



ANNUAL REPORT 2017–2018

FINNISH BAR ASSOCIATION

1. CELEBRATION OF THE FINNISH BAR ASSOCIATION'S CENTENARY

During 2018 the Finnish Bar Association has prepared and planned for the celebrations. In 2019 the Finnish Bar Association will reach 100 years since its founding. The centenary is visible in our activities throughout the year, culminating in the celebratory and professional event of August 23rd, 2019.

2. SURVEY OF SEXUAL HARASSMENT IN LAW FIRMS

Finnish Bar Association followed the example of the Swedish Bar Association and sent an enquiry to all Finnish law firms concerning sexual harassment at the law firms. The enquiry was addressed to both women and men and covered all the staff members. The survey was addressed to 3 500 people. We received 1 311 replies.

The outcome of the survey was that 40 % told that they had witnessed sexual harassment at their law office. 20 % (260 persons) told that they had personally experienced sexual harassment. Women had experienced sexual harassment more than men, 31 % of women and 6 % of men told that they had experienced sexual harassment.

The Finnish Bar Association raised sexual harassment as one of the main themes at the Attorneys Day in January 2018. The Bar strongly disapproved sexual harassment. Participants were given stickers to be worn also at the evening event, that reminded that everyone has a right to have a good time in the evening without any kind of harassment. Our study showed that harassment tends to occur most often in the evening gatherings, and we wanted to pay attention to this before the evening gala started.

We have received a lot of positive reactions from lawyers, the public and the media.

In June 2018 the Finnish Bar Association published a guide on how to prevent and handle sexual harassment.

The Finnish Bar Association conducted a second survey to all Finnish law firms in November 2018. The aim of the second survey was to find out if the situation had changed after the first survey and public campaigning. We received 800 answers. Three percent (3 %) reported that they had been sexually harassed at their working place during 2018. The results of the surveys are not fully comparable because the second survey concentrated only on the possible harassment during 2018 while the earlier study covered many years. In any case there seemed to be improvement towards less harassment.



3. RESEARCH ON ATTORNEYS' PROFESSION

The Finnish Bar Association conducted three different studies related to becoming an attorney as a career option. The target groups for the studies were law students, attorneys under 45 years and attorneys over 45 years old. The questions related to themes why students are considering law firms as their future career option and what kind of expectations they have. Young attorneys were asked their field of expertise and if they are interested in continuing the law firms after older colleagues reach the retirement age. Attorneys who are over 45 years were asked about their experiences as attorneys and their willingness to hire younger attorneys for a possible continuity for their firm. The Bar Association will carefully study the results and consider possible actions to be taken this year.

4. RULE OF LAW PROGRAMME

To coordinate legal policy work, the Delegation of the Finnish Bar Association has adopted a Rule of Law Programme for 2017–2026. The key aim of the Programme is to define the ways in which the voluntary work of attorneys at law involved in the Bar Association's legal policy work can be integrated into the long-term advocacy work. The guiding principle in the programme is to seek to uphold the rule of law. The independent and impartial role of Finnish Attorneys is regarded particularly important in this regard.

The Finnish Bar Association's legal policy work is guided by a respect for human and fundamental rights and the core values of attorneys at law. The rule of law programme is updated annually.

The measures section of the Rule of Law Programme is divided into four parts including

- Finnish attorneys at law
- Judicial administration and other actions taken by the authorities
- Legislative drafting and legislative projects
- Legal Aid.

The aim of the Finnish Bar Association is to strengthen and develop the legal policy and advocacy work and for that reason the Bar established during the spring 2018 a new post for legal policy work and recruited a lawyer to the post.

5. PROFESSOR OF PRACTICE

The Finnish Bar Association and the Foundation of the Finnish Bar Association has signed a contract with the Faculty of Law of Helsinki University to fund a Professor of practice in Law of Advocacy for a five-year-term. The first Professor of practice is an attorney at law, partner Tuomas Lehtinen from the Law Office Castrén & Snellman. He will be teaching students the profession and duties of the attorneys at law and raise the awareness of the profession among students. We also have high expectations that this would also increase post graduate studies of the "advokaträtt" – nowadays these studies are very rare. The Bar is funding 1/3 of the costs.



6. LICENSED LEGAL COUNSELS

The Law of Licensed Legal Counsels entered into force 1.1.2013. According to the law a person, other than a lawyer (i.e. member of the Bar) or a public legal aid counsel, who will litigate in the courts, needs a special license to litigate. Around 100 licensed legal counsels founded an organization of their own. The English name of the organization is “Authorized Attorneys at Law”. Finnish Bar Association has taken legal actions against using the title “Attorney at law”, which is allowed only to attorneys at law (i.e. Members of the Finnish Bar). Also, in our opinion, the term “Authorized” gives misleading information for instance to consumers of the qualification of those legal counsels. (There is no special “authorizing” procedure, these counsels are only permitted a license to litigate in courts.)

We have now received two Court decisions: One from the Court of Appeal of Helsinki and another from the Market Court. The result was that the title Attorney at law is allowed only to the Members of the Finnish Bar and the terminology (for instance “authorized”) is misleading.

The organization has the right to try to get the case to the Supreme Court but that requires the granting of leave to appeal.

7. STUDIES RELATED TO LEGAL AID

The Finnish Bar Association asked a private research institute to run a survey of the cost effectiveness of the legal aid provided by the state legal aid offices. The research institute also interviewed officials from the Department of Legal Aid at the Ministry of Justice and reserved some financial information from the Ministry. This research was conducted in 2017.

Today, private lawyers who handle legal aid cases are paid 110 euros/hour by the state. Our survey showed that total costs of the same service provided by the legal aid counsels at the state legal aid offices would be 140–200 euros per hour. Finnish Bar Association has stressed out that legal aid services offered by private attorneys are much more cost effective than by state legal aid counsels. As a result of this study the Bar has proposed to the Ministry of Justice that the legal aid fee for private legal aid providers should be raised to 140 €/h.

Finland is a vast country and there are only around 200 state legal aid counsels. The Bar has stressed that there is a strong need for private sector attorneys also for legal aid cases and the state should pay them the fee that covers the costs at the same level that the service costs for legal aid counsels.

The Finnish Government ordered a research on the legal aid given to asylum seekers. A specific objective of the study was to find out how the legislative amendments of 2016 had affected the asylum seekers’ access to legal aid. The Finnish Bar Association decided to conduct a survey to all its members assisting asylum seekers and the results were handed over to the researcher of the project. As a result, the voice and knowledge of the attorneys is coming clearly out in the final research paper. The report proposes several measures to improve the situation, including



immediate access to legal aid. Also, a sufficient number of competent legal counsels dealing with asylum matters should be ensured. The research recognizes the problem of so called “fixed fee” introduced into legal aid but only regarding applications for international protection.

8. SUOMI AREENA

The Finnish Bar Association attended for the first time the so-called Suomi Areena event, that resembles for instance the *Folkemodet* in Denmark. We had a Moot Court case where professional actresses played the roles of the defendant, victim and witnesses and the Finland’s Prosecutor General was acting as the prosecutor of the case and the President of the Vaasa Court of Appeal was acting as a judge, in addition to which there were three of our members playing the parts of the attorneys of law.

9. STATISTICS

Members 1.1.2018

Altogether 2 124

- men 69 %
- women 31 %

Age groups:

–30: 1 %

30–39: 26 %

40–49: 27 %

50–59: 26 %

60–: 20 %

Number of law firms: 790

Membership fee: 1 050 € (the same since 2009)