

WITHOUT DISCRIMINATION

A report on experiences of people from gender, sexual, and ethnic minority groups and women in the Finnish criminal sanctions field

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Introduction

In many ways, the criminal sanctions sector reflects the changes taking place in society. The demographic structure of the population, the distribution of residential areas in different parts of the country, the general economic situation, the political climate and the protective structures offered by society affect who ends up within the scope of criminal sanctions. The criminal sanctions sector has also traditionally been built on the mindset that the typical criminal sanctions client is a native, white Finnish male. However, this is no longer the case in today's society, as women and clients from minority communities — including gender, sexual and ethnic minority groups are also present within the criminal sanctions system.

In order to promote equal treatment and professional encounters, Silta-Valmennusyhdistys ry will implement the ESF+-funded Syrjimättä (Without Discrimination) project in 2024–2026. The aim of the project is to increase cultural awareness in the criminal sanctions field, continue the development of gender-specific work with women and initiate the inclusion and recognition of gender and sexual minority groups within the criminal sanctions field. This study explores the experiences of women, LGBTQ+ people, and ethnic minority groups within the criminal sanctions field. Interviews were conducted with formerly incarcerated lived experience experts from these groups as well as professionals who work with them. This report compiles the key findings that support the project's development work to promote non-discriminatory operating environment and practices. The findings of the report will be utilised in the training for criminal sanctions professionals, in networking and advocacy work organised by the project.

Theoretical background

Gender and sexual minority groups in criminal sanctions

"LGBTQ+ people" refer to people from gender or sexual minority communities. People from gender minority communities don't identify with the gender assigned to them at birth. Gender minority groups include transgender, intersex and non-binary people, transvestites and people whose gender experience or expression does not fit into gender normative concepts.

People from sexual minority groups experience same-sex or same gender attraction, minimal attraction or no attraction at all. Their sexual orientation is something other than heterosexual, for example gay, lesbian, bisexual, asexual or pansexual.

There is relatively little statistical data on gender and sexual minority groups at the population level in Finland, and most of the data has been collected by the National Institute for Health and Welfare on young people. In 2023, 14% of the young people who responded to the School Health Survey reported identifying to a sexual minority, and 5.5% to a gender minority (Terveystieteiden tutkimuskeskus 2023).

Gender and sexual minority communities have historically had a tense relationship with the police and, more broadly, with the criminal justice system (Charlton 2024). In Finland, homosexual acts were abolished from the Criminal Code in 1971, but the so-called "ban of incitement", i.e. ban of public encouragement to commit same-sex relations, remained in the Criminal Code until 1999 (Friends of Queer History Association n.d.). This history continues to shape many LGBTQ+ individuals' trust in authorities.

In this report, where gender is not essential for the information, we chose to use pronoun "they", since it includes all genders without further specification.

Gender and sexual minority groups in prison: a little-studied minority

There is no systematic research in Finland on the number of people from gender and sexual minority groups in the criminal sanctions system. A survey by Rantala and Kaltiala (2023) examined the sexual behaviour of Finnish prisoners in a closed prison. The respondents' sexual orientation was also asked in the background information. Of the respondents, 93.9% reported that they were heterosexual, 2.8% bisexual, 1.1% homosexual, and 0.6% chose other. A few of the respondents skipped the question (Rantala & Kaltiala 2023).

Some Finnish thesis works have addressed the issue. The thesis by Humalajoki and Perälä (2022), drawing on international literature, explored the position of transgender prisoners. Key challenges included cisnormativity, difficulty adjusting to prison culture, inadequate mechanisms for protecting the rights and needs of transgender inmates, and higher rates of harassment compared to other inmates—both from staff and peers (Humalajoki & Perälä 2022). Another thesis study by Sääkslahti and Wiksten (2024), titled *Non-binary Prisoners in Closed Prisons*, explored the existence and experiences of non-binary people in Finnish correctional institutions. A small number of non-binary prisoners were identified. Among inmates who responded to the study's survey, 69% stated they accepted non-binary individuals, 15% accepted them partially, and 15% did not accept them at all. The responses highlighted a lack of knowledge and misunderstanding that conflates gender identity with sexual orientation was common (Sääkslahti & Wiksten 2024, pp. 29–33).

Responsibility of the authorities in the realisation of equality

Authorities play a key role in ensuring equal treatment in the criminal sanctions system. In 2018, the Criminal Sanctions Agency published guidelines on the placement of a client who has undergone or is in the process of gender reassignment during criminal sanctions. According to the guidelines, the aim is to place a person in accordance with their gender identity, unless safety considerations require otherwise. These decisions are made on an individual level, taking into account the inmate's preferences, state of health and potential risks. Continuation of the gender reassignment process must be ensured in cooperation with prisoner health care and external care providers. In addition, training on gender diversity must be organized for the staff of the Criminal Sanctions Agency and

prisoner health care, if necessary. The guidelines also emphasize the importance of equality, confidentiality and a sensitive professional approach (Rikosseuraamuslaitos 2018).

The equality ombudsman “yhdenvertaisuusvaltuutettu” can also intervene by commenting and making recommendations in individual cases where discrimination or unequal treatment is suspected. They has commented on a case in which a male prisoner of a sexual minority complained about being denied family visits outside prison during years of imprisonment. The prisoner had been afraid of family meetings in prison, and he was not granted permission to leave the prison to arrange meetings outside the prison. According to the equality ombudsman, the prisoner was placed in an unequal position compared to heterosexual prisoners who do not have a similar justified fear. According to this interpretation, homosexual prisoners should be able to meet their spouses outside prison in order to minimise the risk of violence (Rosvall 2023).

