

Mapping child protection systems in the EU (27)

Denmark

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1. Legislative and regulatory framework and policies

1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

The main Danish regulation covering child protection systems is the Social Service Act (*Serviceoven*).¹ The act covers all children in need related to the social area, such as children with disabilities and children who are victims of abuse. Section IV of the act focuses specifically on children. The act regulates the municipal obligation to offer support to children and juveniles who are particularly vulnerable or with special needs. Danish municipalities are obligated to adopt a coherent child policy ensuring the correlation between the general and preventive work and the measures targeted at children and young persons in need of special support, cf. section 19 (2). Furthermore, the municipalities are obliged to adopt a contingency plan for the prevention, early detection and handling of cases involving abuse of children and young persons, cf. section 19 (4).

The purpose of the Social Service Act is to offer counselling and support to prevent social problems; this includes general services which may also serve a preventive purpose; and to cater to needs resulting from a physical or mental impairment or special social problems, cf. section 1 (1). The main municipal obligation in part IV of Social Service Act is to ensure that tasks and services affecting children, young persons and their families are carried out in cooperation with the parents in such a manner as to promote the development, well-being and independence of children and young persons, cf. section 19(1).

The Parental Responsibility Act (*Forældreansvarsloven*)² primarily regulates child custody and the responsibilities of parents and other holders of custody. The initial provisions of the act states that holders of custody are obligated to make decisions regarding children based on the child's needs and interests and must not expose children to corporal punishment or other humiliating treatment, cf. section 2.

Recent legislative developments include the proposal by the Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*) of a legislative package on a Child's Act (*Barnets lov*).³ It is expected that the act will amend parts of the existing legislative framework vis-a-vis the Social Service Act etc. (*Serviceoven, retssikkerhedsloven mv.*).⁴ The proposed act aims at strengthening the rights of children through better and earlier intervention in cases concerning vulnerable children, better quality in individual case assessments and strengthened legal certainty. The new Child's Act will be complementary to the existing legislation. The act has not yet been adopted by Parliament, but a legislative proposal was resubmitted to Parliament in March 2023, and the first parliamentary discussion took place on 14 April 2023.⁵

¹ Denmark, [Social Service Act \(Serviceoven\)](#), 24 January 2022.

² Denmark, [Parental Responsibility Act \(Forældreansvarsloven\)](#), 30 November 2020.

³ Denmark, Office of the Prime Minister, [Expected legislative proposals for the Parliamentary year 2022-2023, 8 February 2023.](#)

⁴ Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act \(Forslag til Barnets lov\)](#) and [Proposal for the amending act to law on Social Service Act etc \(Forslag til serviceoven, retssikkerhedsloven mv.\)](#), 6 October 2022.

⁵ Parliament (*Folketinget*), [Proposal on the Child's Act \(Forslag til Barnets Lov\)](#).

1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection

Question	YES	NO	Comments
1.2.1. Does the constitution contain any provisions on children's rights and child protection?	X		The only provision in the Danish Constitution (<i>Grundloven</i>) explicitly concerning children is section 76, which entitles all children of school age to free education in primary schools.
1.2.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children's Act?	X		Currently, Denmark has no child protection act, and no single instrument is devoted solely to child protection and child rights. The Social Services Act (<i>Serviceoven</i>), however, is the primary legislative act regulating child protection. However, the envisioned adoption of the Child's Act (<i>Barnets lov</i>) will be devoted to the protection of children. As an update, the new Child's Act was adopted on 2 June 2023 and enters into force on 1 January 2024. ⁶

1.2.3. Please provide an inventory of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Social Service Act (<i>Serviceoven</i>) ⁷	Latest consolidated act adopted 24 January 2022. Latest amendment adopted 21 June 2022.	Counselling and support to prevent social problems, promotion and development of well-being and independence of children and young persons in general as well as children with disabilities. Likewise does the act cover the protection of children and young persons against abuse and neglect
The Child's Act (<i>Barnets lov</i>) ⁸	Not yet adopted, but legislative proposal submitted to Parliament on 29 March 2023. As an	The act focuses on better and earlier intervention for vulnerable children, less shifts, and more stability as well as support for children with disabilities. Children will be granted more independent rights and at an earlier age. Moreover, it is intended to strengthen legal certainty in certain decisions.

⁶ Denmark, [The Child's Act](#) (*Barnets lov*), 13 June 2023, section 212.

⁷ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022.

⁸ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act](#) (*Forslag til Barnets lov*) and [Proposal for the amending act to law on Social Service Act etc](#) (*Forslag til Serviceoven, retssikkerhedsloven mv.*), 6 October 2022.

	update, the act was adopted on 2 June 2023. ⁹	
Act on Legal Protection and Administration in Social Matters (<i>Retssikkerhedsloven</i>) ¹⁰	Latest consolidated act adopted 25 February June 2022.	Protects the rights and influence of citizens whose cases are being considered by the social authorities and emphasises the municipal responsibility in the social area.
Criminal Code (<i>Straffeloven</i>) ¹¹	Latest consolidated act adopted 28 September 2022.	Criminalisation of sexual intercourse with children under 15 years of age, criminalisation of sexual intercourse and other sexual offence of children under 18 years of age when the offender is the child's teacher, caretaker, stepparent etc., criminalisation of participation in prostitution of children under 18 years of age, and criminalisation of creating, sharing, or possessing sexual material of children. As an update, the criminalisation of grooming entered into force on 1 July 2023. ¹²
Act on Administration of Justice (<i>Retsplejeloven</i>) ¹³	Latest consolidated act adopted 25 December 2022.	Protects the procedural rights of children within the administration of criminal justice, e.g. ensures the possibility of using video-taped interviews as evidence, the right to legal assistance etc.
Act on Parental Responsibility (<i>Forældreansvarsloven</i>) ¹⁴	Latest consolidated act adopted 30 November 2020. Latest amendment adopted 13 June 2023.	Responsibility of parents or holders of child custody. The act includes the principle of the best interest of the child shall be the primary consideration in all matters covered by the act.

⁹ Denmark, [Children's Act](#) (*Barnets Lov*), 13 June 2023.

¹⁰ Denmark, [Act on Legal Protection and Administration in Social Matters](#) (*Retssikkerhedsloven*), 25 February 2022.

¹¹ Denmark, [Criminal Code](#) (*Straffeloven*), 28 September 2022.

¹² Denmark, [Act amending the Criminal Code and the Administration of Justice Act](#) (*Lov om ændring af straffeloven og retsplejeloven*), 13 June 2023, section 3.

¹³ Denmark, [Act on Administration of Justice](#) (*Retsplejeloven*), 25 December 2022.

¹⁴ Denmark, [Act on Parental Responsibility](#) (*Forældreansvarsloven*), 30 November 2020.

1.3. Policy framework

Question	YES	NO	Comments
<p>1.3.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection?</p> <p>If <u>yes</u>, does it require an integrated approach to child protection?</p>	X	X	<p>A broad political majority has proposed a new Child's Act (<i>Barnets Lov</i>) which aims at strengthening the rights of the child. The act is expected to cover a municipal obligation to prepare a coherent child policy, a plan for unified measures against juvenile delinquency and a plan for the prevention, early detection and processing of cases involving abuse of children and young persons. The local municipal councils are obliged to adopt a coherent child policy within the area of social services. Thus, plans are available at local/municipal level within the area.</p>
<p>1.3.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?</p>	X		<p>The national action plan against anti-Semitism obliges educational institutions to ensure that pupils acquire knowledge and skills that can contribute to removing myths and prejudices.¹⁵</p> <p>A national plan for action against children and young people's smoking aims specifically at introducing smoke-free school hours and a strengthened age control.¹⁶</p> <p>All public primary and early secondary level schools are obliged to have an anti-bullying strategy and plan of action¹⁷</p>
<p>1.3.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?</p>	X		<p>Proposal on regulation of social media and children's digital behaviour online. The purpose is to protect children and young people from illegal content on social media.¹⁸</p> <p>The proposal contains a policy development vis-a-vis digital abuse, such as sharing of sexual and other offensive material. On this background the government set up a working group to assess the need to amend the Criminal Code as a result of digital development.¹⁹ As an update, this led to an</p>

¹⁵ Denmark, The government (Regeringen), [Action plan against anti-Semitism](#) (Handlingsplan mod antisemitisme), January 2022.

¹⁶ Denmark, Political Agreement, [National plan for action against children and young people's smoking](#) (*National handleplan mod børn og unges rygning*), 18 December 2019.

¹⁷ Denmark, Act on pupils' and students' learning environment (Lov nr. 311 af 04/04/2017 om ændring af lov om elever og studerendes undervisningsmiljø og lov om folkeskolen).

¹⁸ Denmark, The Government (Regeringen), [Responsibility of social media](#), Political Initiative, August 2021.

¹⁹ Denmark, The Government (Regeringen), [Responsibility of social media](#), Political Initiative, August 2021, page 9.

			amendment of the Criminal Code that inter alia criminalised grooming. ²⁰
1.3.4. Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-national level to ensure children have a (direct) voice in or can indirectly influence policy making, e.g. children's rights forum, child surveys, child participation platform? If <u>yes</u> , are appropriate child protection and safety measures in place?	X		<p>The National Council for Children (<i>Børnerådet</i>) is an independent agency of the state.²¹ The Council listens to children and youth and gives them the opportunity to take part in the social debate.²²</p> <p>The Council has previously had child representatives through the Children and Youth Panel (<i>Børne- og ungepanel</i>) in which children and young people answer questions related to children's rights. The</p>

²⁰ Ministry of Justice (*Justitsministeriet*), [Act amending the Danish Criminal Code and the Danish Administration of Justice Act](#) (*Lov om ændring af straffeloven og retsplejeloven*), 13 June 2023.

²¹ Denmark, [Executive Order on councils within the social area](#) (*Bekendtgørelse om råd på det sociale område*), Section 17, 9 May 2022.

²² Denmark, The National Council for Children, [About the Council](#).

			panels will be reinstated with the new Child’s Act. ²³ The panel typically consists of 2,500 children divided into around 100 school classes at different grades across the country. The classes are on the panel three years at a time. ²⁴
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1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children’s participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children’s right to be heard).

1.4.1. Children victims of abuse, exploitation, or neglect	
In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)	
Policy developments	Legislative developments
<p>The Minister of Justice (<i>Justitsministeren</i>) together with broad coalition of political parties presented nine new political initiatives to create more safety online and to ensure more effective measures to combat IT-criminals.²⁵</p> <p>One of the initiatives includes a pilot scheme, in which the police will use facial recognition to conduct same-victim-identification of children who are victims of sexual abuse.</p>	<p>On 22 February 2023 the Ministry of Justice proposed an act introducing the independent criminalization of “grooming” in the Danish Criminal Code. As an update, the act entered into force on 1 July 2023.²⁷</p> <p>On 10 February 2022, the Danish Parliament adopted an act amending the Danish Criminal Code, the Danish Administration of Justice Act, and the Act on Passport for Danish Nationals etc. (<i>Lov om ændring af straffeloven, retsplejeloven og lov om</i></p>

²³ Denmark, [The Child’s Act \(Barnets lov\)](#), 13 June 2023, section 211(2).

²⁴ Denmark, The National Council for Children, [Questionnaires for Children and Young People](#).

²⁵ Ministry of Justice (*Justitsministeriet*), [Digital Security Package](#), Political Initiative, September 2022, page 2.

²⁷ Ministry of Justice (*Justitsministeriet*), [Act amending the Danish Criminal Code and the Danish Administration of Justice Act \(Lov om ændring af straffeloven og retsplejeloven\)](#), 13 June 2023.

Moreover, does the initiative include an initiative to strengthen the cooperation between authorities and the civil society in a network, that will contribute to new initiatives and measures concerning the combatting of digital violations online. In particular, the network should focus on the possibilities of strengthening the fight against “grooming” of children and violating “deep-fake” pictures.

Finally, the initiative, includes a strengthening of the Danish Police’s handling of reports on digital sexual abuse with a specific focus on children as victims. This initiative includes an allocation of resources to the Danish Police’s contact point for digital sexual abuse equivalent to 11 full-time positions and the appointment of a permanent contact person in every police district to ensure better knowledge sharing between police districts of new knowledge, threat assessments. The Ministry of Justice has submitted the appointment of a legal representative and strengthened counselling for victims of grooming.

In June 2022 the Danish Crime Prevention Council (*Det Kriminalpræventive Råd*) published new educational material for adolescents in primary school and youth educations concerning illegal picture sharing of an intimate and violating character to prevent the youth from participating in such activities.²⁶

pas til danske statsborgere m.v.).²⁸ The act includes an increased effort against sexual abuse of children and an increased opportunity for counselling for victims of sexual abuse. Among other things, the act amends the criminal provision on rape, so that any sexual intercourse between an aggrieved party under the age of 15 years and a perpetrator of at least 22 years of age, is considered as a rape. Furthermore, the act increases the sentence of sexual abuse against children by 50 pct and introduces a ban on child sex dolls. Finally, the act ensures that victims of sexual abuse can receive free of charge legal counselling prior to a possible police report being filed. On 6 June 2022, Parliament adopted an act amending the Danish Liability for Damages Act (*Lov om ændring af lov om erstatningsansvar*).²⁹ The act concerns tort compensation (damages for mental/emotional distress) for digital sexual abuse in relation to sharing or publication of e.g. naked pictures or other material of a sexual nature of the aggrieved. Thus, the act removes the case law established ceiling on compensation in cases of multiple perpetrators. This removal should ensure that in all cases of digital sexual abuse, the determination of compensation is assessed independently.

1.4.2. Children with disabilities

Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities

Policy developments	Legislative developments
On 27 September 2022, the former Government together with a broad coalition of parties agreed on a 10-year plan to strengthen children and adolescents in psychological distress and the	In 2020, an amendment to the Act on Prohibition of Discrimination on the ground of Disability was

²⁶ Denmark, The Danish Crime Prevention Council (*Det Kriminalpræventive Råd*), [educational material on illegal picture sharing](#), 4 October 2022.
²⁸ Denmark, [Act amending the Danish Criminal Code, the Danish Administration of Justice Act, and the Act on Passport for Danish Nationals etc.](#) (*Lov om ændring af straffeloven, retsplejeloven og lov om pas til danske statsborgere m.v.*), 15 February 2022.
²⁹ Denmark, [Act amending the act on liability for damages](#) (*Lov om ændring af lov om erstatningsansvar*), 21 June 2022.

<p>socially disadvantaged with severe mental disorders.³⁰The agreement provides a permanent annual boost of DKK 0.5 billion.</p> <p>Following the recommendation from the Parliamentary Ombudsman (<i>Folketingets Ombudsmand</i>) several institutions for children with disabilities revised their prevention of sexual abuse guidelines in 2021.³¹</p> <p>In June 2021, Ministry of Social Affairs and Senior Citizens (<i>Social- og Ældreministeriet</i>), published the conversion rate on 52 percent in the field of child disability in 2020.³²</p>	<p>adopted.³³ The amendment provides children and young people with disabilities with a right to reasonable individual accommodation in day care and primary schools so that these children enjoy the same opportunities for participation as other children.</p>
<p>1.4.3. Children in the context of migration</p> <p>Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>In 2021, the Danish government repatriated three Danish women and their 14 Danish children from camps in north-eastern Syria.</p> <p>As an update, the government decided to repatriate a woman and her two Danish children in June 2023.³⁴</p> <p>Two women, one of which is Danish, remain in the camps with their three Danish children. The government has offered repatriation of the Danish mother and her two children.³⁵ The government has</p>	<p>In March of 2022, a special law (<i>særlov</i>) concerning Ukrainian refugees was adopted. The Act on Temporary Residence Permit for Persons Displaced from Ukraine (<i>Lov om midlertidig opholdstilladelse til personer, der er fordrevet fra Ukraine</i>) covers Ukrainians who have left Ukraine on or after 24 February 2022 and who were residents in the country before their departure. The act exempts Ukrainians from the regular asylum system and provides for an immediate residence permit. Moreover, the act grants Ukrainian children access to school and healthcare in Denmark.</p> <p>In 2022, a broad political majority agreed to allow Ukrainian refugee children to be taught in Danish</p>

³⁰ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [10-year plan strengthens help for children and young people in mental distress and the socially vulnerable with severe mental disorders](#), press release, 27 September 2022.

³¹ Denmark, Parliamentary Ombudsman (*Folketingets Ombudsmand*), [New themed report concerning institutions for children and young people with disabilities](#), press release, 29 June 2021.

³² Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Conversion rates in the field of child disability in 2020](#), 25 June 2021.

³³ Denmark, [Act on the Prohibition of Discrimination on the Ground of Disability](#) (*Lov om forbud mod forskelsbehandling på grund af handicap*), 29 December 2020.

³⁴ Ministry of Foreign Affairs (*Udenrigsministeriet*), [One mother and two children repatriated from Syria](#), press release, 23 June 2023.

³⁵ DR, [Denmark offers repatriation of a woman in Syria](#), news article, 22 March 2023.

also offered to repatriate a Danish child, whose mother has not been offered repatriation. ³⁶	schools in their mother tongue or in English. ³⁷ The agreement also ensures the necessary capacity in day care and primary school. ³⁸
<p>1.4.4. Children in alternative care</p> <p>Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)</p>	
Policy developments	Legislative developments
<p>The proposal for the Child’s Act (<i>Barnets lov</i>) contains a revised procedure to be used when authorities seek to adopt a child without the parents' consent. The procedure obliges municipal administrations to include considerations on siblings in a case of forced adoption of a child. Furthermore, the proposal aims at enabling authorities to take decisions on out-of-home placement and adoption of children (without the parents' consent) before birth. Moreover, the act proposes the abolishment of several legal guarantees for the child, such as the municipality's duty to visit the child at the place of placement at regular intervals, that have been introduced in recent years. The proposal also aims at implementing a fast-track approval for foster care families.³⁹</p> <p>No data is publicly available about children fleeing the war in Ukraine from children houses and their adaptation in alternative facilities.</p>	<p>On 1 August 2019, the Danish Parliament (<i>Folketinget</i>), adopted an act amending the adult responsibility act for children and young people placed in alternative care (<i>Lov om voksensansvar for anbragte børn og unge</i>) which included strengthening the use of youth and parental orders (<i>unge- og forældreplæg</i>) and expanded the target group for youth orders.⁴⁰ The orders are imposed by municipalities with the aim of ensuring that the parents or the young person enters into a certain positive development.</p>
<p>1.4.5. Children affected by custody disputes, including parental abduction</p>	
Policy developments	Legislative developments

³⁶ Ministry of Foreign Affairs (*Udenrigsministeriet*), [One mother and two children repatriated from Syria](#), press release, 23 June 2023.

³⁷ Ministry of Children and Education (*Børne- og Undervisningsministeriet*), [Political agreement concerning increased flexibility in the reception of displaced children and young people from Ukraine](#), political initiative, April 2022.

³⁸ Denmark, [Act on certain rules regarding primary school education in Danish as a second language for displaced children and young people from Ukraine](#), 28 June 2022.

³⁹ Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act \(Forslag til Barnets lov\)](#) and [Proposal for the amending act to law on Social Service Act etc \(Forslag til lov om social service, retssikkerhedsloven mv.\)](#), 6 October 2022.

⁴⁰ Denmark, [Adult responsibility act for children and young people placed in alternative care \(Lov om voksensansvar for anbragte børn og unge\)](#), 1 August 2019.

