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## **LANZAROTE CONVENTION**

Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

**Replies to the thematic questionnaire**

**FINLAND**

**2<sup>nd</sup> thematic monitoring round**

**“The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”**

Replies registered by the Secretariat on 10 November 2017

## **Preliminary remarks**

The Unit for Human Rights Courts and Conventions in the Legal Service of the Ministry for Foreign Affairs was responsible for co-ordinating and collecting the replies.

The following State bodies and agencies contributed to responding to the questionnaire:

Ministry of Justice,  
Ministry of the Interior and  
Ministry of Education and Culture.

The Government of the self-governing province of Finland, Åland, contributed to responding to the questionnaire.

The Ombudsman for Children also contributed to responding to the questionnaire.

The questionnaire was distributed widely to NGOs and other entities of civil society. The following NGOs and other civil society entities contributed to responding to the questionnaire:

Exit - pois prostituutiosta ry (Exit Prostitution Association; hereinafter *Exit*) and  
Naisjärjestöt Yhteistyössä - Kvinnoorganisationer i Samarbete NYTKIS ry (The Coalition of Finnish Women's Associations; hereinafter *NYTKIS*).

## Prevention

### Question 1 Awareness-raising or educational activities/tools/materials/measures

**1.1. Are there awareness-raising or educational activities/tools/materials/measures addressed to children, about the risks they face when they produce and/or share:**

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

The Institute for Health and Welfare (THL) has produced material on emotional and safety skills targeted at small children (<https://www.julkari.fi/handle/10024/90799>). The material is meant for teachers and health nurses. It includes tasks for children.

For youth, THL has produced a book on teaching safety skills for young people, and how to prevent sexual harassment and sexual violence (*Turvataitoja nuorille – Opas sukupuolisen häirinnän ja seksuaalisen väkivallan ehkäisyyn*; <https://www.julkari.fi/handle/10024/90817>). The NGO Exit (<https://nuortenexit.fi/>) has, for example, also produced video material about situations of sexual harassment and how to avoid and handle them.

The Ministry of Education and Culture has supported the *KiVa Koulu*<sup>®</sup> ("Nice school") programme aimed at reducing school bullying. About ninety per cent of all comprehensive schools in Finland (ca. 2,500 schools) have been registered users of the program and they have reached good results. The University of Turku coordinates and develops the programme (since 2011). In order to decrease bullying, improve life- and learning skills, motivation and mental wellbeing of youth in upper secondary schools, the Ministry of Education and Culture is funding a programme "*Study Buddies*" (*Opintokamut*). The programme is piloted in 2016 to 2017, with aims to mainstream it broadly to all upper secondary schools (including in vocational education and training) in 2018.

Bullying is understood to cover also aspects of sexual harassment.

The Finnish national audiovisual institute (KAVI) has published a handbook *Children & Media* on children and media for parents and guardians. *Children & Media* is a concise review of media as a part of family life, exploring the media content used by children and their meaning in everyday life. In addition, the various chapters include useful tips on how to discuss media use in a family and how to find the best ways to enjoy media from day to day in a family.

Authorities, such as the police, have been involved in campaigns directed at young people warning them of the risks involved when sharing sexually explicit, self-generated material online. For example, the Finnish police supported and implemented the Europol's Sextortion campaign [http://www.poliisi.fi/uutiskaruselli/1/0/nuorten\\_kiristaminen\\_alastonkuvilla\\_lisaantynyt\\_-\\_europol\\_varoittaa\\_ilmioista\\_60599](http://www.poliisi.fi/uutiskaruselli/1/0/nuorten_kiristaminen_alastonkuvilla_lisaantynyt_-_europol_varoittaa_ilmioista_60599).

In Åland, the self-governing province of Finland, the Government of Åland provides financial support to *Rädda Barnen på Åland rf* (*Save the Children Åland*; [www.raddabarnen.ax](http://www.raddabarnen.ax)). Since

2009, Save the Children Åland has been running *Barnens internet* ("Children's internet") programme in Åland. In addition to providing advice regarding internet use and media consumption, the programme also works closely with local schools to disseminate information. The organisation undertakes school visits and organises information events directed at both children and adults. Their activities are primarily directed at basic school children although some work is also carried out with children who have entered secondary education.

**1.2. Are there awareness-raising or educational activities/tools/materials/measures specifically targeting children as bystanders/observers of other children producing and/or sharing:**

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

See replies to Question 1.1. and 2.2. as applicable.

**1.3. Are there awareness-raising activities/tools/materials/measures addressed to parents and persons who have regular contact with children (teachers, psychologists, health care professionals, etc.) about the risks children face when they produce and/or share:**

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

The Family Federation of Finland, *Väestöliitto*, has web pages for educators, health nurses and parents about sexuality education for young children: about teaching children about their own body, rights and sexuality

[http://www.vaestoliitto.fi/vanhemmuus/tietoa\\_vanhemmille/pienten\\_lasten\\_vanhemmat/lapsijaseksuaalisuus/seksuaalikasvatuksen-paakohdat/kehotunnekasvatus/](http://www.vaestoliitto.fi/vanhemmuus/tietoa_vanhemmille/pienten_lasten_vanhemmat/lapsijaseksuaalisuus/seksuaalikasvatuksen-paakohdat/kehotunnekasvatus/).

*Väestöliitto* has also published a poster, "Safety skills and your body" for parents of small children, which aims to provide safety skills education to children in their own language and to guide children to respect their own bodies and the bodies of others. The poster has been published in seven languages.

*Pelastakaa Lapset ry* (Save the Children Finland) has produced booklets and leaflets about sexual violence and sexual harassment, such as *Suojele minua kaikelta* ("Protect me from everything") – booklet, *Lapsen seksuaalinen hyväksikäyttö ja uudet viestintäteknologiat* ("Sexual abuse of children and new communication technologies"), and *Ota Puheeksi – Internet ja lasten seksuaalinen hyväksikäyttö* ("Bring it up - Internet and sexual abuse of children").