Ethnic minority groups in the criminal sanctions system

Ethnic minority groups refer to groups of people who are united by language, culture, religion, appearance or origin, and who share a common identity and cultural heritage (Oikeusministeriö 2024). In Finland, traditional ethnic minority groups include the Sámi, Roma, Jews, Tatars, Karelians, Finland-Swedes, and Russians who immigrated in the 19th and 20th centuries and their descendants. In addition, new minority groups have emerged in Finland as a result of later immigration, such as Somalis and Iraqis (Finnish Institute for Health and Welfare 2024).

In Finland, statistics on the population are not collected based on ethnic background. However, the Criminal Sanctions Agency does compile data on clients' nationalities. According to its annual statistics, non-Finnish citizens have accounted for between 15 and 18 per cent of the prison population. In 2023, the daily average number of prisoners of foreign nationality was 560 persons, which is 80 persons higher than in the previous year. Of the foreign prisoners, 16% were Estonians, 10% Iraqis and 10% Romanians, and a total of 63 different nationalities were represented (Rikosseuraamuslaitos 2023). So far, there is very little research data available in Finland on how people from ethnic minority groups are encountered and what their position is like in the prison community and the criminal sanctions system more broadly.

Everyday inequality and discrimination in the prison environment

In her doctoral dissertation, Helena Huhta has studied the status of people from ethnic minority groups in male prisons. Huhta describes how prejudice and prison culture are intertwined and reflected in the everyday lives of prisoners from ethnic minority groups in many ways. Prisoners with a minority background were associated with stereotypical and negative assumptions, such as a tendency to certain types of crime, snitching or excessive intimacy with the staff (Huhta 2023, 2024).

According to Huhta's research, ethnic segregation occurs in prisons and can be maintained, at times, by means of violence. This affects the wards to which prisoners can be assigned as well as their opportunities for work and training participation. Ethnic divisions were concretely visible, for example, in the canteen, where prisoners sat at segregated tables, and in the formation of wards and cell divisions, when prisoners from the majority population could discriminate against and exclude those from ethnic minority communities. Prisoners with a minority background also experienced racist treatment by the staff – although it was not common, it was not uncommon: racist language was openly used among the staff and sometimes also in front of the prisoners, and it was not addressed, the service was not available in different languages, and attitudes were often dismissive. Discrimination was also reflected in the availability of spiritual support, for example (Huhta 2023, 2024).

Huhta observed indications of a positive change in prison culture, such as the example of a ward where black prisoners were admitted for the first time. Huhta emphasises that if prisoners were allowed to feel that they are equal both at the level of the prison system and at the level of the prisoners' culture, ethnic and racial divisions could lose their significance, even if hierarchies did not disappear completely. According to Huhta, ethnic background appeared to be a more flexible part of the prisoner hierarchy compared to many other norms between prisoners. However, the study shows that there is still a lot of work to be done in the realisation of equality. Huhta emphasises that equal treatment does not guarantee equality in a system that has been built on the terms of the majority population. Huhta proposes concrete measures, such as equal access to work activities and education, expanding the range of languages to at least English, access to multilingual materials, and enabling the practice of all religions (Huhta 2023, 2024).

The Status and Special Needs of women in the Criminal Sanctions System

The criminal sanctions sector and the criminal world are strongly male-dominated and masculine, where women are in the minority. In 2023, there were 256 female prisoners, or about eight per cent of prisoners, and about four out of ten of them had been convicted of a violent crime (Rikosseuraamuslaitos 2023). Female prisoners often have difficult life experiences and wide-ranging problems in their backgrounds, and a large number of them have experienced multiple forms of violence during their life history. In addition, a woman's criminal background is associated with particular shame, as being a woman is typically associated with the roles of motherhood and caregiver. A woman who commits crimes violates these norms and expectations, which can lead to strong stigma and discrimination in the service system even after release.

The position of female prisoners also highlights significant health inequalities, which are reflected in their well-being during their imprisonment. The Prisoners' Health and Well-being 2023 study (Wattu IV) examined the health differences between women and men in prisons. For example, women had more mood and anxiety disorders than men. Anxiety disorders were reported in 30.4% of female prisoners and 15.9% of male prisoners during the previous month (Rautanen, Harald &

Tyni 2023). As in Joukamaa's (2010) study, women reported more trauma symptoms and experiences of all kinds of violence during their lives than men in the Wattu IV study. However, women experienced less physical violence inside prison, but more mental violence than men (Rautanen, Harald & Tyni 2023, Joukamaa et al. 2010).

Development of women-specific work in the Criminal Sanctions Field

Attention has been paid to the position of women in prisons for the past 15 years. The first, more significant step was the report of the Working Group on Female Prisoners appointed by the Criminal Sanctions Agency in 2008, which presented several proposals for improving the situation of female prisoners (Rikosseuraamuslaitos 2008). Unfortunately, most of the proposals did not go into practice, and the report was quickly forgotten. In 2020, Kaisa Tammi completed the Female Prisoner study, "naisvankiselvitys", which presents concrete observations and development proposals based on fieldwork. The Criminal Sanctions Agency has also published international prison rules, such as the Nelson Mandela Rules (Rikosseuraamuslaitos 2017) and the European Prison Rules (Rikosseuraamuslaitos 2021), which contain their own sections on the treatment of women in prisons.

According to the report on female prisoners (Tammi-Moilanen 2020), sexual harassment is one of the most important forms of discrimination experienced by women. 62.5% of the female prisoners who responded to the survey had experienced some form of sexual harassment in prison. More than half had encountered verbal harassment, a third had also been subjected to sexist hate speech, and about one in ten had experienced sexual suggestion or physical advances. Several respondents described that they had experienced several forms of harassment and harassers. The responses demonstrate the need for female prisoners to serve their sentences safely from sexual harassment. In 2020, the first closed prison designed only for women, the new Hämeenlinna Prison, was opened. In addition, women have been placed in closed prisons in Kuopio, Oulu and Vaasa. Of the open prisons, the Vanaja unit of Vanaja and Ojoinen Prison and Kestilä Prison are only aimed at women (Criminal Sanctions Agency 2025).