<p>The Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) has a coordination unit for child abduction offering assistance in cases of child abduction abroad without the consent of a parent.⁴¹ In January 2023, the minister appointed 16 lawyers to the list of lawyers for international child abduction cases pursuant to section 18a and 20d of the executive order on the international enforcement of decisions on parental responsibility etc. (international child abduction) (<i>lovbekendtgørelse om international fuldbyrdelse af forældremyndighedsafgørelser m.v. (internationale børnebortførelser)</i>).⁴²</p> <p>On 1 April 2019 a new family law system was introduced. The former State Administration (<i>Statsforvaltningen</i>) was replaced by the Agency of Family Law (<i>Familieretshuset</i>) and the Family Court (<i>familieretten</i>).⁴³ The difference between the former and the new family law system is, <i>inter alia</i>, the establishment of the Family Court, which is a part of the local district courts. The Family Court is appellate body of the decisions of the Agency of Family Law, but some cases are dealt with by the Agency of Family Law or the family court jointly, for instance in cases of child custody or child residence where the Agency of Family Law cannot help the parents reach an agreement.</p>	<p>In 2020, an amendment to the Parental Responsibility Act (<i>Forældreansvarsloven</i>) introduced a presumption that it is best for a child that a parent convicted of a violation of the terrorism provisions in the Criminal Code (<i>Straffeloven</i>) cannot have parental rights over the child if the other parent protests.⁴⁴</p> <p>An act on the establishment of the Agency of Family Law (<i>Familieretshusloven</i>) was adopted in 2019.⁴⁵ The act describes the structure and legal basis for the Agency of Family law to make decisions in cases of family law. The Agency of Family Law (<i>Familieretshuset</i>) is the administrative institution where cases related to family law are screened and initiated, cf. section 4. The Family Court (<i>Familieretten</i>) is the appeal body but also has competence in particular cases, including complex cases. The reason behind changing the former system was the need to focus more on general transparent procedure for families and children with a special focus on the child's best interest, protection and well-being as described in Section 1 (1) in the Act on the Agency of Family law. With the new family law system, a 'child unit' (<i>Familieretshusets Børneenhed</i>) has been established in the Agency of Family Law as referred to directly in the Act on the Agency of Family Law, cf. section 15. The purpose of the unit is generally to put the best interest of the child first and to focus on counselling and inclusion of the child in family cases.</p>
1.4.6. Missing children	
Policy developments	Legislative developments
No information available.	No information available.

⁴¹ Denmark, Ministry of Social Affairs, Housing and Senior Citizens (*Social-, Bolig- og Ældreministeriet*), [Child Abduction](#).

⁴² Denmark, Ministry of Social Affairs, Housing and Senior Citizens (*Social-, Bolig- og Ældreministeriet*), [press release on lawyers in international child abduction cases](#) (*Advokater udpeget til varetagelse af sager om internationale børnebortførelser*), 19 January 2023.

⁴³ Denmark, The Agency of Family Law referring to the Ministry of Social Affairs and the Interior, [Press release on the new family law system](#), 1 April 2019.

⁴⁴ Denmark, [Act on Parental Responsibility](#) (*Forældreansvarsloven*), 30 November 2020, section 4 a.

⁴⁵ Denmark, [Executive Order on the Agency of Family Law](#) (*Bekendtgørelse af lov om Familieretshuset*).

1.4.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (AROPE)

Policy developments	Legislative developments
<p>The National Board of Social Services (<i>Socialstyrelsen</i>) has a variety of projects and initiatives to address the specific vulnerabilities of children living in poverty and to ensure their well-being.⁴⁶ The different projects and initiatives are in general set up for a fixed time period. As an example, a project includes the initiative to ensure that socially vulnerable children can participate in recreational activities on equal terms with other children of the same age.⁴⁷ The lack of participation of vulnerable children in such activities can be caused by e.g. the economic restraints of the family and constitutes a restraint on the child's possibilities of creating relations and building social capabilities. The project is aimed at municipalities that does not already have an existing arrangement. The project will run from 2021-2023 and has been funded by DKK 22.3 million.</p> <p>In February of 2023, the government, and a number of parties agreed on inflation aid.⁴⁸ The agreement sets aside DKK 300 million to vulnerable families with children.⁴⁹</p> <p>In September 2019 an agreement on a temporary child allowance was adopted with the purpose to "alleviate the problems of child poverty" and to ensure "that all children in Denmark grow up in decent conditions and with the opportunity to be an active part of the</p>	<p>In 2019, an act on the temporary child allowance for certain providers (<i>Lov om et midlertidigt børnetilskud til visse forsørgere</i>) was adopted by Parliament.⁵¹ The allowance was a tax-free subsidy for families with children under the age of 15 where one or both parents affected by the cash assistance ceiling (<i>kontanthjælpsloftet</i>) and/or the then integration benefit (<i>Integrationsydelse</i>). On 1 March 2023, the temporary child allowance expired.⁵²</p>

⁴⁶ Denmark, National Board of Social Services (*Socialstyrelsen*), [List of projects and initiatives targeted children](#).

⁴⁷ Denmark, National Board of Social Services (*Socialstyrelsen*), [Project: Access to recreational activities for socially vulnerable children and adolescents](#).

⁴⁸ Denmark, Ministry of Finance (*Finansministeriet*), [Agreement concerning inflation aid](#), Political Agreement, 10 February 2023.

⁴⁹ Denmark, Ministry of Finance (*Finansministeriet*), [Agreement concerning inflation aid](#), Political Agreement, 10 February 2023, page 2.

⁵¹ Denmark, [Act on a Temporary Child Allowance for Certain Dependents](#) (*Lov om et midlertidigt børnetilskud til visse forsørgere*), 27 December 2019.

⁵² Denmark, [Executive Order on a Temporary Child Allowance for Certain Dependents](#) (*Bekendtgørelse om et midlertidigt børnetilskud til visse forsørgere*), 22 June 2022.

community". ⁵⁰ This agreement was not prolonged and terminates by March 1, 2023 but was superseded by the above mentioned inflation aid scheme.	
1.4.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.	
Policy developments	Legislative developments
On 30 April 2022 the Ministry of Social Affairs and Senior Citizens (<i>Social- og Ældreministeriet</i>) announced the Danish action plan for implementing the EU Child Guarantee. ⁵³ The action plan identifies relevant groups of vulnerable children and describes existing and future initiatives. The action plan includes a section on children with Roma background who will be mainstreamed into initiatives. ⁵⁴	Legislation concerning hate crimes against ethnic minorities was amended in December 2021, to explicitly include in the Criminal Code that hate crimes can be motivated “in whole or in part” by a citizen’s ethnicity, faith, handicap, sexual orientation, gender identity, gender expression, gender characteristics or other. The Criminal Code includes crimes committed against children. ⁵⁵
1.4.9. Children involved in judicial proceedings as victims or witnesses or parties	
Policy developments	Legislative developments
The Director of Public Prosecutions (<i>Rigsadvokaten</i>) has issued a circular on the examination or hearing of children as witnesses. ⁵⁶ Likewise, the Danish courts have developed information material targeting for children involved in Family Court proceedings. ⁵⁷	On 16 December 2021, the Danish Parliament (<i>Folketinget</i>), adopted an act amending the Danish Criminal Code (<i>Straffeloven</i>), the Danish Administration of Justice Act, the Danish Anti-Money Laundering Act, and different other acts (<i>Lov om ændring af straffeloven, retsplejeloven, hvidvaskloven og forskellige andre love</i>) which included an extension of the possibility of using video-taped interviewing in criminal proceedings of victims of rape above the age of 15. ⁵⁹

⁵⁰ Denmark, The Ministry of Employment (*Beskæftigelsesministeriet*), [Agreement concerning temporary child allowance](#), September 2019.

⁵³ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [the Danish action plan for implementing the EU Child Guarantee](#), 30 April 2022.

⁵⁴ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [the Danish action plan for implementing the EU Child Guarantee](#), 30 April 2022, page 14.

⁵⁵ Denmark, [Act Prohibiting Discrimination in the Criminal Code](#) (*Lov om ændring af lov om ligestilling af kvinder og mænd, lov om forbud mod forskelsbehandling på arbejdsmarkedet m.v., straffeloven og forskellige andre love (Styrket beskyttelse af LGBTI-personer mod forskelsbehandling, hadforbrydelser og hadefulde ytringer og beskyttelse af personer med handicap mod hadefulde ytringer)*), 28 December 2021.

⁵⁶ Denmark, The Director of Public Prosecutions (*Rigsadvokaten*), [circular no. 10137 of 7 September 2022](#).

⁵⁷ Denmark, [The Danish Court Administration](#) (Domstolsstyrelsen).

⁵⁹ Denmark, [Act amending the Danish Criminal Code, the Danish Administration of Justice Act, the Danish Anti-Money Laundering Act and different other acts](#) (*Lov om ændring af straffeloven, retsplejeloven, hvidvaskloven og forskellige andre love*), section 2(7).

<p>In June 2018, the Government concluded the Agreement on a reform of action against juvenile delinquency – all actions have consequences (<i>Aftale om en reform af indsatsen mod ungdomskriminalitet – Alle handlinger har konsekvenser</i>).⁵⁸ With the agreement, it was decided to establish a juvenile delinquency board and a juvenile prison and probation service. The purpose of the agreement is to strengthen the authorities’ duty to follow-up, so that children and juveniles are followed more closely and for a longer period. Deadlines for case processing are shortened, and funds are set aside to ensure compliance. Finally, the agreement focuses on aligning efforts at the secured, partially closed and 24-hour open institutions, where criminals and young people at risk of committing crime can be placed.</p>	<p>Moreover, on 14 December 2021, the Danish Parliament, adopted an act amending the Danish Criminal Code, the Danish Administration of Justice Act, and the Act on Ouster Order, Exclusion Order and Expulsion (<i>Forslag til lov om ændring af straffeloven, retsplejeloven og lov om tilhold, opholdsforbud og bortvisning</i>) which includes the possibility of using video-taped interviewing of children below 15, if the child or a person close to the child is a victim of stalking, and if the perpetrator also is close to the child.⁶⁰ Both of the acts entered into force on 1 January 2022.</p>
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1.4.10. Children involved in judicial proceedings as suspects or accused persons

Policy developments	Legislative developments
<p>In the government platform from December 2022, it is stated that the Government will present a new so called “gang package” (<i>bandepakke</i>) among others with focus on preventing youth from joining gangs.⁶¹ As mentioned above, the Government concluded the Agreement on a reform of action against juvenile delinquency – all actions have consequences (<i>Aftale om en reform af indsatsen mod ungdomskriminalitet</i>)</p>	<p>In January 2019 the Act on Combatting Juvenile Delinquency (<i>lov om bekæmpelse af ungdomskriminalitet</i>) entered into force.⁶⁴ According to section 1, the purpose is to combat juvenile delinquency by, inter alia, establishing a Juvenile Delinquency Board (the Board), that is competent to order targeted individual preventive measures for children and adolescents aged 10 to 17 years. Pursuant to section 2 (1), the act is applicable to adolescents at the age of 15-17 years, convicted of serious or severe crimes. Whereas the act is applicable to children at the age of 10-14 years who are suspected of having committed serious or severe crimes, cf. section 2 (2). The Board can determine an immediate measure (<i>straksreaktioner</i>), cf. section 12.</p>

⁵⁸ Denmark, Ministry of Justice (*Justitsministeriet*), [Agreement on a reform of action against juvenile delinquency – All actions have consequences](#) (*Aftale om en reform af indsatsen mod ungdomskriminalitet – Alle handlinger har konsekvenser*), 29 June 2018.

⁶⁰ Denmark, [Act amending the Danish Criminal Code, the Danish Administration of Justice Act, and the Act on Ouster Order, Exclusion Order and Expulsion](#) (*Lov om ændring af straffeloven, retsplejeloven og lov om tilhold, opholdsforbud og bortvisning*), section 2(3).

⁶¹ Denmark, the Government (*Regeringen*), Political Initiative, [Responsibility for Denmark](#) (*Ansvar for Danmark*), December 2022, page 43.

⁶⁴ Denmark, [Act no. 1705 of 27 December 2018 on combatting juvenile delinquency](#) (*lov om bekæmpelse af ungdomskriminalitet*), Ministry of Justice (*Justitsministeriet*).

<p>– <i>Alle handlinger har konsekvenser</i>) in June 2018.⁶²</p> <p>In December 2021, the Ministry of Justice published two sub-evaluations of the Juvenile Delinquency Board. The sub-evaluations concerns screening and referral to the Juvenile Delinquency Board, as well as youth protection examinations and recommendations (<i>ungefaglige undersøgelser og indstillinger</i>) for use in the Board’s decisions.⁶³ The former sub-evaluation shows, among other things, that a large proportion of the children and young people who are referred to the Juvenile Delinquency Board are described as children and young people affiliated with criminal groups or children and young people at risk of committing additional crime. The latter sub-evaluation shows, among other things, that in a large proportion of the cases considered, the child or young person was known to the local authorities prior to the incident resulting in the referral to the Board.</p>	<p>Moreover, the Board can determine an improvement plan (<i>forbedringsforløb</i>), cf. section 13.</p> <p>On 1 February 2019, the revision of the administrative order on the treatment of 15–17-year-olds who are placed in the institutions of the Prison and Probation Service (<i>Kriminalforsorgen</i>), entered into force. Amongst other things, the Executive Order authorises the Prison and Probation Service to place individual inmates of 18 years and older in the closed youth section (at Søbysøgård Prison) and in the juvenile ward (at Jyderup Prison), if deemed in the best interest of 15–17-year-olds.⁶⁵</p>
<p>1.4.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The proposal for the Child’s Act (<i>Barnets lov</i>) contains several initiatives aimed at strengthening children's rights, including more flexible rules on investigations and measures for the child, increased focus on negative social</p>	<p>In October 2022, a proposal for an amendment of the Act on the Authorisation of Health Professionals and on Health Professions⁶⁶ was made. The proposal contains an aggravated punishment for illegal circumcision of male children. As an update, the proposal was passed by the Danish parliament on 13 June 2023.⁶⁷</p>

⁶² Denmark, Ministry of Justice (Justitsministeriet), [Agreement on a reform of action against juvenile delinquency – All actions have consequences](#) (Aftale om en reform af indsatsen mod ungdomskriminalitet – Alle handlinger har konsekvenser), 29 June 2018.

⁶³ Denmark, Ministry of Justice (Justitsministeriet), [New evaluations of the Juvenile Delinquency Board published](#) (Nye evalueringer af Ungdomskriminalitetsnævnet offentliggjort), Press Release, 22 December 2021.

⁶⁵ Denmark, [Executive Order on the treatment of 15-17 year olds placed in the institutions of the Prison and Probation Service](#), (*Bekendtgørelse om behandling af 15-17-årige, der anbringes i kriminalforsorgens institutioner*), 30 January 2019.

⁶⁶ Denmark, [Proposal for the Amendment of the Act on the Authorisation of Health Professionals and on Health Professions](#) (*Lovforslag til lov om ændring af lov om autorisation af sundhedspersoner og sundhedsfaglig virksomhed*), 6 October 2022.

⁶⁷ Denmark, Prime Minister’s Office (*Statsministeriet*), [Legislative programme for 2022-2023](#), October 2022, page 50.

control and honour-related conflicts and the destigmatisation in the language of the law.	In 2019, an amendment to the Criminal Code (<i>Straffeloven</i>) criminalized parents sending their children on re-educational trips that expose the child's health and development to severe danger. ⁶⁸
1.4.12. Children whose parents are in prison/custody	
Policy developments	Legislative developments
<p>The Parliamentary Ombudsman (<i>Folketingets Ombudsmand</i>) announced an OPCAT visit to investigate the conditions of the children living with their mothers in Jyderup Prison.⁶⁹ As an update, in June 2023, the Ombudsman has recommended measures to ensure better conditions for children in Jyderup Prison.⁷⁰</p> <p>A multi-year political agreement 2022-2025 for the Danish Prison and Probation Service (<i>Kriminalforsorgen</i>), includes a proposal to ensure communication between the children and incarcerated parents via video. In addition, visitor facilities and outdoor facilities for children must be established in a number of prisons. Moreover, a child's panel is set up, in which the Prison and Probation Service once a year must meet with relevant organisations etc. to discuss the conditions for children of inmates.⁷¹</p>	<p>According to section 54 (1) of the Criminal Enforcement Act (<i>Straffuldbyrdelsesloven</i>)⁷², an inmate has the right to have his/her child, who is less than 1 year old, living at the institution, if the inmate is able to look after the child herself/himself. Moreover, according to section 54 (2), an inmate has the right to have his/her child, who is 1 year old but not 3 years old, living at the institution, if the inmate is able to look after the child and the Prison and Probation Service and the social authorities find that the conditions in the institution are compatible with considerations for the child. This right for inmates to have a child with them may be limited to certain institutions which are suitable for young children in terms of their clientele and layout.⁷³</p>
1.4.13. Children who drop out of compulsory education and working children under the legal age for work	
Policy developments	Legislative developments
The Ministry of Children and Education (<i>Børne- og Undervisningsministeriet</i>) has provided the information that a pool of approximately 102 million DKK (2020-prices) to create better	The Ministry of Children and Education (<i>Børne- og Undervisningsministeriet</i>) has provided the information that the compulsory education in Denmark entails that no children can be without an education offer. This

⁶⁸ Denmark, [Criminal Code \(Straffeloven\)](#), 28 September 2022, section 215 a.

⁶⁹ Denmark, The Parliamentary Ombudsman (*Folketingets Ombudsmand*), [press release of 7 December 2022](#).

⁷⁰ Denmark, The Parliamentary Ombudsman (*Folketingets Ombudsmand*), [press release of 28 June 2023](#).

⁷¹ Denmark, Ministry of Justice (*Justitsministeriet*), [Political agreement on the Economy of the Danish Prison and Probation Service 2022-2025](#), 15 December 2021.

⁷² Denmark, [Criminal Enforcement Act \(Straffuldbyrdelsesloven\)](#), 28 February 2023.

⁷³ Ministerial order no. 1022 of 28 June 2022 on visit (*Besøgsbekendtgørelsen*)

<p>accessibility to social-pedagogical treatment in the municipalities. The target group are children and young people with mental health issues in risk of developing a psychiatric disease, who can be helped with a relatively light treatment that prevents heavier treatment efforts later on. Prevention of the development of psychiatric diseases also prevents school dropouts.</p>	<p>implies that children suffering from sickness or other impairments must receive schooling, if necessary, in their home. Parents are allowed to retire their children from school and teach them at home, but the municipality must ensure that they receive an education that measures up to the public primary and lower secondary education. Thus, it should not be possible for any children under compulsory education to drop out.</p> <p>The Ministry of Children and Education (<i>Børne- og undervisningsministeriet</i>) also informs that although the system ought to prevent dropping out of compulsory education, it might happen to a small number of children. In the past five years, the following initiative of relevance have been taken.</p> <p>In March 2022, the government finalised a deal on strengthened education for vulnerable children and children in care, as part of a larger government proposal Children First (<i>Børnene Først</i>) on vulnerable children and children in care in the social area. The agreement ensures that children in treatment, special education facilities and care accommodation receive the education they are entitled to. The agreement strengthens the municipal responsibility for the treatment and special education facilities and for special education at care accommodation. Furthermore, the supervision is strengthened, while ensuring better coordination across supervising bodies. With the agreement, the supervision of private schools with boarding school facilities, continuation schools and independent trade schools with children and young people in care. This initiative is relevant, because it improves the situation of a highly vulnerable group in risk of dropping out.</p>
<p>1.4.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (<i>add rows as needed</i>)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>In 2019, several parties including the government agreed on a unified national action plan containing initiatives aimed at preventing children and juveniles smoking and nicotine addiction.⁷⁴</p>	<p>In 2019, an amendment to the Act on the Prohibition of Tobacco Advertising etc. was introduced which included increased tobacco taxes.⁷⁵</p>

⁷⁴ Denmark, Ministry for the Interior and Health of Denmark (*Indenrigs- og Sundhedsministeriet*), Political Agreement: [National Action Plan Against Children and juveniles Smoking](#), , 18 December 2019.

⁷⁵ Denmark, [Act on the Prohibition of Tobacco Advertising etc.](#) (*Lov om ændring af lov om forbud mod tobaksreklame m.v.*), 21 December 2020.

