

To Whom It May Concern,

We the undersigned wish to bring some issues to your attention we have witnessed as assistants and support persons of many families affected by Finnish child welfare system.

The issues significantly affect the well-being of Finnish families, both children and parents. We focus on the families affected by child protection because hardly anywhere else is the role of the government so crucial and the challenges of the existing policies so glaring.

We have recently established a local advocacy group consisting professionals from several different fields, which intends to provide advice and support for families under Finnish child protection services. We attend to meetings and aim at creating co-operative working environment between all parties. Moreover we advise of their legal rights and in which way they can contribute their situations.

This work has been ongoing since 2020. During this time we have observed some urgent and serious challenges families face involved with child protection processes that insult their core human rights and right for family life, and of which the most serious ones we wish to bring into awareness of the United Nations:

1.

There were 18,928 children and adolescents separated from their families and living in alternative care during 2019, according to public health agency THL. There has been steady growth of emergency and foster care placements of children in Finland during past 30 years according to Heikki Hiilamo, THL, Professor of Social Policy.

Statistics found:

<https://thl.fi/en/web/thlfi-en/statistics-and-data/statistics-by-topic/social-services-children-adolescents-and-families/childwelfare>

Even though foster care is sometimes needed, it has become a huge business in recent years. Consequence of this phenomenon being distortion of the child protection field and the ethics of the decision-making. Basic human rights, right for family life and right for fair trial, are in danger of being violated. Very harsh interventions, as emergency placements of children, are sometimes used in situations that could have been solved by milder actions by supporting and guiding families at homes or providing them adequate health care services. Finnish local tabloids and newspapers have brought up cases where children suffering from neuropsychiatric disease have been placed outside home denying them adequate medical help.

It is very alarming that the parties directly benefiting economically from foster care placements are also participating in decision-making in Finnish child protection. Such instances running foster care businesses and services are highly challengeable of interfering in any official child protection work, and allowing them to influence is highly controversial and might result in corrupted decisions.

This prevalent dilemma has also been pointed out by The Chancellor of Justice in Finland in his decision:

<https://www.okv.fi/en/ratkaisut/id/1577/>

The lack of proper services and aid has resulted to the situation where more and more children are taken into custody due to unavailable and appropriate help for biological families. We emphasize that the accelerating development of placing children in foster care is not sustainable in the long run. It is very expensive and often traumatic experience for most families, whereas supporting families in their natural environments (homes) and providing adequate health care and other social services could have solved most issues, while being more humane solution for everybody and resulted in better outcome for children. Our view is also highly supported by the recent study conducted in Helsinki University:

<https://jamanetwork.com/journals/jamapediatrics/article-abstract/2785375>

Amir Sariaslan and colleagues at the University of Helsinki and at Oxford followed 855,622 children (51.1 percent males and 48.9 percent females) born in Finland between 1986 and 2000. They monitored the children for nearly 10 years, until December 2018, and compared the outcome of those children placed in out-of-home care to siblings who stayed at home.

“The researchers found that compared with siblings who remained at home, children placed out-of-home had an increased risks of violence, antisocial behavior, low education, common psychiatric disorders, depression, or premature mortality by either suicide or injury in adulthood.”

2.

Concerning operational culture and working models of Finnish child protection in situations when a child has been placed in a foster home, we, as support persons, have witnessed several cases where the active collaboration with biological families and/or acknowledging their wishes or needs are strikingly lacking. Neither is consistent communication and relationship-building between children and their biological parents respected, planned or supported nor meetings with their grandparents or other extended-family members. This however is an obligation by Finnish child protection law, but often undermined and disregarded by social workers of the child protection.

Another crucial issue is that once children are placed in foster care in Finland, they very often stay there, according to a report by a public health agency. According to researcher Marjatta Forsell, THL, 2018, child custody is rarely terminated in Finland. Only 4,5 per cent of all custodial placements of children is terminated.