According to the report on female prisoners, a trauma-sensitive approach to work is also essential in women-specific work, as women were characterized by experiences of multiple forms of violence and traumatic symptoms. In the report, Tammi says that they met several dedicated professionals in women-specific work who are actively developing their professional skills. Third sector actors have also carried out several projects aimed at supporting female specificity in the field of criminal sanctions (Tammi-Moilanen 2020). Research data on the subject has been produced at least in the RITA project led by the University of Jyväskylä, which was carried out in cooperation with the University of Helsinki and the University of Eastern Finland. The project studied the traumatic experiences of women with a criminal background during their lives and their effects on their service needs (Kuronen 2022).

Research questions, data collection and analysis of the report

The research questions of the report were: how people from gender, sexual, and ethnic minority communities, as well as women, are encountered in the criminal sanctions sector. The aim was also to explore how the consideration and inclusion of these groups could be developed.

The material presented in this report has been collected through interviews and a questionnaire. During the autumn of 2024, experts by experience with a criminal background and professionals working with people with a criminal background were interviewed with semi-structured interviews. A total of 15 interviews were made, in which professionals were interviewed in nine interviews and experts by experience in six. Some of the interviews were group interviews. A total of 17 professionals and 9 experts by experience were interviewed, as well as one person close to an expert by experience. The interviews were recorded with the permission of the interviewees, transcribed and the interview material was anonymized so that the quotes could be sent for review to the interviewees who wished to do so.

As relatively few people with lived experience were reached through interviews, the material was supplemented with a Webropol survey specifically targeted at people with background in lived experience. The survey yielded six responses which were used to complement the interview data. For the English version of the report, quotations from the interviews conducted in Finnish were translated into English, while interviews originally conducted in English are quoted as accurately and intact as possible.

Gender and sexual minority groups

Invisible minority groups in the criminal sanctions sector

The interviewed professionals recognised that they had rarely encountered people from sexual and gender minority communities in the criminal sanctions sector, and noted that they are hardly discussed in the context of criminal sanctions. According to professionals, gender and sexual minority groups are mainly discussed when a client from a minority group is placed in a prison ward. In this case, the matter is resolved on an individual level. Several professionals had met trans people in their work, but they had often been seen as isolated cases. Some professionals thought that there seemed to be few clients from sexual and gender minority communities because there was a lack of a safe opportunity to openly be themselves.

According to professionals, women and also some ethnic minority groups are now given more attention, but gender and sexual minority groups are not really taken into account in any way. The professionals reflect that because there are only few clients from gender and sexual minority communities, it may be difficult to identify disqualifying and discriminative practices and communicate that everyone is welcome as they are.

The professionals also identified outdated words and stereotypical notions in the thinking and speech of the work community, which would be useful to eliminate. The position of a civil servant

was perceived as requiring neutrality, which made some professionals cautious about expressing approval to people from sexual and gender minority groups through rainbow symbols. There was concern that this might also lead other prisoners to avoid speaking to them, as being part of the LGBTQ+ community is a taboo subject, and staff wearing LGBTQ+ symbols might raise unnecessary suspicions among fellow inmates.

"And I don't know, we're really far away with these things, that trans people have the same opportunities as others, male prisoners. And yet we take into account and try to help according to what we have."

Although the interviewed professionals identified gender equality gaps in the criminal sanctions sector, they felt that they were doing their best within the framework of the challenging system and environment. Through awareness of the existence of people from gender and sexual minority groups also in prison, and personal arrangements made with prisoners from the minority communities, they had learned to listen to small signals and, based on that, to ask sensitively when necessary. For example, in situations where a prisoner was talking about a spouse, it had been understood that the spouse may well also be of the same sex, which is why the spouse was not automatically gendered. An interviewee from a sexual minority with lived experience also told about moments when professionals had been able to say the right words of encouragement, even though LGBTQ+ - identity had not been talked about at all.

"I chose this one loma for Pride. First time after prison I had this party. And this made me feel like very crazy, my feeling was up ... Counselor, she said: have a nice Pride, she understood that."

Hiding one's identity as a means of survival

Men's prisons were particularly perceived as unsafe and discriminatory in their atmosphere, and people from gender and sexual minority communities were spoken of in a negative tone. The interviewees from gender and sexual minority groups gave a clear message that when in prison, prioritizing one's own safety takes precedence over everything else. The interviewees said that for their own safety, they are often forced to hide their identity and play another role in prison, if their own body and mind allow it. Their own appearance and style could be changed to make being in the closet safer.

"I always tried to make my hair always up or something like this. I tried not to show there who I am outside ... When you go to prison, you need to go back to the closet. You don't have any other choice."

The interviewees with an experiential background had wanted to tell the staff about their LGBTQ+ identity, but especially prisoners from ethnic minority groups were afraid of the spread of information and chose to remain silent. They did not trust the officials that they would not disclose the matter in a way that could endanger their safety and health. Because of this, the interviewees felt that there was no other option but to stay in the closet. Project work coming from outside the

prison was seen as an opportunity, and through it, one interviewee had been able to build such a strong trust in the project worker that they had become the only professional during the entire imprisonment who knew that the client was from a sexual minority. The interviewees hoped that it would be possible to get peer support in prison through Seta or other LGBTQ+ organisations during their imprisonment.

