



Convention on the Rights of the Child

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Written replies by the Government of Denmark to the list of issues (CRC/C/DNK/Q/4) concerning additional and updated information related to the consideration of the fourth report of Denmark (CRC/C/DNK/4)*

[Received on 17 December 2010]

Part I

Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/DNK/Q/4)

1. Since the fourth periodic report from August 2008 Denmark has not taken further measures to change the rules regarding the right to appeal court decisions. Thus it is still not possible to appeal some cases concerning minor offences without special permission from the Danish Leave of Appeal Board. It should be noted that by far the greater number of those cases are simple cases, which do not present problems as regards the evidence or matters of law. Furthermore the penalty is often fixed on the basis of a scale.

Reply to the issues raised in part I, paragraph 2, of the list of issues

2. Denmark has decided not to incorporate the Convention into national law. This decision is based on several considerations.

3. First, the Convention does not place any obligation on the participating States to incorporate the Convention into national law. When Denmark ratified the Convention, it assessed whether its national law was in conformity with the Convention or whether any changes were necessary prior to the ratification. After the ratification, Denmark has continuously taken steps to ensure that its national law is in conformity with the

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Convention for instance when drafting new legislation. Hence, Denmark is of the opinion that it fully respects the Convention even though it has not been incorporated into national law.

4. Second, the Convention is considered a relevant source of law in Denmark. Conventions that have not been specifically implemented because harmony of norms has been ascertained can be and are indeed invoked before and applied by the Danish authorities.

5. Against this background, Denmark finds that it is not necessary to incorporate the Convention into national law.

6. Furthermore Danish authorities apply the following principles in order to ensure that national law is interpreted in accordance with the Convention.

7. The first one is known as the 'rule of interpretation'. It follows from this principle that, whenever there is doubt about the interpretation of a legal provision, the authorities shall prefer the interpretation that best complies with existing treaty obligations.

8. The second principle is referred to as the 'rule of presumption' and implies that the authorities shall presume that the Parliament has not intended to pass legislation contrary to Denmark's international obligations. Thus, in the absence of any specific indications to the contrary, a conflict between a treaty obligation that has previously been observed in Denmark and a new provision of national law shall be solved by applying the new provision in a manner that will respect the treaty obligation. This is so, even if the new provision is clearly at variance with the treaty obligation.

9. These rules are used to ensure that Danish legislation is interpreted in accordance with the Convention and other international instruments, which Denmark has ratified and which are therefore relevant sources of law in Denmark.

10. That the Convention is in fact a relevant source of law in Denmark even though it has not been incorporated is also demonstrated by the fact that the Convention is being invoked at the national courts.

Reply to the issues raised in part I, paragraph 3, of the list of issues

11. The legislative amendments resulting from the Children's Reform, passed by a large majority in the Danish parliament, enter into force on 1 January 2011. The reform entails several amendments to the Act on Social Services, all of which focus on the best interests of the child in the handling of cases involving special support for disadvantaged children and young people. The cost of the reform is DKK 928 million over four years, 50% of which is allocated to the local authorities and the rest to the appeals system and centralised development initiatives, etc. The reform object clause reads as follows:

The object of supporting children and young people with special needs is to ensure that they are offered the same opportunities in terms of personal development, health and an independent adult life as their peers. Support is offered to protect the interests of the child or young person and to:

ensure continuity in childhood and adolescence and a secure care environment offering close and stable adult relations by supporting the child's or young person's family relations and network in general;

ensure the child's or young person's opportunity of personal development and acquiring of skills allowing him/her to establish social relations and networks;

support the child's or young person's schooling and opportunity for completing an education;

support the child's or young person's health and welfare, and prepare the child or young person for an independent adult life;

support must be based on a holistic approach and be given at an early stage to prevent problems from arising or, to the extent possible, ensure that they are solved at home or in the immediate environment. In each case, support is granted on the basis of an actual assessment of the circumstances of the individual child, young person and family;

support must be based on the child's or young person's own resources, and the viewpoints of the child or young person must always be included and attached suitable importance in keeping with age and maturity. To the extent possible, the problems of the child or young person must be solved in cooperation with and with the active participation of the family.