1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

The Danish Institute for Human Rights has pointed out that the extensive use of forced adoptions that has been proposed with the Child's Act (*Barnets lov*) is problematic. The right to family life is a human right for children and parents. Forced adoption of children constitute the most far-reaching and definitive intervention in the child's and parents' right to family life. However, the legislation on adoption without consent does not reflect the principle of least intervention.⁷⁶

The creation of the Juvenile Delinquency Board (*Ungdomskriminalitetsnævnet*) was met with extensive criticism. Among others, the National Council for Children (*Børnerådet*) pointed out that the referral of cases to the Juvenile Delinquency Board is based on the premise that the child/young person has committed a dangerous or other serious crime. Thus, the presumption of innocence is disregarded. Such a circumstance undermines the fact that the system was not intended as a criminal justice system.⁷⁷

Although the Convention on the Rights of the Child has not been incorporated into Danish law, the Convention can be invoked before Danish courts in cases involving the rights of children. Danish courts apply and interpret Danish law in accordance with the international conventions that Denmark has acceded to. The Convention on the Rights of the Child is one of the most referred to human rights conventions by the Danish courts.⁷⁸ The Refugee Appeals Board (*Flygtningenævnet*) has published a memo on the Convention, which includes decisions by the committee.⁷⁹ Moreover, in 2019, the Refugee Appeals Board announced that it had been better equipped to talk to younger children, including through a course on interviewing minors.⁸⁰

In connection with the submission on the fifth periodic report by Denmark in 2016, the Committee on the Rights of the Child (CRC) pointed out its main areas of concern and recommendations. The Committee recommended that urgent measures must be taken in the following areas: Sexual abuse and exploitation; children deprived of a family environment; children with disabilities; standard of living; asylum-seeking children; and unaccompanied children.⁸¹

In December 2022, the City Court of Copenhagen (*Københavns Byret*) decided that the Danish authorities are not obliged to repatriate three Danish children who reside in a camp in north-eastern Syria together

⁷⁶ Denmark, the Danish Institute for Human Rights, [Forced Adoption in a Human Rights Perspective \(Tvangsadoption i et menneskeretligt perspektiv\)](#), 1 February 2023.

⁷⁷ Denmark, The National Council for Children (*Børnerådet*), [The Introduction of a Juvenile Delinquency Board risks having major counterproductive consequences](#), 1 October 2018.

⁷⁸ Denmark, The Danish Institute for Human Rights, [Fact Sheet September 2019](#).

⁷⁹ Denmark, The Refugee Appeals Board (*Flygtningenævnet*), [Memo on the CRC](#).

⁸⁰ Denmark, The Refugee Appeals Board (*Flygtningenævnet*), [News article 2019](#).

⁸¹ Denmark, Committee on the Right of the Child, [Concluding Observations on the Fifth Periodic Report of Denmark](#), 29 September 2017.

with their mothers. The case is now pending at the Court of Appeal of Eastern Denmark (*Østre Landsret*). In September 2022, the Grand Chamber of the European Court of Human Rights decided that the French authorities must re-examine cases concerning French children and mothers in Syrian camps, while ensuring that appropriate safeguards are afforded against any arbitrariness.⁸² On that basis, the Danish Institute for Human Rights has recommended that the case concerning Danish children in Syria should be reassessed.⁸³ In December 2022, the European Court of Human Rights overruled the Danish Act on Adoption, section 15, which prohibits adoption in connection with remuneration.⁸⁴ The Court ruled that part of the act was in violation of two children's right to privacy because the act prevented the children from being adopted as stepchildren by a Danish woman who had the children through a surrogacy agreement with a Ukrainian woman.⁸⁵

1.6. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

At the moment, the national child protection policy and legislation is fragmented as there is no general act nor a national plan of action aiming at protecting the rights of the child. The Danish legislation concerning child protection systems is divided mainly between the Ministry of Social Affairs, Housing and Senior Citizens, which is responsible for the social area, and the Ministry of Justice, which covers policy and legislation within the criminal justice system. The responsibilities of other areas are covered by other ministries. As an example, the initiatives regarding inclusion in schools of children with disabilities are the responsibility of the Ministry of Children and Education. Thus, the relevant ministries share the overall responsibilities in certain areas. However, the direct responsibility for acting in many child-related areas is decentralised and as a result the local authorities/municipalities play a crucial role in family support/prevention.

The Danish child protection system is both oriented towards early and effective intervention as well as prevention. For instance, the National Board of Social Services (*Socialstyrelsen*) states that prevention and early intervention is a priority in order for children and young people to grow up in advantageous conditions.⁸⁶ Moreover, in the Political Agreement on Children's First, it is stated that preventive assistance that is already in place should be prioritised coupled with earlier intervention.⁸⁷

⁸² European Court of Human Rights, *H.F. and Others v. France* (applications nos. [24384/18](#) and [44234/20](#)), 14 September 2022, para. 295.

⁸³ Denmark, The Danish Institute for Human Rights (*Institut for Menneskerettigheder*), [Grand Chamber: France violates human rights in cases of French children and mothers in Syrian camps](#), 14 September 2022.

⁸⁴ Denmark, [Act on Adoption](#) (*Adoptionsloven*), 7 August 2019, section 15.

⁸⁵ European Court of Human Rights, *K.K. and Others v. Denmark* (application no. [25212/21](#)), 6 December 2022.

⁸⁶ Denmark, National Board of Social Services (*Socialstyrelsen*), [Overview of the Child Protection Area](#).

⁸⁷ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), Political Agreement on [Children First](#) (*Børnene Først*), 11 May 2021.

1.7. Development in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

The establishment of the Agency of Family Law (*Familieretshuset*) as the administrative institution where cases related to family law are screened and initiated have provided the child protection area with a specific system to deal with family law matters such as parental responsibility, divorce, and child support. Cases concerning family law are initiated in the Agency of Family Law. If the Agency of Family Law cannot decide the case, or if the family submits a complaint about the Agency of Family Law's decisions, the case is referred to the Family Court (*Familieretten*).⁸⁸ The Agency of Family Law are tasked with providing support to children who are affected by family law issues. The Agency of Family Law must put the interests of the child and the child's right to well-being and protection first.⁸⁹ The Agency of Family Law has been criticised by the Danish Parliamentary Ombudsman and by the Danish Institute for Human rights for very lengthy administrative procedures.⁹⁰ The critique has been addressed, including through a supplementary budgetary grant of 238,4 million DKK for 2021 to fund hiring of more staff.⁹¹

Concerning the relation between the Agency for Family Law and the Parliamentary Ombudsman: The Ombudsman handles complaints about authorities within the public administration and thus carries out control of the public administration, whereas the Agency for Family Law is an institution that contribute to solving matters within families.

Another significant development is the Juvenile Delinquency Board (*Ungdomskriminalitetsnævnet*), which entered into force in January of 2019. While Parliament amended the Act on Combatting Juvenile Delinquency (*Lov om bekæmpelse af ungdomskriminalitet*) to narrow the scope of the law for children and juveniles with cognitive disabilities.⁹²

Lastly, the proposal for the Child's Act (*Barnets lov*) contains promising elements such as a strengthened focus on the child's perspective and a general strengthened effort around the child. However, the act also contains far-reaching methods that opens for more invasive early intervention in the right to family life which weakens children's' rights.⁹³

1.8. Promising practices

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

The proposed Child's Act and the accompanying consolidations contain several initiatives that could strengthen children's rights. For example, the proposal contains new rights for children placed in out-of-

⁸⁸ Denmark, Courts of Denmark (*Danmarks Domstole*), The [Family Court & the Agency of Family Law](#).

⁸⁹ Denmark, Act on the Agency of Family Law, 7 August 2019, section 1.

⁹⁰ Denmark, The Parliamentary Ombudsman (*Folketingets Ombudsmand*), [press release 4 May 2021](#) as well as the Danish Institute for Human Rights, [publication of 11 December 2020](#).

⁹¹ Denmark, the Agency of Family Law (*Familieretshuset*), [press release 7 December 2020](#).

⁹² Denmark, [Act amending the Danish Criminal Code, the Danish Administration of Justice Act and various other acts](#) (*Lov om ændring af straffeloven, retsplejeloven og forskellige andre love*), 21 June 2022.

⁹³ Denmark, the Danish Institute for Human Rights, [Consultation in the Proposal for the Child's Act](#) (*høringsvar over udkast til forslag til Barnets lov*), 24 June 2022.

home care to influence decisions on family access and a right to initiate an adoption procedure under certain conditions, increased focus on negative social control and honour-related conflict as well as stigmatisation in the language of the law.⁹⁴

⁹⁴ Denmark, Danish Institute for Human Rights, [Consultation in the Proposal for the Child's Act](#) (*høringsvar over udkast til forslag til Barnets lov*), 24 June 2022.

2. Governance, coordination structures, and services

2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		<p>Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) has the political and legislative lead in coordinating child protection policies and actions.⁹⁵ The Ministry will also be in charge of children rights protection after the adoption of the Child's Act.</p>
<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X		<p>The Ministry of Children and Education, Ministry of Equality, Ministry of Integration and Ministry of Health also shares part of the responsibility.</p> <p>Under the Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) there are two government agencies:</p> <ul style="list-style-type: none"> • The National Board of Social Services (<i>Socialstyrelsen</i>) • The National Social Appeals Board (<i>Ankestyrelsen</i>)
<p>2.1.3. Are there child focal points or similar in different ministries or agencies?</p>	X		<p>Each ministry has its own subject area of responsibility. For example, the Ministry of Children and Education (<i>Børne- og Undervisningsministeriet</i>) is responsibility for day care services and education. The Ministry of Social Affairs, Housing and Senior Citizens</p>

⁹⁵ Ministry of Social Affairs, Housing and Senior Citizens (*Social-, Bolig- og Ældreministeriet*), [Responsibility of the Ministry: Disadvantaged Children and Youth](#).

<p>If <u>yes</u>, in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?</p>		<p>(<i>Social-, Bolig- og Ældreministeriet</i>) is responsible for regulation and policy concerning social services for children, young persons, and their families.</p>
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Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

Name of the body	Level (national/regional/local).	Area of responsibility and roles in child protection <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	Comments <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
	National	Each resort ministry conducts an assessment of the human rights impact, including of Denmark's international obligations stemming from the Convention on the Rights of the Child, before a draft legislative proposal is sent in public consultation. ⁹⁶	For example, the Ministry of Justice (<i>Justitsministeriet</i>) would i.e. do so within the justice area and so forth.
The National Board of Social Services (<i>Socialstyrelsen</i>)	National	Offers counselling and assistance to local authorities in implementation of for example	A government agency under the Ministry of Social Affairs.

⁹⁶ Denmark, Ministry of Justice (*Justitsministeriet*), [Guidance on the quality of the law](#) (*Vejledning om lov kvalitet*), page 180.

		child protection as well as specialist consultancy in complicated individual cases. ⁹⁷	
The National Social Appeals Board (<i>Ankestyrelsen</i>)	National	Handles cases, complaints, projects, and preparatory legislative work in relation to child access, custody domicile, child protection, abduction, maintenance, and adoption. ⁹⁸	A government agency under the Ministry of Social Affairs.
The Parliamentary Ombudsman's Children Division (<i>Ombudsmandens Børnekontor</i>)	National	Visits institutions for children with an OPCAT mandate, and processes complaints from both children and adults about public administration of children's cases. ⁹⁹	
The Agency of Family Law (<i>Familieretshuset</i>)	National	In charge of solving disputes within the family. Among other things, it decides on, issues of child custody and domicile in relation to divorce cases and handles applications on post adoption contacts. ¹⁰⁰	
Regions (5)	Regional	The five regional administrations are in charge of highly specialised services, especially health-related, including institutions for youth under justice and rehabilitation programmes. ¹⁰¹	

⁹⁷ Denmark, National Board of Social Services (*Socialstyrelsen*), [About the National Board of Social Services](#), 18 March 2021.

⁹⁸ Denmark, National Social Appeals Board (*Ankestyrelsen*), [About the National Board of Appeals](#), 2 January 2023.

⁹⁹ Danish Parliamentary Ombudsman's Children Division (*Folketingets Ombudsmands Børnekontor*), [About the Ombudsman's Children Division](#).

¹⁰⁰ The Agency of Family Law (*Familieretshuse*), [Tasks in the Agency of Family Law](#).

¹⁰¹ Danish Regions (*Danske Regioner*), The interest organisation for the five regions in Denmark, [Mission of the Danish Regions](#).

Municipalities (98)	Local	The 98 municipalities are the immediate responsible agents and providers of child protection. ¹⁰²	Each municipal administration has a department dealing with children and family issues, including child protection. The local administration is governed by a political council. The council oversees design and decision-making of overall policy matters including allocation of funds for the different policy areas. Members of the council are elected for the child and youth committee. This committee is in charge of taking decisions in all matters relating to alternative care in situations where the parents/custody holder do not consent to the decisions.
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2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

When a government resigns and a new one takes office, a Royal Decree (*Kongelig resolution*) is issued. The decree describes all the outgoing and incoming ministers as well as changes of responsibilities that will take place between the ministries. Transfer of child protection from one ministry to another is therefore dependent on political priorities. For example, with a Royal Decree in 2019, responsibilities for matters concerning day care and private childcare arrangements were transferred from Ministry of Social Affairs, Housing and Senior Citizens (Social-, Bolig- og Ældreministeriet) to the Ministry of Education. Moreover, the name of the Ministry of Education was changed to the Ministry of Children and Education.¹⁰³

On 1 April 2019, the state administration (*Statsforvaltningen*) was transformed into the Agency of Family Law (*Familieretshuset*). The state administration was connected to the Ministry of Children and Social Affairs, but in practice carried out a number of tasks for other ministries. The Agency of Family Law took over all the tasks regarding family law that the state administration was responsible for, while non-family law tasks were assigned to the relevant ministries. The transformation was aimed at making sometimes very conflict-ridden family court cases simpler and more transparent as well as include greater consideration for

¹⁰² KL (*Kommunernes Landsforening*), [Information on Municipal Responsibilities](#).

¹⁰³ The Prime Minister, [Royal Decree](#) (*Kongelig Resolution*), 27 June 2019.

the children. The new system was intended to provide an interdisciplinary and holistic effort which included joint responsibility with the family court and strengthened cooperation with the municipalities.

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

Service providers	Type of services	Target groups	Funding
<i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<i>(Include counselling, care institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<i>(For example, children with disability, children in risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)</i>	<i>(national budget, EU funded, other)</i>
The National Board of Social Services (<i>Socialstyrelsen</i>)	Offers advice, information, and manages projects on social issues, including prevention, local policy development, case handling and evaluation.	Primarily social service professionals and authorities at the municipal level.	National budget.
Danish Health and Medicine Authority (<i>Sundhedsstyrelsen</i>)	Offers advice, information, and project funding (<i>satspulje</i>) on health issues including those related to abuse and disability. ¹⁰⁴	Primarily healthcare professionals and authorities at regional and municipal levels.	National budget.

¹⁰⁴ [The Danish Health and Medicine Authority.](#)

	In November 2021, a political agreement resulted in the realisation of the reserve for measures in the social, health and labour market area 2022-2025 (<i>udmøntning af reserven til foranstaltninger på social-, sundheds- og arbejdsmarkedsområdet 2022-2025</i>) (SSA funds (SSA-pulje)). The agreement will distribute 760 million DKK to vulnerable persons. ¹⁰⁵		
Danish Red Cross	Offers advice, counselling, and housing. ¹⁰⁶	Unaccompanied children.	National budget.
The National Social Appeals Board (<i>Ankestyrelsen</i>)	Redress complaints on decisions regarding social services, for instance foster care placement and possibilities of access, as well as handling reports on child abuse.	All children including third country nationals and irregular immigrants. ¹⁰⁷	National budget.

¹⁰⁵ The Government, [Agreement on the realisation of the reserve for measures in the social, health and labour market area 2022-2025](#) (*Aftale om udmøntning af reserven til foranstaltninger på social-, sundheds- og arbejdsmarkedsområdet 2022-2025*), Political Agreement, 19 November 2021.

¹⁰⁶ Danish Red Cross, [Asylum centres](#).

¹⁰⁷ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022. Sections 153-154 obliges all individuals, and in particular public officials, to report to the municipal authorities if a child appears to be in need of protection. Section 65 provides for access to report the National Board of Appeals if citizens or professionals find that the municipal authorities do not take the necessary steps to protect a child in need of protection.

	<p>Offers advice and handles grievances about public administration processes and decisions.</p> <p>Also, any person that suspects that a municipality does not do enough for a child can notify the Board. The National Social Appeals Board may of its own motion review cases involving support for children and young persons where it must be assumed that a municipal council, in a specific case, has failed to take the necessary case management steps or has failed to make the necessary decisions in accordance with the best interests of the child or young person. The National Social Appeals Board may in such cases order the municipal council to take the necessary case management steps or to make the necessary decisions.</p>		
Children's Division under the Parliamentary Ombudsman	Offers advice and handles grievances about public administration processes and decisions.	All children.	National budget.

The NGO Children's Welfare (<i>Børns Vilkår</i>)	Offers anonymous hotline advice to children and adults, as well as support staff assistance to children in contact with public authorities. ¹⁰⁸	All children, including this country nationals and irregular immigrants.	Partly publicly funded. The hotline covers one-third of its expenditures from public grants, while the child support staff programme is fully financed through the national budget.
The National Council for Children (<i>Børnerådet</i>)	An independent agency of the state. The Council listens to children and youth and gives them the opportunity to take part in the social debate. ¹⁰⁹	All children.	National budget.

2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

There are various child participation and feedback mechanisms for children. The foundation of the National Council for Children (*Børnerådet*) is mandated to monitor children's rights including child involvement. The Council uses various methods to involve children. The political agreement on Children First (*Børnene Først*), contained the initiative to strengthen children's voice in public debate and advice government and parliament.¹¹⁰ Moreover, the Children's Division under the Parliamentary Ombudsman accepts complaints and questions from children.¹¹¹ Lastly, municipalities are obligated to secure child participation in case handling.¹¹²

¹⁰⁸ Denmark, NGO, [Children's Welfare](#).

¹⁰⁹ The National Council for Children, [About the Council](#).

¹¹⁰ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), Political Agreement on the [Children First](#) (*Børnene Først*), 11 May 2021, page 12.

¹¹¹ The Children's Division under the Parliamentary Ombudsman, [Tasks](#).

¹¹² Denmark, [Act on Social Services](#) (*ServiceLOVEN*), 24 January 2022.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>		X	<p>There is no general registry of civil society organisations working in the area of child protection.</p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church organisations, etc. in the area of child protection?</p> <p><u>If yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>		X	<p>There is no general legal obligation to accredit/license/register civil society organisations in the area of child protect. However, all family care or care institutions for children and youth must be approved, and they are subject to announced as well as unannounced inspection by the Social Supervisory Board (<i>Socialtilsynet</i>).</p> <p>The Social Supervisory Boards are delegated to specific municipalities within each region. There is a minimum requirement of one visit by the regional Social Supervisory Board per year per institution/foster family.¹¹³</p>
<p>2.2.3. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p><u>If yes</u>, what is the prevalence of this practice?</p> <p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>	X		<p>Privately organised childcare facilities undertaking for child protection require a cooperation agreement if they receive public funding with the public authority in charge of the funds.</p> <p>The regulation of subcontractation depends on the area.</p> <p>Alternative care including foster families and private care institutions are non-profit and typically organized under cooperation agreements with the local government. The legal framework for these agreements is given in executive orders from the Ministry of Social Affairs, for family care and care institutions respectively.¹¹⁴</p> <p>Several civil society organizations, such as Children’s Welfare (Børns Vilkår), offer legal</p>

¹¹³ Denmark, [Executive Order on Social Supervisory Board](#) (*Bekendtgørelse af lov om socialtilsyn*), 1 July 2022, section 2 and 7(3).

¹¹⁴ Denmark, [Executive Order on Care Families](#) (*Bekendtgørelse om plejefamilier*), 30 April 2019.

			and/or social advice and assistance to children. Areas covered include child victims of all forms of abuse, children suffering from parents' divorce conflicts, death of a parent, disease, alcohol abuse, as well as personal problems.
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2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
<p>2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and legislation in the area of child protection?</p> <p>If <u>yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p>For <u>example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>	X		<p>At the national political and legislative level there are hearing procedures prior to enacting legislation and major policy developments. This means that, for instance, the national association of municipalities and the association of regions, as well as professional associations and civil society organization are invited into a hearing process. This process ensures that relevant information and assessment of stakeholders, are fed into the legislative and policy development process. This process provides an opportunity, though no guarantee, for coordination.¹¹⁵</p> <p>Furthermore, the municipalities within each region develop agreements with the regional level to secure coordination between regional institutions, including hospitals and other health facilities, and the local authorities.</p> <p>However, in many other areas of child protection, coordination is ad hoc. Certain local programmes are financially supported and organized by the National Board of Social Services (<i>Socialstyrelsen</i>), and municipalities commit themselves to participation in jointly coordinated programmes on a voluntary basis.¹¹⁶</p>
<p>2.3.2. Is there inter-agency <u>cooperation between the relevant actors</u> having responsibility in the area of child protection (including civil society organisations)?</p>	X		<p>Most child protection mechanisms and providers operate at the local level. The coordination of actors is the responsibility of the local government's committee of children and youth (<i>Børn- og Ungeudvalget</i>) established under the local government, and the local social</p>

¹¹⁵ Denmark, Ministry of Justice, [Guidelines for quality of acts](#), section 6.

