



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

**EUROPEAN COMMISSION**  
**FOR THE EFFICIENCY OF JUSTICE**  
**(CEPEJ)**

**PILOT-SCHEME**  
**FOR**  
**EVALUATING JUDICIAL SYSTEMS**

# SCHEME FOR EVALUATING JUDICIAL SYSTEMS

**Country:** FINLAND  
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**Contact Name:** LL.D Sakari Laukkanen, Senior Specialist at the Ministry of Justice

## I. General information

### 1. Number of inhabitants

Number: **5 171 000** Year of reference: 2004  
.....  
Source: www.verkkouutiset.fi  
.....

### 2. Total annual State/regional public budget

Budget: **37 065 000 000** euros Year of reference: 2004  
.....  
Source: State Budget  
.....

### 3. Average gross annual salary / **employee**

Salary: **33 000** euros (3 992 mill. euros/119500 employees) Year of reference: 2004  
.....  
Source: State Budget  
.....

## II. Access to Justice and to all courts

## II. A. Legal aid/cost of justice

### 4. Annual public budget spent on legal aid

Annual budget: **51 600 000** euros (= direct cost of state legal aid offices 17,8 mill. + fees paid to private advocates, who provide legal aid 33,8 mill. euros) Year : 2003

Source : Financial statement 2003

### 5. If possible, specify

#### - the annual public budget spent on legal aid in criminal cases

Annual budget: Fees paid to private advocates **21 mill. euros.** (the costs of the states legal aid offices - 17,8 mill - cannot be separated into criminal and other court cases) Year : 2003

Source : Financial statement 2003

#### - annual public budget spent on legal aid in other court cases

Annual budget: Fees paid to private advocates **6,4 mill. euros.** (the costs of the states legal aid offices - 17,8 mill - cannot be separated into criminal and other court cases) Year : 2003

Source : Financial statement 2003

### 6. Total number of legal aid cases (in a year)

Number of cases: **83 585** (includes cases of legal aid offices and of private advocates providing legal aid) Year : 2003

Source : Financial statement 2003

### 7. If possible, specify:

#### - the total number of legal aid cases in criminal matters (in a year)

Number of cases: **35 490** (includes only cases of legal aid offices) Year : 2003

Source : Reporting system Julia

#### - the total number of legal aid cases in other court cases (in a year)

Number of cases: **12 665** (includes only cases of legal aid offices) Year : 2003

Source : Reporting system Julia

8. Does your country have an income and asset test for granting legal aid?

Yes

9. If yes, what is the maximum income level for granting legal aid?

Income level: **1 400 euros in a month** Year : 2004  
.....

10. Is it possible to refuse legal aid for lack of the merit of the case?  
(eg. for frivolous or vexatious actions, or cases without merit)

Yes **YES**  
.....

If yes, is the decision taken by : **- the court or the legal aid office**

What factors are taken into account ?

Factors:

**Section 7 of Legal Aid Act —Restrictions to legal aid**

Legal aid shall not be given if:

- (1) the matter is of little importance to the applicant;
- (2) it would be clearly pointless in proportion to the benefit that would ensue to the applicant;
- (3) the pursuit of the matter would constitute an abuse of process; or
- (4) the matter is based on an assigned right and there is reason to believe that the purpose of the assignment was the obtainment of legal aid.

11. In general do litigants have to pay a court tax or fee to start a proceeding at a general jurisdiction court?

Yes **YES**  
.....

If yes, is this true for :  
- criminal cases? **No**  
- other than criminal cases? **Yes**

12. Does your country have a private system of legal expenses insurance for individuals?

Yes / No / Otherwise: **YES**  
.....

13. Do judicial decisions have an impact on who bears legal costs which are paid by the parties during the procedure?

Yes / No / Otherwise: **YES**  
.....