If a prisoner experiences a security threat, they will be transferred, in which case their opportunities for work or study, for example, may be limited on the basis of the new ward placement. Employees identify this as problematic for the person's rights, but safety is considered a priority. Interviewees with lived experience also recognize this problem.

"You have to think about your safety first, that you can't e.g. to think about how I want to develop myself here during my imprisonment... If you were a trans person, let's say a trans woman, on the side of women and you experienced discrimination, you would have to opt out of those [activities]."

Everyday life in prison and the challenges of equal treatment

Both clients and professionals hoped that the affairs of minority prisoners would be handled as mundanely and smoothly as with other prisoners, without unnecessary attention. If there are negative reactions to bringing up one's own need, the prisoner may prefer to retreat to his cell and remain silent. The professionals emphasised the importance of uniform operating methods to ensure that everyday matters go as smoothly as possible for everyone. The interviews highlighted issues related to facilities, the accessibility of health care and the ability to maintain relationships.

"If there are no common ways of working, everyone prepares on their own, in a way, hey, a prisoner who has undergone gender reassignment comes here. Then it becomes a bit like that. I, at least myself, if I were the prisoner, would feel that it would be unpleasant for me. That way those things would have to go more smoothly."

Premises

The placement of prisoners from gender minority communities is difficult in the hierarchical and binary structures of prisons. Toilets, showers, changing rooms and saunas are usually only for the binary gender whose prison is in question. The professionals described that the accessibility of these spaces has not been considered from the perspective of gender and sexual minority communities. One of the project workers interviewed said that they had met a transgender female prisoner serving her sentence in a men's prison and discussed with her that it was not right that she was not allowed to go to the sauna in the ward. They had encouraged the trans woman to look for professional allies who could improve her chances of getting into the sauna. One female prisoner who participated in the interviews said that she was serving her sentence in the same prison as a transgender female prisoner. She said that living together with a trans woman went smoothly and felt that women's prisons as environments are quite non-discriminatory.

Concerns about the accessibility of health services

Among gender minority groups, the most worrying thing about health care was the possibility for a member of a gender minority to continue hormone treatments, especially if the treatment had been started elsewhere than through official trans clinics. Interruption of treatment in such a situation during imprisonment was considered extremely burdensome and it was seen to increase the risk of suicide. One interviewee from a sexual minority, said that it was difficult to see a psychologist because they were afraid to tell professionals that the need to see a psychologist was also related to their LGBTQ+ - identity.

Maintaining relationships

Professionals had different views on maintaining the relationships of LGBTQ+ prisoners outside the prison. Some felt that this group receives family meetings like everyone else, because through the definition of "other important persons" in the Prison Act, family meetings are also possible for people from gender and sexual minority groups. However, professionals say that such meetings must be justified. For the respondents with an experience background, the requirement for justification meant coming out of the closet and therefore prevented meetings from being arranged. They felt that this made it impossible to maintain a relationship in prison.

Ethnic minority groups

Trauma, cultural differences and the threat of deportation – special features of the job

According to the interviewed professionals, there are several special features associated with working with people from ethnic minority groups with a criminal background. Many immigrants have experiences of violence and traumatisation even before arriving in Finland. The concepts of violence and mental health are partly culturally bound, which may affect how these phenomena are identified and understood.

If, in addition to cultural differences, there is no common language, it can be challenging to identify the prisoner's need for support and the reasons behind the malaise. Cultural differences may also manifest in the fact that some male prisoners found it difficult to work with female employees. The interviewed professionals considered how to ensure smooth everyday operations and confidential work with security guards in these situations.

The interviews also brought up the threat of deportation and the tightening of deportation practices in recent years. An immigrant with a criminal background may be deported even if they have a family, a job and other factors that tie them to society in Finland. The threat of deportation causes considerable stress to prisoners. Uncertainty is increased by the fact that, due to unfinished processes, the authorities cannot provide accurate information about a possible deportation or its schedule. As a result, prisoners may live for a long time in uncertainty about their future.

The professionals felt that encounters are at the heart of the work and emphasised that clients should not be seen as representatives of a specific group, but that everyone is a human individual.

One professional described encounters as a core element of all work, especially when the client has multiple stigma due to, for example, criminal background, mental health or minority status. They emphasised the importance of the staff's shared concept of people and uniform working methods, so that the positive memory imprint created from good encounters would carry beyond individual meetings and strengthen the client's motivation for change.

Racism against ethnic minority groups in the criminal sanctions system

The interview material revealed several experiences of racism and discrimination faced by ethnic minority groups in prison and at different stages of the criminal process. The interviewees with lived experience said that they had encountered racism from the staff and other prisoners. The cases included racist name-calling, violence and the threat of violence, indifference, failure to take care of things, degrading gestures, and situations in which prisoners were spoken of in a racist manner on the assumption that they did not hear or understand. The interviewees with lived experience said that there are a lot of racist attitudes among prisoners, and some prisoners do not even try to hide them. Tattoos and symbols drawn on the walls of cells reveal the extreme right-wing thinking of some prisoners.

The interviews also revealed individual observations that relatives and professionals visiting the prison were treated differently depending on the background of both the prisoner and the visitor. According to the experience of one prisoner and their trusted person, those who met prisoners from an ethnic minority group were often treated worse than those who met other prisoners. One professional from an ethnic minority community also said that they experienced discrimination. For example, their bag was checked repeatedly upon arrival at the prison, while for a professional from the majority population, checks were carried out rarely or not at all. In addition, one interviewee told about their experiences in which their personal belongings had gone missing and were only returned after trusted people had contacted the supervising officer.

Interviews with professionals revealed that the staff's perceptions of what constitutes racism and whether it occurs in a prison environment varied. Some of the professionals interviewed emphasised that prisoners from ethnic minority communities know better than the staff how racism manifests itself in prison because they recognise daily microaggressions such as looks, indifference, hand gestures or certain types of gestures.

