council for Mass Media (2014) Guidelines for journalists
- Finnish Ministry of Justice (2018) A victim of crime in a criminal procedure – a proposal concerning good practices for recognising the needs of victims
- Finnish Institute for Health and Welfare (2019) Barnahus project
- 🌐 oikeus.fi portal: Guide on children as victims of a crime (FI/SE)

3. ORGANISING SUPPORT: PREPARATION AND ORGANISATION OF THE SUPPORT FOR VICTIMS OF TERRORIST ATTACKS

In the event of accidents and incidents, Finnish central and local government authorities, institutions and businesses have a duty to act in such a way that allow rescue operations to be carried out efficiently. The Emergency Response Centre Agency's offices receive the emergency calls and relay them to the relevant services. The police ensure that any hazardous areas are isolated and handle other tasks that maintain public order and safety at the scene of the accident. Healthcare and social welfare authorities, with the institutions in the relevant administrative branch, are responsible for providing medical care and services for psychosocial support.

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum requirements for the preparation and organisation of support of victims in terrorist attacks:

- Organise training on victims' needs and how to treat victims for practitioners that come into contact with victims;
- Ensure that mechanisms or protocols are in place allowing for the establishment of support services for victims of terrorism within the framework of the national emergency-response infrastructures;
- Ensure a comprehensive response network tailored to the specific needs of victims of terrorism;
- The availability of support services immediately after a terrorist attack and for as long as necessary. These support services should be confidential, free of charge and easily accessible to all victims of terrorism;

- The establishment of free of charge and confidential specialist support services in addition to, or as an integrated part of, general victim support services, or to enable victim support organisations to call on existing specialised entities providing such care;
- Ensure that mechanisms or protocols are in place allowing for the activation of support services for victims of terrorism within the framework of the national emergency-response infrastructures.

It should be noted that the availability of an extensive response network depends on Member States' past experiences in terrorist attacks and some Member States have not yet developed protocols for the establishment of a specific response network. Where such specific response network is not available, it is our understanding that existing crisis response structures can be adapted to terrorist attacks.

AN OVERVIEW OF RIGHTS IN FINLAND

Finnish legislation does not lay down any special rights concerning victims of terrorism or their families and friends that differ from those of other victims of crime. In the event of major accidents and exceptional circumstances, such as a terrorist attack, the healthcare and social welfare authorities are responsible for organising prehospital care, services for psychosocial support, and the care and accommodation of those in distress as a result of the accident. Health and social services are provided in accordance with general legislation on services.

Everyone living permanently in Finland has the right to good health and medical care, without

discrimination and within the limits of the resources available, at any time. What is separately provided, or agreed reciprocally between states, applies to the right of persons temporarily resident in Finland to receive treatment. Public healthcare services provide urgent medical care to everyone, and follow-up care and rehabilitation are arranged within the framework of health and social services.

Social welfare clients have the right to receive high-quality social care and treatment without discrimination from social welfare providers. In urgent cases, each person in a municipality also has the right to receive social services based on their individual needs, in such a way that their right to essential care and livelihood are not compromised.

Further provisions on the organisation and content of health and social services and access to care are provided in the Health Care Act (1326/2010) and the Social Welfare Act (1301/2014).

However, a victim may then become an injured party in criminal proceedings. In this case, legislation on criminal procedures, in force in Finland, is generally applicable. All victims of crime are entitled to the generic assistance provided by Finnish victim support services.

PLANNING, TRAINING AND CO-OPERATION

Preparedness planning and the division of powers, in accordance with the preparedness plans and instructions, play an essential role in the provision of support services, and their activation. Section 12 of the Emergency Powers Act (1552/2011) imposes a general obligation to prepare for various situations. Under the Act, the Government, state administrative authorities, autonomous government bodies ruled by public law, other state authorities and state enterprises, as well as municipalities, joint municipal authorities and other municipal consortiums are to ensure, through contingency plans, advance preparations for emergency operations and other measures, including the best possible performance of their duties, even in emergency conditions.

In addition, healthcare and social welfare authorities are subject to the preparedness obligations laid down in the Rescue Act (379/2011), the Health Care Act and the Social Welfare Act, and the obligation to carry out preparedness planning. The preparedness

obligation applies to major accidents and other special healthcare emergencies. Such special situations include a variety of incidents, including serious natural disasters and incidents caused by human activity, such as rioting and terrorism.