12. The object clause is the central element in the implementation of the provisions, focus always being on the best interests of the child. This is supported by the other amendments resulting from the reform, such as:

- Decisions regarding the contact arrangements with parents, family or network of a child placed in care must be made with the best interests of the child in mind (section 71).
- Children are given the right to appeal against all decisions from the age of 12 (section 167) and will receive legal assistance in the hearing of their case (section 72).
- Child professionals must be heard in all aspects of the case (social appeals boards, children and young persons committee and the National Social Appeals Board (not regulated by the Act on Social Services)).
- Evaluation by a child behaviour expert without parental consent (section 50),
- Extended access for professionals to discuss concerns regarding disadvantaged children and young people (section 49 a).
- Extended right of the National Social Appeals Board to try cases on its own accord (section 65 a),
- Children's right to an adviser (section 48 a) is supported by financial support for the professional adviser scheme operated by Children's Welfare in Denmark.
- A research programme will be initiated to collect data on the effects of social initiatives targeted at disadvantaged children and young people. The initiative is also supported by a "knowledge portal" communicating the above to the local authorities.

13. In addition to the Children's Reform, the Danish government has amended the following legislative acts.

Continuity in placement, etc. (Act No. 318 of 28 April 2009)

14. The amendments mean, for instance, that children having been placed into care outside the home for a period of three years or more can remain in the placement facility if they are found to have established strong ties with the facility. The Act entered into force on 1 July 2009.

Strengthening of the rules on instructions to parents and introduction of instructions to young people (Act No. 317 of 28 April 2009)

15. The amendments mean, for instance, that the local authorities must use the so-called instructions to parents when deemed appropriate and that the local authorities are given the opportunity to impose so-called instructions to young people on young people aged 12-17. The instructions to young people must state one or more expedient obligations with a view to finding a solution to the problems of the child or the young person, e.g. a curfew or contribution to restore damage. The Act entered into force on 1 July 2009.

Strengthening of initiatives in favour of children and young people at risk of crime (Act No. 551 of 26 May 2010)

16. For instance, the amendments mean:

- that local authorities must prepare plans to fight juvenile delinquency
- that social reintegration and follow-up support must be improved vis-à-vis released young people
- that children and young people at secure facilities are screened for psychiatric problems at secure facilities
- that a new type of institution with increased possibilities of retention and detention must be introduced
- that it must be possible to detain children and young people for the first 14 days of the beginning of a placement period, and that they may be searched as may living rooms at residential homes and shelters.

17. The Act entered into force on 1 July 2010.

Strengthening of response actions vis-à-vis children and young people at risk of crime (Act No. 627 of 11 June 2010)

18. The amendments mean, for instance, introduction of the possibility of electronic monitoring (electronic ball and chain) in relation to instructions to young people and relaxation of the criteria for placement at secure facilities. The Act entered into force on 1 July 2010.

The Faroe Islands

19. Overall the effect of the financial crisis has affected the Faroese economy, and the effect has led to a number of austerity measures being made to the budgets for 2009 and 2010. This has among other things led to amendments to the effect that some subsidies have been reduced. Also it has entailed a reduction in the annual projection of all public social benefits, such as retirement pension, disability pension and child allowance in 2010 was reduced by 1 per cent, from 4 to 3 %. And a bill is prepared proposing on reducing the projection on social benefits from 3 to 0 % for 2011.

20. On the other hand, a number of improvements have been implemented, e.g. the rate of daily cash benefits in connection with unemployment has increased in 2009. The record low unemployment rate in the Faroe Islands reached its lowest point at the end of 2008, but has been affected by the financial crisis, and increased to 3.8 per cent by 2009. The unemployment rate for youngsters in the age 16-24 is low, 3.3 per cent by 2009.

21. With regard to the issues raised in paragraph 3 of the list of issues, no additional changes have been made in the Child Welfare Act from 2005, since the drafting of the report. But numerous institutional and administrative structures have been changed or are in

a process to be changed. These changes concern descriptions in sections 1053, 1054, 1056 and 1095.