The society *Viola - Free from Violence*, in cooperation with the City of Mikkeli, is carrying out a project called My Space, Not yours!, the purpose of which is to create an operations model to prevent the threat of violence and sexual violence. The project seeks to integrate methods that deal with sexual violence and dating violence into education in secondary schools and upper secondary level educational institutes and services for the young. The project provides training on identifying and broaching the issues to the multidisciplinary staff of schools as well as other persons working with the young. The young contribute to putting the methods to use and they

participate in the advocacy work in the school environment. The project also involves cooperation with Mikkelin One-Stop-Guidance Center Ohjaamo, which gathers the youth services belonging to various sectors under one roof.

See also reply to Question 1.1 concerning the *Kivakoulu*-programme and *Opintokamut* programme.

Under the Children's Internet programme, Save the Children Åland delivers talks aimed at staff working in schools and other relevant professionals. Parents can also contact Children's internet regarding online bullying and, in certain cases, on matters involving the sexual exploitation of children. Also active in Åland is the *Nätmobbningsgruppen (Online bullying)* network, which comprises participants from the public and third sectors.

**Please specify which entities carry out the above-mentioned awareness raising or educational activities (questions 1.1, 1.2 and 1.3) and how they coordinate their action.**

Most of the awareness-raising material and further education is carried out by NGOs.

The *Online bullying network* in Åland works collaboratively to prevent cyberbullying and other online threats affecting children and young people. The group meets once a month to share experiences, coordinate campaigning activities and organise talks on relevant topics. The group meets once a month to share experiences, coordinate campaigning activities and organise talks on relevant topics. Membership comprises the Data Protection Authority (an independent authority under the Government of Åland), peripatetic youth workers (preventative social work funded by the City of Mariehamn), primary school staff from across Åland (local authorities) and secondary schools (Government of Åland), Folkhälsan public health organisation (third sector), Save the Children (third sector) and youth workers (City of Mariehamn).

**Please share links to awareness-raising or educational materials (e.g. booklet, video, smartphone application, manual on non-formal education, tool-kit, internet tools) produced for the above mentioned activities (questions 1.1, 1.2 and 1.3).**

Please see above.

## **Question 2. Civil society involvement**

**2.1. How do State authorities encourage the implementation of prevention projects and programmes carried out by civil society with regard to:**

- a. self-generated sexually explicit images and/or videos?**
- b. self-generated sexual content?**

In addition to what has been said above, the Children and Digital Media Unit of Save the Children Finland maintains the Finnish helpline *Nettivistäjä ("Internet Hint")*, which offers the public a way to anonymously report potentially illegal online content, especially concerning child sexual abuse material. The functions of *Nettivistäjä* are co-financed by the European Union.

*Nettivist* passes all relevant information regarding Finland to Finnish law enforcement authorities for evaluation and possible actions. This includes also self-generated sexual content, when being passed on online. *Nettivist* passes information on illegal online content located outside Finland to the helpline in the country where the illegal material is hosted. If there is no helpline in the country in question, the information regarding the illegal content is passed to law enforcement authorities in Finland. See also reply to Question 6.

**2.2. Please provide information on prevention activities (including awareness-raising and educational activities, research etc.) implemented by civil society (including those carried out by civil society at their own initiative) with regard to:**

- a. self-generated sexually explicit images and/or videos;
- b. self-generated sexual content?

In addition to what has been described under Question 1, the NGO *Mannerheimin Lastensuojeluliitto* (“*Mannerheim League for Child Welfare*”) together with other European NGOs working with schools have provided training material for teachers called *Power of peers – Bullying prevention in the digital age*. The material provides a preventive approach and a practical guide to integrate youth participation and digital dimension in bullying prevention. It provides tools for a whole-school process and promotes supportive bystander behaviour. It also includes material on self-generated sexually explicit images etc.

Moreover, Telia Finland Oyj, a Finnish tele operator company, and Save the Children Finland have together launched *Digiboom*-campaign, which lasts all year 2017. It is a preventive campaign with a focus on children’s rights in the media. It is a general rights promotion campaign with no specific focus on self-generated sexual content but the preventive and educational aspect does include awareness-raising in the possible involuntary sharing or hostile redistribution of self-generated sexual content.

In Åland Information till föräldrar vars barn har blivit offer för ett vålds- eller sexualbrott (*Child victims of crime – information for parents of child victims of violence or sexual offences*; (<https://oikeus.fi/fi/index/esitteet/lapsirikoksenuhrina.html>) (2013), a joint publication by the Ministry of Justice, Ministry of the Interior and Ministry of Social Affairs and Health has been made available in Åland by the Government of Åland. The Government of Åland has also produced an additional publication ([http://www.regeringen.ax/sites/www.regeringen.ax/files/attachments/page/barn\\_som\\_brotts\\_offer\\_alandsk\\_bilaga.pdf](http://www.regeringen.ax/sites/www.regeringen.ax/files/attachments/page/barn_som_brotts_offer_alandsk_bilaga.pdf)). The addendum was necessary as the services set out in the national publication are different from those offered in Åland. The publication is freely available in many public areas. Also, the *Fair sex* project ran from 2012 to 2015 and was designed to prevent sexual violence and promote positive sexual behaviour and decision-making among young people in Åland. The project received funding from the Government of Åland ([www.peace.ax/sv/fairsex](http://www.peace.ax/sv/fairsex))

The NGO Exit points out also that Save the Children maintains a website called *otanvastuun.fi* (“*I take responsibility*”; <http://otanvastuun.fi/>), which provides online self-help material for those drawn to illegal online sexual activity targeted at children.

### Question 3. National curriculum

Does national curriculum (primary and secondary schools, and vocational education) include awareness-raising about the risks of:

- a. self-generated sexually explicit images and/or videos?
- b. self-generated sexual content?

According to the new national core curriculum for basic education, adopted in 2014, in grades 7 to 9 of the Finnish primary school, pupils are “supported in community affiliation that does not accept any form of bullying, sexual harassment, racism or other discrimination”.

Among the key content objectives of health education in grades 7 to 9 is an area titled “Growth and development supporting health”, with issues of identity, self-image, self-awareness, sexual development and safety skills covered. In the contents related to emotional and interaction skills, attention is paid to acting in interaction situations and the expression and regulation of emotions. The pupils also get acquainted with managing conflicts, problem situations, stress, and crises constructively. The subject of health education also touches upon “sexuality, various aspects of sexual health and the diversity of sexual development”.

