# Stages of the criminal procedure

## Reporting an offence

If you have become a victim of a crime, report it to the police. The sooner you make the report, the greater are the chances for the police to solve the offence. In order for you to receive compensation for damages, a report of the offence may be required. An offence can be reported to the police patrol that arrives at the crime scene, in person at a police station or in certain minor offences also on the internet ([www.poliisi.fi/enOpens in new window](https://www.poliisi.fi/en)) or by telephone.

The report can be made at any police station, and it can also be made by someone else on your behalf. If there are witnesses to the offence, take down their names and contact information.

The police will enter the course of events together with the names and personal data of the parties and witnesses in the report of the offence. The victim has the right to receive a written confirmation of the report he or she has made.

If you have been injured in connection with the offence, you should go and see a doctor as soon as possible. A medical certificate may be necessary at the trial or when applying for compensation for example at an insurance company or the State Treasury. If the case concerns sexual assault, you must avoid washing yourself and changing clothes before you see the doctor.

If the case concerns a burglary, do not clean the apartment or house before the police arrive.

Offences that the police investigate only if the victim requests that the offender be punished are called complainant offences. Such offences are, for instance, petty theft and criminal damage. If the victim of a complainant offence changes his or her mind and does not, after all, wish the offender to be punished, the police will discontinue the investigation.

When investigating an offence, the police wish to know if you, the victim, request that the offender be punished. If you at this stage state that you do not request punishment or if you later withdraw your request for punishment, you may forfeit your right to bring charges later. This is important for you to know in case the prosecutor decides not to bring charges in the case.

Most offences are subject to public prosecution and therefore always investigated by the police when brought to their attention. For instance, assault and rape are subject to public prosecution also when they have taken place at home or when the offender is a family member. All domestic violence, even minor acts of violence, is subject to public prosecution. By reporting it to the police you give the authorities an opportunity to intervene.

## Criminal investigation

If there is reason to suspect that an offence has been committed, the police must conduct a criminal investigation. In this investigation, the police establish what has happened, who the parties are and what kind of damages have been caused by the offence. If a criminal investigation will not be conducted, the victim of the offence must be notified.

If necessary, the police will summon you, as the victim and the injured party, to be questioned. If the time of the questioning does not suit you, you can agree on another time with the investigating police. In simple and straightforward cases, the police may question you also by telephone.

When being questioned, you must always tell the truth. If you later, after the questioning, come to think of something that could be of relevance for the case, you should contact the police.

When the record of the criminal investigation is completed, the police will send it to the prosecutor. Both you as the injured party and the suspect are entitled to obtain a free copy of the record. If you do not wish the suspect to know your contact details, you can request the police not to include them in the record.

In some minor cases, for example in cases concerning petty theft or petty assault, the police may, with the consent of the injured party, impose a fine on the suspect. In such cases, a record of the criminal investigation is not necessarily drawn up at all. If the victim consents to the imposition of a fine, the case will not be heard by a court and the prosecutor cannot pursue a claim for compensation on behalf of the victim.

## Claims for compensation

An offender is liable to compensate the damages he or she has caused. The victim must state the damages and express his or her intention to claim compensation for them during the criminal investigation or at the court at the latest. Compensation can be claimed, for instance, for lost or damaged property, medication costs and medical fees, pain and suffering resulting from violence, and in some cases mental anguish.

You can prove the extent of the damages by presenting receipts for the expenses caused by the offence. You must also keep the receipts for your insurance deductible and for any possible travel costs related to the investigation. Compensation for them, too, can be claimed from the offender.

The prosecutor can pursue the victim's claim for compensation at the court, if the claim is straightforward and justified. If the victim wishes the prosecutor to do so, he or she should inform the police of this already during the criminal investigation. If the prosecutor declines to pursue the claim for compensation, he or she must notify the victim of this in writing. In this case, the victim himself or herself can pursue the claim. A legal counsel may also do it on the victim’s behalf

## Consideration of charges

When the prosecutor has received the record of the criminal investigation from the police, he or she decides whether to bring charges, i.e. whether the matter will be heard by a court.