“It’s not the same that you talk ugly about just anyone, when it is directed at such a limited group of vulnerable people, you should understand what it produces, what it means inside the prison.”

Violence and hierarchies

The prison environment involves several structures and practices that can increase the risk of violence or create violent situations. One significant factor that produces violence is the hierarchy between prisoners, in which prisoners from ethnic minority groups are often in a subordinate

position. According to the interviewees, the threat of violence is constantly present in prison, and witnessing it causes anxiety, even if you are not a direct victim of violence. According to prisoners' experiences, violent situations are not always handled fairly. For example, a prisoner who has been subjected to racist violence may be placed in solitary confinement, while the perpetrator of violence may not be punished at all.

In addition, prison conditions do not always allow for placement that would take into account the relationships between prisoners or the prevention of violence. The relationships between prisoners are affected by many factors, such as the debt relationships of the drug trade, suspicions of snitching or the nature of the crime. The prisoner's skin colour, different cultural background and language skills also play a role in the construction of the hierarchy between prisoners. In addition, cultural differences and ways of practicing religion can cause tensions and disagreements between prisoners living in shared cells. The interviewed professionals estimate that prisoners from Southeast Asia, for example, are in a better position in the prison environment than prisoners from the Middle East or African countries.

"Whenever a new person, especially with an immigrant background, is taken to the ward, people from the majority population, of course, try to subjugate him if there are no other immigrants [on the ward]. And that can lead to violent situations. I don't know, we have tried that too, to have only people with immigrant background in a ward, but is that a good thing either?"

The language barrier strengthens discrimination and power relations in prison

Based on the interview data, the lack of a common language is one of the most significant causes of discrimination in the prison environment from the perspective of both professionals and prisoners. Not all prisoners with a foreign background speak English or Finnish, and on the other hand, some of the staff have only a limited command of English. Prisons use interpreter services provided by an external company, but based on interviews, they are rarely used. This may be due to financial constraints, but also to practical challenges, such as finding an interpreter who is proficient in a suitable language or dialect for fast-paced everyday situations.

Prisoners who do not speak the language often resort to the help of other prisoners, for example, when they receive decisions or documents that they do not understand themselves. This creates a significant legal problem, as it can weaken the prisoner's legal protection and make them dependent on other prisoners. At the same time, it strengthens the hierarchical position of power between prisoners.

In the opinion of the interviewed prisoners with a Finnish background, attitude and willingness to understand will take them a long way. One of the interviewees told of a situation in which a guard had used Google translate to help in a situation where there was no common language. They considered this an important concrete indication that the staff is willing to try to find a common way of communicating.

"Well, I've seen, for example, that one guard has used Google translate when there hasn't been a common language. Because it doesn't require much effort, though, and you can make a little progress in it. At least trying to somehow find a common way to communicate so that you can pass on that information."

Unequal treatment in work and health care

Based on the interviews, the lack of language skills can also increase inequality between prisoners in terms of participation in work activities. Especially in men's prisons, work tasks often require the use of different machines, and understanding safety instructions is essential. The lack of a common language prevents some prisoners from receiving the necessary orientation, which affects their chances of finding employment and earning a salary during their imprisonment. Some of the interviewed professionals reflect on exclusion from the language barrier as a broader structural problem that isolates the prisoner and prevents the realization of inclusion and has a significant impact on the prisoner's position, well-being and opportunities during imprisonment.

"But then, in a way, there is what is not necessarily perceived as violence, but what is discrimination or exclusion. If you don't have language skills and you can't talk to anyone, you can't get an education, you don't understand the papers."

The interviews also revealed that an immigrant background and poor language skills can make it difficult for prisoners to access health care. The guards had required an interviewee with a foreign background to write the reason for the meeting in Finnish on the service form in order to be able to see a doctor. However, the health care matters of individual prisoners are covered by professional secrecy, and it is not appropriate to find out the reason with an open form that passes through several eyes.

"And they ask always if you want to see doctor, why, explain it, why. And you need to tell them. This roommate, sellikaveri, he just writes, I want to meet psychologist. After an hour later, they start taking him to psychologist. When he comes back, I say, where did you go, he said psychologist. What did you write? He said I just wrote I want to meet psychologist."

Women in criminal sanctions

Women make up a minority of clients of criminal sanctions. Although women-specific work in the criminal sanctions sector has been developed, women's needs are still not sufficiently taken into account, and services and support measures are still largely planned based on the needs of male prisoners. In the interviews, women-specific issues emerged as key themes, such as taking into account the traumatic background, supporting motherhood and dealing with the effects of violence, especially in relation to women's subordinate position in the world of substance abuse. Experiences related to unequal treatment emerged especially through practices in the prison's everyday life, such as meals, exercise opportunities, clothing and work activities.

The interviewees felt that the prison environment communicates that motherhood and imprisonment are in conflict with each other. Even in case mother was the parent with whom the child was living before mother being imprisoned. One interviewee said that there was one ward in a closed prison where clients were supported in parenting, but they considered this insufficient, as they had to wait to be admitted to the ward. In addition, a social worker specialised in families and children was not always available, and other professionals either did not know or did not have time to familiarise themselves with issues related to parenting. In absence of family-specialised professional, search for information was left entirely to the prisoner, which was perceived as unequal treatment due to motherhood.