Preparedness and contingency planning for psychosocial support are the responsibility of municipalities, and these tasks are considered part of the preparedness planning in health and social services. The Ministry of Social Affairs and Health has designated the Social Emergency and Crisis Centre of the City of Vantaa as the national preparedness operator for psychosocial support. The task of the Social Emergency and Crisis Centre in Vantaa is to ensure that expertise in psychosocial support is available nationwide and, if necessary, abroad for the consultation and implementation of support. The Hospital District of Helsinki and Uusimaa has been designated the national operator for medical evacuation and has the capacity to carry out evacuations both in Finland and from abroad to Finland.

In the administrative branches of the Ministry of the Interior and the Ministry of Social Affairs and Health, procedures are constantly being developed with other key authorities; for example, through experiences gained via regular exercises. Preparedness planning also takes into account the changing operational environment. The organisation of psychosocial support for events such as terrorist attacks is subject to 12 recommendations for the implementation and further development of support in crisis situations, developed in 2019 by the working group on the development of psychosocial support for sudden traumatic events at the Ministry of Social Affairs and Health (Ministry of Social Affairs and Health 2019:46).

EMERGENCY RESPONSE PHASE

In unexpected crisis situations, pre-planned and practised operating models, official responsibilities and structures are followed. The first authority to act in a terrorist attack, or similar situation, is likely to be an emergency response centre, which will alert the appropriate services providing assistance. Ensuring safety may restrict the provision of support services in the vicinity of, and immediately after, a terrorist attack. Within the framework of existing structures and guidelines, the emergency services will alert not only the police and prehospital care services, but also those involved in healthcare and social welfare psychosocial support. In the case of

psychosocial support, the agency receiving the alert is a social and crisis emergency service, a social services emergency service and/or a crisis unit in primary healthcare. In accordance with a regional preparedness plan, the regional psychosocial support operator alerts local agencies, including those in the third sector and in pastoral care, i.e. religious communities. The aim is to provide the same assistance, regardless of where people live.

The Ministry of Social Affairs and Health provides a 24-hour emergency service, and the on-call officer has the powers to alert Vantaa's Social Emergency and Crisis Centre, if necessary. Having received an assignment, given in situations where the resources of a local or regional operator alone are insufficient or if support is otherwise deemed necessary – such as in a terrorist attack, the Centre will support local and regional actors in the provision of psychosocial support to victims. If the Ministry of Social Affairs and Health alert Vantaa's Social Emergency and Crisis Centre, it can support the local director of psychosocial support with expertise and resource assistance.

In accordance with a major accident scenario, the need to open a crisis centre, family contact points, and crisis hotlines must be assessed at the early stages. As the situational picture improves, it is also necessary to consider whether other actions, such as street patrols, are needed. Discussions with church and other religious communities should continue to be organised on possible commemorative events as well as the organisation of other faith-related activities. Psychosocial support and crisis sessions for the families of those who have perished must be initiated as soon as possible, and close co-operation between authorities must be carried out in order to obtain personal data.

Psychosocial support for traumatic situations includes urgent social work, such as the provision of accommodation, urgent social assistance and other essential social services, as well as acute crisis work. Acute crisis work refers to immediate face-to-face support and efforts such as crisis meetings with individuals, families or appropriate groups. The purpose of this is, among other things, to contribute to the psychological handling of the crisis. The process involves identifying and mapping the initial situation, crisis interventions, a follow-up phase and, where appropriate, guidance for further treatment. In such a situation, the crisis work process can last from one to three years. Psychosocial support should also be provided

to individuals, families and groups in other than community accidents or major accidents, if the incident is potentially traumatising and may have long-term effects on the well-being and functional capacity of those who experienced it. In the case of individuals and families, the activities are part of the usual health and social services, which can be adapted to meet the needs of a major accident. In practice, psychosocial support is provided in health and social care, municipal crisis groups, municipal mental health services and acute psychiatry, and by third sector and church organisations, depending on the situation.