¹¹⁶ Denmark The National Board of Social Services (*Socialstyrelsen*), [An overview of current funds available](#) for grants to local projects dealing with vulnerable groups such as children.

<p>If <u>yes</u>, please mention <u>how this is done</u> (for examples are there standing inter-agency committees or meetings, are digital tools used?). Which actor has a leading role?</p>			<p>authorities.¹¹⁷ The form of organisation differs between municipalities.</p> <p>Moreover, there is in Denmark a cooperation group on the Convention on the Rights of the Child, consisting of CSOs active in the work for children's rights.¹¹⁸</p>
<p>2.3.3. What are the main challenges regarding effective cooperation and coordination? (<i>For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced</i>)?</p>			
<p>The municipalities are responsible for a large part of child protection systems. However, each municipality has a its own form of organisation as well as own guidelines and agreements with the regional level. Coordination with the regional level as well as between municipalities can be difficult and it is therefore also difficult to establish a coherent children's policy across municipalities.</p>			
Question	YES	NO	Comments
<p>2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental abduction, or migrant children?</p>	<p>X</p>		<p>Denmark has acceded to three conventions: the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abductions; the European Convention of 20 May 1980 on Recognition and Enforcement in respect of Decisions of Parental Responsibility, and the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children.</p> <p>Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) is the central authority to ensure that Denmark observes the provisions of the international conventions. The Ministry has set up the Child Abduction Unit that processes applications in cases under the conventions regarding abducted children, helps locate abducted children, and seeks solutions in non-convention cases between involved parties and authorities in the two countries.¹¹⁹</p>

¹¹⁷ Denmark, [Act on Social Services \(Serviceloven\)](#), 24 January 2022, section 19.

¹¹⁸ Denmark, [The National Council for Children \(Børnerådet\)](#).

¹¹⁹ Denmark, the Ministry of Social Affairs, [Child Abduction Unit \(Koordinationsenhed for Børnebortførelser\)](#).

If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

The central authority collaborates with the police and Agency of Family Law (*Familieretshuset*) in situations of risk of child abduction, and with the Family Court (*familieretten*) in situations of enforcement of decisions on custody and access. The courts may decide to involve the social authorities in enforcement processes.¹²⁰

Adoption, including inter-country adoption, follows the Danish Adoption Act.¹²¹ Moreover, Denmark has ratified the Hague convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

The National Social Appeals Board (*Ankestyrelsen*) handles a number of cases in the area of adoption, including complaints about the Family Court's decisions on family adoptions. Furthermore, the board oversees the private adoption placement agencies involved in inter-country adoptions and monitors both activities in States of origin and the domestic activities of the adoption placement agencies¹²², including financial audit. The Board also follows international developments as well as cooperation with organizations and authorities in other countries on adoption matters.

The National Board of Adoption (*Adoptionsnævnet*) primarily processes complaints about the Family Court's decisions on approval as an adopter and handles matching for national adoption.

2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

The establishment of the Agency of Family Law (*Familieretshuset*) has provided a structure specifically dealing with family law cases. The Agency of Family Law (*Familieretshuset*) is one entity with geographical representation on nine locations and ensures a unified procedure for child protection in family law cases. The system is therefore a way of unifying different regions as well as an attempt of enhancing cooperation and coordination between the Agency and the social authorities.

It is the task of the Agency to process and screen family law cases and attempt to conduct conflict resolution. All cases concerning family law are brought to the Agency first. If the parents cannot reach

¹²⁰ Denmark, [Executive Order on International Enforcement of Parental Authority Decisions, etc.](#) (*Bekendtgørelse af lov om international fuldbyrdelse af forældremyndighedsafgørelse m.v. (internationale børnebortførelser)*), 7 August 2019, sections 9, 12 and 17.

¹²¹ Denmark, [Executive Order on the Adoption Act](#) (*Bekendtgørelse af adoptionsloven*), 7 August 2019.

¹²² National Social Appeals Board (*Ankestyrelsen*), [Supervision of Danish International Adoption](#) (DIA)

an agreement and the Agency cannot decide the specific case type, or if the parties choose to complain about the Agency's decision in a case, the case will be forwarded to the Family Court (*familieretten*).¹²³

In 2016, the Danish Institute for Human Rights published two analyses which examined various aspects of the abuse package (*overgrebspakken*) from a human rights perspective, including the practical implementation in the municipalities. The Institute pointed out, among other things, the differences between the municipalities, both in terms of their finances vis-a-vis the number of vulnerable children living in the municipalities.¹²⁴

2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Despite the critique of the Child's Act (*Barnets lov*) concerning too far-reaching methods, the political agreement represents a political wish and motivation for strengthening children's rights. The act contains several achievements that aims at strengthening the rights of children through better and earlier intervention in cases concerning vulnerable children, and strengthened legal certainty for children, including vis-à-vis their involvement from the age of ten.¹²⁵

In 2021 the Joanna house (*Joannahuset*) was established as a facility in Copenhagen offering children and youth food beverages, shower, laundry etc. as well as rights-based counselling and a stay. The house can offer approximately 3250 children counselling and care on a yearly basis and can provide shelter for approximately 400 children on a yearly basis.¹²⁶ Moreover has the establishment of the shelter so far proven to address a need for shelter for homeless children and youth as 30 percent of inquiries relates to children who find themselves in a situation of homelessness, where they either couch surf, temporarily live on the street or other places.

¹²³ Denmark, The Court of Denmark (*Danmarks Domstole*), [The Family Court and the Agency of Family Law](#) (*Familieretten og Familieretshuset*).

¹²⁴ Denmark, Danish Institute for Human Rights, [Status 2016-17](#), page 16.

¹²⁵ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act](#) (*Forslag til Barnets lov*) and [Proposal for the amending act to law on Social Service Act etc](#) (*Forslag til lov om social service, retssikkerhedsloven mv.*), 6 October 2022.

¹²⁶ Denmark, [Denmark's Radio](#), 14 November 2020.

3. Capacities (human and financial resources)

3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		Budget allocation on child protection is incorporated into various legislative and policy instruments in the different areas of child protection. For example, the new Child's Act supply the area of social services with an additional two billion DKK in the years 2022-2025 and is foreseen to be permanently fully phased in. ¹²⁷
3.1.2. Is the budget allocated to child protection (alternatively on children's rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?	X		The Finance Act of 2022 and the proposal for Financial act 2023 includes budgetary funding specifically allocated to the group of "Vulnerable Children and Youth" (§ 15.26). The group of "vulnerable children and youth" is the overarching category for budgetary funding in the area of child protection. Moreover, there are specific allocation connected to child protection under family law (<i>familieret</i>) (§ 15.12) ¹²⁸ . A minor other relevant reservation is targeted initiatives towards children in vulnerable positions under the Ministry of Children and Education (§20.21.21).
3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.			
0.1% of the current expenditures of the central Government. Funds have been specifically allocated under "Vulnerable Children and Youth" in the Financial Act between 2018-2022, so this percentage is only an average of the last 4 years. ¹²⁹			

¹²⁷ Ministry of Social Affairs, Housing and Senior Citizens (*Social-, Bolig- og Ældreministeriet*), [Broad Political Agreement on Children First](#), Political Initiative, 11 May 2021.

¹²⁸ Denmark, [Finance Act 2022](#) (*Finansloven 2022*), section 15, Ministry of Social Affairs.

¹²⁹ Denmark, Financial Act, section 15(26) and Denmark's Statistics (*Statistikbanken*), [OFF3](#): Public administration and service, expenses and income.

2.7% of the budgets for the municipalities has been allocated to vulnerable/exposed children and youth in average over the latest 4 years, where the statistics have been updated .¹³⁰

[Please note that the other mentioned budgetary allocations are, in our opinion, too small to have an effect on the percentage calculated above.]

Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>The level of funding for child protection is subject to ongoing debate in Denmark.¹³¹</p> <p>The Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) has provided the information that under the Danish Constitutional Act (<i>Grundloven</i>), the Danish municipalities have the right to manage their affairs independently under the State's supervision.¹³² The framework for the total expenditure of the Danish municipalities is decided upon annually, as provided by law¹³³, in an agreement between the Government and Local Governments of Denmark. It also deals with the framework for total local government expenditure for the delivery of services, including social services. When imposing new concrete obligations to the Danish municipalities by law, the State is required to compensate the municipalities financially for the undertaken task.</p> <p>With the enactment of Child's Act (<i>Barnets lov</i>) the annual level of funding for child protection is expected to be raised by 733,8 million DKK.¹³⁴</p>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p>		X	<p>The Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og</i></p>

¹³⁰ Denmark's Statistics (*Statistikbanken*), [OFF3](#): Public administration and service, expenses and income (latest year 2022) and [BU28](#): Total public net operating expenses for vulnerable children and young people (latest year 2020).

¹³¹ Denmark, Save the Children (Red Barnet), [press release of 24. February 2023](#).

¹³² Denmark, [Constitutional Act](#) (*Grundloven*), 5 June 1953, section 82.

¹³³ Denmark, [Act on Provision of Expenditure Limits for State, Regions and Municipalities for the Financial Year 2022](#) (*Lov om fastsættelse for udgiftslofter for stats, kommuner og regioner for finansåret 2022*), 27 December 2018.

¹³⁴ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), Political Agreement on [Children First](#) (*Børnene Først*), 11 May 2021, page 25.

<p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>		<p><i>Ældreministeriet</i>) informs that EU funds are not used for child protection in Denmark.¹³⁵</p>
<p>3.1.6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/ synergies.</p>	<p>X</p>	<p>It is part of the Ministry of Business' (<i>Erhvervsministeriet</i>) strategy that Denmark and Danish companies must continue to be driven in the work to strengthen business-driven social responsibility (Corporate Social Responsibility). In a guidance for bidders on a public procurement, it is evident that as part of social responsibility, companies should support effective abolition of child labour.¹³⁶</p> <p>In October 2018, the government launched the Council for Social Responsibility and Global Goals (<i>Rådet For Samfundsansvar og Verdensmål</i>) which serves as the government's platform for dialogue and activities with companies' strategic work with social responsibility and the UN's 17 Global Goals. The council can, among other things, make recommendations to the government and concrete activities that promote Danish companies' work with social responsibility and the global goals.¹³⁷ The Ministry of Business (<i>Erhvervsministeriet</i>) has provided the information that the Danish Government has actively supported and negotiated the EU proposal for a directive on Corporate Sustainability Due Diligence, which i.e. will commit companies to cease, prevent and work against child labour in the supply chain. To prepare for the new regulation, the Danish Business Authority (<i>Erhvervsstyrelsen</i>) has developed guidance for Danish companies on risk-based due diligence to support responsible business conduct in their supply chains, which will be available at Virksomhedsguiden.dk. In addition, guidance will be provided by the regional "<i>Erhvervshuse</i>", which are independent units and tasked with offering free and</p>

¹³⁵ National Council of Business (*Erhvervsstyrelsen*), the Danish ESF+ program and other structural fund programmes can be found [here](#).

¹³⁶ National Council of Business (*Erhvervsstyrelsen*), Public Procurement, [Social Responsibility](#), Appendix 6, page 4.

¹³⁷ Denmark, Ministry of Business (*Erhvervsministeriet*), [Corporate Social Responsibility](#).

			personalised guidance that equips companies with know-how and tools to fulfil business goals. Moreover, the Mediation and Complaints-Handling Institution for Responsible Business Conduct (NCP Denmark) is the Danish National Contact Point for the OECD Guidelines for Multinational Enterprises. The OECD Guidelines i.e. encourage companies to respect child rights and work against child labour.
3.1.7. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which outsource protection services for children? Please include civil society organisations and private companies contracted by government/local authorities to provide services. <u>If yes</u> , please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.	X		<p>Legal provisions regulating outsourced protection services for children: Public, private as well as civil society organisations are contracted to provide various types of child protection services. All services for the group in question are regulated through the Act on Social Services.¹³⁸ Implementation of the relevant parts of this act is the responsibility of the 98 Danish municipalities. They can choose to outsource some of the implementation to private or civil society organisations. It remains the responsibility of the municipality in question to make sure that the act is still implemented according to the legal obligations.</p> <p>An example of an outsourced service could be a private residential institution for children removed from their home due to violence in the home.¹³⁹</p> <p>The Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) informs that regarding places for children in out-of-home care, the number of rooms/beds has overall decreased with 2 percent from around 7,350 to 7,190 in the period 2019-2022. The number of rooms/beds in commercial private places for children in out-of-home care has increased from around 1,090 to 1,2010 and the number of rooms/beds in non-commercial private places for children in out-of-home care has decreased from around 3,490 to 3,260.¹⁴⁰</p>

¹³⁸ Denmark, [Act on Social Services](#) (*ServiceLOVEN*), 24 January 2022.

¹³⁹ Denmark, [Act on Social Services](#) (*ServiceLOVEN*), 24 January 2022, section 52(3)(7), cf. section 66. One of the measures a municipality can take for a child is placement outside of the home, for example at a foster family or an institution.

¹⁴⁰ Denmark, The Ministry of Social Affairs, [The Portal](#) (*Tilbudsportalen*), Data on the development in different types of social offers to children, i.e. places for children in out-of-home care.

3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
<p>3.2.1. Are the allocated human resources in the area of child protection at all levels sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>An example of an institution that has received criticism for a lack of resources is the Agency (<i>Familieretshuset</i>). The Agency has been criticised for having far too long case processing times. Therefore, the funding of the Agency was increased for a period in order to reduce waiting time for the families. The Family Court has explained that the long waiting times is due to, among other things, a lack of sufficient resources to carry out all the tasks in the family law system.¹⁴¹</p> <p>The Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) informs that in Denmark, the municipalities are responsible for the provision of social services. Hence, it is a task for the municipality to manage its expenditure to secure sufficient levels of human resources in the area of child protection.</p>
<p>3.2.2. Are the allocated human resources competent in the area of child protection and appropriately trained?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>	X		<p>The allocation of adequately trained professionals varies from municipality to municipality, based on the situation of the municipality.</p> <p>Within the limitations of the law, the municipalities can itself determine the service level on the different areas, for example children, cf. section 138 of the Act on Social Services regarding the services falling under this act. The municipalities must live up to the standards and obligations in the Act on Social Services (<i>Serviceoven</i>) regarding child protection, and it is therefore the quality of the efforts provided to the child that is relevant and not the actual amount spend on the efforts.</p> <p>The Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og Ældreministeriet</i>) informs that the municipalities</p>

¹⁴¹ Denmark, The Parliamentary Ombudsman (*Folketingets Ombudsmand*), [Press Release of 4 May 2021](#).

		<p>are responsible for managing their tasks in a manner that secure a sufficient child protection system. This includes the provision of competent staff, and therefore it is a task for the municipalities to prioritize training when needed.</p> <p>Moreover, according to the Act on Social Services (<i>Serviceoven</i>)¹⁴², the municipalities are obliged to use licensed psychologists when using psychological examinations as part of their child protection examination.</p> <p>In addition, the state supports the training of human resources within the field of social services both through general training and training in concrete initiatives.</p> <p>For instance, in 2021, a broad majority of the Danish Parliament agreed on the reform “Children First”. A key initiative of this is a new Children’s Act where all regulation concerning support for vulnerable children and children with disabilities will be assembled. When the act has entered into force, all social workers will be trained in the act and its intentions.</p> <p>Another initiative is the establishment of the “Knowledge Center about Child Involvement and the Life of Disadvantaged Children” (<i>Videnscenter om børneinddragelse og udsatte børns liv</i>) in 2021. The establishment was part of the political agreement on the reserve for the areas of social, health and labor market (<i>SSA-reserven</i>) for 2021-2024. The center collects and conveys existing knowledge about child involvement and the life of disadvantaged children for professionals.</p> <p>Regarding places for children in out-of-home care, around 75-80 percent of the employees has vocational or higher education. Foster families are not included. Depending on the type of out-of-home care around 38-50 percent of the employees has an education in the area of social and health care. This can e.g. include education in pedagogical work with children and teenagers or in disability and elderly care.</p>
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¹⁴² Denmark, [Executive Act on Social Services](#) (*Bekendtgørelse om Lov om Social Service*), 24 January 2022, section 50.

		<p>The results are based on data that includes all wage earners at the places for children in out-of-home care which also includes employees working in service- and administrative positions. External staff as e.g. self-employed and volunteers are not included.¹⁴³</p> <p>The Social Supervisory Board (<i>Socialtilsynet</i>) ensures that the facilities are of high-quality standards, and thus make it safe for municipalities to place children and youth in care.¹⁴⁴</p> <p>As a part of the high-quality standards, one of the indicators is related to the personnel at the facilities. According to this indicator the personnel working at a facility – either temporarily or permanently – must collectively have relevant educational background, and up-to-date knowledge and experience in working with the target group and the methods used at the facility.¹⁴⁵</p> <p>It is a focus area for The Social Supervisory Board. However, it is the management at the facilities who are responsible for ensuring that the relevant competencies are in place, including ensuring that the personnel have the relevant education, which is necessary for working with the specific target group, and that the personnel attends courses or other relevant initiatives.</p>
<p>3.2.3. Is there a <u>compulsory certification or licencing process</u> for social workers and other professionals who work for child protection?</p> <p><u>If yes</u>, briefly describe the process.</p>	X	<p>The obligation to collect certifications has its legal basis in the Executive Orders set up in accordance with the Act on Children Certifications.¹⁴⁶ The procedure and more specific regulation will therefore depend on the area in which the person is working. If the person therefore applies for a position under the area of Ministry of Social Affairs, Housing and Senior Citizens (<i>Social-, Bolig- og</i></p>

¹⁴³ Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), Welfare Policy Analysis (*Velfærdspolitisk Analyse*), 2021, the results can be found in this report.

¹⁴⁴ Denmark, [Executive Order on the Rules of Procedure for the Council for Safe Welfare Technology](#) (*Bekendtgørelse om forretningsorden for Rådet for Tryghedsskabende Velfærdsteknologi*), 10 January 2022.

¹⁴⁵ Denmark, [Executive Order on Social Supervision](#) (*Bekendtgørelse om socialtilsyn*), 21 April 2022.

¹⁴⁶ Denmark, [Act on Children Certifications](#) (*Børneattestloven*), 2 April 2004.

		<p><i>Ældreministeriet</i>), it is the executive order that this ministry has drawn up, that applies. The area of child protection is very broad and can therefore fall under different ministries.</p> <p>An executive order regarding children certifications (<i>børneattester</i>) for authorities, institutions etc. falling under the Act on Social Services, e.g. also social workers and other professionals.¹⁴⁷ According to section 1, it is compulsory to collect certifications for institutions, associations, organisations, etc. before hiring any person who will have direct contact with children below 15 years or who will regularly be around children below 15 and thereby might have direct contact with them. The person, who is applying for the position, must consent to collecting the certification, cf. section 1(2). If section 2 has been violated, a fine can be imposed, cf. section 3. The certification has to be collected only if the person will have a permanent affiliation with the institution, association, company, etc., cf. section 2.</p>
<p>3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?</p> <p><u>If yes</u>, please describe briefly.</p>	X	<p>The Child Certificate Act (<i>Børneattestloven</i>) requires authorities, companies, associations etc. (private natural and legal persons) to obtain a child certificate from the National police, before they employ persons who, as part of the performance of their tasks, have direct contact with children under the age of 15. This includes voluntary work.</p>
<p>3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?</p> <p><u>If yes</u>, please include information on the training of law enforcement officials (judges, persecutors, police),</p>	X	<p>Curricula for training programmes, for becoming a social worker or pedagogue, include a wide range of courses, some obligatory, others optional, including special diplomas, with a focus on child protection and care.¹⁴⁸</p> <p>Public Prosecutors are through their career offered a wide range of training courses but are</p>

¹⁴⁷ Denmark, [Executive Order on Collection of Children Certification when Hiring or Employment of Persons in Certain Offers under the Act on Social Services and Voluntary Social Organisations and Associations](#) (*Bekendtgørelse om indhentelse af børneattester ved ansættelse og beskæftigelse af personer i visse tilbud efter lov om social service og i frivillige sociale organisationer og foreninger*).