Greenland

22. In the beginning of 2011, the Ministry of Social Affairs will initiate a reform process to amend the Act on Help to Children and Youth passed by the parliament in 2003. The aim of the reform is to further emphasize the rights of the child and incorporate the Convention of the Rights of the Child even more in Greenlandic legislation.

23. On 19 August 2010 the government of Greenland signed a five-year cooperation agreement with the United Nations Children's Fund (UNICEF) Denmark. The agreement declares that UNICEF will contribute to the revision of Greenlandic legislation with advice and proposals on how to ensure children's rights in the legislation.

Reply to the issues raised in part I, paragraph 4, of the list of issues

24. The local government reform of 2007 has created a new public sector where the state lays down the general framework. The municipalities undertake most of the citizen-related tasks. Five new regions are responsible for health care, preparation of regional development plans and solutions of certain operational tasks for the municipalities.

25. Until 1 January 2007, counties and municipalities shared the responsibility for a number of social service tasks. The local government reform has placed the entire responsibility for financing, supply and authority in relation to the citizen with the municipalities. The purpose of the reform has been to create a clear and unambiguous distribution of responsibility and to make sure that social tasks to a larger extent are performed by qualified employees in the close environment and in correlation with the other services provided by the municipality. The change implies that the municipalities decide which services to provide to the citizens. It also implies that the municipalities pay for the services used by the citizens in the municipality. The municipalities will receive reimbursement for part of the expenditure for very expensive individual cases through a state reimbursement scheme.

26. The actual operation of the county institutions within the social sector was taken over by the regions by 1 January 2007. All institutions for children and young people with social or behavioral problems except secured institutions were taken over by the municipalities where the institutions are located. A municipality could, however, in 2006 make an agreement with the preparation committee of the region that the region after 1 January 2007 on behalf of the municipality continued to run an institution for children and young people with social or behavioral problems.

27. The municipalities can at any time take over regional tasks within the social sector that are located in the municipality. In order to ensure a continued smooth decentralization of tasks, the liaison committee, consisting of the chairman of the regional council and the mayors of the municipalities in the region, should at least once during each election period discuss whether it would be more favorable to let the municipality take over the responsibility for a social institution.

Reply to the issues raised in part I, paragraph 5, of the list of issues

28. Denmark does not contemplate the establishment of a complaint board with a mandate specifically related to the Convention. The authorities have preferred to give a broad mandate to a small number of bodies. Therefore Denmark has no separate

ombudsman for children, but young people are free to file complaints with the Ombudsman responsible for public administration in general.

The Faroe Islands

29. In relation to the issues raised in paragraph 5 of the list of issues, no measures are taken with regard to the establishment of an independent monitoring mechanism for child rights.

Greenland

30. On 18 May 2010 the parliament decided on a model for an independent children's council in Greenland. The Greenlandic model is based on the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and the guidelines devised by the Committee on the Rights of the Child. The model contains a children's council, a children's spokesman, a secretariat and a research/information centre. The main objective of the children's council is to monitor the development of society based on the Convention on the Rights of the Child. The main objective of the children's spokesman is to ensure children de facto access to public complaints boards' and to spread the debate on children's rights. The overall aim for the institution is to include children's voices and perspectives. The bill will be introduced to the parliament at their next gathering in spring 2011.

Reply to the issues raised in part I, paragraph 6, of the list of issues

31. Please refer to the fourth periodic report of Denmark.

The Faroe Islands

32. Please refer to the fourth periodic report of Denmark.

Greenland

33. On 20 November 2010 Greenland celebrated the twentieth anniversary of the Convention in schools, kindergartens, local halls etc.

34. The 2010 strategy "A Safe Childhood" contains measures to raise awareness of the Convention in the State party e.g. by a book on children's rights composed by The Documentation Centre on Children and Youth (MIPI). The book will be distributed to public schools, where the Convention is part of the curriculum.