The task of the subject of *social studies* is to support the pupils' growth into active, responsible, and enterprising citizens. Examining the media and utilising information and communication technology has a key role in learning at all levels of schooling. Pupils will also study the constitutional state and the structure and operation of the Finnish legal system. The use of information and communication technology provides a natural means of seeking information and participating in producing and sharing information about society. In the Upper Secondary Education, one of the objectives in social studies is that the student will be “capable of acquiring versatile societal and topical material from different sources of information, also utilising information and communication technology, as well as interpreting and critically evaluating verbal, visual, and statistical information”.

Questions related to sexuality and bullying/harassment are discussed also in many other subjects, including ethics, psychology and biology.

**Among the NGOs,** Exit notes that in basic education the issue of sexual abuse is mostly brought up in health education classes in the eighth grade and the content of the education is dependent on the teacher. Moreover, the amount of information varies greatly in different textbooks. According to Exit, adults and professionals easily overlook children’s action in the internet although it would be necessary to strengthen the capabilities of using ICTs safely without judgement. Moreover, young people need also the strengthening of their self-value, sexual self-determination and sexual rights through more comprehensive health and sexual education. The education needs to take into account the LHBTIQ Youth for whom technology might offer the only place to discover, ask questions, find someone alike and get information. Many studies show that LHBTIQ youth experience harassment and abuse more than their peers and find it harder to get help. Cultural and gender sensitivity, education and tools are needed also for parents to guarantee equal opportunities for all youth. *Mitä kuuluu sateenkaarinuorille Suomessa? – study (How is the LHBTIQ-youth doing in Finland?)* reveals, that forty per cent of trans youth have been

requested to send nude photos or take their clothes off in front of camera, ten per cent of them have been in situations where someone have approached them online trying to buy sex. And 25 to 28 per cent of the young people in the study had been approached online by a person that was five years or more older than them.

#### **Question 4. Higher education curriculum and continuous training**

**Do higher education curriculum and continuous training for those who will or already work with children include the issues raised by:**

- a. self-generated sexually explicit images and/or videos?**
- b. self-generated sexual content?**

For educators and teachers, higher education studies include around three study credits on sexual health, sexual rights and violence. The Institutions for Higher Education are autonomous in Finland, deciding each on their curricula and research activities. Teacher competencies are provided for in the Decree on the qualification requirements for educational staff (1998/986). The minimum qualification requirement for all teachers is a Master's degree. National core curriculum is teacher's (operational) normative framework.

**Among the NGOs**, Nytkis notes that the contents of teacher training do not include issues of sexual harassment and abuse experienced by children, including Internet harassment, or issues of self-generated sexual material, which according to them is a major defect as teachers hardly have the knowhow to meet or guide their students in these matters. Teacher training and further training should be supplemented with these subjects.

Exit points out that there is deficient awareness of the phenomenon of commercial sexual exploitation in Finland amongst authorities and the general public. Lack of dealing with issues of sexual exploitation and ICTs in basic education of professionals is evident. According to Exit, information and tools for intervening are particularly crucial for personnel that work with so called "risk groups", which might include for example children living in institutions, young people with substance abuse or children with different experiences of violence and maltreatment.

#### **Question 5. Research**

**5.1. Have public authorities or other bodies initiated/supported research on the issues raised by:**

- a. self-generated sexually explicit images and/or videos?**
- b. self-generated sexual content?**

**5.2. Have public authorities or other bodies conducted or supported research in particular on the psychological effects on those persons whose:**

- a. self-generated sexually explicit images and/or videos as children have been shared online?**
- b. self-generated sexual content as children has been shared online?**

In the School Health Promotion study (<https://www.thl.fi/fi/web/thlfi-en/research-and-expertwork/population-studies/school-health-promotion-study>) carried out nationwide every



second year by the National Institute for Health and Welfare monitors the well-being, health and school work of Finnish children and adolescents with the aim to strengthen the planning and evaluation of health promotion activities at school, municipal and national levels. This year the study included a question regarding digital sexual abuse. The question asked if the person replying has experienced sexually inappropriate messages or showing of sexually inappropriate videos and images. If answered yes, the next question was about the person who sent/showed the material, friends/adults at school/relatives etc.

In Åland, the Government of Åland has made funding available for the period 2015 to 2017 to fund research and development projects designed to enhance the skills of staff working in child protection related roles or projects for designing and implementing new evidence-based working methods within child protection services.

**As the NGOs, namely Exit as well as the Ombudsman for Children** note, in 2013, the National School Health Promotion study showed that 60 per cent of girls and 33 to 46 per cent of the boys recognized that they had experienced some sort of sexual harassment or abuse. The same study from 2015 showed that 15 to 20 per cent of the young had experienced sexual harassment or abuse online. Exit points out, however, that it is important to remember that these figures show only such exploitation that is recognized and they can for example hide all the abuse in a close relationships both online and offline. As the Child Victim Study from 2013 (see also below in relation to the remarks of the Ombudsman for Children; <http://www.fsd.uta.fi/en/data/catalogue/FSD2943/>) points out, most of the “sexual relations” with adults have started at the age of 14 to 15. In most cases the child did not consider it as exploitation.

The Ombudsman for Children points out, moreover, that in order to be able to give children and young people advice and training in the safe use of technology and applications as well as to be able to give them sufficient protection from “the dangers of the network” and the problematic phenomena of the social media, comprehensive and high-quality studies are needed. Information must be acquired on how children and young people use the technology and for what purpose, what kind of useful or problematic issues they encounter in this context and how they experience the possibilities and threats of technology.

With research-based information one can better determine the borders of the protection necessary and offer children and young people guidance and information which they need in reality and which they can utilize. It is important to remember that information and communication technology is a significant tool for children in both school and during free time and therefore its safe use must be made possible without unnecessarily restricting its use. Therefore the safety-knowledge education of children and young people is a significant part of child protection in the digital world.

