



16.2.2015

Dnro 1/61/2014

Eid. Justiz- und Polizeidepartement
Fax +41 58 462 78 32

QUESTIONNAIRE RE BAIL FRAGEBOGEN IN BEZUG AUF KAUTION

Dear Sir or Madam,

The Ministry of Justice, Finland, is conducting a small-scale comparative study regarding *the use of bail* as an alternative to pre-trial detention in selected European countries. The aim is to gain information of *experiences of the use of bail*. Please see the attached pdf-file and forward it to the relevant person(s) in your ministry.

I will be happy to answer any questions on behalf of the Ministry of Justice, Finland.

Sehr geehrte Damen und Herren,

das Justizministerium Finnland bereitet einen Rechtsvergleich in Bezug auf die Anwendung von Kautions als Alternative zu Untersuchungshaft vor. Deutschland ist unter den im Vergleich einbezogenen Ländern. Der Zweck des Vergleiches ist es, Erfahrungen vom Kautionsystem zu erhalten. Wir bitten Sie deshalb, den Fragebogen in der Anlage, an Ihre kriminalpolitische Experten weiterzuleiten.

Der Fragebogen ist auf Englisch, Ihre Antworten sind jedoch sowohl auf Deutsch wie Englisch, je nach Ihrer Wahl, willkommen.

Für eventuelle Fragen stehe ich jeder Zeit gern zur Verfügung.

Mit freundlichen Grüßen

Dr. Paulina Tallroth



Ministerialdirektorin

Justizministerium Finnland

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RE: Dnro 1/61/2014

Department of Criminal Policy

Eidg. Justiz- und Polizeidepartement
Bundeshaus West
CH-3003 Bern
Fax +41 58 462 78 32

Dear Sir or Madam,

The Ministry of Justice, Finland, is conducting a small-scale comparative study regarding *the use of bail* (Kaution) as an alternative to pre-trial detention in selected European countries. The aim is to gain information of *experiences of the use of bail*.

Finland most politely asks you to answer the following questions:

1. *Equality before the law* and the bail system: Has thought been given to the equality of people before the law on the one hand and on the other hand to the fact that the use of bail system depends on the financial situation of suspects or third parties? If so, how has this been solved?
2. *Efficiency* of the bail system: Have the experiences of the bail system proved efficient in view of its aim? Please provide a short description of your experiences.
3. Questions arising from the *payment of bail*: Has there been experiences that the bail system would encourage the use of means stemming from criminal activity on order to pay the bail?
4. *Use of bail*: how much is bail used
 - a) on a yearly basis (e.g. number of cases or percentage of total number of remand prisoners yearly)?
 - b) in comparison to other alternatives to pre-trial detention?
5. *Need of bail provisions*: How relevant do you deem the bail system in comparison to pre-trial detention and other alternatives to it?

If the relevant legislation and/or preparatory works are available electronically in English, German, French or in Nordic languages, please be so kind to attach links to relevant web sites. Scanned pages of related materials, e.g. commentaries or references to relevant literature, in these languages are most welcome.

Finland is looking forward to you reply by **16 March 2015**. Replies per email or a scanned document will be completely sufficient. Please address your reply as well as any questions to Government Counsellor, Dr. Paulina Tallroth (paulina.tallroth@om.fi).

Wir heissen Antworte sowohl auf Deutsch wie auf Englisch, je nach Ihrer Wahl, herzlich willkommen.

General Director



Arto Kujala

Government Counsellor



Dr. Paulina Tallroth