If yes, is this true for :  
- criminal cases ? **Yes**  
- other than criminal cases? **Yes**

14. In your country, have studies been carried out on the costs of cases brought to courts concerning: - users? **Yes**

- the State? **Yes**

If yes, please indicate the references of these studies published in the year 2002 or 2003:

(Author / instance) Courts	(Title)	(Type of courts or costs reported on): District
<b>Ervasti, Kaijus</b>	Oikeudenkäyntikulut uudessa alioikeusmenettelyssä. Oikeuspoliittisen tutkimuslaitoksen julkaisu 124/1994 (Publications of the National Research Institute of Legal Policy 124/1994)	
<b>Jaakkola, Risto - Vuorinen, Sami:</b>	Mitä riitelemineen maksaa? Oikeuspoliittisen tutkimuslaitoksen tutkimustiedonantoja 32/1997 (Publications of the National Research Institute of Legal Policy 32/1997)	
<b>Ervasti, Kaijus</b>	Riitaprosessi uudistuksen arviointi. (Publications of the National Research Institute of Legal Policy 154/1998 English summary: An assessment of the Reform of Civil Procedure in Finland)	

## **II. B. Users of the courts and victims**

15. Are there official internet sites/portals (eg. Ministry of justice, etc..) through which the general public may have free access to:

- legal texts (eg. codes, laws, regulations, etc..)? **Yes**  
internet address: [www.finlex.fi](http://www.finlex.fi), [www.eduskunta.fi](http://www.eduskunta.fi), [www.om.fi](http://www.om.fi)

- to the case-law of the higher court/s? **Yes**  
internet address: [www.finlex.fi](http://www.finlex.fi)

- to other documents (for examples legal forms)? **Yes**  
internet address: [www.oikeus.fi](http://www.oikeus.fi)

If yes, please give the internet address (see above)

16. Is there a public and free-of-charge specific information system to inform and to help victims of crimes? **Yes**

Comments: Finnish Service for Crime Victims ([www.rikosuhripaivystys.fi](http://www.rikosuhripaivystys.fi)) is private but partly funded by state.

17. Is there a public, free of charge and personalised specific information system, managed by the police or the justice system, on the follow up given to complaints by victims of crime?  
**No**

Comments:

18. Does your country have a public compensation fund to compensate financially victims of crimes? **Yes**

Comments: **Act on Compensation for Crime Damage** (935/1973) <http://www.finlex.fi/pdf/saadkaan/E9730935.PDF>

19. Does your country have users' or legal professionals' (judges, lawyers, officials, etc.) surveys to measure public trust and satisfaction with the services delivered by the judiciary?  
Yes

If yes, are these surveys  
- at national level Yes

**Marjukka Litmala (ed.)** Law and the Citizen (summary) National Research Institute of Legal Policy publication 173/2000  
**Tapio Lappi-Seppälä & Jyrki Tala & Marjukka Litmala & Risto Jaakkola:** Luottamus tuomioistuimiin National Research Institute of Legal Policy publication 160/1998  
**Hannu Niskanen&Timo Ahonen&Ahti Laitinen:** Suomalaisten luottamus tuomioistuimiin, The University of Turku 1999

- at court level No **(Some courts have done them, but they have not been published)**

20. Is there a national or local procedure for making complaints about the performance of the judiciary (eg. through an ombudsman)? Yes

Please specify:

- at court level/internal procedure No
- at court level/external procedure **Complaint to the Court of Appeal**
- at national level/internal procedure No
- at national level/external procedure Yes **(Parliamentary ombudsman, the Chancellor of Justice)**

Comments:

21. As a general rule, do the institutions which receive such complaints have an obligation to respond and/or to deal with the complaint within a certain time limit?

**Yes**, the institutions which receive such complaints have an obligation to respond.

- time limit to respond: No
- time limit for dealing with the complaint: No

### **III. Functioning of courts and efficiency of justice**

#### **III. A. Functioning**

22. Total number of courts

Number of courts: **83**  
.....

23. Number of general jurisdiction first instance courts

Number of courts: **63 (the District Courts)**  
.....