The study on the crime situation in 2015 noted that in general “the possibilities of abuse have increased with the increased use of the Internet. The number of contacts aiming at sexual abuse with potential victims can be numerous through the chat rooms and other means of the Internet and so it is easier for the perpetrators to find the victims that are easiest for them. According to

studies that have mapped sexual abuse in and through the Internet, there are rather few cases that have led to actual physical contact, but the abuse taking place in the Internet is varied and some of its forms are very common.”

The Ombudsman for Children draws attention also to the need for regular studies on the subject matter in question. Information must also be utilized both in the development of legislation and policies and the development of practical measures. The regular implementation of studies on the welfare of children and the young people as well as victim studies has to be ascertained. Sporadic individual studies may be very important sources of information, but they do not yield long-term follow-up information which could form the basis for a reliable estimate on the effects on children and the development of activities accordingly.

Information based on research is collected from a variety of sources, both from regularly repeated studies and from individual studies and among them, the School Health Promotion studies is one of the most important regularly repeated studies on the welfare of children. This year (2017) the health questionnaire in schools inquired about sexually harassing messaging and the showing of videos and pictures (4th and 5th grades) and about sexual suggestions and harassment on the telephone or in the Internet (8th and 9th grades, upper level of comprehensive school, vocational schools). Corresponding questions were asked also in the questionnaire in 2015. By following the results of the health questionnaires in schools it is likely to be able to estimate the effects of information and training. For example, the sexual suggestions and harassment on the telephone or in the Internet experienced by 8th and 9th graders have decreased from ca. 25 per cent to 19 per cent between 2013 and 2015.

A so-called child victim study was conducted in Finland in 2008 and 2013. These studies yield information on the sexual abuse and harassment of children and the young people in the Internet or by other electronic means. According to the study, the sexual harassment of girls in the internet has decreased from 23 per cent to 16 per cent. Likewise of boys, it has decreased from 14 per cent to 7 per cent. According to the child victim study, the meeting with an internet acquaintance and engaging in sex as a result of his persuasion, force or bribery was rare. On the basis of the results of the child victim study it has also been possible to deduct that young people who had been sexually abused by a person they had met in the internet had also accumulated a significant amount of other victim experiences as well as risk factors likely to make them prone to these. This is a serious message indicating accumulation of problems relating to the welfare of a child. From the perspective of prevention this creates possibilities. By recognizing and intervening in one phenomenon of growth and life we can support the realization of the rights and welfare of the child in several issues.

In a study conducted in 2016 on the criminal behaviour and victim experiences of the young people, the young people were asked about sexual harassment both by another young person and by adults. During one year, those who had experienced sexual harassment by another young person was 8 per cent, while 6 per cent had experienced sexual harassment by an adult during the year. A little over a quarter (28 per cent) of the harassment victims had experienced persuasion to sexual interaction and received harassing or sexual messages either as text messages, in social media or otherwise through the Internet (27 per cent).

In 2016, *Lastensuojelun keskusliitto (Central Union for Child Welfare)* conducted a study on the protection of the privacy of a child in digital media, which also contains information on sexual harassment and abuse in the Internet. The background material of the study was a questionnaire conducted by the Central Union for Child Welfare for children and young people between the ages of 13 and 17 on the protection of their privacy in the social media. A total of 871 children and young people answered the questionnaire and it concentrated on the own activities of the young in the social media and as well as their views on the sharing of pictures and information in the web. For example, those who answered and had experienced harassment from their pictures that others had shared (10 per cent of those who answered) mentioned, for example, the resulting sexual harassment as a drawback. What is a worrying trend in general from the perspective of violence towards children is that a new study of the Central Union for Child Welfare on disciplinary violence indicates that the number of those who approve of mild or moderate disciplinary violence shows an increasing trend.

**The NGOs**, namely Nytkis, observe that the phenomenon is new but spreading, and it can be used for extortion. Thus, it would be necessary to arrange funding for research. However, no such research as referred to in Question 5 has been conducted or supported or no such financial support exists. Exit is also of the opinion that there is not enough research on the topic and data of the children and young people that it affects.

**Please specify whether the public authorities or other bodies having initiated/supported the research above (questions 5.1 and 5.2) are aware of their outcomes.**

See reply to Questions 5.1. and 5.2. above.

## Protection

### Question 6. Assistance to victims

**6.1. What specific reporting mechanisms, including helplines, are in place to ensure that child victims of exposure online of:**

- a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
- b. self-generated sexual content are provided with the necessary support, assistance and psychological help?

There are two routes for such reporting essential to the police. The police have *Nettivinkki* ("Internet Tips"; <https://www.poliisi.fi/nettip>) and Save the Children Finland maintains the aforementioned *Nettivilje* (see reply to Question 2.1.;

<https://www.pelastakalapset.fi/tyomme-kotimaassa/lapset-digitaalinen-media/nettivilje/>,

<https://www.pelastakalapset.fi/en/our-work-in-finland/children-and-digital-media/finnish-hotline-nettivilje/>). The majority of hints obtained by the police come through Save the Children

Finland as the threshold for reporting cases to it seems to be lower. In addition, Save the

Children Finland has better channels to direct the victim to receive psychological help while the police are primarily responsible for pre-trial investigation.

In addition, the police have also online police activity relating to various issues. Young people can contact a policeman online, who discusses, gives guidance and assistance as well as directs to the right kind of assistance where necessary. Furthermore, several organizations and projects offer help also in the said matters, for example through voluntary work. Key actors in this field include, among others, Save the Children Finland and the Mannerheim League for Child Welfare.

In addition, *Nollalinja* ("Zero Line") is a nationwide free-of-charge helpline open 24/7 for anyone who has experienced violence or a threat of violence in a close relationship. *Nollalinja* is also available for family members of victims of violence and for professionals and officials who require advice in their work with customers. *Nollalinja* is staffed by trained and experienced health and social services professionals, who are there to listen, support and advise around the clock, on every day of the year. The service is available in Finnish, Swedish or English. *Nollalinja* is for talking about the situation, experiences and fears in confidence. The professionals are bound by confidentiality. It can be accessed anonymously, and the professional who the caller talks to will not see their phone number. The call to *Nollalinja* will also not show up on your phone bill. *Nollalinja* is not directed especially for children and young people, but is also available for them.