35. The cooperation agreement with UNICEF mentioned in paragraph 23 will contribute to raise awareness of the Convention through initiatives to increase social responsibility and improve the level of knowledge in society on children's needs and rights. There will be a specific focus on children's knowledge about children's rights based on UNICEF's "Nordic Study on Child Rights to Participate 2009-2010".

36. In the future the children's council (including the children's spokesman and the research/information centre) should contribute significantly to raise awareness of the Convention in Greenland.

Reply to the issues raised in part I, paragraph 7, of the list of issues

Domestic violence

37. The combat of domestic violence is of high importance to the Danish government. Thus, in 2002 the government launched its first action plan against violence in the home, which was followed up by a new action plan in 2005.

38. In order to reinforce the work in this area, the latter was replaced by a new national strategy on domestic violence in June 2010. The strategy does not per se entail specific support measures to assist children as direct victims of violence. However, the support and protection of victims of domestic violence is a central element in the strategy, as it has been hitherto. In continuation hereof, the strategy addresses children who grow up in families with violence and thus witness such violence. For that reason, the strategy includes initiatives targeting the serious consequences for those children who witness violence at home.

Children as victims of sexual violations

39. In 2003 The Danish government launched an action plan to combat sexual abuse of children. Since then the government has taken several regulatory and administrative initiatives to further strengthen the effort of the judicial as well as the police force in this field.

40. As an example the Ministry of Justice in 2005 issued a revised government order on the reporting of criminal cases involving sexual abuse of children committed by persons who work with or otherwise care for children.

41. In accordance with this government order the police has to report criminal cases to the Director of Public Prosecutions when a person who works with or otherwise has direct contact with children has been charged with sexual abuse of children, incest or indecent exposure if the victim was younger than 15 years.

42. Based on the reports from the police the Director of Public Prosecutions can inform the place of work that the employee concerned has been charged with or convicted for a criminal offence that involves sexual abuse of children.

43. Another measure in order to combat sexual abuse of children is the so-called “child-pornography-blocking-filter”. The filter has been developed by Danish National Police in co-operation with the majority of Danish internet suppliers and the Danish division of Save the Children. The filter addresses the fight against sexual abuse of children on the Internet by blocking access to websites with allegedly illegal child pornographic material.

44. This cooperation is based on a specific agreement between the Danish National Police and each individual internet supplier, from which it follows – among others – that the Danish National Police regularly pass on information to the respective internet supplier about websites which, according to the Danish National Police, may contain child pornographic material criminalized pursuant to the Danish Criminal Code. At the same time the police encourages the internet supplier to block access to the website in question.

45. In cases where the respective internet supplier decides to block access to the specific website, the internet user trying to access the website is met with an official page (made available by the Danish National Police) explaining that the person is trying to access a blocked page, due to allegedly illegal material on this page.

46. In order to maintain and consolidate a cross-disciplinary effort in this field the Ministry of Justice has initiated the drafting of a new national strategy to combat sexual abuse of children. The strategy is expected in the beginning of 2011.

Juvenile judges

47. In October 2009 the government presented a comprehensive program aimed at ensuring that the efforts in countering juvenile crime stay effective and targeted. The program focuses on consequence, a coordinated follow-up and care for young criminals and young people in danger of engaging in criminal activities. One of the initiatives in the program is the introduction of special juvenile judges in the district courts. The purpose of the initiative is that one or two judges deals with all criminal cases against people under 18

years along with other cases concerning young people under the age of 18, for example forcible removals. The aim is to ensure special expertise and experience in dealing with cases concerning youngsters below 18 years of age. The Courts of Denmark are preparing an education programme for the judges involved.

Training available to the police

48. All Danish police officers have to participate in a three-year mandatory education including basic police theory and practice. Following the mandatory education a wide selection of individual courses are offered at the Danish Police Academy.

49. There is not a specific course exclusively aimed at the handling of underage victims of violence. However, the handling of underage victims is part of several of the classes taught during the mandatory training course and is included in classes such as "Handling of Victims of Crime" and "Sexual Offences". Thus, the Danish police officers are for example trained in the special considerations that must be taken when interrogating underage victims of sexual offences including the guidelines regarding video interrogation of minors.

