



HELSINGIN KAUPUNKI

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MEDIATION IN  
OFFENCES  
AND DISPUTES  
IN HELSINKI

## WHAT IS THE PURPOSE OF MEDIATION?

Mediation is an alternative for settling and resolving cases arising from offences and disputes. Mediation takes place in accordance with the Act on Court-Annexed Mediation.

## IN WHICH TYPE OF CASES CAN MEDIATION BE USED?

Cases involving different kinds of offences can be referred to mediation, for example assaults, malicious damage and property offences. Less serious disputes can also be mediated, if at least one of the parties is a natural person.

## HOW DOES THE MEDIATION PROCESS START?

Mediation can be initiated by, among others, the police, prosecutors, the parties to the case themselves, except in cases of domestic violence, and the guardian of a minor. Mediation can take place between parties who have personally and voluntarily expressed their agreement to mediate and who can understand the significance of mediation and the solutions reached in mediation. Participation of a minor in mediation additionally requires that his/her guardian or other legal representatives agree to this. Decisions relating to referrals to the mediation service can be appealed.

## HOW DOES MEDIATION WORK IN PRACTICE?

In mediation, the parties themselves can influence the resolution of their own case. Mediation is based on joint discussion in which, in addition to the parties involved, a voluntary mediator and, if necessary, a public service interpreter also participate. In the case of a minor, it is recommended that the guardian be present in the discussion. In the mediation meeting, a party can use an assistant or support person, if this does not jeopardise the smooth progress of the mediation and all of the parties involved agree to this. The aim of the mediation is through constructive discussion to settle the case and to agree on compensation for possible damage. The parties can agree between them monetary compensation, compensation through work or some other kind of restitution. If the parties reach a common understanding, an agreement on the case is prepared, which the parties sign. The legal authority, such as the official prosecutor, is informed of the agreement.

## WHAT IS THERE TO GAIN THROUGH MEDIATION?

If an agreement is reached in an offence, such as malicious damage, where the prosecution rests with the plaintiff, charges will not be brought if it is not in the public interest to do so. In an offence, such as assault, where the prosecution rests with the prosecuting authorities, the prosecutor decides whether or not to bring charges. Through mediation, legal proceedings may be avoided all together, or the mediation may be taken into consideration when passing the sentence.

## WHO ACT AS MEDIATORS?

Mediators are volunteers who have received appropriate training. They are guided and advised by the professional staff of the Mediation Office.

Mediation is voluntary, independent, reasonable, free and confidential to all parties, and the client can discontinue the process at any stage.



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