Perceived violence and insecurity

According to the interviews, almost all female prisoners have experienced violence and harassment during their lives, often in many forms. Violence and harassment experienced by women are downplayed, and women also downplay it themselves. Experiencing violence is talked about as an everyday thing and as if it were a natural part of a woman. Sexual harassment is one of the most common forms of discrimination faced by female prisoners. Although the interviews did not talk much about harassment in prison, sexual harassment and being the target of suggestions became significant challenges in life after the sentence and during probation. For some of the interviewees, trust in men had been seriously shaken, so that it was difficult to get attached to peer activities that also included men after imprisonment, for example.

Violent relationships can continue during imprisonment, and then the man can pressure the woman, for example, to seek family visits, even though the woman does not really want to. The professionals said that they can use the prison's own procedures to protect women, at least in the prison's internal context, for example by denying family visits. Women receive support in dealing with the violence they have experienced through various rehabilitative activities.

"I've held a mental health course for women in that prison, and just on Tuesday we were talking about life crises. Before I had even started that topic, almost half of them had already opened up about being in abusive relationships. That was a basic starting point, it was talked about in a very everyday way."

For some women, prison can be a safe place where they can be protected from harassment and abuse. In addition to physical safety, the interviewed women also felt that mental safety was important, but felt that they did not always receive enough support for it. The women hoped that especially when entering prison for the first time, the encounter would be sensitive and that attention would be paid to orientation. Giving and taking off during drug screenings was also perceived as degrading treatment and a situation that opened up traumatic experiences. The interviewees pointed out that in such situations, it would be especially important to take into account the multi-layered violence and traumatic background experienced by women. Many of the interviewees said that they had also received good and appropriate treatment from the staff and support for the things they needed.

"I had never been in prison, but I was still treated by default, that I don't need to know what happens next. All the undressing and other things, I didn't know what to do, and I wasn't told either. And it was such a rude treatment, like you could conduct it a little differently, because it's just one protocol and it can be handled properly... But for the most part, there were good things to say, most of the people were really nice and good and trauma-sensitive, but there are always a few uncomfortable ones among them."

Food and exercise

The interviewed women also brought up the food and exercise opportunities available. The food served by the prison was perceived to be aimed at men, vegetables are missing, and the selection of food available in the canteen does not take into account women's wishes. The women valued taking care of their own bodies and fitness and wanted to exercise in prison as well. Women felt that their opportunities for exercise were weaker than men's. Sports facilities were perceived as inadequate and poorly equipped than sports facilities aimed at men.

"And the fitness room in Vanaja was quite pathetic, that surely every men's prison, I dare say, has really good fitness facilities, because it is so important to men. Vanaja has one in the basement where your head almost hits the ceiling and you raise your hands, you always hit ... They gave the intact equipment to men, it was said that aerobics is enough for women."

"Diet. We have a pretty good, let's say salad-poor, that women might like it more, you wouldn't have it. Whereas men of course like a different diet and that's the majority, the mainstream that we go with. In a way, the fresh side dish of a meal can be pickled beetroot, for example."

Clothing and hygiene

The clothing needs of female prisoners during imprisonment differ from those of men. When arriving at a closed prison, the clothes and other personal belongings brought by the prisoner are checked before they can be taken into use. The inspection process can take a long time, which can lead to female prisoners having to go without suitable clothing during the waiting period, as there is only a limited amount of clothing available for women in prison. The interviewed women pointed out that the selection of clothes has recently diversified, and there are leggings and women's sweatshirts available, for example. However, bras are still not available, which was considered problematic. Several women described that being without a bra is not only uncomfortable but also embarrassing, especially in situations where male security guards are present.

The women also discussed the general control of clothing. For example, in the summertime, interfering with the length of the sleeves of shorts and T-shirts was seen as an additional punishment and interference with personal choices. With regard to Roma women, practices have changed in a direction that takes into account individual needs and culture in a more considerate direction. In open prisons, the traditional Roma attire worn by Finnish Roma women, which typically includes long dark velvet skirts and decorative blouses can be worn, while in closed prisons, Roma women

have to settle for the long skirt provided by the prison. However, it should be possible to get the traditional Finnish Roma attire for meetings in all prisons today.

The interviewed women also highlighted the needs related to intimate hygiene and menstruation. They hoped that they would have the opportunity to use the kind of menstrual pads they were used to even in prison conditions. According to the interviewees, the selection in the prison canteen did not offer enough options, which limited their ability to take care of menstrual hygiene as they wished.

Work in prison

The interviewed women paid attention to the gendered nature of work activities and the fact that their opportunities for work activities are weaker compared to male prisoners. For a long time, the prison has had a traditional way of thinking that women are not capable of doing physically demanding work. As a result, women's work activities have often focused on industrial sewing, i.e. a field that no longer offers employment opportunities in today's Finland.

The women highlighted Vanaja Prison as a positive example where women have been able to participate in so-called men's work on an equal basis and have also succeeded well in them. The salary received from work is an important motivating factor regardless of gender, even if the salary is low from the outsider's point of view. In prison conditions, even small differences in hourly pay are of great importance, and the desire for better pay may also drive prisoners who are physically weaker to seek strenuous work.

The women's interviews raised concerns about the policies of prisons' work activities and their possible gendered effects. One woman described how the prisoners who had done the cleaning work in Hämeenlinna had cooperated with the Finnish Heritage Agency for years, and the employer had been satisfied with the work input. However, the work was discontinued as part of the reorganisation of the prison's work activities, in which the focus was shifted to real estate and garden work. The interviewee wondered whether such policies have unconsciously favoured jobs that are perceived as typical of men, and whether women receive less attention in the planning of prison work activities.

Summary and development needs

This report examined the position of people from gender, sexual and ethnic minority communities and women in the criminal sanctions sector. Although the groups have their own special characteristics, they are united by the experience of being left on the margins and structural barriers that weaken equality, safety and opportunities for inclusion both during and after imprisonment.