## 24. Number of specialised first instance courts *Please specify the different areas of specialisation*

(area of specialisation)	(number of courts)
<b>Labour Court</b> Interpretation/Application of the Employment Contracts Act, State Civil Servants Contracts Act and other such Acts, and disputes arising from collective bargaining agreements for civil servants and other workers.	<b>1</b>
<b>Market Court</b> Matters covered by Consumer Protection Act, Consumer Ombudsman Act, Securities Markets Act, questions of marketing and contractual terms, and infringements of the Restrictive Trade Practices Act.	<b>1</b>
<b>Insurance Court</b> Court of law for the social welfare matters assigned to its jurisdiction, for example disputes arising from different kinds of sickness and accident insurance, and appeals against decisions made by the Pensions Appeal Board, Accident Insurance Appeal Board and Unemployment Appeal Board.	<b>1</b>
<b>High Court of Impeachment</b> Special court that hears charges against Ministers (i.e. Members of the State Council), Supreme Court Justices and certain senior civil servants for unlawful conduct in office. It is convened only when necessary.	<b>0-1</b>

## 25. Number of professional judges sitting in courts *(present the information in full time equivalent and for permanent posts)*

Number of judges: **875**      fte      Year :    **2004**  
.....      .....      .....

Source : The Ministry of Justice  
.....

## 26. Number of non-professional judges sitting in courts *(present the information in full time equivalent and for permanent posts)*

Number of judges: **about 8**      fte      Year :    **2004**  
.....      .....      .....

Source : The Ministry of Justice  
.....

**Please give details:** There are about 8 land engineers in permanent posts in the District Courts that hear land cases (mostly land parcelling cases). There also are 3700 lay members in District Courts and some expert and interest members in some administrative and special courts, but they are not included in the count above because they are not sitting full time or permanently.  
.....

## 27. Number of non-judge administrative staff who are working in courts *(present the information in full time equivalent and for permanent posts)*

Number of staff: **2586**      fte      Year :    **2004** (including 424 referendaries that are part of judicial staff)  
.....      .....      .....

Source : The Ministry of Justice  
.....

## 28. Annual budget allocated to all courts

Annual budget:    **212 273 000** euros      Year :    **2004**

Source : .....  
State Budget

29. Annual budget allocated to the Ministry of justice or the institution (for example Judicial Council) which is responsible for the functioning of the courts

Annual budget: **29 298 000 euros** (The Ministry of Justice for the central administration of courts)  
**668 566 000 euros** (The budget allocated to the Ministry of Justice including the whole field of administration)  
Year : 2004

Source : .....  
State Budget

30. Has the budget for justice increased during the last 5 years? **Yes**  
What are the figures?

Budget **172 749 000 euros** (courts)/ **24 135 000** (to Ministry for the adm. of courts)/ **527 643 000** (to Ministry of Justice) Year: **2000**

Budget **212 273 000 euros** (courts)/ **29 298 000** (to Ministry for the adm. of courts)/ **668 566 000** (to Ministry of Justice) Year: **2004**

31. Which institution is formally responsible for setting up the budget devoted to courts?

- the ministry of Justice (or equivalent) **Yes** (prepares)
- the Government **Yes** (instructs)
- the Parliament **Yes** (adopts)
- the Judicial Council **No** (We do not have such)
- the Courts **No** (There are annual negotiations between all courts and the Ministry of Justice, in which the courts present their needs and call for money. These negotiations are part of the method called "Management by results". Through the negotiations and the method the MoJ allocates budget funds to the Courts of Law.)
- other:  
.....

32. Who manages the budget of the courts?

- the President of the Court **Yes**
- the person administratively responsible for the court **Yes (However, only in some bigger courts)**
- other:  
.....

