

The strength of Finland is in cooperation

By Terhi Tafari

The Assistance System for Victims of Human Trafficking (Finland) has concluded that the better way of protecting minor victims of human trafficking is through close cooperation between different authorities involved in the child's case. The Assistance System has adopted a method of reporting *all* new minor clients to the Child Protection authority.

The Child Protection authority assesses the child's best interest and executes the necessary child protection measures. Because human trafficking is still a very marginal issue in Finland, and knowledge about it is not widespread, the Assistance System provides expert advice and consultation to the Child Protection authority.

In cases, where the child has also been sexually exploited or a victim of severe violence, a report to the police is automatically made. The Assistance System also cooperates with the police in these cases.

As a client of the Assistance System, the child is entitled to a wider range of services. For example, therapeutic services or measures relating to the child's safety are services that can be financed by the Assistance System or, in cases where the child has a registered municipality in Finland, by the government.

From failures to positive development

However, everything doesn't always go as it should. A decision by the Parliamentary Ombudsman in 2019 stated, that municipality X had violated the rights of a client of the Assistance System. This client, an adult Finnish national, had been exploited for years as a minor. X was ordered to compensate the client for the mistreatment. According to the decision, X had no clear knowledge or plan of how Victims of trafficking matters are addressed. The client was not appointed a social worker, even though a client must be appointed one. The client was not arranged to get suitable psychological support / treatment, and other urgent healthcare needs were not duly addressed, either. Social services had not helped the client access suitable health and psychological support services.

The decision stated: "Considering the nature and long duration of the crimes committed against the client, she was in need of long-term, multi-professional support and assistance. Different authorities need to work together." It further stated, that the social services failed in their duty to advise the client by not letting her know about her special set of rights as a client.

Positive development followed the decision, which stated that the identification, referral and due assistance of victims of human trafficking requires systematic training, guidance and creation of ready operating models (procedures). The Ombudsman required that the Ministry of Social Affairs and Health report to the Ombudsman by end of 2019 on how they are to rectify the situation. The Ombudsman's decision has been noticed in several municipalities.

Training on the topics have been requested from, and provided by, the Assistance System. (Due to the corona virus measures, these trainings have recently been halted.)

The Assistance System has noticed an improvement in the way municipalities now take notice of the matters of victims of human trafficking. The decision aids in demonstrating to municipalities what it means to have a client of the Assistance System as a recipient of services.

How to ensure that victims of trafficking are identified and provided with a new start in life?

The Assistance System provides training to other authorities (police, Border Guard, municipalities, youth workers) on identifying and referring victims of trafficking. Since the above-mentioned decision by the Parliamentary Ombudsman, requests for trainings have increased. The Assistance System has discussed trainings with youth workers, who are in the frontline in identifying perceived victims of trafficking. The Assistance System, however, has limited resources to conduct comprehensive trainings that would cover all of Finland.

After training provided to police officers throughout Finland during 2018 and 2019, the police have also identified and referred more minors and young people to the Assistance System. The numbers are still rather low. These persons are mostly other than Finnish nationals.

The Assistance system has stated (as has the report with the research Institute HEUNI), that minors who are Finnish nationals are not being identified as victims of human trafficking. This remains a major challenge.

How are survivors invited to give their recommendations to improve the system?

By law, children have a right be heard in matters concerning them, according to their age and development. This right is upheld by all involved. Sometimes minor clients may express their opinion about the services to a worker near them and their opinions and wishes are taken into consideration.

What about the safety of the children?

Most underage victims of human trafficking that are referred to the Assistance System are unaccompanied minor asylum seekers. These children are housed in specialist reception centers for minors, where the atmosphere is more home-like. There are social workers, social guides and health care workers available. If the child's safety is deemed to be at risk, the child's location may be changed and different security measures put to place. These are discussed with the child. The Assistance System works together with the accommodating facility, police and Child Protection authority in ensuring the child's safety and welfare.

Every year, there may be some minors who are not asylum seekers, and who do not have any legal residence in Finland. In such cases the child is housed in a temporary foster family by the Child Protection Authority. The Assistance System cooperates with the foster family, the police and Child Protection authority in ensuring the child's safety and welfare. Again, different safety measures can be put to place if necessary.

In the case of minors who are Finnish nationals or have a residence permit in Finland, the Child Protection authority is, as in all cases, informed immediately. The Child Protection authority assesses the best interest of the child and executes the necessary child protection measures. The Assistance System cooperates gives consultation to the Child Protection authority and cooperates with the Child Protection authority as well as the police in safeguarding the child.

How about long-term residency permits?

If a child is in Finland without legal residence, the Assistance System (or the police / Border Guard) can issue the child a reflection period for a maximum of 6 months. During this time the child is assisted in applying for a residence permit or asylum, or to return home if that is safe and in the child's best interest. The Assistance System has not yet assisted unaccompanied minors to return to their native country.

Minors have been issued continuous residence permits or international protection by the FIS (Finnish Immigration Service). Unaccompanied minor victims of human trafficking are normally deemed to be in an especially vulnerable position and can therefore be issued a continuous residence permit as a victims of

trafficking even when there is no criminal investigation ongoing in the case. This is the case also, where the child has become a victim of trafficking outside Finland. These types of permits can rather easily be renewed.

However, when a minor turns 18 years old during or before the application process, his/her application for a continuous permit may be viewed differently. The Assistance System has, for example, several Afghani clients who have been sexually exploited (as bacha bazi boy dancers) as minors. These youth, who have already turned 18 years old, may be denied international protection and not issued permits as victims of human trafficking, either.

Who is having the long-term responsibility for follow up?

A client may be in the Assistance System for several years. Clients who are also clients of the Child Protection authority are monitored by the Child Protection authority until they turn 18. Even after this, aftercare may be provided by the Child Protection authority to those clients who are still in need of support. Finnish nationals and persons with a residence permit in Finland can become clients of their home municipality's social services and continue in those services as long as they are deemed necessary. The Assistance System gives expert advice to the client and the social services when needed. Clients of the Assistance system are entitled to special assistance measures also in municipalities. The client may continue in the municipal / child protection services even after they no longer need assistance from the Assistance System.

How about children of clients?

Assistance system also assists minor children of its clients. In 2019 the Assistance System admitted 220 new clients (presumed or identified victims of human trafficking) and their 74 children.

In total, the Assistance System had, on 31.12.2019, 521 clients (presumed or identified victims of human trafficking) and their 155 children.

These children are often strongly affected by their parent's / guardian's experiences: either they may have been present at the time when their guardian was exploited, or they may later suffer due to the guardian's problems and illnesses caused by the exploitation. Many clients need help and guidance with parenting. Many may not know what to do with a newborn baby or how to be with children. The children themselves may often display signs of stress and behavioral disorders / challenges.

Both guardian and children are provided the help they need. The Assistance System can, for example, purchase specialist family work from a service provider; provide children with professional support persons and/or therapy and so on. The Child Protection authority is engaged where necessary. The safety of clients and their children (who are, in fact, also clients) must be secured.