The Helsinki Police Department together with *Rikosuhripäivystys* (Victim Support Finland; RIKU) and Save the Children Finland have also developed a mobile application called *Help.some* <http://pelastakaalapset-netari.herokuapp.com/ohjautajaneuvontaa/helpsome/>, which is directed especially at children and young people and offers assistance, for example, to recognize sexual harassment online and to get help. In 2016, the application assisted over 700 children. The application includes, *inter alia*, a chat and it is managed by experts from the NGOs. The application also contains quick guides to help solve different problematic situations including online exposure to SCAM. The application is available cost-free for several smartphones.

The Family Federation of Finland, *Väestöliitto*, maintains a popular telephone line and chat for boys called *Poikien Puhelin* ("Boys' Telephone"), which is operated by professionals, most often men. The idea of the helpline is to offer direct answers and support to questions from young boys, which often involve sex, as well as self-generated sexual content and its sharing. The telephone line is open from Monday to Friday between 1 p.m. to 6 p.m. and the chat between 1 p.m. to 3 p.m. Both the telephone line and the chat can be accessed anonymously. [http://www.vaestoliitto.fi/vaestoliitto/mita\\_vaestoliitto\\_tekee/palvelut/puhelinneuvonta/poikien\\_puhelin/](http://www.vaestoliitto.fi/vaestoliitto/mita_vaestoliitto_tekee/palvelut/puhelinneuvonta/poikien_puhelin/)

**6.2. What legislative or other measures have been taken to ensure that child victims of online exposure of:**

- a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?**

**b. self-generated sexual content are provided with the necessary support, assistance and psychological help?**

Section 25 of the Child Welfare Act (*lastensuojelulaki, barnskyddslag; 417/2007*) contains an extensive duty to notify binding various authorities and other actors who have the duty, notwithstanding any provisions on secrecy, to notify immediately the municipal body responsible for social welfare if they have, in their work, been informed of a child whose need for care and welfare, or circumstances endangering his development or his own actions require ascertaining his need for child protection services. According to Section 15 (special health-care obligations) health centres and hospital districts must provide expert assistance in child-specific and family-specific child welfare and, where necessary, arrange an examination of the child and health-care and therapy services for the child. Services needed by children in connection with the investigation of suspected sexual abuse or assault must be arranged such that they can be provided urgently.

Moreover, the Social Welfare Act (*sosiaalihuoltolaki, socialvårdslag; 1301/2014*) requires officials to arrange support services for people with needs arising from intimate partner violence and domestic violence as well as from other types of violence. Under the same Act, municipalities must offer municipal residents guidance on parenting and family matters. This includes the provision of professional assistance and support on parenting and family matters as well as social, psychological and medical research activities and care that are designed promote children's welfare and development.

Under the Act on Status and Rights of Patients (*laki sosiaalihuollon asiakkaan asemasta ja oikeuksista, lag om klientens ställning och rättigheter inom socialvården; 812/2000*), the opinion of a minor patient on a treatment measure has to be assessed if it is possible with regard to his/her age or level of development. All treatment provided to minors within both the public and private health and social care setting must be in the minor's best interest.

Parliament added EUR 500,000 to the budget for 2017 for the prevention of Internet crimes. The additional funds will be directed towards preventing sexual abuse of children online as well as the prevention and investigation of bullying taking place online. The actions will enhance the identification of sexual abuse victims.

The Government of Åland's legislative programme includes a commitment to preventing domestic and intimate partner violence. All children and young people must be offered protection from the effects of violence. Under the legislative programme, there is a focus on enhancing staff skills in this specialist area, including staff knowledge of preventative and early intervention models. The government will also coordinate and put in place formal arrangements for multi-agency joint working within child and youth services with a particular focus on the physical and mental health of children and young people.

The Provincial Act on the implementation of the Child Welfare Act in Åland (97/2009) establishes the obligation to provide support services within the community. The relevant agency responsible for providing social care services is required to offer support services within the

community setting without delay if 1) a child's environment poses a risk to the child or fails to promote their health or development, or; 2) a child's own behaviour poses a risk to their health and development. Support services are offered within the community setting to promote and support child development and to enhance the parenting or child-rearing skills of the relevant adults such as parents, guardians or any other adults responsible for the child's care and upbringing. All support services are delivered in co-operation with the child involved as well as the child's guardian and any other adults responsible for the child's health and welfare.

The Provincial Act on the arrangements for monitoring the criminal records of persons working with children (3/2004) applies in Åland. The act applies to all adults working in social care, education and training, youth work and sports, including all persons providing care, education or other services to children under the age of 18, in a permanent or long-term capacity, where such services are performed without supervision by the children's parents or guardians. According to the Provincial Act on the Ålands ombudsman service (33/2014), the ombudsman must promote and protect the status and rights of children. Under this obligation, the ombudsman is required to assess how the rights and interests of children are being met in practice, to evaluate of children's living conditions and monitor how legislation and other public decision-making is used to protect and promote the status and rights of children.

In Åland, help is available to children, young people and their families. The services available include support from family support workers within the social care sector, school counsellors and psychologists as well as specialist psychiatric services for children and adolescents within the Åland health and social care sector.

Also under an agreement negotiated by the Government of Åland, children can contact the *Barnens hjälptelefon* (Children's telephone helpline), which is charged at the local rate. The service is delivered in collaboration with an NGO *Barnens rätt i samhället*. The BRIS telephone service also provides help and information for adults. In 2016, the Government of Åland entered into an agreement with a round-the-clock Swedish-language suicide helpline run by the charity Mind. This service can be reached 24/7 and calls are charged at the local rate. [www.ombudsman.ax](http://www.ombudsman.ax), [www.regeringen.ax/halsa-omsorg](http://www.regeringen.ax/halsa-omsorg). Also in 2017 a new multi-agency joint working model was launched in Åland. Known as the Barnahus (Children's House) model, it takes action in cases where there are grounds to suspect that crimes have been committed against children. [www.regeringen.ax/halsa-omsorg/barn-unga/barnahusmodellen](http://www.regeringen.ax/halsa-omsorg/barn-unga/barnahusmodellen)

**The NGO** Exit considers that there are not enough resources for services directed at young people in cases of sexual exploitation, especially when it comes to commercial sexual abuse. Areal inequality exists also.

