

Impact story 2: Considering silent agents in law drafting and in enforcements of laws

Impact objective:

Circumstances and realities of silent agents' everyday life are not recognized enough in law drafting. Hearing of authorities enforcing laws concerning them is insufficient in law drafting as well. Considering the experiences of both would reinforce the knowledge base of law drafting, produce more functioning laws, and would lessen the unintentional harms caused by laws. Silent agents are especially prone to such harms. There doesn't currently exist sufficient means for hearing silent agents in law drafting. Silent agents do not participate in hearings on which they should be active themselves. They might not have enough resources, capability, willingness, or interest – or even a voice that could be heard. It is the responsibility of the law drafter to hear those who are affected by the laws. To sufficiently implement the responsibility to hear silent agents, law drafters need new methods that acknowledge the circumstances and special needs of silent groups. SILE project strives to respond to this challenge in collaboration with silent agents, NGO's, law drafters and authorities enforcing laws by developing a model for hearing silent agents in law drafting.

Which of the LITERACY program's goals does the impact story consider?

Among different work packages the project studies how silent agents have been heard in law drafting, and the analysis are discussed with the whole multi-disciplinary project. Additionally, workshops and interviews have been organized that mapped for example the views of project partners on the position of silent agents and their informational needs, wishes, and suggestions to the project. The projects presentation video was made by the whole research group. There is a plan to make videos together targeted at stakeholders and silent agents on law drafting process and hearing processes (most likely together with the Ministry of Justice Finland). Additionally, there is a joint theoretical article in progress of the concept of silent agents on which's writing researchers from multiple working packages are participating in. The process combines legal research and social scientific perspective, and animal welfare research. These perspectives were combined in Breaking the Silence II seminar organized in December. The event strived to develop intergroup dialogue, hearing of silent agents, and acknowledging their realities in law drafting. The concept of silent agents has clarified within the past year; from the emphasis of the voices of silent agents there has been a shift to reaching the silent agents experiences in different ways.

Means:

SILE project has met the representatives of Ministry of Justice Finland's Department for Democracy and Public Law who are responsible of the briefing of hearing practices. Stakeholders have been invited as presenters and audiences to events such as Breaking the Silence II event in December 2021 which focused on silent agents' experiences. SILE has concretely advanced the hearing of silent agents for example by participating in different working groups concerning law drafting and hearings. Part of the working packages have been involved in action research/pilot (prisoners, children in child protection) in which there has been planning or developing of the hearing of prisoners and placed children. In the reform of Imprisonment Act and Remand Imprisonment Act a researcher of SILE project has planned hearing of the prisoners with the working group. In the National Child Strategy pilot SILE researcher has participated in piloting children and youth hearing and writing of hearing guide and presented the findings in different events. The lessons of timeout-trainings are planned to be utilized in the workshops of the project.