33. Which institution is responsible for arranging and scheduling the court hearings/sessions?

- in criminal cases: **the court**
- in other than criminal cases **the court**

### **III. B. Efficiency**

34. Total number of criminal cases received by the public prosecutor (in a year)



Number of cases: **82 310** Year : 2003  
Source : The Annual Report of the Prosecutor General

35. Total number of criminal cases dropped by the public prosecutor (in a year)

Number of cases: **23 800** (by defendants) Year : 2003  
Source : The Annual Report of the Prosecutor General

Please indicate also, out of this total, those dropped as the offender has not been identified

Number of cases: Not available Year :  
Source :

36. Total number of criminal cases which are concluded by a sanction/measure, imposed or negotiated by the public prosecutor (in a year)

Number of cases: **3 634** (persons) Year : 2003  
Source : The Annual Report of the Prosecutor General

37. Total number of criminal cases charged by the public prosecutor before the courts (in a year)

Number of cases: **61 751** Year : 2003  
Source : The Annual Report of the Prosecutor General

38. Total number of incoming criminal cases in the courts involving robbery cases (in a year)

Number of cases: Year :  
Source :

39. Total number of judicial decisions, involving robbery (in a year)

Number of cases: **425** cases including **870** accused persons (of robbery or aggravated robbery) Year : 2003  
Source : Statistics of the **District** Courts (The Ministry of Justice)

*Please indicate, if possible:*

Number of convicted persons: **360 convicted** persons of 870 accused is **41 % of accused persons:**

Number of acquitted persons: **53 acquitted** persons of 870 accused is **6,0 % of accused persons:**

40. Percentage of decisions involving robbery subject to an appeal to a higher court (in a year)

Percentage of decisions: ..... Year : .....

Source : The average appeal percentage of all criminal cases is 10,9 %. In robbery cases it is higher, an estimation is 60 %.

41. Total number of incoming criminal cases in the courts, involving intentional homicide (in a year)

Number of cases: ..... Year : 2003

Source : .....

42. Total number of judicial decisions, involving intentional homicide (in a year)

Number of decisions: **90** cases including **130** accused persons (in murder and homicide) Year : 2003

Source : ..... Statistics of the **District** Courts (The Ministry of Justice)

*Please indicate also if possible:*

Number of convicted persons: **83 convicted** persons of 130 accused is **63 % of accused persons**

Number of acquitted persons: **6 acquitted** persons of 130 accused is **4,6 % of accused persons**

43. Percentage of decisions concerning intentional homicide subject to an appeal to a higher court (in a year)

Percentage of decisions: ..... Year : .....

Source : The average appeal percentage of all criminal cases is 10,9 %. In intentional homicide it is clearly higher, an estimation is 60-80 %.

44. Total number of incoming civil and administrative cases in the courts (in a year)

Number of cases: **153 946** civil cases in District Courts (143 000 of them are applications for summary proceedings - undisputed claims) **21 714** administrative cases in Administrative Courts (first instance) Year: 2002

Total: 158 193 civil cases including all general courts (first instance + appeal)  
25 751 administrative cases including all administrative courts (first instance + appeal)

Source : ..... Statistics of Courts (The Ministry of Justice)

#### 45. Total number of judicial decisions in civil and administrative matters (in a year)

Number of decisions: **148 119** (in civil cases in District Courts) and **19 842** in Administrative Courts (first instance) Year : 2002  
152 366 in civil cases and 23 620 in administrative cases (first instances and appeal)

Source : Statistics of courts (the Ministry of Justice)

#### 46. Percentage of decisions concerning civil and administrative matters subject to an appeal to a higher court (in a year)

Percentage of decisions: In civil cases  $2018/148\ 119 = 1,36\ %$  but if we compare the appeals with the civil claims initiated with the "large application for a summons" and "disputed summary cases" (= civil cases demanding a trial) the percentage is **2018/7634 = 26,4 %**  
In administrative cases 4037 appeals compared with 21 714 adm. cases commenced is **18,6 %**  
**Year. 2002**

Source : Statistics of courts (the Ministry of Justice)

#### 47. Total number of incoming divorce cases in the courts (in a year)

Number of cases: **17 740** Year : 2002

Source : Statistics of courts (the Ministry of Justice)

#### 48. Total number of judicial decisions in divorce cases (in a year)

Number of decisions: **17 962** Year : 2002

Source : Statistics of courts (the Ministry of Justice)