**Please provide, if any, information on the number of victims who received support, assistance and psychological help in the above mentioned specific contexts (questions 6.1 and 6.2).**

The police have no statistics of their own on victims who have received assistance. The role of the police is to prevent, investigate and prosecute as well as, of course, to guide the victims to receive assistance and support. The aim is, however, to develop the measuring of the

preventive measures of the police. The aim is also, when the effectiveness of the police is measured, to take into account, *inter alia*, cases where the police have directed persons to receive assistance.

As to the helplines and the like run by the NGOs, *Nollalinja* has been operating for only eight months so no official statistics have yet been published, but information from the service provider suggests that there are 600 to 700 calls per month. The *Help.some* –application has assisted about 700 children in 2016. The information on the number of callers and visitors in the *Boys' Telephone* is not available.

## **Question 7. Cooperation with civil society**

**Please describe cooperation with non-governmental organisations, other relevant organisations and other representatives of civil society engaged in assistance to victims of the offences covered by the present questionnaire (see questions 9-11) through e.g. child helplines, victim support organisations.**

The online helpline *Nollalinja* is managed by the National Institute for Health and Welfare and it is publicly funded. The service provider is an NGO.

Most of the other helplines and services mentioned in the replies to this questionnaire are run by civil society, often funded by the Funding Centre for Social Welfare and Health Organisations (STEA), which is the most significant funding operator for organizational operations within the social and health services in Finland.

For Åland, please see replies to Questions 1.1. and 6.1.

In addition to the aforementioned *Nettivistie*, a hint service by means of which one can report ongoing illegal activity in the internet relating to sexual abuse of children, and *Help.Some*, the following services run by NGOs were brought up **by the NGOs**:

- *e-Talo* (“e-House”): a guidance and support service meant for 10 to 18-year-olds and young adults. It contains e-Houses for girls and boys and an LGBTIQ space, online advice, chatroom, and an online question and answer service.
- *Kriisipuhelin* (“Crisis Line”): Discussion assistance after a traumatic event or in difficult life circumstances.
- *An online safe house for the young*: Information and support in cases of violence in dating, online advice, a chatroom.
- *Exit for the young* offers support and help for the young in cases of sexual maltreatment, online advice, a chatroom. The Exit for the young does also preventive work, for example visits to schools and preventive work online.
- *Nuorten kriisipiste* (“Crisis Point for the Young”): discussion therapy and support for the young at different stages of their lives, for example relating to loneliness, mental health, dating, sexuality and the family.

- *Raiskauskriisikeskus Tukinainen (“Rape Crisis Centre Tukinainen”)*: Support for rape and abuse victims of different ages and those close to them. A telephone hotline, online advice, legal advice.
- *Rikosuhripäivystys (“Victim Support Finland”)*: Information and support for crime victims and victims of attempted crimes and witnesses of different ages. A telephone hotline, chatroom, online advice, legal advice (a cooperation project of NGOs and the Church Council of the Evangelical Lutheran Church of Finland.)
- The Family Federation of Finland, *Väestöliitto*: Information and support for the young on puberty, sexuality, dating, etc. Online advice and a telephone hotline.
- *Tyttöjen talo, Poikien talo; Houses for girls and boys Kalliolan settlementti (Kalliola Settlement)*.

The NGOs, namely Exit note that support in cases of commercial sexual abuse of children is especially deficient in Finland, because it is the only organization offering support and the funding is for a fixed term only and it varies.

## Prosecution

### Question 8. Legislation

#### 8.1. Does national law contain any reference to:

- a. **self-generated sexually explicit images and/or videos in the context of offences covered by the Lanzarote Convention (Art. 18-23)?**

No.

- b. **self-generated sexual content in the context of offences covered by the Lanzarote Convention (Art. 18-23)?**

No.

- c. **non-pictorial self-generated sexual content produced by children (e.g. sound, text) in the context of offences covered by the Lanzarote Convention (Art. 18-23)?**

No.

#### 8.2. Does national law tackle the involvement of more than one child (i.e. consensual posing) in generating the:

- a. **self-generated sexually explicit images and/or videos?**

No.



**b. self-generated sexual content?**

No.

**8.3. Are there specificities related to the fact that more children appear on the:**

- a. self-generated sexually explicit images and/or videos when these children accept that their image and/or video are produced and shared through ICTs?**
- b. self-generated sexual content when these children accept that their image and/or video are produced and shared through ICTs?**

Not applicable (see replies to Questions 8.1. to 8.2.).

**Question 9. Criminalisation**

**9.1. Does national law criminalise cases when adults:**

- a. possess child self-generated sexually explicit images and/or videos?**

Yes, sanctioned pursuant to Chapter 17, Section 19 of the Criminal Code (*rikoslaki, strafflag*). The text of the Criminal Code in English is appended as an annex to the replies.

- b. distribute or transmit child self-generated sexually explicit images and/or videos to other adults?**

Yes, sanctioned pursuant to Chapter 17, Section 18 or 18 a of the Criminal Code.

- c. distribute or transmit child self-generated sexually explicit images and/or videos to other children than those depicted on such images and/or videos?**

Yes, sanctioned pursuant to Chapter 17, Section 18 or 18 a of the Criminal Code.

**9.2. Are there special circumstances (including alternative interventions) under which the above cases (9.1.a-c), although established in fact and in law, are not prosecuted and/or do not lead to conviction?**

No such special circumstances exist.

**9.3. What are the legal consequences of the above behaviours (9.1.a-c)?**

According to Chapter 17, section 18 of the Criminal Code, the penalty for distribution of a sexually offensive picture is a fine or imprisonment at most two years.

According to Chapter 17, section 18a of the Criminal Code, the penalty for aggravated distribution of a sexually offensive picture depicting a child is imprisonment at least 4 months and at most 6 years.

According Chapter 17, section 19 of the Criminal Code, the penalty for possession of a sexually offensive picture depicting a child is a fine or imprisonment at most one year.