To calm people down and create a sense of security, it is important that services providing information and assistance are alerted as quickly as possible. It is also important to inform people about possible normal reactions and to publish self-care instructions. In the early stages, it is crucial to collect information on victims and those who have been exposed, to assess the amount of people in need of help, and which special groups may need immediate support. In the early stages, the responsible authority must continuously work on the psychosocial support plan, together with other psychosocial support actors.

In some cases, a victim identification unit, connected to the National Bureau of Investigation, may be alerted to identify people if the number of victims is high, victims are difficult to identify, or victims are missing. The police family liaison officers are an integral part of the victim identification unit, they are the unit's contact with the victim's family and pass on information, or guide relatives to the assistance they may need.

MEDIUM- AND LONG-TERM PHASE

After the acute phase, the monitoring and assessment of treatment and social care needs will continue. Victims of terrorism may also need longer-term treatment and rehabilitation. Healthcare providers will arrange non-urgent follow-up care and medical rehabilitation.

At a later stage, victims of terrorism usually become the injured party and/or witnesses in criminal proceedings. In this case, support and information are provided through Victim Support Finland and similar channels. Victim Support Finland has a public service obligation – assigned by the Ministry of Justice – for the provision of general support services for all victims of crime, in accordance with the Victims'

Rights Directive. All victim support services are confidential and provided free of charge, and interpreter services are available, if necessary. Family members also have access to victim support services, according to their needs and the extent of the harm caused by the offence against the victim. Support services provide the victim with information, advice and support relevant to the exercise of their rights.

In 2021, Victim Support Finland will launch an alert system for terrorist attacks and other similar major incidents involving crime. In the event of an attack, Victim Support Finland can expand their telephone and chat services and through their website can, within a reasonable period of time after the event, no later than the next working day, inform victims of terrorism of the specific information they need.

For aftercare, telephone helplines and online help for those in crisis are also essential as a permanent form of support provision by many organisations. In 2017, civil society organisations jointly launched an online help channel for young people, which is open on a daily basis and involves the Finnish Red Cross Youth Shelters. On-call staff include crisis workers and trained volunteers. Tukinet offers daily chats and a support person for six months. The Finnish Red Cross Youth Shelters and Save the Children provide crisis chats for young people on social media in emergencies. The crisis helpline of the MIELI Mental Health Finland is available 24 hours a day. Its nationwide presence enables Victim Support Finland to support other organisations' helplines or support centres in addition, or as an alternative, to initiate its own telephone and chat services in the event of a crisis.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Whilst it is evident that victims have a right to support, it is not always clear how that support should be organised in any given country: who should provide it, how should it be made available, and what services should be offered? There is no one-size-fits-all answer to these questions. Each Member State will find solutions that take into account their specific national circumstances. Victim support can be provided by the state, by victim support organisations, or by a combination of both.

Role of the third sector, including civil society organisations

In a crisis, support provision is shared between the authorities, private service providers, organisations and faith communities in Finland. Although the main responsibility for helping and supporting victims lies with the authorities, services provided by the third sector play a key role.

For example, a crisis centre that has been set up in the event of a terrorist attack may involve volunteers, whose activities are supported by crisis workers. A decision by the authorities can be implemented to set up a helpline operated

by trained volunteers from the Finnish Red Cross, which has a memorandum of agreement with the Ministry of Social Affairs and Health on readiness and preparedness that involves a co-ordinating role in the preparedness of health and social care organisations. For example, during the school shootings, the Finnish Red Cross set up support centres to respond to the needs of the local community. They have largely been organisation-based centres, whose main task has been to give people the opportunity to discuss the events and to meet others affected by the incident.

Red Cross preparedness group of psychologists

The Finnish Red Cross has a rapid reaction pool of psychologists that can be deployed to tasks of psychosocial support in crisis situations to strengthen the psychosocial support organised by the municipalities.

The preparedness group consists of 25 professional psychologists, who are specialists in disasters, crisis and trauma. The group was founded in 1993, and has been involved in all major incidents in Finland, e.g. the school shootings in Jokela 2007, Kauhajoki 2008 as well as the terrorist attack in Turku 2017 and the

school attack in Kuopio 2019. They also organised peer support for those who lost loved ones in the Asian tsunami 2004. During the Covid-19 pandemic, the group prepared psychoeducational videos to support national resilience and supported volunteers in telephone services.