For instance, in cases where there is nothing to prove that an offence has been committed, the offence is minor or a settlement has been reached, the prosecutor may decide not to bring charges. The victim has the right to be informed about the prosecutor's decision not to prosecute. If the victim has during the criminal investigation declared that he or she requests the offender to be punished, he or she can bring charges even if the prosecutor decides not to prosecute.

## Mediation

Mediation can be used in criminal matters if both the victim and the suspect consent to it. In addition, it is required that the suspect confirms the course of events and that mediation is in the best interests of the victim. Mediation is free of charge and always voluntary and it can, if desired, be discontinued at any stage. Trained voluntary mediators help the parties in a criminal case discuss the event and agree on compensation for possible damages caused by the offence. The mediators also help the parties draw up an agreement. The outcome of the mediation can, for example, be an apology, an acceptable behaviour contract, monetary compensation or compensation in form of work. If the parties are able to reach a settlement, a written agreement is drawn up and the mediation office monitors the implementation of the agreement. The mediation office informs the police and the prosecutor of the outcome of the mediation. A criminal case can be heard by a court even if mediation has taken place.

Further information on mediation may be obtained for example from the police, the local mediation offices and the National Institute for Health and Welfare ([www.thl.fi/mediationOpens in new window](https://www.thl.fi/en/web/thlfi-en/services/special-government-services-in-social-welfare-and-health-care/mediation-in-criminal-and-civil-cases)).

## Trial

In addition to the victim, who is the injured party, the parties in a trial are the prosecutor and the accused. The district court normally summons all parties and possible witnesses to the trial. The summons will indicate if personal attendance is necessary. If one of those who have been summoned to appear in person is missing, it may be necessary to postpone the trial.

The schedule and other practical questions related to the trial can be discussed with the staff of the district court and the prosecutor or the prosecutor's secretary before the trial. Court sessions are open to the public, but the court can, if the case concerns for example a sex offence, hear the case completely or partially without any public present, i.e. in camera. A request to this effect can be made to the district court judge.

If the court obliges the victim to appear at the trial in person, the victim will be paid per diem allowance and compensation for travel expenses and loss of income. If somebody is absent from the trial without a legal excuse, the court can impose a fine on him or her. A legal excuse can be, for instance, illness preventing attendance. A medical certificate of this must be presented later. The court must be notified of an impediment as early as possible.

Some criminal cases may be considered in the district court in a written procedure. This means that the judge decides on the matter solely on the basis of written material. An oral hearing is not held and the parties are not summoned to court.

Most petty and simple offences may be considered in a written procedure. The written procedure requires that the accused has confessed to the offence and consents to the matter being considered without an oral hearing. Also the victim of the crime must give his or her consent to considering the matter in a written procedure. The victim may present his or her claims for compensation also in a written procedure. The claims must be presented in writing.

For more information on trials, see [www.oikeus.fi/en/](https://oikeus.fi/en/index.html), the brochure of the Ministry of Justice "Criminal proceedings in district court" available at [www.oikeus.fi/en/](https://oikeus.fi/en/index.html) and the website of the police at [www.poliisi.fi/enOpens in new window](https://www.poliisi.fi/en).

## Judgment and appeal

The district court either pronounces the judgment immediately after the trial or announces when it will be issued. In a written procedure, the judgment of the district court is sent to the parties in the case.

The judgment of the district court may be appealed against to a court of appeal. As a rule, leave for continued consideration is required for the matter to be taken up for full-scale consideration at the court of appeal.

If you are not satisfied with the judgment, you must inform the district court of this within a week after the judgment has been issued. The appeal must be submitted to the district court within 30 days of the judgment. Appeal instructions will be appended to the judgment of the district court.

<https://oikeus.fi/en/index/esitteet/josjoudutrikoksenuhriksi/korvaukset.html>