#### 49. Percentage of decisions concerning divorce cases subject to an appeal to a higher court (in a year)

Percentage of decisions: **63 appeals** compared with decisions 17962 (of which 13 716 appealable decisions) = **0 %** Year : 2002

Source : Statistics of courts (the Ministry of Justice)

#### 50. Total number of incoming employment dismissal cases in the courts (in a year)

Number of cases: **252** Year : 2002

Source : Statistics of courts (the Ministry of Justice)

#### 51. Total number of judicial decisions of employment dismissal cases (in a year)

Number of decisions: **419** Year : 2002

Source : .....  
Statistics of courts (the Ministry of Justice)  
.....

**52. Percentage of decisions concerning employment dismissal cases subject to an appeal to a higher court (in a year)**

Percentage of decisions: ..... Year : .....

Source : .....  
.....

**IV. Use of Information Technology in the court**

**53. Annual IT budget allocated to the courts (if possible in Euros)**

Annual budget: **9 000 000 euros** Year : 2004

Source : .....  
Budget of the Ministry of Justice  
.....

**54. In general, do the courts in your country have computer facilities?**

- for judges **Yes**
- for non-judges court staff **Yes**

**55. Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary ? **Yes****

**If yes, please specify the name and the address of this institution**

Statistics Finland [www.stat.fi](http://www.stat.fi)  
(Name) ..... (Address) .....

Statistics Finland's task is to

- Compile statistics and reports concerning social conditions
- Collect and maintain data files on society
- Provide information service and promote the use of statistics
- Conduct studies and surveys related to statistics compilation and develop statistical methodology
- Develop the national statistical service in co-operation with other Government officials
- Participate in Finland's international statistical co-operation and co-ordinate it

In fact, also the Ministry of Justice collects statistical data regarding the functioning of courts and judiciary via automated case-management systems of courts and different automated statistics systems. These answers are based on the information of these case management systems gathered by the Ministry of Justice. The data of these systems is forwarded to Statistics Finland.

**56. What kind of facilities can be used by the clients of the courts to communicate with the courts ?**

- Telephone **Yes**
- Mail **Yes**
- Fax **Yes**

- E-mail **Yes**
- Internet **For getting information yes, but not interactive.**

57. Is there an electronic form to carry out certain procedural steps? **Yes . The summary proceedings in undisputed civil matters (debt collecting cases) is almost totally automated procedure.**

**V. Fair trial**

58. Percentage of adversary judgements in criminal cases in first instance

Percentage of judgements: ..... Year : .....  
 Source : .....

59. Is there a right to an interpreter for all those within your jurisdiction if the persons cannot understand or speak the language used in court? **Yes**

60. Is there an effective remedy to a superior jurisdiction for all cases? **Yes**

61. Are reasons given for all prison sentences? **Yes**

62. Average length, in days, of robbery cases from the formal beginning of the prosecution until the first instance judgement

Average length: **6,2 months = 186 days** (2,2 months at the prosecutor and 4,2 months in the court) Year : 2003  
 Source : Statistics of District Courts (The Ministry of Justice)  
 .....

63. Average length, in days, of robbery cases from the formal beginning of the prosecution until the appellate judgement

Average length: **14,7 months = 441 days** (2,2 months + 4,2 months + 8,3 months in the Court of Appeal) Year : 2003  
 Source : Statistics of Courts (The Ministry of Justice)  
 .....

64. Average length, in days, of divorce cases from the deposit of the complaint until the first instance judgement

Average length: **6,2 months = 186 days** (average handling time in cases commenced by the application) days Year : 2003  
 .....

Source : Statistics of the District Courts (The Ministry of Justice)  
.....

**65. Average length, in days, of divorce cases from the deposit of the complaint until the appellate judgement**

Average length: **14,5 months = 435 days** (6,2 + average handling time in the Court of Appeal 8,3 months) Year : 2003  
.....