¹⁴⁸ Denmark, [VIA University College](#).

<p>health and education personnel (doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its frequency, funding, if it relates to specific needs of children, etc.</p>		<p>not offered a specific course concerning crimes committed against children.¹⁴⁹</p> <p>In the internal education catalogue of the Public Prosecution Service there are two courses with related content including Communication with victims and Traumatized witnesses.</p> <p>The employees at the Danish courts are regularly offered training on topics related to the specific needs of children in contact with the judiciary.</p> <p>The training is provided by the Danish Court Administration, which is responsible for the training of all personnel at the Danish courts and offers on an average about 150 different training courses annually.¹⁵⁰</p> <p>The National Resource Centre for Social Initiatives in Cases of Sexual Abuse and Physical/Psychological Violence against Children (SISO), provides free consultancy to local authorities (municipalities), prepare/develop measures for the prevention, early detection, and handling of cases of abuse of children. The Resource Centre provides consultancy to assist municipalities in dealing with child abuse cases. the Centre is organisationally anchored in the unit for Children and Youth (<i>Børn og Ungeenheden</i>) in the Danish National Board of Social Services (<i>Socialstyrelsen</i>).¹⁵¹</p>
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include</p>	<p>X</p>	<p>The curriculum of lawyers does <u>not</u> include mandatory courses on children's rights and child protection.¹⁵² The curriculum of law studies includes courses on human rights as well as family law as mandatory courses. Though children's rights and child protection are not independent courses,¹⁵³ the topic can</p>

¹⁴⁹ The information is provided by the National Liaison Officers according to whom the information stems from an internal education catalogue of the Public Prosecutor.

¹⁵⁰ Denmark, [Danish Court Administration](#) (*Domstolsstyrelsen*).

¹⁵¹ Denmark, The National Board of Social Services, [SISO knowledge centre](#).

¹⁵² For example, [information regarding the Bachelor in Law](#), University of Copenhagen, does not include a specific topic on child rights.

¹⁵³ For example, [information regarding the Bachelor in Law](#), University of Copenhagen, does not include a specific topic on child rights.

<p>information regarding law enforcement officials, judges, prosecutors, lawyers, health, and education personnel)</p> <p>If <u>yes</u>, please describe briefly.</p>		<p>be part of these courses. Furthermore, there are elective courses available specifically on children’s rights.¹⁵⁴</p> <p>The curriculum of health personal includes courses on children. For example, the students must be able to reflect on prevention and health promotion in relation to children and families.¹⁵⁵</p> <p>Child rights and child protection are included in the Curriculum of the two years and four months long Danish Police Education at the National Danish Police College. There are also training for more specialised police officers in specific areas of child protection.</p> <p>It is a mandatory part of the police education to learn about the Police Act’s (<i>Politiloven</i>) requirements for the protection of children, and to know about and be aware of the expectation that the police must cooperate with the Social Service authorities concerning this topic. It is, for example, in a course regarding patrol, explicitly prescribed that the student shall be able to assess and argue for symptoms of neglect, including the signals of neglected children, to be able to write a social report.¹⁵⁶</p> <p>As a part of teachers’ basic professional competence, the student must have knowledge of human rights, children’s rights and ideological historical background for rights thinking, including relations between human rights, religion and democracy.¹⁵⁷</p>
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place?</p>	<p>X</p>	<p>The courses Communication with victims and Traumatized witnesses involves interdisciplinary elements including collaboration with psychologists.</p>

¹⁵⁴ Aarhus University, [Children’s Rights \(Børneret\)](#), master’s elective. University of Copenhagen, [Children’s and Young Person’s Social Rights and Welfare Rights \(Socialret – børn og unges sociale rettigheder\)](#), master’s elective.

¹⁵⁵ For example, Professional bachelor’s in nursing, [Study Plan 2023](#), University of Applied Sciences UCN.

¹⁵⁶ Denmark, the National Police (*Rigspolitiet*), [Education Plan](#), Police Cadet Training.

¹⁵⁷ Denmark, [Executive Order on the Vocational Bachelor’s Degree Program as a teacher in Basic School](#) (*Bekendtgørelse om uddannelse til professionsbachelor som lærer i folkeskolen*), 29 March 2023.

Please provide some examples.		
3.2.8. Outline briefly the <u>main challenges and/ or gaps relating to human resources, qualification requirements and training</u> underlined the relevant authorities and/ or child protection civil society organisations.	The main challenges and gaps include a lack of sufficient staff and, in particular, a very frequent replacement of personnel within the municipal administration dealing with child protection. Moreover, a lack of qualified labour in all the major welfare areas (including health, day care, schooling) poses a challenge for the child protection system. ¹⁵⁸	

3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

In an analysis carried out by the National Research and Analysis Center for Welfare (VIVE), concludes that the municipalities have generally improved their results concerning financial management and thus their ability to comply with the budgets. However, differences persist in individual sector areas. Among other things, the municipalities are, on average, less able to comply with the budget in the specialised area of children and young people. VIVE recommends that guidelines are put in place in support of securing effective case handling. Effective case handling can be improved in the area of, for example, handling notifications, action plans, and follow-up. VIVE recommends that in relation to follow-up cases, it is appropriate to make a professional prioritisation of which cases require particularly frequent follow-up.¹⁵⁹

Challenges in coordination of highly specialised institutions and sectors (including child care, disability and health) have persisted for years, and have lead to several initiatives to improve coordination and management capacity at municipal and institutional levels. Most recently the National Association of Municipalities, the Ministry of Social Affairs, Housing and Senior Citizens and the National Board of Social Services (*Social- og Boligstyrelsen*) have set up a scheme (2022-2025) with the aim to strengthen a coordinated implementation of the new comprehensive reform.¹⁶⁰

The National Board of Social Services and Housing (*Social- og Boligstyrelsen*) noted in 2019 that transversal cooperation between municipalities and civil society is becoming increasingly widespread.¹⁶¹

¹⁵⁸ Denmark, VIVE, [Labour Shortages and Recruitment Challenges in the Major Welfare Areas](#), Report, 15 March 2022.

¹⁵⁹ Denmark, VIVE, [Financial and professional management in the specialised children and youth area](#), Report, 9 January 2018.

¹⁶⁰ Denmark, the National Association of Municipalities (*Kommunernes Landsforening (KL)*), [Network for leaders working with vulnerable children and young people](#).

¹⁶¹ Denmark, The National Board of Social Services and Housing (*Social- og Boligstyrelsen*), [Trends in cross-sectoral collaboration](#), 10 October 2019.

Moreover, VIVE has mapped the existing knowledge about the lack of labour and challenges of recruiting in the major welfare areas. The focus is on social and health assistants and helpers, nurses, pedagogues, and primary school teachers. The mapping concludes that the lack of qualified labour in the major welfare areas can make it difficult to deliver high-quality welfare to citizens.¹⁶²

3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2021, the Government allocated DKK 150 million to the Children's Act. The following year, the amount rose to DKK 250 million, and in 2023 and 2024 half a billion DKK will be set aside each year. That is a total of DKK 1.4 billion spread over four years. In the draft financial law of 2021, it is stated that "the government allocated funds for strengthened efforts towards vulnerable children, so that society provides the necessary help earlier than today with a view to helping the children well into adulthood."¹⁶³

¹⁶² Denmark, VIVE, [Labour shortages and recruitment challenges in the major welfare areas](#), Report, 15 March 2022.

¹⁶³ Denmark, Altinget, [Financial Law Draft: Here are the initiatives in the social area](#), News article of 1 September 2020.

4. Care

4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

At national level, The National Board of Social Services (*Socialstyrelsen*) is the main provider of programme development in relation to child protection. Child protection includes sub-themes on care families, after-care, crime, abuse, and neglect.¹⁶⁴ This work is done in varying ways, including an internet portal containing information on research, methodologies, current projects, and programmes addressing child protection issues at national, regional and municipal levels. The Board has initiated several programmes in relation to the 'children first package' targeting early detection, preventative work, strengthen knowledge of child protection and screening of efforts.¹⁶⁵

The National Board of Social Services is equipped with a grants portal (*tilskudsportal*) which is a self-service portal where applicants can gain access to create applications for the Board's application pools. On the portal, applications can simultaneously submit and receive information and documents from the Board.¹⁶⁶

4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

Financial support is given to families with children. For example, all parents to children and young people in Denmark receive a child benefit (*børnepenge*). The child benefit is a tax-free amount that is paid out four times a year. The child benefit is intended as a support to cover some of the expenses associated with being a family with children. The size of the benefit varies depending on the family's social situation.¹⁶⁷

In 2019, a temporary child benefit was set into place. The benefit is a tax-free subsidy for families with children under the age of 15 where one or both parents are affected by the cash assistance ceiling (*kontanthjælpsloftet*) and/or the then integration benefit (*Integrationsydelse*) (now SHO-benefit). On 1 March 2023, the temporary child benefit expired.¹⁶⁸

¹⁶⁴ Denmark, National Board of Social Services (*Socialstyrelsen*), [themes concerning children](#).

¹⁶⁵ Denmark, National Board of Social Services (*Socialstyrelsen*), [project and initiatives](#).

¹⁶⁶ Denmark, National Board of Social Services (*Socialstyrelsen*), [grants portal for pools and subsidies](#).

¹⁶⁷ Denmark, Life in Denmark.dk (*Borger.dk*), [Child Benefit](#).

¹⁶⁸ Denmark, [Executive Order on a Temporary Child Allowance for Certain Dependents](#) (*Bekendtgørelse om et midlertidigt børnetilskud til visse forsørgere*), 22 June 2022.

The Danish healthcare system is universal and based on principles of free and equal access to healthcare for all citizens which includes children and parents.

Expectant parents as well as children, young people and their parents can receive advice from the municipality. Both individual members and the whole family can receive family-oriented counselling without other forms of support having been initiated.¹⁶⁹

Moreover, the municipality must help a child or young person in need of special support. Help according to the Service Act's rules on special support normally requires that a professional child assessment (*børnefaglig undersøgelse*) has been carried out and that an action plan has been drawn up on the basis of the assessment. The special support for children and young people can, for example, be in the form of consultancy, educational support or other support at home, family treatment or treatment of the child's or young people's problems.¹⁷⁰

4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

The local social authorities are in charge of coordinating support to child and family. The coordination and preparation for decision making on concrete protection measures are undertaken by a welfare officer in the child and youth department of the local social authorities.¹⁷¹

Prevention of abuse is organized, among other measures, by a structure which involves meetings between representatives from the social authorities, the local police, school and day care authorities, and others. This structure is only applied in relation to concrete cases involving individual children, and only in situations where it is considered necessary to secure early and preventive intervention in situations where a child is at risk of abuse or other threats to its personal health, well-being or development.¹⁷²

4.1.4. What are the crisis emergency responses in place?

When a child or young person needs special support or needs help, the municipality can decide on the placement of the child in alternative care. The municipality carries out a professional child assessment (*børnefaglig undersøgelse*) before the placement. In special cases, the placement can be done urgently. Thus, the child assessment and regular decision procedure will have to be undertaken as soon as possible following the preliminary decision of placement.

No later than 24 hours after receiving a notification concerning a child in need, the municipal board (*Kommunalbestyrelsen*) must assess whether the child's or young person's health or development is

¹⁶⁹ Borger.dk, [Support for vulnerable children and young people](#) (*Støtte for udsatte børn og unge*).

¹⁷⁰ Borger.dk, [Support for vulnerable children and young people](#) (*Støtte for udsatte børn og unge*).

¹⁷¹ Denmark, [Act on Social Services](#) (*Lov om social service*), 24 January 2022, section 50.

¹⁷² Denmark, [Act on Social Services](#) (*Lov om social service*), 24 January 2022, section 19.

at risk, and whether there is therefore a need to initiate emergency measures concerning the child or young person, cf. Social Services Act, section 155(2).¹⁷³

In the past, emergency placements could only make use of approved offers by the Social Supervisory Boards (*Socialtilsynet*). From 1 February 2022, emergency placements can make use of offers without the approval from the Social Supervisory Boards (*Socialtilsynet*).¹⁷⁴

4.2. Identification and reporting procedures

Question	Yes	No	Comments
<p>4.2.1. Is there an identification/reporting obligation foreseen in the legislation?</p> <p><u>If yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>	X		<p>Reporting obligations directed at all public servants who observe or receive information about a child or young person under the age of 18 who may be in need of special protection, or who immediately after birth may require special support due to the parents' situation, or a child who is not attending school for illegal reasons, or a child exposed to abuse or neglect, cf. section 153 of the Act on Social Services. Moreover, section 154 prescribes that any person who observes or is informed about abuse of a child or young person is obliged to report to the authorities.</p>
<p>4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in <u>all available reporting mechanisms, including, helplines and hotlines</u>. Include the legislative and regulatory framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.</p> <p>Please provide details such as if there a common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?</p>			<p>There are two mechanisms for reporting cases of child abuse.</p> <ol style="list-style-type: none"> 1) The Act on Social Services (<i>Serviceoven</i>) prescribes a reporting obligation of public servants as well as ordinary citizens to report concerns about child abuse to the local social authorities. Upon receiving such a report, the local government officials must assess the case within 24 hours in order to determine if the health or development of the child is at risk to a degree that immediate measures are required. This assessment will include reporting the case to the police if a criminal investigation is needed.¹⁷⁵ 2) The Act on Social Services (<i>Serviceoven</i>) provides that citizens, professional staff, or others can report to the National Social Appeals Board (<i>Ankestyrelsen</i>) if they believe that the local

¹⁷³ Denmark, [Social Service Act](#) (*Serviceoven*), 24 January 2022.

¹⁷⁴ Denmark, [Proposal for Social Service Act](#), 21 December 2021.

¹⁷⁵ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 155.

government has not acted adequately in the best interest of the child as provided by the law. The National Social Appeals Board can subsequently direct the local authorities to follow up on the case with the necessary initiatives.¹⁷⁶

If there is concern for a child’s well-being and development after receiving a report, the local social authorities must decide whether to conduct a professional child assessment (*børnefaglig undersøgelse*). It aims to uncover and examine the child’s circumstances from a holistic perspective, and it must be prepared within 4 months. The municipality must disclose the matter sufficiently, cf. the inquisitorial procedure (*officialmaksimen*).

The social services must no later than 24 hours after receiving a report assess whether the child’s health or development is at risk, and whether there is a need to initiate emergency measures for the child.¹⁷⁷

The content of reports can be very different, and the municipality’s response options to reports therefore also range from very serious measures – such as e.g. emergency placement and police report – for simple investigation steps to determine whether a report has any merit.¹⁷⁸

Question	Yes	No	Comments
<p>4.2.3. Do children have the right to report independently?</p> <p>If <u>yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights’ violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	X		<p>Children of all ages can report to the local social authorities, the Parliamentary Ombudsman’s Division for Children (<i>Børnekontoret</i>) and to the National Social Appeals Board (<i>Ankestyrelsen</i>).</p> <p>Child friendly procedures are established at the Ombudsman’s Office and Board of Appeals with a variety of communication forms, including phone, personal meetings, chat, and information on web sites. These mechanisms are staffed with specialists trained in communication with children on the one hand and with knowledge and experience within child protection on the other.¹⁷⁹</p>
<p>4.2.4. Are children informed of their right to report and how they can do it? If yes, by whom and how?</p>	X		<p>The central channel for information aimed at children is the National Council for Children’s (<i>Børnerådet</i>) internet portal. The Council is responsible for informing children about their rights through the portal.¹⁸⁰ The Council is obliged to make the website accessible, cf. Act on accessibility of public bodies’ websites and mobile</p>

¹⁷⁶ Denmark, [Act on Social Services \(Serviceloven\)](#), 24 January 2022, section 65.

¹⁷⁷ Denmark, [Act on Social Services \(Lov om social service\)](#), 24 January 2022, section 155.

¹⁷⁸ The Parliamentary Ombudsman (*Folketingets Ombudsmand*), [Municipalities’ processing of notifications of concern for children](#), Overview number 24.

¹⁷⁹ Denmark, the Danish Parliamentary Ombudsman’s Children Division, [contact information](#).

¹⁸⁰ Denmark, National Council for Children, Children’s Portal, [About the Children’s Portal \(Om Børneportalen\)](#).

		<p>applications (<i>Lov om tilgængelighed af offentlige organers hjemmesider og mobilapplikationer</i>).¹⁸¹</p> <p>Thus, it is primarily through the internet that children become aware of the portal. However, the Council has also developed tools that is being used in schools. For example, the Council has created the campaign “Act on Your Rights” (<i>Ryk på dine rettigheder</i>) that was shared with all primary schools in Denmark. The material included posters, stickers and a game in which children can be made aware of their rights.¹⁸²</p> <p>On the Children’s Portal, children can learn about their rights in the UN Convention on the Rights of the Child, and they can read about what they are entitled in an age-appropriate manner. information is thematically divided, e.g. children can learn about rights in relation to bullying, violence and abuse as well as divorce.¹⁸³</p>
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4.2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

It’s generally difficult to identify vulnerable children in need of protection. Early detection and preventive work in the municipalities focus on intervention as early as possible to prevent problems from accelerating. The municipal’s work on early intervention is generally positive. An evaluation carried out by VIVE highlights a lack of development in the employees’ skills in relations to involving other parts of the municipal organisation. Therefore, a challenge in the municipalities concerns the collaboration between the general area and the specialist area.¹⁸⁴

4.3. Referral procedures(s) and investigation and protection

4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

¹⁸¹ Denmark, Act on accessibility of public bodies’ websites and mobile applications (*Lov om tilgængelighed af offentlige organers hjemmesider og mobilapplikationer*), 8 June 2018, section 1.

¹⁸² Denmark, National Council for Children, Children’s Portal, [Act on Your Rights](#) (*Ryk på dine rettigheder*).

¹⁸³ Denmark, National Council for Children, Children’s Portal, [Know Your Rights](#) (*Kend dine rettigheder*).

¹⁸⁴ Denmark, VIVE, [Early Interventions Towards Vulnerable Children Show Positive Signs](#), Evaluation, 19 January 2018.

As a part of the identification procedures, the Act on Social Services (*Serviceoven*) provides the child and his or her family to be included, as far as possible, in the process of securing protection of the child.¹⁸⁵ The social authorities are obliged to hear the child prior to any decision regarding support to the child/family. Furthermore, the child has the right to an assessor during all case processes.

The relevant staff from the child's school, child/youth club and health professionals may exchange information about private matters pertaining to the child's family life if this is considered necessary as a preventive measure of protection.

In cases of suspicion of the child being victim of violent or sexual abuse, the child is referred by the municipal social officer to the regional Children's House (*Børnehus*) in order to secure examination of the case by a multidisciplinary group of specialists, including the Police, paediatrics and child psychologists. There is a Children's House in each of the five regions of Denmark. The individual municipalities are associated with the Children's House located in their respective region.¹⁸⁶

A central tool in cases of special measures of protection is the professional child assessment (*børnefaglig undersøgelse*). Based on this comprehensive examination of the child's situation, recommendations are prepared regarding which initiatives, if any, should be undertaken to protect the child. The local government may involve relevant professionals who know the child in the assessment, and an assessment report must be concluded within a time frame of four months following receipt of the initial report about the child by the local social authorities.¹⁸⁷

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		The overall standards describing the content of the child assessment, is contained in section 50 of the Social Services Act (<i>Serviceoven</i>), as well as in the Guidance note targeting local social authorities as well as professional practitioners in the social and care systems. The note includes a description of the legal regulation as well as detailed guidelines for information of involved parties, including police (if needed) and support staff, such as psychologists, and children's houses in cases of violence and sexual abuse. ¹⁸⁸
4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?	X		The child assessment is coordinated by a welfare officer from the local social authorities, and it must, as stipulated in the Act on Social Services (<i>Serviceoven</i>), comprise of collection of information from professionals who know the child. The assessment must thus always involve a

¹⁸⁵ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, sections 46(3) and 47.