All groups brought up othering, discriminatory attitudes and everyday practices where their needs are ignored. Prison culture is seen as strongly masculine and hierarchical, which often puts these groups in a structurally weaker position. Many had also experienced trauma related to their minority status, for which they did not always receive adequate or appropriate support.

Common to all was the desire to be encountered primarily as a human being. This requires an appreciative, individual and confidential approach to work from professionals. Strengthening equality in the criminal sanctions sector requires training, accessible services and sensitive encounters. In addition, structural reforms are needed to dismantle discriminatory practices and support equality at all levels of the system.

Gender and sexual minority groups

The position of prisoners from gender and sexual minority communities in the criminal sanctions sector is vulnerable and, above all, invisible. The interviewed professionals described that minority clients are rarely discussed, and when they are discussed, the discussion usually focuses on practical investment solutions, rather than on the systematic development of the status or services of clients from gender and sexual minority groups. The interviewed professionals described the need for a certain kind of neutrality, which, in addition to sensitive encounters, also complicates the development of work.

People from gender and sexual minority groups fear for their safety in prison. The interviewees with an experiential background described how the discriminatory atmosphere, lack of trust in the authorities and fear of revealing one's identity force them to stay in the closet. This leads to a narrowing of inclusion and rehabilitation opportunities, and is also problematic from the point of view of the realisation of fundamental rights. For some of the interviewees, project work outside the prison seemed to be the only opportunity for safe discussion and identity sharing.

The professionals identified the need to develop common operating methods and increase the awareness and readiness of the staff to encounter people from gender and sexual minority communities. Everyday situations in prison, such as binary spatial solutions and assumptions related to gender and sexual orientation, pose challenges for LGBTQ+ prisoners. Practices related to saunas, health care and family meetings are not always equal.

Development needs

In order to develop the criminal sanctions system, more research data is needed on the number, status and experiences of clients from gender and sexual minority communities. Without up-to-date and reliable information on the situation of people from minorities, it is difficult to identify or take into account their needs in structural development. It would be good to cooperate with LGBTQ+ organisations in this regard.

The personnel's competence in gender and sexuality diversity must be strengthened. The training can be used to develop clear and practical operating models that support the well-being, safety and

inclusion of LGBTQ+ clients. At the same time, it is recommended to encourage employees to communicate an accepting and safe atmosphere, for example, by means of visible rainbow symbols.

It is important for professionals to take a critical look at the prevailing concept of neutrality. While neutrality may seem like an egalitarian approach, in practice it can prevent the identification of individual needs and ignore minority clients. If the special issues of minority groups are not identified, there will be no need to develop services to meet their needs.

In addition, the structures and spatial solutions of prisons, which are often based on a binary and normative conception of humanity, should be examined. The current arrangements do not serve all client groups equally. The Criminal Sanctions Agency's guidelines on the placement of a client who has undergone or is in the process of gender reassignment during criminal sanctions (Rikosseuraamislaitos 8/004/2018) is currently being updated so that it corresponds better to the Transgender Act reformed in 2023 and practical needs.

One concrete measure could also be to increase Seta's services and remote services in prisons, i.e. prisoners would be given the opportunity to meet a Seta employee. Seta's website could be opened for cell terminals and SA workstations, in addition, it is in principle possible to add a "Rainbow or LGBTQ" folder to the material bank of cell terminals, which would contain reading material related to the topic (Puolakka 2025).

Ethnic minority groups

The interview material highlighted that prisoners from ethnic minority groups face various forms of discrimination and racism in prison, both by the staff and other prisoners. Discrimination manifests itself both in structures and in everyday interaction. The forms of discrimination ranged from explicit name-calling and violence to microaggressions such as indifference and assumptions that are not always even recognized as racism. Prisoners' visitors and professionals from ethnic minority communities were also discriminated against.

The experiences of several interviewees highlighted insecurity, fear of violence and subordinate position in the prison community. The experience that situations of violence are not handled fairly increased the distrust of prisoners from ethnic minorities towards staff. According to the interviews, prison staff's knowledge and understanding of racism and its manifestations also seem to vary, and especially subtle forms of discrimination were easily overlooked or underestimated. In addition, not all employees are aware of the impact of their own racist speech and behaviour as part of the everyday life of a prisoner in a vulnerable situation.

According to the data, one of the clearest forms of discrimination was inequality due to the lack of a common language. Inadequate language skills make everyday life more difficult, prevent participation in work activities, weaken legal protection and increase dependence on other prisoners, which maintains the distortion and vulnerability of power relations. The limited

opportunities to participate in the activities organised by prisons also make it difficult for a person to integrate into society after release. Interpreter services are used in prisons, but not enough. As a positive example, individual situations emerged in which the staff used, for example, translation software in an attempt to understand the prisoner in a situation where there was no common language.

A common language is particularly important when sensitive and multi-layered topics are discussed with the prisoner, such as mental health, traumatic experiences or the threat of deportation. Without a common language, it is difficult to discuss these issues, which can prevent the identification of the need for help and the provision of the right kind of support. The lack of a common language also makes culturally sensitive encounters more difficult in situations where the gender of the prisoner and the worker are different. In some cases, the prisoner's attitude towards an employee of the opposite sex may be reserved or negative, which may prevent the creation of confidential interaction.

Development needs

The realisation of the equality of people from ethnic minorities in the criminal sanctions sector requires structural development, especially in the prison system. We need consistent policies, clear models for intervention and, above all, training that strengthens the staff's ability to deal with prejudices and promote equality in everyday situations. Interfering in racist situations and other grievances cannot be left to individual employees, but it is supported by guidelines and practices that cover the entire organisation.