Tasks of the preparedness group

- To be an additional and supporting resource for local resources in acute crisis
- To plan, organise and co-ordinate the acute crisis work immediately after a major incident in co-operation with local authorities
- To plan and organise after care activities together with local authorities i.e. support discussions for individuals and groups, peer support groups
- To provide consultancy and psychoeducation, produce psychoeducation material
- To co-operate with the media i.e. giving interviews about crisis reactions
- To support Red Cross staff and volunteers

It should be noted that the EUCVT has compiled a list of psycho-trauma experts in Europe, who have been invited to join the online Hub of expertise with a view to exchanging best practices and increasing expertise at the national level.

Further reading:



- Lundell, S. (2019) VOCIARE National Report Finland
 - German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
 - World Bank Group (2017) Operating networks for victim support services
 - Finnish Ministry of Justice (2017) The transposition of the Counter-terrorism directive
 - Finnish Ministry of Justice (2021) Working group proposal: Preparing to cater for the information needs of victims of terrorism
 - Finnish Ministry of Social Affairs and Health (2019) Final report of the working group on the development of psychosocial support for sudden traumatic events
-  Tukinet

4. EUCVT

The European Commission set up the EU Centre of Expertise for Victims of Terrorism (the EUCVT) in January 2020, as a two year pilot project, to offer expertise, guidance and support to national authorities and victim support organisations.

Expertise is available on all matters related to victims of terrorism: e.g. on their needs, their rights according to EU legislation, the psychological consequences of terrorist attacks and therapies available for victims, and judicial processes.

During the term of the pilot project, national authorities (departments of justice, of health, of the interior; national organisations of the police, public prosecution or law courts; national first responders; NGOs that support victims of terrorism) may contact the EUCVT for expertise, guidance and/or support.

The EUCVT is unable to provide direct help and assistance to individual victims of terrorism. However, victims that contact the EUCVT will be referred to the authority or service provider in the appropriate Member State (or in other countries as required) that can support them.

Website

- Basic information on the rights of victims, on the needs of victims and on available support for victims of terrorism is available on EUCVT's website.
- The website also contains key documents on victims of terrorism, links to online resources, video statements of victims of terrorism and the professionals involved in their support.

Experts

- The EUCVT has an extensive network of available experts, including victims of terrorism, practitioners and researchers from Member States and around the world. The EUCVT will connect you with the relevant experts as required.
- EUCVT experts are available, at short notice, to deliver their advice in person in EU Member States. The costs involved shall be borne by the Member State making the request for assistance.

Contact details

eucvt@victimsupporteurope.eu

Further reading:

 [EU Centre of Expertise for Victims of Terrorism](#)

ANNEX I

Acute phase

- Pre-hospital care and acute medical care
- Identification of victims
- Acute crisis work and acute social care
- Classification of psychosocial support > identifying those exposed and providing and organising assistance
 - Mental first aid
 - Helplines (municipality, organisations)
 - Online help (organisations)
 - Psychoeducation
 - Briefings
 - Crisis sessions/discussions
 - Drawing up instructions
 - Communications/media
 - Outreach and screening > referrals to further support
 - Commemoration events (religious communities)
- Drawing up an aftercare plan
- Victim Support Finland's support available
- Pre-trial investigation begins
 - Police communication and other obligations
 - Assessment of protection measures
- Obtaining a counsel and a support person
- Consular services and possible repatriation in cross-border situations
- EU contact points for victims of terrorism help in cross-border situations

Mid-term

- Treatment/rehabilitation of injuries begins
- Burial of the deceased (religious communities)
- Detection of delayed trauma symptoms/PTSD screening
- Acute crisis work and social care continue
- Aftercare plan becomes more specific
- Victim Support Finland's support available
- Claiming for compensation and demanding punishments
- Possible trials and preparations for them
- Submitting insurance claims
- EU contact points for victims of terrorism help in cross-border situations

Long-term

- Treatment/rehabilitation of injuries continues
- Peer support/grief groups
- Crisis and trauma therapy
- Victim Support Finland's support available
- Payment of criminal damages/damages
- Payment of insurance claims
- EU contact points for victims of terrorism help in cross-border situations