50. It is the view of the National Danish Police that the Danish police officers are equipped with the necessary knowledge and skills to handle cases involving underage victims of violence.

Training available to social workers in day-care facilities

51. In October 2009, the government passed the Children's Reform, which, for instance, focuses on early intervention and tracking of disadvantaged children and young people. The reform resulted in a number of key initiatives and a (major) bill. For instance, it was pointed out that professionals are subject to a stricter duty to inform if they learn or have reason to believe that a child or a young person is in need of special support. Moreover, it was pointed out that it is important to perform this duty in the event of suspicion of violence or other type of abuse.

52. In connection with the bill, funds were set aside for informing professionals of the new rules on the duty to inform in relation to suspicion of violence against children.

53. Furthermore, the Ministry of Social Affairs set aside funds in the spring of 2010 for studying the extent of violence against children and young people at home, including a study of the barriers met by professionals in terms of tracking and helping children and young people who are victims of violence at home. The study is scheduled for completion in March 2011.

54. In addition, the Ministry of Social Affairs set aside funds in the spring of 2010 for supporting the Danish National Centre for Social Efforts against Child Sexual Abuse (SISO) so the centre, in the future, can attend to tasks dealing with violent as well as sexual abuse of children. One of the functions of SISO is to advise professionals in handling cases of abuse of children and offer free consultancy services to the local authorities for making emergency measures to handle such cases.

55. Also, courses in cases of abuse are available for staff dealing with children and young people as part of the permanent catalogue of courses offered by the Ministry of Social Affairs. The courses deal with the signals sent by children and young people of abuse, protection factors, treatment options, correct handling of cases and the technical, organisational and personal barriers that may be involved in working with children who are victims of abuse, including the significance of taboos to early tracking and handling. The courses address a wide range of professionals in the area of children and young people who come into contact with children and young people who may be exposed to or at risk of physical, mental violence or sexual abuse, e.g. case workers, managers and staff at day-care

facilities and residential homes, principals and teachers as well as visiting nurses, psychologists and staff at children's wards.

Training available to medical professionals

56. In Denmark, general practitioners (GPs) usually serve as gatekeepers to the public health care system. Due to this role, GPs are often the first medical professionals in the health care system to come into contact with children and adults. In order to become general practitioners in Denmark, doctors are required to undergo medical specialization in general medicine. As part of this specialization, doctors are specifically required to acquire and demonstrate competences regarding the treatment of threatened children and children at risk. This includes the ability to act on factors (social, mental and physical) which pose a threat to the development and well-being of the child. They also need to be able to take appropriate action if they become suspicious of neglect or sexual abuse.

57. Several medical specialties (like surgery, internal medicine and psychiatry) may become involved in the treatment of child victims of violence. Medical specialists in forensic medicine are however trained specifically to address the medical dimensions of violence against both children and adults in a legal context, and similarly need to demonstrate these skills as part of their specialization.

58. In Denmark, health visitors usually have the responsibility to examine and evaluate all children as they begin primary and lower secondary school, as well as when they finish primary and lower secondary school. The health visitors are specifically required to acquire and demonstrate competences regarding support and help to children at risk in health matters. In order to become a health visitor in Denmark, nurses are required to undergo specialization as a health visitor. The duration of the specialization is at the moment one year.

The Faroe Islands

59. In relation to question 7, no further measures have been taken to assist child victims of violence, including violence at home since Denmark's fourth periodic report.

Greenland

60. Between 2009 and 2011 the Government of Greenland has initiated continuing education for employees at family centres and shelters for battered women. The education program includes understanding and support of exposed children and families.

Reply to the issues raised in part I, paragraph 8, of the list of issues

61. Denmark has come a long way in breaking down the taboo, which violence against women and violence in intimate relations is facing.

62. Experience shows that political focus, information, research and interdisciplinary activities all are key aspects in the efforts to eliminate violence against women, in the families and in intimate relations.

63. The Parliament of Denmark has therefore adopted a comprehensive "National strategy to combat violence in intimate relations 2010-2012" dealing with violence against children, women and men. The strategy focuses on a continuation of former initiatives, and will initiate another 30 new initiatives.