**9.4. Does national law criminalise cases when adults:**

**a. possess child self-generated sexual content?**

No.

**b. distribute or transmit child self-generated sexual content to other adults?**

No.

**c. distribute or transmit child self-generated sexual content to other children than those depicted such sexual content?**

No.

**9.5. Are there special circumstances (including alternative interventions) under which the above cases (9.4.a-c), although established in fact and in law, are not prosecuted and/or do not lead to conviction?**

Not applicable (see replies to Question 9.4).

**9.6. What are the legal consequences of the above behaviours (9.4.a-c)?**

Not applicable (see replies to Question 9.4).

**9.7. Does national law criminalise cases when children:**

At the outset, the Government notes that in Finland, criminal liability under the Criminal Code begins at the age of 15 years.

**a. produce self-generated sexually explicit images and/or videos?**

Yes, it is sanctioned pursuant to Chapter 17, section 18 or Chapter 17, section 18a of the Criminal Code.

**b. possess self-generated sexually explicit images and/or videos?**

Yes, it is sanctioned pursuant to Chapter 17, section 19 of the Criminal Code.

**c. distribute or transmit self-generated sexually explicit images and/or videos of themselves to peers?**

Yes, it is sanctioned pursuant to Chapter 17, section 18 or Chapter 17, section 18a of the Criminal Code.

**d. distribute or transmit self-generated sexually explicit images and/or videos of themselves to adults?**

Yes, it is sanctioned pursuant to Chapter 17, section 18 or Chapter 17, section 18a of the Criminal Code.

**e. distribute or transmit self-generated sexually explicit images and/or videos of other children to peers?**

Yes, it is sanctioned pursuant to Chapter 17, section 18 or Chapter 17, section 18a of the Criminal Code.

**f. distribute or transmit self-generated sexually explicit images and/or videos of other children to adults?**

Yes, it is sanctioned pursuant to Chapter 17, section 18 or Chapter 17, section 18a of the Criminal Code.

**9.8. Are there special circumstances (including alternative interventions) under which the above cases (9.7.a-f), although established in fact and in law, are not prosecuted and/or do not lead to conviction?**

No such special circumstances exist.

**9.9. What are the legal consequences of the above behaviours (9.7.a-f)?**

According to Chapter 17, section 18 of the Criminal Code, the penalty for distribution of a sexually offensive picture is a fine or imprisonment at most two years.

According to Chapter 17, section 18a of the Criminal Code, the penalty for aggravated distribution of a sexually offensive picture depicting a child is imprisonment at least 4 months and at most 6 years.

According Chapter 17, section 19 of the Criminal Code, the penalty for possession of a sexually offensive picture depicting a child is a fine or imprisonment at most one year.

**9.10. Does national law criminalise cases when children:**

**a. produce self-generated sexual content?**

No.

**b. possess self-generated sexual content?**

No.

**c. distribute or transmit self-generated sexual content to peers?**

No.

**d. distribute or transmit self-generated sexual content to adults?**

No.

**e. distribute or transmit self-generated sexual content of other children to peers?**

No.

**f. distribute or transmit self-generated sexual content of other children to adults?**

No.

**9.11. Are there special circumstances or alternative interventions under which the above cases (9.10.a-f), although established in fact and in law, are not prosecuted and/ or do not lead to conviction?**

Not applicable (see replies to Question 9.10.).

**9.12. What are the legal consequences of the above behaviours (9.10.a-f)?**

Not applicable (see replies to Question 9.10.).

**Question 10. Production and possession of self-generated sexually explicit images and/or videos by children for their own private use**

**10.2. For Parties that have not made a reservation in accordance with Article 20(3) indent 2: Does national law criminalise the production and/or possession of self-generated sexually explicit images and/or videos when it involves children who have reached the age set in application of Article 18(2) where these images and/or videos are produced and possessed by them with their consent and solely for their own private use?**

Yes. Such conduct is criminalized provided that the perpetrator is 15 years old or older (see reply to Question 9.7 above; the age of criminal liability in Finland is 15).

### **Question 11. Reference in law to ICT facilitated sexual coercion and/or extortion**

**How does national law address ICT facilitated sexual coercion and/or extortion of children and/or other persons related to the child depicted on the:**

**a. self-generated sexually explicit images and/or videos?**

It can be punishable as coercion (Chapter 25, section 8 of the Criminal Code), extortion (Chapter 31, section 3 of the Criminal Code) or aggravated extortion (Chapter 31, section 4 of the Criminal Code).

**b. self-generated sexual content?**

It can be punishable as coercion (Chapter 25, section 8 of the Criminal Code), extortion (Chapter 31, section 3 of the Criminal Code) or aggravated extortion (Chapter 31, section 4 of the Criminal Code).

The penal scale for the aforementioned offences is as follows: According to chapter 25, section 8 of the Criminal Code, for coercion a fine or imprisonment at most 2 years, according to Chapter 31, section 3 of the Criminal Code for extortion a fine or imprisonment at most 2 years, and according to Chapter 31, section 4 of the Criminal Code for aggravated extortion imprisonment at least 4 months and at most 4 years.

### **Question 12. Jurisdiction rules**

**Please indicate which jurisdiction rules apply under which conditions to the offences described above (questions 9-11) when the victim is not present in the Party when the offence is committed or when the offender is not present in the Party when the offence is committed.**

The questions relating to jurisdiction are governed by Chapter 1 of the Criminal Code on the scope of application of the criminal law of Finland and section 1, section 5, section 6, section 10 and section 11 thereof.

### **Question 13. Specialised units/departments/sections**

**13.1. Are there specialised units/departments/sections in charge of dealing with ICT facilitated sexual offences against children, such as those referred to in this questionnaire (see questions 9-11):**

- a. in law enforcement?**
- b. in prosecution?**
- c. in courts?**

**13.2. Please specify if there are specialised units/departments/sections in charge of dealing with ICT facilitated sexual offences against children committed by juvenile offenders.**

The CAM Group (Child Abuse Material) of the National Bureau of Investigation has familiarized itself with the matter. In Finland, preventive action is part of all police activities. This means, among other things, that in connection with all assignments, police work includes not only acute action and intervention but the police also address the causes and consequences, where necessary (*cf.* section 25 of the Child Welfare Act referred to above in the replies to Question 6). All the 11 Police Districts and the National Bureau of Investigation have developed structures of preventive work, also including the online policing described in short in the reply to Question 6.1.

