



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Finland
Title:	Design school convicted for discrimination of a deaf student
Date:	26 February 2016
Expert:	Rainer Hiltunen
<u>Context</u>	
Issue at stake:	A design school was convicted for discrimination prohibited in the Penal Code for the discrimination of a deaf student and awarded compensation according to the Non-Discrimination Act
Ground of discrimination:	Disability, language
Source:	National court decision, Helsinki District Court 1.2.2016, R15/8331
Field:	Education, Access to goods and services
Applicable law:	Penal Code (302/2004), Chapter 11, Section 11 Non-Discrimination Act (21/2004), Sections 5, 6 (1-2)

Content

Decision of the Court: A design school was convicted for discrimination prohibited in the Penal Code for the discrimination of a deaf student. The school terminated the deaf student studies before they had started when they learned that the student was going to bring a sign language interpreter with him to school. The school CEO was ordered to pay 20 day fine (20 euros per diem, total of 1280 euros) and 8000 euros as compensation to the student for breaching the prohibition of discrimination in the Non-Discrimination Act.

The school claimed in its defence that the student had not informed the school early enough of the use of an interpreter and there was not enough room in classes for the interpreter.

Key points of analysis:

- The case was brought to court by the public prosecutor. This case seems to follow a stricter interpretation of the prohibition of discrimination in the Penal Code set by the Supreme Court precedent.¹
- When interpreting the 'acceptable reasons' for differential treatment provided in the Penal Code the court referred to the duty to make reasonable accommodation in the Non-Discrimination Act.

Internet link source:

<http://areena.yle.fi/1-3288341> (Finnish Broadcasting Company's News) last accessed 17/02/2016.

¹ Please see in this regard flash report 83-FI-ND Supreme Court precedent on employment discrimination.