Source : Statistics of Courts (The Ministry of Justice)  
.....

**66. Average length, in days, of employment dismissal cases from the deposit of the complaint until the first instance judgement**

Average length: **8,6 months = 258 days** (average handling time in cases commenced by the extensive application for a summons)  
Year : 2003

Source : Statistics of the District Courts (The Ministry of Justice)

**67. Average length, in days, of employment dismissal cases from the deposit of the complaint until the appellate judgement**

Average length: **16,9 months = 507 days** (8,6 + average handling time in the Court of Appeal 8,3 months) Year : 2003  
.....

Source : Statistics of Courts (The Ministry of Justice)  
.....

**68. Do you, on a regular basis, measure the size of backlog cases in the courts?**

**Yes**

**69. Do you have a way of analysing queuing time during court procedures?**

**Yes**

If yes, please specify: The case management systems provide information about duration of procedures in every single case as necessary. In practice the courts are controlling themselves and the control is based on the sum ups of the performance in a month or in an other period.  
.....

**VI. Judges**

**70. Gross annual salary of a first instance professional judge at the beginning of his/her career**

Annual salary : **50 000 euros** Year : 2004  
.....

Source : Salary grade T 11 (The Ministry of Justice)  
.....

71. Gross annual salary of a judge of the Supreme Court or of the highest appellate court

Annual salary : **105 000 euros** Year : 2004  
.....  
Source : The Ministry of Justice  
.....

72. Can judges combine their work with other professions (for example as a university professor, arbitrator, consultant)? **Yes**

If yes, please specify: In theory yes but in practise it is very rare.  
.....

73. Are judges recruited and nominated by an independent institution? **Yes**

(if yes), who are represented in this institution:

- the members of the judiciary **Yes**
- officials not part of the judiciary **Yes**
- a mixture of the two categories referred to above **Yes**

Is the process of selection and nomination of judges carried out according to pre-established procedures ? **Yes**

74. Is there a system of induction and continuation training for judges?

**Yes, but not compulsory** . (There is not yet a comprehensive system of initial training for judges, but there is a system of in-service training)

What is the average percentage of judges who have attended a continuation training session each year?

Percentage of judges: **90-95 %** (there is an opportunity for continuation training to all judges) Year : 2003

Source : head of the training division at the Ministry of Justice  
.....

75. Is there a system of supervision and control on the courts - other than through appeal ? **No**

If yes, please specify:  
.....

76. Is there in your country a system of temporary judges? **Yes**

If yes, are these temporary judges paid on the basis of their activity? **No, they are deputies or temporary for some period and get the salary of that period.**

If yes, please specify: .....

### 77. Annual number of disciplinary proceedings against judges

Number of proceedings: ..... Year : .....  
Source : In a narrow sense of the word there is no disciplinary system against judges in Finland.  
.....

### 78. Annual number of sanctions against judges

Number of sanctions: ..... Year : .....  
Source : See above. Judges have a legal or criminal responsibility over duties but cases leading to sanctions are rare.  
.....

## VII. Public prosecutors

### 79. Annual budget for the public prosecution

Annual budget: **29 000 000 euros** Year : 2003  
Source : .....  
The Annual Report of the Prosecutor General  
.....

### 80. Number of professional public prosecutors (in full time equivalent)

Number of prosecutors: **335** Year : 2003  
Source : .....  
The Annual Report of the Prosecutor General  
.....

### 81. Gross annual salary of a public prosecutor at the beginning of his/her career

Annual salary : **35 000 euros** Year : 2004  
Source : .....  
The Collective Bargaining Contract on Civil Servants Salaries  
.....

### 82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court

Annual salary : **63 000 euros** (The Prosecutor General) Year : 2004  
Source : .....  
The Collective Bargaining Contract on Civil Servants Salaries  
.....



83. Can public prosecutors combine their work with other professions? **No**

If yes, please specify:

.....

84. Are public prosecutors recruited and nominated by an independent institution? **Yes**

(If yes), who are represented in this institution:

- the public prosecutors ? **Yes** (The Prosecutor General)
- other stakeholders outside?
- a mixture of the two categories referred to above?

