DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Finland	2024	Finland / District Court of Helsinki		Religion	District Court of Helsinki / Helsingin käräjäoikeus / Helsingfors tingsrätt	A teenage Somali girl was walking home in the evening when she was stopped by a woman (X), who asked her why she was wearing a hijab. X also used racist terms and said, among other things, that people like the girl are a “burden to society” and “should leave the country”. X had with her a big dog who jumped on the girl and bit her in the leg. X drew the dog away from the girl, but the girl suffered three bite wounds and her clothes were torn. After the girl escaped from the situation and left, X continued to shout racist comments.	The district court sentenced the defendant to a joint punishment of 90 day fines (€ 540) for negligent infliction of bodily injury and defamation. The fact that the offence of defamation was committed for a racist motive increased the joint punishment from 75 to 90 day fines. In addition, the defendant was ordered to pay damages to the victim (€ 2,200) and to pay her own and the victim’s legal costs (close to € 4,000).	The court held that, based on the parties’ statements and witness accounts, it could not be proven with certainty that X had deliberately ordered her dog to attack. The incident did thus not amount to assault. X claimed that the neighbourhood children had previously been teasing and provoking her dog and this may have had an impact on the dogs behaviour. The court noted that knowing this, X should have been more careful. Instead, X had herself created a potential risk when she, with the dog by her side, had stopped the girl. The court found X guilty of negligent infliction of bodily injury. As for X’s racist comments, these clearly amounted to defamation in the court’s view.	In its decision, the district court discussed ways to assess whether an act is intentional or due to negligence. It also considered how to determine the extent of a joint punishment so that it is in just proportion to the seriousness, motive and mutual connection of the offences. This is also an example of a case where a racist motive provides grounds for a harsher penalty. In this case, it had not been shown that X had deliberately intented to cause bodily harm to the victim. Also, the victim’s injuries had not been life-threatening. Therefore, in the court’s view, a severe fine (instead of imprisonment) would suffice as a punishment. However, because the act of defamation was commissioned for a racist motive, the court found there were grounds to increase the punishment.	”Asiassa ei ole ollut sinänsä edes riitaista, etteivätkö asianomistajan ja todistajan väittämät vastaajan lausumat olisi rasistisiksi katsottavia, jos ne todetaan näytetyiksi. Käräjäoikeus niin ikään katsoo, että tilanne kokonaisuutena huomioiden vastaajan lausumat on katsottavissa halventavassa tarkoituksessa lausutuiksi.” "It has not even been disputed that the defendant’s statements, as alleged by the victim and the witness, could be considered racist, if sustantiated. The district court also finds that, considering the situation overall, the defendant’s statements can be regarded as having been made with the intent to insult."

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