Statistics found:

<https://thl.fi/fi/tilastot-ja-data/tilastot-aiheittain/lapset-nuoret-ja-perheet/lastensuojelu/sijoitusten-kestot-2016>

3.

Finnish law enforcement is inefficient and lacking sufficient means to interfere in problematic and illegal situations and working models of child protection and/or foster care system.

The foster care system is tasked with protecting the welfare of children suffering from abuse and neglect. However, many children taken from their families are subjected to violence, drugs and sexual abuse and left in a more vulnerable and traumatized state.

The crimes happened at Finnish foster homes and reported by foster children or their biological parents are often dropped by the police and leave uninvestigated.

Equality before law where every individual has equal access to the courts therefore means nothing as the police is often clearly unwilling to investigate the abuse happened in foster care.

4.

Overall, Finland struggles with recognizing the human and constitutional rights of children and fathers. The best interests of children are not understood nor by the judicial or child welfare system appropriately, and parents frequently complain they don't have a voice. Fathers are often forgotten and unheard. Sometimes the family courts and child protection officers use absurd criteria in decisions where the reversal of the burden of proof seems to be more a rule than an exception.

It has been recognized by the Council of Europe resolution 2079 already in 2015 that the empirical research supports shared parental responsibility and shared residence of children following divorce as being in the best interests of children. The resolution begins by emphasizing that the role of the fathers has not been properly recognized and valued and urges governments to introduce shared parenting and sharing of resources as the default custodial arrangement.

Professor Edward Kruk has summarized the emerging consensus among custody researchers: as the children of divorce are threatened by the parents' fighting over custody, the society should embrace the equality of parents were doing so is sensible and children are not threatened by neglect or abuse.

In depth criticism of the judicial system can be found, e.g, in Ph.D. Anja Hannuniemi's thesis from 2015. Hannuniemi concluded that since there were no follow-up studies of custody decisions in Finland, the society could keep imagining that the judicial system worked reasonably well even though the situation was alarming in reality. Hannuniemi's study included 103 prolonged custody cases. A fifth of the children involved were eventually taken into foster care following often unwise court decisions. Hannuniemi identified two problems above all else: the good mother myth and inadequate research into families. She lamented that wrong-minded decisions set the paths of children on wrong tracks and led them to become outcasts.

5.

Case documentation of social workers in child welfare is often inaccurate, sometimes highly biased and non-factual.

This is a serious issue as the case documentation of social workers play a significant role in custodial decisions both in family courts and child protection. And the burden of proof is on the parents not the officers. The reversal of the burden of proof means that it is possible to open legal proceedings and exchild protection interventions on the basis of accusations not backed up by sufficient evidence.

We're currently gathering a group complaint of cases where social workers exceed their authority e.g. by making medical and psychiatric diagnoses only qualified medical doctors are authorized to make.

There are several cases we're aware of, showing that the person's legal right to correct the biased accusations/information made of them, is not respected.

When people use their legal right based on the articles 16 & 19 of the GDPR:

If your personal data is inaccurate, you have the right to have the data rectified, by the controller, without undue delay. If your personal data is incomplete, you have the right to have data completed, including by means of providing supplementary information,

their request is often denied on the basis of the reversal of burden of proof. This has happened even in cases where people have managed to gather the necessary proof in order to defend

themselves. (Evidence available on request).

This reversal of the burden of proof is therefore questionable from the point of view of its compatibility with acting as a state under the rule of law.

Respectfully,

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Articles about the subject referred to in our text:

<https://yle.fi/news/3-8725326>

<https://yle.fi/news/3-11635445>

in Finnish:

<https://www.iltalehti.fi/politiikka/a/007a40ed-62b8-4ab3-90e8-44a5e9238c04>

<https://www.kaleva.fi/thln-suurselvitys-huostaanottoja-puretaan-suomessa/1825079>

<https://www.iltalehti.fi/politiikka/a/d305d774-f5d6-4b23-97f4-356723e34b94>