The prosecutors handling child pornography cases are prosecutors specialized in crimes against persons. There are five of them. In addition, there are 11 prosecutors who are specializing in this area and who are responsible for cooperation. They are located evenly in local prosecution offices. The cases are also handled by key prosecutors specialized in computer technology crimes; their number is three, and the number of cooperation prosecutors is seven. Because there are numerous cases, cases have to be allocated also to other prosecutors than those specialized in them.

In courts, there is no specialization comparable to prosecutors. Some courts have a few judges specialized in the handling of these crimes.

**Please specify how the specialised units/departments/sections referred to above (questions 13.1 and 13.2) are organised (number of staff, structure, specialised in which areas within ICTs, etc.)?**

**As regards law enforcement, please indicate if:**

- a. there is a victim identification function?**
- b. there is an active contribution to the INTERPOL's International Child Sexual Exploitation (ICSE) image database? If not, why?**

The intelligence gathering operations of the National Bureau of Investigation include the CAM (Child Abuse Material) Group. The group has five permanent policemen, who work with online child abuse, but who also take part in other Internet intelligence gathering operations. The group does not yet have an official status in the organization.

At present, the responsibilities of the group include among other things: filtering operations; the handling of international intelligence packages and investigation requests; international cooperation (Europol, Interpol and authorities in other countries); international operations; national revealing operations; expert services to the local police; cooperation with affiliated groups (the National Police Board, the Office of the Prosecutor General, operators, Save the Children Finland, etc.); education and planning (the Office of the Prosecutor General, the CAM courses, the National CAM Database Project, the planning of nationwide work guidance).

A victim identification function as well as a victim identification group works in an unofficial capacity. All the members of the group have completed the user course of the ICSE database at Interpol and they conduct victim identification in a limited manner. Identification is conducted in a limited manner due to the fact that it has taken longer than expected to complete the national CAM database project. It is not possible to compare all the CAM material obtained by the police with the ICSE database in a centralized manner without the completion of the database project. Notifications from Interpol on material in the ICSE database that may relate to Finland have been increasing lately.

Preparations have been made to enhance the victim identification function. In 2016 to 2017 a policeman from the National Bureau of Investigation was sent by the National Police Board to Interpol's Crimes Against Children Office for six months to familiarize himself with the work of the unit specializing in victim identification, and will also participate in a victim identification course arranged by Interpol and Europol together. In the sexual abuse of children in Finland, the victim or the perpetrator seldom remain unknown, and in the material obtained by the police, the victims and perpetrators are mainly foreign and the places are abroad. Therefore the plan is for the victim identification function to remain with the National Bureau of Investigation, so that it will not further burden the already burdened local forensics units.

#### **Question 14. Challenges in the prosecution phase**

**What challenges do law enforcement, prosecution and courts face during the prosecution of ICT facilitated sexual offences against children involving the sharing of:**

- a. self-generated sexually explicit images and/or videos?**
- b. self-generated sexual content?**

The police and the prosecutor work in close cooperation in accordance with mandatory legislation relating to criminal and pre-trial investigation. The cooperation aims at enhancing the criminal procedure. The stability and limited number of qualified personnel is a challenge. It is naturally also a challenge that the threshold for the victims to report a crime is decidedly high in cases where self-generated material falls in the wrong hands and is distributed or if it is used for extortion as the victim is often ashamed and considers that he himself has contributed to his difficult situation.

Furthermore, it may be problematic to define the material and the evidence to be presented in a case as there can be a lot of material, for example pictures, in an individual case. It is also time consuming to go through the material.

#### **Question 15. Training of professionals**

**Are the offences referred to in this questionnaire (questions 9-11) addressed in training for professionals such as:**

- a. law enforcement agents (in particular for front desk officers)?**
- b. prosecutors?**

The National Bureau of Investigation with the Office of the Prosecutor General plans and arranges every other year a CAM course for a representative from each of the eleven Police Districts. The training aims at taking into consideration the head investigators of the police and prosecutors as well as the technical and tactical investigation and investigators of the police. Due to the independence of the courts, their personnel do not take part in the training referred to. In addition, Europol, Cepol and Interpol arrange courses, which have also been attended by local police personnel and personnel from prosecution offices.

Since 2011 extensive and thorough special training has been arranged in Finland to interview children in the investigation of crimes. Both policemen and health-care professionals have taken part in the training together. The training with its different stages has always lasted a whole year. Annually, on the average, about 18 policemen and 18 health-care professionals have been trained. This means that the total number of people trained is about 250 at present. However, many of those who have been trained move to different tasks at some point and the need for training is continuous. This year's training is still under way and the training for 2018 is being planned.

**c. judges?**

In 2011, judges and prosecutors were arranged a course, *Lapsiin kohdistuvat seksuaalirikokset* ("*Sexual offences against children*"), relating to the entry into force of the Lanzarote Convention in Finland and the related legislative amendments made in 2011. The course was not obligatory. Matters relating to sexual offences have also been handled in training arranged for office personnel.

## **Partnerships**

### **Question 16. International co-operation**

**16.1. What measures have been taken to co-operate with other Parties to the Lanzarote Convention for:**

- a. preventing and combatting sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?
- b. protecting and providing assistance to the victims of sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?
- c. investigating and prosecuting sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?

**16.2. What measures have been taken to co-operate with other Parties to the Lanzarote Convention for:**

- a. preventing and combatting sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?
- b. protecting and providing assistance to the victims of sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?



**c. investigating and prosecuting sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?**

In investigative matters, the Finnish Police co-operates with Europol and Interpol.

In terms of prevention and combatting, Save the Children Finland is active in international co-operation to combat sexual abuse online. Together with INHOPE, they have organized conferences to protect children online. A recent conference, *Fight against Online Child Sexual Abuse*, was held in Helsinki in 2016.