64. Three areas will receive special attention:

- Early prevention is a key priority
- Short and long-term support to victims of violence in intimate relations

- Knowledge/research, anchoring and interdisciplinary cooperation

65. The strategy pays special attention to the effects of the services and initiatives which are offered to the victims of violence in intimate relations.

66. The strategy involves six ministries: Ministry of Interior and Health, Ministry of Social Affairs, Ministry of Justice, Ministry of Refugees, Immigration and Integration, Ministry of Education and the Department of Gender Equality.

67. The European Union indicators of violence, which were approved during the Danish European Union-chairmanship in 2002, are still applied:

- The profile of the victim of violence
- The profile of the perpetrator
- Support to the victims
- Activities for the perpetrator in order to make him/her break the circle of violence
- Training of professionals
- Government initiatives to fight violence against women
- Evaluation

The Faroe Islands

68. In relation to question 8, no further measures have been taken to address violence against women and children since Denmark's fourth periodic report.

Greenland

69. On 25 and 26 November 2008 the government of Greenland held the national conference "Violence is not the solution" on domestic violence. The first day of the conference brought the status and development of Greenlandic shelters for battered women into focus. The second day of the conference was centred on the human consequences of domestic violence and measures to prevent/combat domestic violence. The results of the conference are described in a publication and included in the preparation of a national action plan on domestic violence.

70. On 2 September 2010 the government of Greenland was responsible for a Nordic seminar on gender equality in the West Nordic region (Iceland, The Faroe Islands and Greenland). At the seminar there were topics levelled at children and youth including measures to prevent violence and abuse amongst young couples and measures to prevent/combat violence against women. The government of Greenland put emphasis on NGO participation, as Nordic experiences suggest that NGOs can contribute significantly in this focus area. Thus, NGOs promoting gender equality held a NGO seminar the day before the Nordic seminar to discuss how NGOs can participate in initiatives to prevent/combat domestic violence and abuse. The Nordic Council and the government of Greenland have subsequently offered to finance a web-portal for NGOs promoting gender equality in the West Nordic region on basis of the seminar results.

Reply to the issues raised in part I, paragraph 9, of the list of issues

71. In connection with the Care Placement Reform, which entered into force on 1 January 2006, legislation on action plans relating to decisions on support of disadvantaged children and young people under the Act on Social Services was tightened. So as a result of the reform, the action plan must set objectives and sub-objectives in relation to the child's or the young person's development and behaviour, family

circumstances, school, health, leisure time and friendships as well as other matters. The National Social Appeals Board's practice surveys in the area conducted in 2006, 2008 and 2009 show that, in 2009 and 2008, an action plan was prepared in 73% of cases, while the percentage was 92% in 2006. However, the practice surveys also indicate that the contents of actions plans meet legislative requirements to a higher degree. In 2009, the action plan contents requirements were met to a high or some degree in 81% of cases, in 64% of cases in 2008 and in 69% of cases in 2006. It is difficult to draw any unambiguous conclusion why so large a number of children have been placed into care without an action plan that meets legislative requirements.

72. In continuation of the latest practice survey, the National Social Appeals Board was therefore asked to visit the 14 local authorities having participated in the survey and find out the reasons for the many errors. The National Social Appeals Board's account shows, for instance, that the individual caseworkers in the local authority areas often fail to see the point of the action plans which they must prepare. Against this background, caseworkers ask for particularly socio-professional competence development to be able to prepare more specific and thus useful action plans.

73. In the context of the Care Placement Reform, an amount of some DKK 135 million was set aside for supplementary training activities for caseworkers. This being the case, the autumn of 2007 saw the launch of a diploma programme for public authority case workers in the area of children, and the autumn of 2010 saw the launch of an MA in the area of children. Moreover, a host of targeted shorter-term supplementary training courses were launched – e.g. in case work tools such as action plans.