Is the process of selection and nomination of public prosecutors done according to pre-established procedures? **Yes**

85. Is there a system of induction and continuation training for public prosecutors?

**Yes, however that is not compulsory regarding appointment criteria**

What is the average percentage of prosecutors who have participated in continuation training each year?

Percentage of prosecutors: **90 %** Year : 2003

Source : an estimation by the office of the Prosecutor General

86. Is there a system of supervision and control on public prosecutors? **Yes**

If yes, please specify: The decisions and conduct of the prosecutors are subject to complaint to the Prosecutor General.

However, there is no comprehensive evaluation system for prosecutors in Finland, there is of course a clear need to evaluate the performance of prosecutors also here. In fact, there are four different methods or approaches for gathering information on the quality of the work of Finnish prosecutors. First of all, before a person receives a permanent appointment as a prosecutor he/she is supposed to have participated in training, although this is not compulsory. After the training period, he/she will first be appointed on a temporary basis. During the temporary appointment, new prosecutors are under the active control and surveillance of their superiors, i.e., the Prosecutor General (PG, see also: <http://www.oikeus.fi/vksv/2442.htm>) and the Chief Prosecutors. If the person is found to lack competence, there will be no permanent appointment. Secondly, the prosecutors with permanent positions can expect to be reviewed every other year by the PG. He, or more probably the staff of the Office of the PG, visit local prosecution offices on regular basis and review the work of local prosecutors. Before the review, every local prosecutor is supposed to send some five latest charges prepared by him/her for purposes of advance evaluation by the PG. The performance of the prosecutor will be then discussed during the visit of the PG and the local prosecutor will receive feedback. The third method of evaluation is complaints. The public may submit complaints against local prosecutors to the Office of the PG, which may take action as is necessary. Of course, if there are a lot of complaints against one and the same local prosecutor, the PG will take an interest. There are around 500 complaints against Finnish prosecutors annually. Finally, whenever a local prosecutor wishes to file an appeal to the Supreme Court, a copy of the appeal document will also be sent to the PG. The PG may evaluate not only the merits of the case but also the quality of the work of the prosecutor.....

### 87. Annual number of disciplinary proceedings against public prosecutors

Number of proceedings: **95** Year: 2003

Source: Complaints against prosecutors. The Annual Report of the Prosecutor General.

### 88. Annual number of sanctions against public prosecutors

Number of sanctions: **19** Year: 2003

Source: The Annual Report of the Prosecutor General.

## VIII. Lawyers

### 89. Number of lawyers practising in your country

Number of lawyers: **1700** (Total number of members of the Bar Association and Public Defenders) Year: 2002  
.....However in addition of those already mentioned there are actually a big number of practising lawyers who do not belong to the Bar. A rough estimation of the number of these lawyers is around 1.000

Source: The Finnish Bar Association, Ministry of Justice

90. Is there a national bar association? **Yes**

91. Have quality standards been formulated for lawyers? **Yes**

If yes, who is responsible for formulating these quality standards?

- the bar association **Yes**

- the legislature **Yes**

- other

92. Can disciplinary proceedings be instituted against lawyers? **Yes**

### 93. Annual number of disciplinary proceedings against lawyers

Number of proceedings: **370** Year: 2002

Source: The Finnish Bar Association

### 94. Annual number of sanctions against lawyers

Number of sanctions: **87** Year: 2002

Source : The Finnish Bar Association  
.....

95. Is it possible to complain about the performance of lawyers? **Yes**

If yes, please specify: The complaint can be made to the disciplinary board of the Finnish Bar Association  
.....

96. What is the amount paid to a lawyer by the State in respect of legal aid for a first instance divorce case?

Amount: **505 euros** (preparing of the case)  
**+ 303 euros** if there is a hearing max 3 hours Year : 2004  
.....  
Source : Legal aid fees act  
.....

