

Summaries

The legal regulation of the Child Welfare Act – for the good of the child or the parents

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One of the intentions of the new Child Welfare Act was to strengthen the legal protection of the private parties by tightening up the rules for compulsory action and transferring the final decision-making authority to county committees, established according to a “court-of-law” model. Our point of departure is that this has reinforced the liberty rights of the parents on the expense of the child welfare’s interpretation of what is best for the child. This is built on an idea about the existence of an antagonistic relationship between the abstract juridical orientation of rights and the social profession’s contextual orientation of needs. The analyses shows that there is a tension between the material and procedural legal restrictions on the one hand, and the way the child care workers experience their ability to held children in need, on the other. A number of the child care professionals perceive the legal development as taking care of the legal protection of the parents more than the needs of the child. The child care service’s rektion to the law is, however, distinguished as ambiguous and critical rather than antagonistic.

Confidence in the finnish courts

Marjukka Litmala & Jyrki Tala

In this research the confidence Finns place in courts has been assessed from several points of view. Besides a general assessment of confidence, the focus has been placed on citizens’ views of how well courts carry out their functions, how successful they consider the activities to be and how well equality materialises in legal decision-making.

Two thirds of the respondents reported that they, at a general level, have confidence in the courts. On the other hand, only half of the respondents had the opinion that equality materialises in legal practice. A clear majority of the respondents considered that well educated and wealthy people received a better treatment. Every fourth - every third believed that high officials, politicians and business life to a high degree can influence the judgements. The age and status of the respondents and an own experience of courts seems to influence the level of confidence. This was particularly evident in the questions concerning specific aspects of legal decision-making. In the groups representing young and middle-aged persons, those who had an own experience of courts gave more negative answers than the other respondents.

Confidence or the lack of it can be seen as one means of social control. From this point of view a certain degree of suspicion or lack of confidence is an indication that the control works. A lack of confidence can also be an indication that expectations and demands are higher than in the past. For the authorities administrating the courts and for the courts themselves this deficit in confidence and mistrust is one reason and an inspiration for considering the development of these activities.

The Role of the Lay Members in the Decision Making in the Finnish Courts *Kaijus Ervasti & Virve-Maria de Godzinsky*

The role of the lay members in the Finnish courts was completely reformed in 1993. The lay members sit in the court mainly in criminal proceedings where three lay member decide the case together with the judge. This article reports a study on the judgments, in which the lay members and the judge voted on the outcome, and two questionnaires about the role of the lay members. The judgment is only seldom given as a result of a vote. The vote usually concerns the guilt of the accused. Usually, one lay member has had a dissenting opinion. The lay members do not have extensive influence in the decision making of court. According to the questionnaires, the lawyers have quite critical attitude towards the lay members. Nevertheless, the presense of lay members seems to increases the public trust in the judicial system. Still, it appears that in the long run the importance of the system has become increasingly symbolic.

Fotbollens "rättskultur" *Bo Carlsson*

Complex societies rest on legal pluralism, and there exist different normative structures that offer interpretations of what is right and wrong in everyday life. In the same way, spectator sports offer alternative views of what is fair or unjust. In this light, football is important; it has the potential to form and shape the codes of honour, the attitudes towards authority and societal values, and the manipulation of formal rules. The following article takes a departure from an incident in the *English Premier League*, as well as stories in football magazines. The essay intends to analyse sportsmanship, codes of honours and morality in connection to football, and the increasing professionalisation of sports.