74. In connection with the implementation of the Care Placement Reform, a wealth of implementation activities were initiated so the local authorities were thoroughly informed of legislative amendments. Implementation courses were initiated for all caseworkers in the area of children as were courses for departmental managers and theme days for local politicians and chief executives. A handbook on the Care Placement Reform was also prepared, which goes over all legislative amendments and research knowledge in the various areas and also provides actual tools such as specific examples of specific action plans.

75. Over time, the Ministry of Social Affairs has launched quite a number of research projects in the area of children and young people, one of the most significant surveys being the Cohort Study in Children where the Danish National Centre for Social Research (SFI) follows a representative section of a year of children born in 1995 – including in particular children placed into care who were born in 1995. At present, two reports have been prepared. The latest report reveals that nearly all risk factors exist in the home environments of the children. These are, for instance, young parenthood, large families, the fact that parents receive transfer income, the fact that a large proportion of parents have a physical or mental illness, and that a significant proportion of parents are/have been in prison, and finally the fact that a large group of the parents of children placed into care have themselves been placed into care.

76. As regards the main reasons for placement outside the home, the National Social Appeals Board's statistics on placement reveal that the reasons attributable to parents are massive disharmony in the home in 36% of the cases, while insufficient care was the reason in 27% of the cases. As regards the reasons for placement outside the home attributable to the child or the young person, outward-responding problems of behaviour and/or adjustment were the main reason for placement outside the home in 39% of cases, while problems in school were the main reason in 35% of cases.

77. The survey "Breakdown in placement of young people – experience, explanation and underlying reasons" shows that the three most frequent reasons for placing young

people into care are 1) the behavioural difficulties of young people, 2) a lack of respect for rules at home and 3) the emotional problems of young people.

Reply to the issues raised in part I, paragraph 10, of the list of issues

78. According to the general objectives of special education children should be taught in ordinary school environments as far as possible and all children are entitled to an instruction which is adapted to their prerequisites, possibilities and needs. Following this, the objectives of the special needs teaching is identical to the ones applying to the different levels of the education system.

79. Special education can be organized in different ways. In most cases, the pupil remains in a mainstream school class and receives special education in one or more subjects as a supplement to the general teaching. A pupil may receive special education that substitutes the pupil's participation in the normal education in one or more subjects. A pupil may alternatively be taught in a special class either within a mainstream school or within a special school. Finally a combination is possible in which the pupil is a member of either a mainstream school class or a special class, but receives education in both types of classes. Special classes exist for pupils with intellectual disabilities, dyslexia, visual disability, hearing problems, and for pupils with a physical disability.

80. An analysis from 2010 has shown that in Denmark relatively many pupils receive segregated education in special classes and special schools, compared to Sweden and Finland. Therefore, the Danish Government and the Local Government Denmark (Kommunernes Landsforening) have agreed to work towards a transition in the elementary school that it includes the majority of the children with special needs.

81. In 2007 Denmark implemented a reform on teacher education. With the reform the pedagogical and didactic subjects have been expanded. The pedagogical core subjects deal with the teacher's work, with tuition, education and learning at school and work with classroom management and special pedagogical challenges etc. In the theme "Special pedagogical challenges" the aim is to develop the skills to create, maintain and manage an inclusive "community"/school, which also involves disadvantaged pupils in elementary school. The students receive training in concepts and theories on the purpose and significance of special pedagogy for learning, education and social integration, on differentiation in tuition and on guidance. This also involves methods of identifying conditions that maintain inappropriate responses and actions, and observing, describing and analysing interaction and development opportunities.

82. With the reform an optional subject in remedial educational theory (36 ECTS-point) was implemented. The subject of remedial educational theory enables the student to prepare, plan, implement and evaluate tuition of children, young people and adults with special needs with due reference to the individual person's circumstances. The students obtain skills to work with differentiation in tuition in all subjects and describe, analyse and evaluate opportunities for development for children, young people and adults with special needs. A central area of knowledge in the subject is inclusion and latitude.