¹⁸⁶ The National Board of Social Services and Housing (*Social- og Boligstyrelsen*), [Find Your Children's House](#) (*Find dit børnehus*).

¹⁸⁷ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, sections 47-50.

¹⁸⁸ Denmark, [Guidance note on Special Support to Children and Young People and their Families](#) (*Vejledning om særlig støtte til børn og unge og deres familier*), 7 January 2014, sections 300-328.

		<p>multidisciplinary team, including teachers, medical practitioners, psychologists, and others. The various professionals should each from their perspective contribute to a description of the child in the following obligatory areas, including the child's (mental, physical, social, and educational) development, its family situation, school performance, health, leisure time and friendship relations.¹⁸⁹</p>
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4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.

The local government is the responsible body in charge of the investigation and assessment of children and their families in need of support and protection.¹⁹⁰ More generally, the Legal Protection Act (*Retssikkerhedsloven*) emphasizes the local government's responsibility for the municipal social security initiatives.¹⁹¹

The social officer organises and coordinates the investigation and assessment of the child and family. This includes visits to the child's home and involvement of the parent(s) and wider family network if possible.¹⁹² Moreover, the social officer coordinates the collection of information from professionals working with the child, including teachers, health staff, etc. The assessment must be concluded within a time frame of 4 months.¹⁹³

The process should ensure information and cooperation with the child and its family. However, if the consent from the parent(s) cannot be obtained, the investigation will be conducted without their consent.¹⁹⁴ If the parents do not consent to the investigation, they have the right to be offered legal assistance by a lawyer. This applies to all protection measures for a child initiated without the parents' consent.¹⁹⁵ An important element of the assessment is described in section 48 of the Act on Social Service (*Serviceoven*) which prescribes that the social worker talks with the child prior to any decision about which measures will be taken to protect the child.

Judicial authorities, as such, are not involved in the investigation and assessment of the child's situation. However, if decisions must be taken against the will of the parents/custody holder, they must be referred to the local government's child and youth committee (*Børn- og Ungeudvalg*) for approval.¹⁹⁶ Moreover, parents and a child above the age of 12 are offered free legal counselling and representation.¹⁹⁷

¹⁸⁹ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, sections 50(2) and (4).

¹⁹⁰ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 50.

¹⁹¹ Denmark, [Executive Order on the Legal Protection Act](#) (*Bekendtgørelse af lov om retssikkerhed og administration på det sociale område*), 25 February 2022, section 1(2).

¹⁹² Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, sections 50(2).

¹⁹³ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, sections 50(7).

¹⁹⁴ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 48.

¹⁹⁵ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 72.

¹⁹⁶ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 58.

¹⁹⁷ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 72.

Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?	X		The legislative framework, primarily the Social Service Act (<i>Serviceoven</i>), provides the general description of roles and responsibilities of various actors, as indicated in the answers above. Guidelines give more detailed directions to each of the sections in the Social Service Act, and further recommendations and description of methods and research relating to child protection are available from the National Board of Social Service's home page.
4.3.6. Are there any inter-agency cooperation protocols and agreements in place to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?		X	Cooperation between agencies and institutions in child cases are organised by the municipal government and administration at the local level. There are no general requirements for this organisation.
4.3.7. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? <i>Please also consider potential divergences depending on main actors involved.</i>		X	The law applies equally to all children irrespective of migration/residential status, including children of rejected asylum seekers and/or undocumented immigrants. Whether, in practice, there might be different approaches and in effect, different treatment to children of minority/immigrant status has not been studied or documented.
4.3.8. Are affected children heard as part of the procedures? <u>If yes</u> , are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?	X		According to section 48 of the Social Service Act (<i>Serviceoven</i>), the social worker must talk with the child prior to taking decisions to protect the child. The guidance note contains more detailed descriptions regarding the purpose and procedures for the social worker's conversation with the child. It follows hereof that the child should feel safe, respected, and its opinions must be taken into consideration. ¹⁹⁸ Moreover, section 48a of the Social Services Act states that the child is entitled to have a lay representative of his or her own choice.

¹⁹⁸ Denmark, [Guidance note on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, para. 282-288.

			As for age restrictions of hearing children, the municipal board (<i>Kommunalbestyrelsen</i>) assesses the extent to which it is possible to involve the child or young person. Especially for smaller children, the conversation must take place in a way that is adapted to the child's age, maturity, and the nature of the case. It is important that the child is not put in situations that the child cannot understand. ¹⁹⁹ Regardless of the age of the child, it is central that the municipality makes sufficient efforts to uncover the child's or young person's own opinion on the matter. ²⁰⁰
4.3.9. Are there mental health support services available for affected children? <u>If yes</u> , how are services working together? How is it ensured that the child is informed and can make use of these services?	X		Pursuant to the Health Act (<i>Sundhedsloven</i>) section 69, the Regional Council (<i>Regionsrådet</i>) can subsidise psychological support, this includes cases of e.g. incest, next of kin in relation to death etc. ²⁰¹ However, some municipalities (Aarhus) offer free psychological help for children under the age of 15 years. ²⁰² According to section 109(8) of the Social Service Act (<i>Serviceloven</i>), the Municipal Board (<i>Kommunalbestyrelsen</i>) must offer psychological treatment to children who accompany their mother during her stay at women's crisis shelters. The treatment must last at least four hour and up to ten hours depending on the child's needs.
4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.			
Reports by citizens and authorities that notify the municipality of concerns about a child's or a young person's well-being and developments are not always responded to quickly enough. The Parliamentary Ombudsman (<i>Folketingets Ombudsmand</i>) has reported on the consequences can be			

¹⁹⁹ Denmark, [Guidance note on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, para. 284.

²⁰⁰ Denmark, [Guidance note on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, para. 284.

²⁰¹ Denmark, Executive Order on psychological treatment in the practitioner sector for especially vulnerable groups ([Bekendtgørelse om psykologbehandling i praksissektoren for særligt udsatte persongrupper](#)), 20. March 2023.

²⁰² Denmark, Municipality of Aarhus (*Aarhus Kommune*), [Free Psychological Help for Children and Young People under the age of 15 Years](#), 13 May 2020.

serious if a municipality does not have the necessary procedures for handling notifications and failure to react to notifications quickly and appropriately.²⁰³

4.4. Placement decisions – care orders

4.4.1. Following the investigation and assessment of the child’s situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

According to section 52 of the Social Services Act (*Serviceoven*), the local government decides on protection measures to be invoked as a follow up to the assessment of the child.

In all actions and decisions, including placement in alternative care, that go against the consent of the parents/custody holder, the decision is considered and taken by the local government’s child and youth committee (*Børn og Ungeudvalget*).²⁰⁴

In cases of emergency, a temporary decision on alternative care of the child, including removal of a child from its family, can be taken by the chairperson of the child and youth committee (*Børn og Ungeudvalget*). The temporary decision must as soon as possible, and no later than 7 days after its execution, be brought before the child and youth committee with the aim of securing its review and approval.²⁰⁵

Question	Yes	No	Comments
<p>4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of necessity and appropriateness considered?</p>	X		<p>Section 52 of the Social Services Act (<i>Serviceoven</i>) provides that the local government’s decision of enacting protective measures must be based on the professional child assessment (<i>børnefaglig undersøgelse</i>).</p> <p>The assessment must take a holistic view, including the child’s 1) development and behaviour, 2) family relationships, 3) school conditions, 4) health conditions, 5) leisure relationships and friendships, and 6) other relevant conditions.</p> <p>The local government (<i>Kommunalbestyrelsen</i>) can enact protective measures in cases of significant importance in view of a child’s special need for support. The local government must choose the</p>

²⁰³ Parliamentary Ombudsman (*Folketingets Ombudsmand*), [Municipalities’ Processing of Notifications of Concern for Children](#), Overview 24.

²⁰⁴ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 58.

²⁰⁵ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 75.

		<p>measures that can best solve the challenges and needs uncovered through the professional child assessment (<i>børnefaglig undersøgelse</i>).²⁰⁶</p> <p>The Guidance note on child protection measures contain somewhat more detailed descriptions of criteria that should and could be included in the assessment of the child's situation and the need of the child.²⁰⁷</p>
<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p> <p>If <u>yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>	X	<p>According to section 48 of the Social Services Act (<i>ServiceLOVEN</i>), it is mandatory to arrange a conversation with the child. Section 48(2) provides that such a conversation may be omitted given e.g. the lack of maturity of the child. In such a situation, the views of the child regarding imposed decision should be obtained through other means.</p> <p>The conversation with the child or young person must take place in a qualified and respectful manner. It is central that the municipality makes sufficient efforts to uncover the child's or young person's opinion on the matter.²⁰⁸ The municipalities organise the work in cases of special support, and participants can be case managers, pedagogues, teachers, doctors and nurses, psychologist, etc.²⁰⁹</p> <p>The right to approve or refuse a decision of removal from home is granted to children above the age of 15 years old, cf. section 52(1) of the Social Services Act.</p> <p>In relation to cases of adoption in which adoption requires the consent of children older than 12 years old, a conversation with the child must take place before the child gives consent, and the child must be made aware of the significance of the adoption, cf. section 6(1) Act on Adoption (<i>adoptionsLOVEN</i>).</p>

²⁰⁶ Denmark, [Act on Social Services \(ServiceLOVEN\)](#), 24 January 2022, section 52.

²⁰⁷ Denmark, [Guideline on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, chapters 13-16.

²⁰⁸ Denmark, [Guideline on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, para. 284.

²⁰⁹ Denmark, [Guideline on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, para. 290.

4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
Foster care	X		<p>Families can volunteer to take care of a child referred to them by the local social authorities.</p> <p>The legal responsibility to secure protection for the child including to offer alternative care, if necessary, rests with the local government of the municipality where the child lives.²¹⁰</p> <p>Section 66b of the Act on Social Services (<i>ServiceLOVEN</i>) stipulates that in cases of approval of network foster families (<i>netværksplejefamilier</i>), the foster family must be approved as particularly suitable in relation to the specific child or young person by the municipal council. In connection with the approval, the municipal council must offer the foster family a basic course in being a foster family.</p> <p>Some foster care families have special competences to care for children with special needs and challenges.²¹¹</p>	
Residential – institutional care	X		<p>Both regional and local authorities, civil society organisations and religious institutions offer institutional care. The targeted groups for these institutions vary with the specific profile of the institution.²¹² Institutional care can both be operated by a municipality, a region, a private business, or a foundation. The type of institution also varies. For example, the type of care offered includes full-time care institutions such as family institutions (<i>familieinstitution</i>), early childhood institutions (<i>småbørnsinstitution</i>), and youth institutions (<i>ungeinstitution</i>) as well as day boarding such as day care institutions (<i>dagbehandlingsinstitution</i>).²¹³</p>	

²¹⁰ Denmark, [Executive Order on Legal Protection and Administration in Social Matters](#) (*Bekendtgørelse af lov om retssikkerhed og administration på det sociale område*), 25 February 2022, sections 9a and 9b.

²¹¹ Denmark, [Act on Social Services](#) (*ServiceLOVEN*), 24 January 2022, section 66(1)(3).

²¹² Denmark, [The Association of 24-hour and Day Services for Vulnerable Children and Youth](#) (*Foreningen af døgn- og dagtilbud for udsatte børn og unge*).

²¹³ Denmark, [The Association of 24-hour and Day Services for Vulnerable Children and Youth](#) (*Foreningen af døgn- og dagtilbud for udsatte børn og unge*).

Other forms of family-based or family-like care placements	X		The Act on Social Services (<i>serviceloven</i>) section 66 provides for several forms of placements of children such as of family-based or family care but also for rooms. Additionally, there are numerous shelters. Joannahuset, is the only shelter in Denmark exclusively for children.
Supervised independent living arrangements for children	X		Providers include all the actors mentioned above, but it is the local social authorities who approve the individual placement. ²¹⁴ As independent living must be specifically approved by the municipality, there is no specific age requirement. It is important that the young person has a certain age and maturity so that it is possible for the young person to manage on his or her own. However, the primary target group that will benefit from independent living are young persons who are on their way to an independent life and therefore need only limited personal support. ²¹⁵
Question	Yes	No	Comments
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	X		Denmark's Statistics provides data on placed children and young people every year by type of care, age, sex, municipality, and length of placement. ²¹⁶ In 2021 a total of 13.372 children were placed outside the home. 7,105 were boys and 6,263 were girls. 10,273 placements were based on an administrative decision with consent and 2,622 placements were based on decisions without consent taken by the committee of children and youth (<i>Børne- og Ungeudvalget</i>). These two types of decisions were the most common. Moreover, the age group between 14 years and 17 years were most frequently placed outside the home. In 2021, 1,014 14-year-olds, 1,152 15-year-olds, 1,275 16-year-olds, and 1,489 17-year-olds were placed outside the home. ²¹⁷ In 2021, 140 0-year-olds, 173 1-year-olds, 236 2-year-olds, 292 3-year-olds, 291 4-year-olds, 359 5-year-olds, 374 6-year-olds, 470 7-year-olds, 463 8-year-olds, 538 9-year-olds,

²¹⁴ Denmark, [Act on Social Services \(Serviceloven\)](#), 24 January 2022, section 66(2).

²¹⁵ Denmark, [Guideline on Special Social Support to Children and Young People and their Families \(Vejledning om særlig støtte til børn og unge og deres familier\)](#), 7 January 2014, para. 571.

²¹⁶ Denmark's Statistics, [ANBAAR2: Placed Children and Young People by type of care, age, and length of placement](#).

²¹⁷ Denmark's Statistics (*Danmarks Statistik*), [ANBAAR2: Placed Children and Young People by measure, age, and length of placement](#).

			582 10-year-olds, 754 11-year-olds, 760 12-year-olds and 964 13-year-olds were placed outside the home. ²¹⁸
4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?		X	All care institutions are obliged to register and report all incidents of children who escape or leave the institutional premises in an unauthorised manner. ²¹⁹ The data are, however, not aggregated at national level.
4.5.3. Is there a <u>national</u> registry of foster care families? How many children can be fostered in one family?		X	Pursuant to section 14 of the Social Services Act (<i>Serviceoven</i>), a national registry covering all local, regional, and private care facilities including foster families has been established by the Ministry of Social Affairs. The registry is organised as a digital portal with registration and search functions. ²²⁰ The Guidance note suggests a maximum of four foster children in any one family. ²²¹ Therefore, there is no binding maximum.
4.5.4. How and by whom foster families are <u>recruited, vetted, and trained</u> ? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.			
Recruitment of foster families is organised by the local government more specifically within the local administration's department of children and family services (the title of this structure may differ from one municipality to another). ²²² They are vetted by The Social Supervisory Board (<i>Socialtilsynet</i>). ²²³ The Offer Portal (<i>Tilbudsportalen</i>) is a nationwide portal that collects and displays information, including on foster families. ²²⁴ According to section 66a of the Social Services Act (<i>Serviceoven</i>), the chosen foster family must meet the child's or young person's need for support. There are no unified selection criteria, but a guidance note stipulates that foster families typically has special requirements such as long experience in the family care profession and/or special educational qualifications. In addition, there will typically also be foster families who have an agreement on full or partial			

²¹⁸ Denmark's Statistics (*Danmarks Statistik*), [ANBAAR2: Placed Children and Young People by measure, age, and length of placement](#).

²¹⁹ Denmark, [Act of Adult Responsibility](#) (*Voksenansvarsloven*), 1 August 2019, section 21.

²²⁰ Denmark, The Ministry of Social Affairs, [The Portal](#) (*Tilbudsportalen*).

²²¹ Denmark, [Guidance note on Special Social Support to Children and Young People and their Families](#) (*Vejledning om særlig støtte til børn og unge og deres familier*), 7 January 2014, para. 505.

²²² Denmark, Executive Order on Foster families ([Bekendtgørelse om plejefamilier](#)), 30. april 2019, section 1.

²²³ Denmark, Executive Order on Foster families ([Bekendtgørelse om plejefamilier](#)), 30. april 2019, section 2.

²²⁴ Denmark, The Offer Portal ([Tilbudsportalen](#)).

occupational restriction as a result of the need to spend more time on the placed child or young person than is normally required.²²⁵

According to Act on Social Supervisory Boards (*Socialtilsynsloven*), all foster families should be offered training in basic foster care in conjunction with their approval as foster families.²²⁶ Moreover, according to the Social Services Act, the local government (*Kommunalbetyrelsen*) is obliged to offer a course to the foster, including on the care and development of the child, cooperation with the parent(s) of the child etc family.²²⁷

4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

All placements, including foster homes, are monitored according to section 148 of the Social Services Act (*Serviceoven*). Moreover, section 70(2) specifies the visiting obligation of the social authorities of the municipality of children in the care facilities to at least twice a year. This includes a requirement of, a as well as conversation with the child without the attendance of the staff of the facility.

More detailed legal regulation of the monitoring system in relation to care institutions, specifying the objectives for the monitoring, the structures of responsibilities, and general criteria for approval are provided in the Act on Social Supervision (*Socialtilsynsloven*).²²⁸

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?	X		The local government is in charge of the care system, including providing a roster of foster families for the children living in the municipality who may need this kind of protection. Hence, foster homes must be available in all municipalities.
4.5.7. Is there a <u>national registry</u> of residential institutions for children? <u>If yes</u> , please provide information regarding the	X		The National Board of Social Services has established a web page listing foster homes and residential institutions for children. ²²⁹ A total number of residential capacity/beds is not publicly available.

²²⁵ Denmark, [Guidance note on Efforts and Special Support to Children and Young People and their Families](#) (*Vejledning om indsatser og særlig støtte til børn og unge og deres familier*), 26 February 2019, section 391.

²²⁶ Denmark, [Act on Social Supervisory Boards](#) (*Lov om socialtilsyn*), 1 July 2022, section 5a (2).

²²⁷ Denmark, [Act on Social Services](#) (*Serviceoven*), 24 January 2022, section 66b (2).

²²⁸ Denmark, [Act on Social Supervision](#) (*socialtilsynsloven*), 1 July 2022.

²²⁹ The Ministry of Social Affairs, [The Portal](#) (*Tilbudsportalen*).

existent number of residential institutions and their capacity (beds).			
4.5.8. Are there <u>accreditation and licensing procedures</u> for residential institutions in place? If <u>yes</u> , please provide information on the legislative framework, the responsible authority and procedure.	X		<p>According to section 66(2) of the Act on Social Services (<i>Serviceoven</i>), it is a requirement that the residential institutions are approved. There are different procedures depending on the residential institutions, but they all have to be approved by the municipal board or the Social Supervisory Boards (<i>Socialtilsynene</i>). The municipal board approves foster families, whereas the Social Supervisory Board (<i>Socialtilsynene</i>) approves residential institutions.</p> <p>The National Board of Social Services (<i>Socialstyrelsen</i>) has provided guidelines for the approval procedure conducted by the Social Supervisory Boards (<i>Socialtilsynene</i>). According to these, the Social Supervisory Boards (<i>Socialtilsynene</i>) must assess the expected quality. The assessment of quality is made based on an assessment of the institution's prerequisites for and expected ability to meet the quality requirements. Moreover, it must be assessed whether the institution is financially sustainable, whether the institution's finances allow for the necessary quality in the institution in relation to the price and in relation to the institution's target groups, and whether there is transparency in the institution's finances.²³⁰</p>
4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?	X		<p>The National Board of Social Services (<i>Socialtilsynet</i>) has developed standardized criteria to assess and monitor the qualities and competences of the foster families and residential institutions. The criteria include seven main areas: 1) education/employment; 2) independence/social relations; 3) target groups, and methods, results; 4) organization and management; 5) competences; 6) financial circumstances; and 7) physical environment.²³¹</p>
4.5.10. How is the residential care staff recruited, vetted, and trained?			
Residential institutions recruit their own staff according to their specific educational and other needs.			

²³⁰Denmark, The National Board of Social Services and Housing (*Social- og Boligstyrelsen*), [Quality assessment of offers](#) (*kvalitetsvurdering af tilbud*), 1 March 2023.

²³¹Denmark, National Board of Social Services (*Socialtilsynet*), [Quality Model](#) (*Kvalitetsmodellen*).