## **IX. Mediators and mediation proceedings**

97. Number of accredited or registered mediators

Number of mediators: ..... Year : .....

Source : There are not official mediation procedures in Finland. The Finnish Bar Association has a mediation service based on their own Mediation Rules. 438 advocates have completed the one-day basic training (2002) and 233 advocates the two-day advanced session and been entered to the roll of mediators. There also is a "semi-official" mediation service in criminal cases, called "Conciliation in criminal and civil cases". There is no nationwide model for the organisation of this conciliation but the services are offered in 255 municipalities (of all 448 municipalities in Finland)  
.....

98. How much public budget is devoted to mediation?

Amount: ..... Year : .....  
Source : .....  
.....

99. Number of incoming mediation cases (in a year)

Number of cases: ..... Year : .....

Source : In Finnish Bar Association's mediation service they have handled some 20 cases in a year so far (2002). In the Conciliation in Criminal and Civil cases there are about 4 500 cases in a year (2002). In normal civil proceedings a judge has to promote a settlement and in practice Finnish judges are active mediators during the preparation of a civil case. In civil cases initiated by the "large application for a summons" (regular disputed civil cases) there are 1 585 certified settlements in a year (2001) and 869 cases struck from the docket due to settlement. This is 31 % of all decisions (7771).  
.....

100. Number of cases solved through mediation (in a year)

Number of cases: ..... Year : .....

Source : In the Conciliation in Criminal and Civil cases about 60-80 % of cases are ended with a settlement. (80 % x 4500 = 3600 settlements)

The settlements in the mediation during normal civil procedure are mentioned above. (1585 + 869 = 2 454 settlements)  
.....

If possible, please specify:

- number of criminal cases solved through mediation: **3600**

- number of cases other than criminal solved through mediation: **2 454**

101. In which areas of law is mediation most practised and successful in your country?

- in criminal cases? Yes (The Conciliation in Criminal and Civil cases)

- in other than criminal cases? Yes (The mediation during the regular civil proceedings in the court)

Year : ..... Source : .....

**X. Enforcement agents and execution of court decisions**

102. Number and types of enforcement agents.

**All enforcement agents in Finland are state authorities that belong to the administration of the Ministry of Justice**

- in criminal cases:

(Type) (Number) (Year) (Source)

**The Criminal Sanctions Agency** takes care of enforcement of prison sentences and community sanctions.  
Internet: [www.rikosseuraamus.fi](http://www.rikosseuraamus.fi)

**The Legal Register Centre** answers for the enforcement of pecuniary penalties and fixed fines, as well as the collection of damages, debts and payment orders for excess loads awarded to the state  
Internet: <http://www.oikeus.fi/oikeusrekisterikeskus/>

- in other than criminal cases:

**Local Bailiffs Offices 65** (there are 86 bailiffs, 4 inspectors and 671 associate bailiffs in these offices)

.....  
.....  
.....

103. Is there an institution to supervise or control the activities of enforcement agents?

Yes

If yes, please specify: The County Administrative Board controls and supervises the Local Bailiffs Offices. Also the Ministry of Justice controls the activities of enforcement agents.  
.....

**104. Annual number of disciplinary proceedings against enforcement agents**

Number of proceedings: 5 ..... Year : 2003 .....

Source : The Ministry of Justice  
.....

**105. Annual number of sanctioned enforcement agents**

Number of agents: 1 ..... Year : 2003 .....

Source : The Ministry of Justice  
.....

**106. Is it possible to file a complaint against an enforcement agent? Yes / No**

If yes, please specify: There was 52 complaints about bailiffs to the County Administrative Board in 2003  
.....

**107. Does the court play a role in the execution of court decisions? Yes**

If yes, please specify: There is a possibility to appeal the bailiff’s action or decision to the District Court.  
There was 1057 appeals in 2003 that is 0 % of all 430 693 appealable decisions.  
.....

**108. Are the courts competent to decide against public authorities? Yes**

Are the courts involved in executing decisions against public authorities? The enforcement system is the same for all.