The language skills and linguistic competence of the staff should be developed so that equality in criminal sanctions would be realised for those who do not speak Finnish. In practical work, interpreter services should be used more systematically and it should be ensured that key written material is available at least in English and, if necessary, in other common languages. The use of translation applications and AI-based tools to support communication should also be made possible in everyday work, especially in situations where an official interpreter is not available. Personnel should be provided with sufficient training and clear instructions for the use of technology to ensure that its use is secure and appropriate.

Women

As an environment, the criminal sanctions sector is still strongly built to meet the needs of a male-dominated clientele, even though investments have been made in the development of female-specific work. Women form a small minority in the system, which is reflected in both structures and practices. Discrimination is not always directly apparent, but it is often intertwined with practices that are presented as gender-neutral and that in fact ignore women's needs. This leads to women being easily marginalised and the inequality they experience remains unrecognised.

The interviewed women with a criminal background highlighted the concrete shortcomings of everyday life in prison in particular. Exercise and dining opportunities were primarily designed according to men's needs, and the selection of clothing and menstrual accessories was also considered inadequate. Control over clothing and, for example, the occasional lack of bras were seen as humiliating examples of how the needs of female prisoners are left aside. The gendered nature of work activities was seen as one of the key factors maintaining inequality. Jobs that are perceived as men's jobs enable better earning opportunities and skills that support employment after imprisonment, and there are also more suitable jobs available for men than for women.

In addition, the women felt that their emotional and psychological needs were not sufficiently taken into account. Arriving in prison, especially for the first time, was mentally stressful for many, and there was not enough support available for dealing with traumatic experiences. Prison practices, such as undressing and drug screening, could trigger previous traumas, and their effects were not always understood. When it comes to parenting, women felt left alone, especially when they acted as the child's immediate parent. There was not enough support and advice from a social worker available, and the prison staff did not know enough about social work support for families with children. The experiences of female prisoners indicate that there are structural challenges in the system, which are reflected in the facilities, practices, attitudes and accessibility of services. There were also individual positive experiences, but they are not enough to eliminate structural problems.

Development needs

Recognising and actively taking into account the needs of women with a criminal background at all levels of the criminal sanctions system is a key prerequisite for the development of an equal and non-discriminatory system. Support and services should be easily accessible to women as well, which requires a gender-sensitive approach. Supporting parenthood should be systematically included in the activities so that the responsibility for obtaining information and clarifying matters does not fall on the shoulders of women alone.

In order to promote equality, it is important to develop the structures of the system and everyday practices, which are currently largely based on men's needs and perspectives. In order to correct the inequality caused by gender-neutral solutions, the structural problems related to them must first be identified. This work can be supported by staff training that deals with women-specific needs and phenomena.

The needs of female prisoners may be related, for example, to the desire for more vegetables and more nutritionally varied meals, as well as the opportunity to use better-equipped and versatile sports facilities and equipment. It is also necessary to diversify the range of clothing and hygiene products so that women have access to underwear and menstrual products that are individually suitable for them. In addition, it would be important to ensure that gender impacts are assessed in the selection of prison work partners and possible competitive tendering. This will ensure that there are also suitable and meaningful jobs available for women.

In the opinion of the interviewed lived experience experts, attitude, desire, and the opportunity to understand already take them far. In the future, the Criminal Sanctions Agency could also make stronger use of the opportunities provided by translation software and artificial intelligence in terms of language skills deficiencies, especially as the smart prison system gradually progresses. In addition, more attention should be paid to the fact that there may be deficiencies in the literacy of people with a foreign background in their native language, just as there are in the case of native Finnish prisoners. Interviews with both professionals and experts by experience revealed that prisoners who do not speak the language resort to the help of other prisoners, for example, when they receive a decision that they do not understand because of the language. This is a very clear legal problem, which also reinforces the prisoners' own hierarchical power structure.

People from gender, sexual and ethnic minority groups often face assumptions and norms, incorrect assumptions are made about them (such as their own or their spouse's gender, ethnicity, language skills, occupational group, other skills, even intelligence) based on their appearance. If they do not become visible as themselves, i.e. correct the incorrect assumptions, they are "given permission to belong". In this case, however, the acceptance and support received goes to the role, not to the person's self. Another option is to constantly correct the assumptions made by others and feel difficult or bad because doing so. At worst, if the reception for correcting and enclosing your identity is not accepting, you have to justify your right to exist. Constant false assumptions and experiences of bullying often accumulate stress especially for people from minority groups – which can sometimes lead to even more serious consequences for mental health.

Above all, people from different minority groups should be able to get support in matters of identity from prison psychologists and pastors. Since bullying and harassment situations easily arise between majorities and minorities in prisons, the importance of a restorative approach should be highlighted in addition to a trauma-sensitive approach. The practice of quarrels etc. situations that are mediated (even when the other party is a staff member) should be added. In addition, the Criminal Sanctions Agency is currently updating the so-called harassment guidelines and the ways of intervening related to perceived harassment, inappropriate behavior or sexual harassment between staff, partners or clients (Puolakka 2025).

Based on the material collected for this report, the most important element in individual client work is to encounter the client as a person, regardless of their ethnic background, gender, sexuality or crime. A skilled professional seeks the person's potential in interaction, of course, while also taking into account the possibility of an attempt to manipulate. It is essential to listen to what the person wants to say.

It is good to conclude the report with the summaries of one of the interviewed professionals: Encounters are at the heart of the work. Clients should not be seen as representatives of a specific group, but everyone is an individual. Encounters are a core element of all work, especially when the client has multiple stigma, for example, due to their criminal background, mental health or minority status. The personnel's shared understanding of people and uniform working methods are

important so that the positive memory imprint created by good encounters would carry beyond individual meetings and strengthen the client's motivation for change.

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