In relation to employment at institutions, child and/or criminal records must be obtained for a number of staff groups. A public criminal record as well as a children certificate (*børneattest*) are used for employment within the social sector including employment at institutions for children and young people.

Residential institutions are staffed with both social pedagogues, general pedagogues as well as uneducated persons. A report carried out by the Social Pedagogues (*Socialpædagogerne*) shows that in 2021, 61 percent of the staff consisted of pedagogues and 15 percent were persons without specialized training background. Social pedagogues made up 51 percentage points while 10 percentage points were general pedagogues.²³²

Question	Yes	No	Comments
<p>4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against the personnel /foster parents and care workers and report abuse or violations of their rights? Are these procedures child-friendly and respective of confidentiality?</p> <p><u>If yes</u>, briefly describe to whom and how children can lodge complaints.</p>	X		<p>Section 70(2) of the Act on Social Services (<i>Serviceoven</i>) requires that a minimum of two visits to a child placed in care be organized annually by the local government (<i>Kommunalbetyrelsen</i>), and that during such visits, the social authorities must have a conversation with the child. Such a conversation should take place, if possible, in private, i.e., without attendance of staff members of the institution. During the conversation, it is possible for the child to complain about personnel/foster parents or others about abuse or violations of rights.</p> <p>The Children’s Portal (which is created by the National Council for Children (<i>Børnerådet</i>)) contains a step-by-step guide on how to complain. This site contains both text as well as a video. The various appeals bodies in Denmark deal with different types of complaints. The Portal informs that the child can complain independently, but that the child can also receive help from an adult on how to complain.²³³</p> <p>Complaints concerning decisions taken by the municipality must be submitted to the municipality in question. Decisions contains an appeals guide, but the child can also contact the municipality directly. The phone number for the municipalities can be found by searching online, or the child can ask an adult for help.²³⁴</p> <p>Complaints concerning decisions about enforced placement (<i>tvangsanbringelser</i>) must be submitted to the National Social Appeals Board (<i>Ankestyrelsen</i>). To submit a</p>

²³² Social Pedagogues (*Socialpædagogerne*), [Trained Personnel in the Social Area](#), Report, 19 February 2021.

²³³ Denmark, National Council for Children, Children’s Portal, [Do You Wish to Submit a Complaint?](#) (*Vil du klage?*).

²³⁴ Denmark, National Council for Children, Children’s Portal, [The Municipality](#) (*Kommunen*).

		<p>complain, the child must be 12 years of age. The complaint is submitted by filling out a form.²³⁵</p> <p>If a child has worrying information about a place of residence or foster family (e.g. the use of force), the information can be reported to the Social Supervisory Board (<i>Socialtilsynet</i>). In Denmark, there are five social supervisory boards, and the child can call any of these through the “whistle-blower scheme” on phone numbers that are available at the Portal’s webpage.²³⁶</p> <p>According to section 167 of the Act on Social Services, a child or young person who has reached the age of 12 can submit a complaint to the National Social Appeals Board (<i>Ankestyrelsen</i>).</p> <p>The internet portal managed by the National Council for Children (<i>Børnerådet</i>) has a site with information about complaint mechanisms for children in care. This includes information about the hotline organized by the NGO Children’s Welfare (<i>Børns Vilkår</i>), open 24/7 and guaranteeing anonymity, as well as the Parliamentary Ombudsman’s Children’s Division (<i>Børnekontoret</i>).²³⁷</p>
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills, mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>	X	<p>Section 68(11) of the Act on Social Services (<i>ServiceLOVEN</i>) provides that a plan must be prepared for the process when a child or adolescent leaves alternative care, either to be returned to his home or to live independently. The local government is the legally responsible body. In practice, the social authorities in charge of the child’s case revise the plan of action that is part of the case files according to section 140 of the Act on Social Services.</p>

²³⁵ Denmark, National Council for Children, Children’s Portal, [The National Social Appeals Board](#) (*Ankestyrelsen*).

²³⁶ Denmark, National Council for Children, Children’s Portal, [The Social Supervisory Board](#) (*Socialtilsynet*).

²³⁷ Denmark, National Council for Children, Children’s Portal, [Placed in Alternative Care](#).

4.5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.

Section 54 of the Act on Social Services (*Serviceoven*) requires that when a child is removed from its home and placed in alternative care, under all circumstances including voluntary and involuntary placements, the local government must provide a support person to assist the person who has custody of the child.

This contact person should assist the child's parent(s) in addressing and solving problems that have led to the removal of the child, assist in keeping up contact with the child during the period of time when he or she is in alternative care and prepare for the return of the child to their home. The support person is not a mandatory mechanism, and the family may select which individual they want, provided that the person has the knowledge and personal capacity to take on the assignment.²³⁸

Moreover, section 140(4) of the Act on Social Services requires that when a child is removed from home, the plan of action outlining the objectives for the child's alternative care should indicate which independent support initiative should be established for the family while the child is away and after the child has returned to their home. All coordination of activities relating to a child in care is placed with a welfare officer in the local social administration.

<p>4.5.14. Is any <u>assistance</u> provided to children and families <u>upon return of the child in the family</u>? Briefly describe. Who is responsible for such assistance?</p> <p>Is there any monitoring and follow-up of such cases?</p> <p>Who is coordinating assistance and support?</p>	X	<p>As mentioned above, a plan must be prepared for the process when a child or adolescent exits alternative care, and a support person should assist the process of coming home.</p> <p>According to section 68(4) of the Act on Social Services, the local government is in charge of planning the process of return from alternative care, and one aspect of this process is to decide if assistance should be provided to the family upon the return of the child. Assistance may include measures mentioned in section 52(3) such as day care, club membership, education, therapy offered to the family and/or the child, respite care and/or a contact person for the family and/or the child.</p> <p>Monitoring and follow-up measures in such cases will depend on which objectives are described in the plan of action for the child. The child situation must be monitored until the objectives of the plan are fulfilled. In practice, a social worker from the local administration is responsible for coordination of the assistance and support. Concretely, the task can be delegated to different specialists within the municipality social administration or institutions.</p>
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²³⁸ Denmark, [Guideline on special social support to children and young people and their families](#) (*Vejledning om særlig støtte til børn og unge og deres familier*), 7 January 2014, para. 376.

<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p><u>If yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	X	<p>Section 70 of the Act on Social Services requires that no later than three months after a decision about alternative care for a child is taken, the local government must assess whether the decision should be amended and whether the plan of action described in section 140 should be revised.</p> <p>Section 70 further specifies that alternative care must be monitored through visits at least twice yearly and must include a dialogue with the child, if possible, without attendance of staff or foster family members. The view of the child must be considered.</p> <p>Review of the placement decision takes place on this occasion, and if need be, the plan of action for the child described above may be amended.</p>
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4.5.16. Is there a legal framework regarding adoption? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?

Adoption, including inter-country adoption, follows the Danish Adoption Act.²³⁹ The Act defines different kinds of adoption (including relatives' adoption and international adoption) and specifies rules regarding the processes whereby adopter and adoptee are approved, as well as the adoption placement agencies and responsible public bodies in charge of adoption. According to section 1, adoptions is primarily granted by the Agency of Family Law (*Familieretshuset*), but in cases on adoption without consent, adoption is granted by the Danish National Social Appeals Board (*Ankestyrelsen*).

The legal framework includes the principles of pursuing, as far as possible, the best interest of the adoptee as well as the right of the adoptee to be heard in relation to the adoption.

The Joint Councils of Adoption (*Adoptionssamrådene*), established by the Ministry of Social Affairs, are in charge of assessing and approving the adopter.²⁴⁰

According to section 30 of the Act on Adoption, the Ministry of Social affairs can give a private organisation authorisation to provide adoption assistance regarding children who do not reside in Denmark. At the moment, the only organisation that have received official approval to engage in inter-country adoption as an adoption agency is Danish International Adoption (DIA).²⁴¹ The National Social Appeals Board (*Ankestyrelsen*) supervises the private organisation.

In case of rejection for approval as adopter, the complaint mechanism is the Danish National Board of Adoption (*Adoptionsnævnet*). Moreover, the Board of Adoption supervises the work of the Joint Councils of Adoption.²⁴²

²³⁹ Denmark, [Act on Adoption](#) (*Adoptionsloven*), 7 August 2019.

²⁴⁰ Denmark, [Act on Adoption](#) (*Adoptionsloven*), 7 August 2019, section 25(a).

²⁴¹ Denmark, [Danish International Adoption](#).

²⁴² Denmark, [National Board of Adoption](#) (*Adoptionsnævnet*).

In 2010, an amendment to the Act on Adoption (*Adoptionsloven*) made it possible for homosexual couples with registered partnership to adopt on an equal basis.²⁴³

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

A report from the Danish Institute for Human Rights analyses the area of children and young people placed in secured residential institutions due to criminal, social or immigration reasons. The children and young people are placed in a secured institution when it is considered absolutely necessary, because the child is a danger to themselves or others, or because they otherwise need social educational treatment. Placement in a secure institution is the most invasive measure under the Social Service Act and it involves serious interference with the child's or young person's fundamental rights. The Institute recommends that children and young people should not be placed under prison-like conditions when the placement is motivated by social reasons.²⁴⁴

VIVE reports that several municipalities are finding it difficult to find qualified foster families, and there is a need for support, trust and cooperation if foster families are to be retained and new families to be added. This is based on the circumstance that being a foster family increasingly requires special skills.²⁴⁵

Based on three concrete cases in 2020, the Parliamentary Ombudsman (*Folketingets Ombudsmand*) has stated that the municipality must actively ensure that children in foster care keep contact with their networks. If contact with the child's social network is refused or restricted, the municipality must always make a formal decision, even if the parent or child over 12 years of age does not wish to keep in contact.²⁴⁶

A report from the Danish Institute for Human Rights analyses legislation and administrative practice in relation to adoption without parent's consent. This measure is increasingly being used as a social measure in families in which parents suffer presumed chronic lack of parental capacity. The Institute concludes that protection of and support to the child's and the parents' right to family life may not be sufficient to live up to standards developed by the European Court of Human Rights.²⁴⁷

²⁴³ Denmark, [Act Amending the Act on Adoption and various other Acts](#) (*Lov om Ændring af Adoptionsloven og forskellige andre Love*), 12 June 2009.

²⁴⁴ Danish Institute for Human Rights, [Social Placements in Security Institutions](#), 22 September 2020.

²⁴⁵ Denmark, VIVE, [Recruitment and Retention of Foster Families](#), Report, 1 September 2021.

²⁴⁶ Denmark, Parliamentary Ombudsman (*Folketingets Ombudsmand*), [Municipalities must Actively Ensure that Children in Foster Care are Keep in Touch with their Social Networks](#), Press Release of 8 December 2020.

²⁴⁷ Denmark, the Danish Institute for Human Rights, [report on Adoption without consent in a human rights perspective](#), 1 February 2023.

4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past 8 years, incl. achievements and (persisting) gaps and challenges

The Danish Institute for Human Rights reports that in the last ten years, there has been a significant increase in the number of children and young people placed in secured institutions. In 2010, one in twenty placements was a social placement (4.6%). In 2019, this figure has risen to almost one in three (31.8%). The development has taken place during a period of which the total number of placements in secured institutions has otherwise been falling sharply as a result of the simultaneous decrease in juvenile crime. Over the past number of years, there has also been a large increase in the average duration of stays from 53.8 days in 2010 to 84.2 days in 2019.²⁴⁸

The Danish Institute for Human Rights reports that the number of adoptions without parental consent has increased dramatically during the last five years.²⁴⁹ In the years 2016-2018 on average 11 cases were processed annually, compared to 40 cases during 2020-2021. With the enactment of the upcoming reform with the Child's Act (*Barnets lov*) the number is expected to increase.

The main legal development will be the adoption of the Child's Act (*Barnets lov*). The act contains several initiatives aiming at strengthening children's rights through better qualified and earlier intervention, but the act also contains an easier access to forced adoptions.²⁵⁰

4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2021, Parliament passed the Act amending the Day Care Act (*Minimum standards in day-care institutions and strengthened supervision of day-care facilities, etc.*)²⁵¹ The act aims at ensuring more adults for children in nurseries and kindergartens. Minimum staffing levels ensure a minimum number of adults for children in nurseries and kindergartens.

In 2021, the Ministry for Social Affairs and the Elderly send out a revised version of the Strategy for Development of Social Measures (*Strategi for Udvikling af den Sociale Indsats, SUSI 0.2*). The aim is to systematically endorse, develop and distribute knowledge about new validated methodologies in social work. Children in care have been adopted as a focus for the strategy since 2019. Linked to the strategy

²⁴⁸ Denmark, the Danish Institute for Human Rights, report on [Social Placements in Security Institutions](#), 22 September 2020.

²⁴⁹ Denmark, the Danish Institute for Human Rights, [report on Adoption without consent in a human rights perspective](#), 1 February 2023.

²⁵⁰ Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act \(Forslag til Barnets lov\)](#) and [Proposal for the amending act to law on Social Service Act etc \(Forslag til lov om social service, retssikkerhedsloven mv.\)](#), 6 October 2022.

²⁵¹ Denmark, [Act amending the Day Care Act](#) (Minimum standards in day-care institutions and strengthened supervision of day-care facilities, etc.), 28 December 2021.

is the allocation of funding of 60-70 mill DKR, annually, to each development programme (*UIP Udviklings- og Investeringsprogrammer*), including for children in care.²⁵²

On 16 March 2022, the Government and a broad committee in Parliament entered into an agreement that aims at strengthening education for vulnerable children and young people placed in alternative care. The agreement strengthens the municipalities' responsibility and creates a better framework for supervision in the area. The agreement, among other things, strengthens the municipal authority's responsibility for day care services and special education services alternative care institutions. This means that public and private institutions must enter into a quality agreement with the municipality.²⁵³

²⁵² Denmark, Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Social Political account 2020](#), page 33.

²⁵³ Denmark, Ministry of Children and Education (*Børne- og undervisningsministeriet*), [New Political Agreement on Strengthening Education for Vulnerable Children and Young People in Alternative Care](#), 16 March 2022.

5. Accountability, data collection, and monitoring mechanisms

5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child's ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

The Social Supervisory Boards (*Socialtilsynet*) – which is part of the Ministry of Social Affairs, Housing and Senior Citizens – are delegated to specific municipalities within each region, and they monitor and develop the social projects, initiatives, etc. regarding residence offerings (*botilbud*) and foster families. The boards also monitor the conditions for the different projects, initiatives etc. and enter a dialogue with the projects, initiatives etc. to contribute to for example developing the projects, initiatives etc.²⁵⁴

The Children's Division under the Parliamentary Ombudsman (*Børnekontoret*) offers advice and handles grievances about public administration processes and decisions. The Parliamentary Ombudsman handles specific cases of grievances initiated either by complaints or by own initiative and conducts general studies, surveys, and inspections within its sphere of authority.²⁵⁵ The Children's Division therefore monitors the functioning of the child protection system in Denmark.

The National Council for Children (*Børnerådet*) is an independent public institution that works to promote the views of children in decision-making and in the legislative process. The Council does not process individual complaints.²⁵⁶

As a follow up to two parliamentarian agreements in 2012, the Parliamentary Ombudsman, the National Council for Children and a civil society organization, Child's Welfare in Denmark (*Børns Vilkår*) are commissioned to jointly form a network, unofficially called children's ombudsinstitution (*børneombuddet*). This tripartite collaboration includes coordination and exchange of information in the field of monitoring child protection and children's rights more broadly, primarily between the three involved actors, yet with biannual coordination meetings between specialists and management of the Danish Institute for Human Rights and the National Social Appeals Board.²⁵⁷

The Danish Institute for Human Rights is Denmark's National Human Rights Institution and according to its mandate the Institute promotes and protects human rights and equality in Denmark. The Institute thus conducts monitoring of the human rights situation in Denmark, including of the rights of the child.²⁵⁸

²⁵⁴ Denmark, National Board of Social Services (*Socialstyrelsen*), [Five Municipal Social Services](#) (*Fem kommunale socialtilsyn*).

²⁵⁵ Denmark, [Act on the Parliamentary Ombudsman](#) (*Lov om Folketingets Ombudsmand*), 22 March 2013, sections 13-18.

²⁵⁶ Denmark, [National Council for Children](#) (*Børnerådet*).

²⁵⁷ Denmark, Ministry of Social Affairs and the Interior (*Social- og Indenrigsministeriet*), [Follow up on strengthening of children's rights \(2012\)](#) Summary and assessment of the Ministry of Social Affairs and the Interior, January 2016.

²⁵⁸ Denmark, [Danish Institute for Human Rights](#).

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

There is no national action plan specifically applicable to children.

Question	YES	NO	Comments
5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights' assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.		X	There is no specific child rights assessment when legislation is proposed or enacted in Denmark. However, each resort ministry will conduct an assessment of the human rights impact, including of Denmark's international obligations stemming from the Convention on the Rights of the Child, before a draft is sent in public consultation. ²⁵⁹

5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.

According to Section 4(1) of the Social Service Act, the municipal board (*Kommunalbestyrelsen*) must ensure that there are the necessary offers available for children and young people. The board is always responsible for supplying the required number of places that offers alternative care. It is therefore the municipalities that individually lay down rules for the infrastructure of the residential care.

Section 66 of the Social Service Act stipulates that alternative care placements for children and young people includes 1) general foster families, 2) reinforced foster families, 3) specialised foster families, 4) network foster families, 5) own accommodation, 6) residences for children and young people (*opholdssteder*), 7) 24/7 institutions for children and young people (*døgninstitutioner*), and 8) enrolments in continuation schools (*efterskoler*).

Question	YES	NO	Comments
5.1.5. Is consultation with children and families		X	In general, children are not heard directly in the process of developing policies and legislation.

²⁵⁹ Denmark, Ministry of Justice (*Justitsministeriet*), [Guidance on the quality of the law](#) (*Vejledning om lov kvalitet*), page 180.

<p>foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child protection policies and legislation?</p> <p><u>If yes</u>, at what level is this done? Please provide indicative examples.</p>		<p>Instead, organisations and experts will be included in the process such as the National Council for Children (<i>Børnerådet</i>) and other relevant civil society organisations.²⁶⁰</p> <p>The National Council for Children aims to include the view of children in the public debate.²⁶¹</p>
<p>5.1.6. Is the responsibility for data collection on child protection determined in the legislative framework?</p>	<p>X</p>	<p>It follows from the inquisitorial procedure (<i>officialmaksimen</i>) in the Danish administrative law that the authorities are responsible for collection the necessary information.²⁶² Thus public authorities are obligated to collect relevant information before deciding in a specific case.</p> <p>For instance, municipal authorities are obligated to register information concerning reported abuse of children, cf. section 153 of the Act on Social Services. This obligation applies to all persons, that carry out public services/duties.</p> <p>The Children's Houses (<i>Børnehuset</i>) are also obligated to register important information about the children and youth that is at the Children's House, cf. section 9 of the Act on Children's Houses. The information shall be reported to the National Board of Social Services for statistical use.²⁶³</p> <p>However, there is no specific legislative responsibility to collect general data on child protection.</p> <p>Cooperation and exchange of information and data between different actors vary in form and content, are often linked to specific mandates or areas of intervention. For instance, municipal childcare authorities, school authorities, and local police have</p>

²⁶⁰ Denmark, Parliament (*Folketinget*), [Legislative Process](#) (*Lovgivningsproces*).

²⁶¹ Denmark, [Executive Order on the Councils in Social Matters](#) (*Bekendtgørelse om råd på det sociale område*), 9 May 2022, section 17(2)(1).

²⁶² Denmark, Gammeltoft-Hansen, H., Andersen, J., Engberg, M., Larsen, K., Loiborg, K. and Olsen, J. (2002), *Forvaltningsret*, 2. udgave, Jurist- og Økonomforbundets Forlag, ISBN 87-574-4512-5, page 447.

²⁶³ Denmark, [Executive Order on Children's Houses](#) (*Bekendtgørelse om børnehuse*), 1 October 2013, section 9.

			a mandate to commonly monitor and handle children at risk of sliding into criminal activities. ²⁶⁴
5.1.7. Is there a single authority responsible for monitoring data collection and centralised coordination and data sharing at national level? <u>If yes</u> , Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional, or local level?	X		Statistics Denmark is responsible for monitoring data collection at the national level. The type of data collected in relation to children varies. For example, data about vulnerable children and young people are available in relation to area, age, sex, and measures. ²⁶⁵ However, collection of monitoring data is conducted in various areas by the authorities responsible for the legislation in question. For instance, data collected within the area of justice would fall within the Ministry of Justice and so forth.
5.1.8. Are there common indicators in place to monitor the performance of the child protection system?	X		The National Social Appeals Board (<i>Ankestyrelsen</i>) is in charge of collecting a comprehensive sample of common indicators on an annual basis to monitor aspects of the care and protection system, including quality of the administration of child cases, and inclusion of the child's perspective. ²⁶⁶ The focus of the assessment is on the municipalities' case processing within four areas: 1) professional investigation, 2) involvement, 3) selection of relevant efforts, and 4) follow up. ²⁶⁷
5.1.9. Are there data protection protocols in place and adhered to?	X		Both the public administration as well as the private institutions must adhere to the rules laid out in the General Data Protection Regulation (GDPR) as well as the Data Protection Act (<i>databeskyttelsesloven</i>) which supplements GDPR. ²⁶⁸
5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.			

²⁶⁴ Denmark, The Administration of Justice Act (*Retsplejeloven*), 25. December, section 114-115.

²⁶⁵ Statistics Denmark (*Danmarks Statistik*), [Social Matter](#) (*Sociale Forhold*).

²⁶⁶ Denmark, The National Social Appeals Board (*Ankestyrelsen*), [Child index 2022](#) (*Børnesagsbarometret*).

²⁶⁷ Denmark, The National Social Appeals Board (*Ankestyrelsen*), [Child index 2022](#) (*Børnesagsbarometret*).

²⁶⁸ Denmark, [Data Protection Act](#) (*databeskyttelsesloven*), 23 May 2018.

Statistics Denmark is an independent institution under the Ministry of Digital government and Gender Equality (*Digitaliserings- og Ligestillingsministeriet*, with the authority to produce Danish statistics. The Act on Statistics Denmark obliges private business owners as well as public authorities to submit information to Statistics Denmark.²⁶⁹

Despite having a national statistics institution, data is still scarce in some areas. The Danish Institute for Human Rights has, for example, recommended that the Ministry of Social Affairs, the regions, and the municipalities ensure that better knowledge and data base is provided regarding children and young people placed in secured residential institutions.²⁷⁰

Moreover, the Danish Institute for Human Rights recommends that municipalities' employment of social measures to ensure stability and continuity in public placements of children are registered and collected at national level, as was done until 2016, in order to monitor municipalities' use of alternatives to adoption without parental consent. The system of reporting of data that was in place in 2016 should be re-established.²⁷¹ The previous reporting obligations required that the municipal social authorities annually handed in data to Statistics Denmark covering the number of compulsory adoptions together with the number of decisions regarding less intensive measures (for instance permanent out-of-home care). Hence, it was possible to monitor and compare scales and intensity in regard to local authorities' protection of and intervention in the children's right to family life. A return to the former system would require an amendment to the current executive order.²⁷²

5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

The municipalities are still responsible for preventive efforts as well as providing support to vulnerable children and young people when it is needed. However, there are consistently differences between the municipalities. A report from VIVE highlights the differences vis-à-vis proportion of vulnerable children and young people live in each municipality. The largest quantities are in West Zealand and South Zealand municipalities and in the municipalities west of Copenhagen.²⁷³ Moreover, the annual child index (*Børnesagsbarometer*) of the National Social Appeals Board (*Ankestyrelsen*) in 2022 found that in 45 percent of cases, municipalities do not comply with the rules on child conversations, and in 65 percent of cases, municipalities do not comply with the time limits for the professional child assessment (*Børnefaglig undersøgelse*).²⁷⁴

The Executive Order on Data Reporting in the Social Area (*Bekendtgørelse om dataindberetninger på socialområdet*) brings together the rules and requirements for the municipalities' reporting of data in

²⁶⁹ Denmark, [Act on Statistics Denmark](#) (*Lov om Danmarks Statistik*), 30 May 2018.

²⁷⁰ Denmark, Danish Institute for Human Rights, [Social Placements in Security Institutions](#), 22 September 2020.

²⁷¹ Denmark, the Danish Institute for Human Rights, [Report on Adoption without consent in a human rights perspective](#), 1 February 2023, page 77.

²⁷² Denmark, The Executive Order on Data Reporting in the Social Area (*Bekendtgørelse om dataindberetninger på socialområdet*) 19 December 2022.

²⁷³ Denmark, VIVE, [Children and Young People in Denmark](#), 6 December 2018.

²⁷⁴ Denmark, The National Social Appeals Board (*Ankestyrelsen*), [Child index 2022](#) (*Børnesagsbarometeret*), June 2022.

the social area to the Ministry of Social Affairs, Housing and Senior Citizens.²⁷⁵ Thus, exchanges take place from the local level to the national level.

5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

The proposal for the Child's Act (*Barnets lov*) suggests that more actors in the field of children and young people will be included in the protective systems surrounding the child. The Child's Act contains an interprofessional aim, where a number of authorities, institutions, and actors must cooperate and share knowledge and experience. For example, the Proposal for the Child's Act states that the municipal board should aim for broad cooperation with different types of voluntary social organisations or other voluntary social actors.²⁷⁶

The National Social Appeals Board (*Ankestyrelsen*) collects a comprehensive sample of common indicators on an annual basis which monitors care and protection system.²⁷⁷ Each year, the National Social Appeals Board (*Ankestyrelsen*) publishes a report called "the child index" (*Børnesagsbarometeret*) on the municipalities' case processing in the area of children. The assessment is repeated annually, and each year includes cases from a third of the municipalities. This means that all municipalities are included in the assessment every three years. The assessment was carried out in 2019 for the first time.²⁷⁸

²⁷⁵ Denmark, Executive Order on Data Reporting in the Social Area (*Bekendtgørelse om dataindsberetninger på socialområdet*), 19 December 2022.

²⁷⁶ Ministry of Social Affairs and Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act \(Forslag til Barnets lov\)](#), 6 October 2022, page 161.

²⁷⁷ Denmark, The National Social Appeals Board (*Ankestyrelsen*), [Child index 2022 \(Børnesagsbarometeret\)](#).

²⁷⁸ Denmark, The National Social Appeals Board (*Ankestyrelsen*), [Child index 2020-2022 – an overall overview of the municipalities' case processing in the area of children \(Børnesagsbarometeret 2020-2022 – et samlet overblik over kommunernes sagsbehandling på børneområdet\)](#), 20 June 2022.

6. General education, promotion, and awareness raising

6.1. Education on child rights

6.1.1. Does education on child rights form part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

Part of the curriculum in the public schools (*Folkeskolen*) focuses on education on child rights. In the subject of health and sexual education and family knowledge (*sundheds- og seksualundervisning og familiekundskab*), children are taught about children's rights in relation to family and education in order to provide the child with knowledge of children's fundamental rights. The teaching in children's rights begin after the third grade when the child is about 9-10 years old. After the sixth grade, the children will be taught that children have a right to be protected against physical, psychical as well as digital assault.²⁷⁹ However, there is no specific subject dedicated to education on rights. Likewise, there is no data available concerning the average hours that pupils will follow these types of subjects in school.

6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors where those commissioned, funded, and implemented?

The National Council for Children (*Børnerådet*) has created the Children's Portal (*Børneportalen*) which provides information to children and young people about their rights. The Portal also provides children with advice as well as help on where and how to complain.²⁸⁰ The Council for Children is constituted by the Ministry of Social Affairs.

Moreover, in 2019, the Central Disability Council (*Det Centrale Handicapråd*) launched a new campaign to battle prejudices about disability among children. The Council is placed under the Ministry of Social Affairs. The campaign entails three short films about friendships between children with and without disabilities, educational material for teachers and a question guide for parents.²⁸¹

Campaigns that promote child rights are primarily aimed at children and not parents or teachers.

6.2. Promotion and awareness raising

6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors

²⁷⁹ Denmark, Ministry of Children and Education, [Health and Sexual Education and Family Knowledge](#) (*Sundheds- og seksualundervisning og familiekundskab*), 2019.

²⁸⁰ Denmark, National Council for Children, Children's Portal, [Know your rights](#) (*Kend dine rettigheder*).

²⁸¹ Central Disability Council (*Det Centrale Handicapråd*), [New campaign for children: My friend with disabilities](#), 30 April 2019.

involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

There are a variety of campaigns in place.

In 2019, a campaign was launched by Children's Welfare (*Børns Vilkår*) in collaboration with the telecommunication company, TDC. The campaign aims at equipping parents to help their children concerning cyber security.²⁸² The information is conveyed through a public website, which also contains advice to parents. The website is only available in Danish.²⁸³

On their webpage, Save the Children (*Red Barnet*) provides teaching materials about the rights of children and young people. The materials are suitable to be used in courses on all levels of the public school.²⁸⁴

UNICEF's model for a Rights School has since 2015 become widespread in more than 50 Danish basic schools in all parts of the country. The schools contribute to strengthening children's voices and raising the ambitions for equality, inclusiveness, mutual respect, co-creation, and democratic participation. At the Rights Schools, the treatment of children is based on the Convention on the Rights of the Child in which children are regarded as equal citizens. At a UNICEF Rights School, a special Rights Council consisting of children and adults works continuously to improve the conditions for all children at the schools.²⁸⁵

A Nordic Child Forum was held in Copenhagen in January 2020. Leading up to the event, the children participated in the drafting process of a "declaration" on child participation and involvement. The Nordic Children's Forum is a collaboration involving the Danish Ministry of Social Affairs, the Nordic Council of Ministers, UNICEF Denmark, and the National Council for Children in Denmark.²⁸⁶

These organisations are funded through various sources including private and public funding.

Children's Welfare (*Børns Vilkår*) is partly publicly funded. The hotline covers one-third of its expenditures from public grants, while the child support staff programme is fully financed through the national budget. The rest of the budget is financed through fundraising campaigns.²⁸⁷

Resources to UNICEF's programmes come from voluntary contributions of governments, intergovernmental organisations, the private sector, and individuals.²⁸⁸

Awareness raising is centered around the UN Convention on the Rights of the Child and not the EU Charter of Fundamental Rights.

²⁸² Denmark, Children's Welfare (*Børns Vilkår*), [New Campaign Concerning Children and Cyber Security](#), 1 October 2019.

²⁸³ Denmark, Children's Welfare (*Børns Vilkår*), [7 useful tips for your child's safety online](#) (*7 gode råd til dit barns sikkerhed online*).

²⁸⁴ Denmark, Save the Children (*Red Barnet*), [Teaching Materials](#).

²⁸⁵ Denmark, UNICEF Denmark, [Rights Schools](#).

²⁸⁶ Nordic Council of Ministers (Nordisk Ministerråd), [The Nordic Children's Forum](#), Copenhagen January 2020.

²⁸⁷ Denmark, Children's Welfare (*Børns Vilkår*), [Transparency in Children's Welfare](#) (*Transparens hos Børns Vilkår*).

²⁸⁸ Denmark, UNICEF Denmark, [Annual Report](#) (*Årsberetning*).

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure? Please briefly describe.

Denmark acceded to the Optional Protocol to the Convention on the Rights of the Child on communications procedure on 7 October 2015.²⁸⁹

Generally, the Children's Portal (which is a public website created by the National Council for Children (*Børnerådet*)) contains information about complaint mechanisms.²⁹⁰ However, the website only contains information about complaint mechanisms within Denmark.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

Protection of children and young people from digital harm is the focal point of a new memo from the Media Council for Children (*Medierådet for Børn og Unge*), Save the Children (*Red Barnet*) and the Center for Digital Pedagogy (*Center for Digital Pædagogik*). The memo introduced the term *digital harm* as an umbrella term that includes digital elements, relationships and interactions that have or may have negative consequences for children and young people's well-being, development, and opportunities to participate in social and democratic processes.²⁹¹

The Danish Agency for Digitalisation (*Digitaliseringsstyrelsen*) has developed a guide to assist parents. The guide helps parents to strive for digital security and give their children good digital habits. The guide contains concrete advice, and parents can test their knowledge along the way.²⁹²

Awareness concerning digital safety can also be detected on municipal level. For example, one municipal has collected advice on their webpage on how a parent can support the child's digital journey and how the parent can talk to the children about their digital life.²⁹³

6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

²⁸⁹ United Nations Treaty Collection, [Optional Protocol to the Convention on the Rights of the Child on a communications procedure](#).

²⁹⁰ Denmark, National Council for Children, Children's Portal, [Do You Wish to Submit a Complain? \(Vil du klage?\)](#).

²⁹¹ Denmark, Media Council for Children (*Medierådet for Børn og Unge*), [Protection of Children and Young People on the Internet](#), 26 April 2021.

²⁹² Denmark, the Danish Agency for Digitalisation (*Digitaliseringsstyrelsen*), [New Guide Helps Parents Give Children a Secure Digital Life](#), 9 February 2022.

²⁹³ Denmark, Furesø Municipality (*Furesø Kommune*), [Social Media and Digital Formation](#).

In August 2022, the National Board of Social Affairs (*Socialstyrelsen*) tendered a campaign concerning the most vulnerable children and young people. The aim is to carry out a community campaign that will motivate citizens to take an active part in the lives of the most vulnerable children and young people as relief, friendship, foster, or adoptive family.²⁹⁴

The new government foundation includes a focus on strengthening children and young people's digital security, well-being, and rights. The government would like to appoint a commission for the good life of children and young people, which will propose recommendations on how vulnerability can be prevented and remedied, as well as how resilience and empowerment can be strengthened. The commission must also look at the influence of social media and other larger societal trends.²⁹⁵

²⁹⁴ Denmark, The National Board of Social Affairs (*Socialstyrelsen*), [Tender: Community campaign about the most vulnerable children and young people](#), 15 May 2022.

²⁹⁵ Denmark, Danish Government, [Responsibility for Denmark – the Political Foundation for Denmark's Government](#), Government Foundation, December 2022, page 23.

7. Child participation and community engagement

7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles in place, with an ability to hear, review and enforce individual complaints from children?	X		The Children's Division under the Parliamentary Ombudsman (<i>Folketingets Ombudsmand</i>) handles specific cases of grievances based on complaints from both children and adults. ²⁹⁶ The Ombudsman's activities include children's conditions in private institutions etc. that handle tasks directly in relation to children. The Ombudsman also has the power to initiate investigations on its own.
7.1.2. Are there specialised Courts and compliant procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for violations of the child protection rights?		X	<p>There are no specialised courts in place for children in contact with the law.</p> <p>Children under the age of 15 years who have been subjected to sexual assault or violence are usually interviewed while being recorded on video. Usually, the police officer visits the child at home before the interview. During the visit, the child will be told, among other things, where and how the questioning will take place. The video interrogation usually takes place in a Children's House (<i>Børnehus</i>), which is specifically designed for the purpose. As a rule, only the child and the police officer are present in the room.²⁹⁷</p> <p>Different conditions apply for video interrogation depending on the age of the child. Thus, a decision concerning video interrogation is based on an individual assessment of the specific case.²⁹⁸ Children younger than 13 must, as a rule, be interviewed by video, cf. section 745 e (1) (1) of the Act on Administration of Justice (<i>Retsplejeloven</i>).²⁹⁹ 13-14-year-old children can always be video-interrogated when the case concerns sexual crimes, cf. section 745 e (1) (2) of the Act on Administration of Justice</p>

²⁹⁶ Denmark, [Act on the Parliamentary Ombudsman](#) (*Lov om Folketingets Ombudsmand*), 22 March 2013, sections 13-18.

²⁹⁷ Prosecution Service, [Are you a relative of a child who has been sexually abused?](#)

²⁹⁸ Denmark, [The Attorney General's Announcement, section: Video interrogation of children](#) (*Rigsadvokatmeddelelsen, afsnittet: Videoafhøring af børn*), 7 September 2022, section 1.

²⁹⁹ Denmark, [Act on Administration of Justice](#) (*Retsplejeloven*), 25 December 2022.

		<p>(<i>Retsplejeloven</i>). As mentioned above, access to using video-taped interviewing in criminal proceedings of victims of rape has been extended to the age of 15. Other children and young people under the age of 18 can, if there are particularly weighty considerations to protect the child or young person, be interviewed by video, cf. section 745 e (1) (3) of the Act on Administration of Justice (<i>Retsplejeloven</i>).</p> <p>Young people aged 15 years or older generally are summoned for general questioning by the police and will possibly be summoned as a witness in court. An ordinary interrogation takes place in a room at the police station. Usually, the young person and the police officer are present in the room.³⁰⁰</p>
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7.2. Feedback mechanisms

Question	YES	NO	Comments
7.2.1. Are there government support fora such as children’s groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children’s groups who have received child protection services?	X		<p>There is a consultative mechanism in place for receiving feedback on draft legislation.³⁰¹ Through this mechanism, children and NGOs can express their opinion and suggest amendments. When legislation has been drafted, the appropriate ministry sends the proposal to relevant authorities, organisations, and associations. These actors can then make written comments on and objections to the proposal. These are called “consultation responses” (<i>hørings svar</i>). Ordinary citizens can also submit consultation responses. The deadline for submission of consultation responses varies, but the ministries must aim for deadlines of no less than 4 weeks.³⁰²</p> <p>Similarly, on the municipal level, consultations in the form of hearings are carried out when decisions are being made. A hearing is an opportunity for any citizen to voice its opinion</p>

³⁰⁰ Prosecution Service, [Are you a relative of a child who has been sexually abused?](#)

³⁰¹ Denmark, [the consultation portal](#) (Høringsportalen).

³⁰² Denmark, Parliament (*Folketinget*), [How the Government Works](#) (*Sådan arbejder regeringen*).

			on how the development should be in a certain area. Hearings can also include proposals for changes within the municipality's services for e.g. children, young people, and the disabled.
7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?	X		The degree of inclusion of civil society mechanisms can differ from municipality to municipality as each municipality can shape its own discourse and strategy within the area of social affairs. Most Danish municipalities, committee governance is the preferred form of governance. Thus, the municipalities are ruled by a Municipal Council (<i>Kommunalbestyrelse</i>) with associated committees. There are variations in how individual municipalities concretely develop this form of governance, but the general framework is set by the rules for committee governance found in the Municipal Administration Act. Specific rules concerning each municipality are found in the Municipal Board's individual administration regulation (<i>styrelsesvedtægt</i>). ³⁰³

7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Since 2013, there has been reported a breakthrough in the municipalities' use of citizen involvement. In 2017, most municipalities involved citizens in the decision-making process, and even in committees directly under the city council (*byrådet*). It was reported that almost three out of four municipalities asked citizens for help and for inspiration when decisions had to be made in all policy areas, from urban development to elderly policy to children and young people.³⁰⁴

However, VIVE reported that children and young people only rarely experienced being involved when there is a case involving children in the municipality. When the child is involved, it is primarily to contribute to the case with information and documentation.³⁰⁵

³⁰³ Denmark, VIVE, [The Committee Boards in the Danish Municipalities](#), 2019.

³⁰⁴ Denmark, Altinget, [New Survey: Three Out of Four Municipalities Take Include Citizens in Council](#), 21 November 2017.

³⁰⁵ Denmark, VIVE, [Involvement of Children and Young People in Authority Cases Processing in the Area of Children and Young People](#), Report, 16 August 2022.

The proposed Child's Act (*Barnets Lov*) plans to incorporate children better in the administrative process. For example, the act plans on giving children and young people independent status as a party from the age of 10 years old as compared to the current age requirement of 12 years old. Also, section 8 of the proposed act states that the municipal board must organize the case-handling in such a way that the child or young person has the opportunity to participate actively in the process on an equal footing with the parents.³⁰⁶

³⁰⁶ Ministry of Social Affairs and (Social og Indenrigsministeriet) Senior Citizens (*Social- og Ældreministeriet*), [Proposal on the Child's Act \(Forslag til Barnets lov\)](#) and [Proposal for the amending act to law on Social Service Act etc \(Forslag til serviceloven, retssikkerhedsloven mv.\)](#), 6 October 2022.