Reply to the issues raised in part I, paragraph 11, of the list of issues

83. It is a clear government objective to fight poverty and create equal opportunities for everyone. The government regards poverty as a multidimensional problem, which characterizes the situation where a person or a family through a longer period of time does not have the financial, social, health, educational or employment resources needed to cope with everyday life. With its work programme "Denmark 2020", the government has

embarked on the work to develop accurate and fair poverty indicators for Denmark, which are to reflect poverty as a multidimensional and often complex problem and which must create a better knowledge foundation for launching specific political initiatives to help disadvantaged groups. The work is currently being carried out so it is too early to say anything about results.

84. Furthermore, funds were set aside for the period 2010-2013 for communicating the experience gained in “Pilot project on leisure time passports” (a previously completed project) to establish schemes for disadvantaged children and young people, comprising both leisure time guidance and financial support, with a view to integrating disadvantaged children and young people into common leisure activities with other children and young people.

85. Funds have been set aside for the period 2009-2012 for a pool for “holiday help”. Contributions from the pool can be applied for by voluntary associations for organizing holiday trips and similar holiday activities for disadvantaged families. The objective is to allow disadvantaged children and their families to form social networks and participate in activities such as social counselling and exercise.

86. Moreover, Denmark continuously strives to improve the conditions and possibilities of disadvantaged children and young people. For example, an amount of close to DKK 1 billion was set aside for the Children’s Reform in 2010, which focuses on early and preventive measures, safety in childhood and adolescence and quality in measures, etc. The overall objective of the agreement is to underpin the possibilities of disadvantaged children and young people of thriving and developing their personal and professional competences and strengthen their preparations for an independent adult life.

87. The Children’s Reform allows local councils to lend financial support without any prior study of the situation of the child, meaning that it will be less bureaucratic for local authorities to lend financial support.

88. Moreover, more than DKK 630 million was set aside for the overall initiative Equal Opportunities in 2008. The purpose of the initiative was to strengthen the personal resources of children and young people who are disadvantaged or at risk of being disadvantaged as well as their parents, thus enabling them to create a meaningful life for themselves with complete personal responsibility.

The Faroe Islands

89. The Faroese authorities have no statistics on household or household income, and therefore no information on child poverty in the Faroe Islands. But the Faroese authorities have decided to take a census in November 2011, which will give information on household income in the Faroe Islands.

Greenland

90. Child poverty in Greenland has been addressed in the survey “Child poverty in Greenland” from 2007 prepared by The Documentation Centre on Children and Youth and in an introduction to a debate, “Pilot project on poverty”, prepared by external consultants in 2010. The existing survey material does not describe the extent of child poverty in Greenland fully. However, the survey materials contribute to a diversified debate on the socioeconomic mechanisms that cause child poverty in context of unique Greenlandic social conditions e.g. an extensive subsistence economy. In general the surveys conclude that child poverty in Greenland is mainly a matter of social conditions related to deprivations and disparities in relation to e.g. access to education, employment, proper housing, mobility etc. The economic conditions concerning a minority of families and children are also considered problematic.

91. In 2009 the Government of Greenland formed a tax and welfare commission to look at public subsidy schemes and unbalanced income distributions in the society. The task of the commission is to come up with socio-economic proposals to improve welfare for Greenlandic citizens in general; and for citizens living under difficult economic conditions in particular. The commission submitted their first status report in 2010. The final report will be submitted in March 2011.

92. In conjunction with existing material on social and economic poverty, the commission's socio-economic analyses will offer a more complete image of the extent of poverty as well as measures to balance income distribution and prevent social poverty.

Reply to the issues raised in part I, paragraph 12, of the list of issues

93. The specific conditions which must be fulfilled in order to obtain a residence permit in Denmark are stipulated in the Aliens Act. According to the Aliens Act a residence permit cannot be granted only for the reason that an alien has been exposed to trafficking. This applies to both adults and children.

94. However, trafficked foreigners who risk persecution in their home country can be granted asylum. A residence permit on humanitarian grounds can be granted, if significant humanitarian considerations warrant it, for example if the said person suffers from a serious physical or psychological illness. A residence permit can also be granted if exceptional reasons make it appropriate.

95. A humanitarian residence permit is only granted in exceptional cases and is mainly granted to persons suffering from a physical or mental illness of a very serious nature, e.g. potentially life-threatening illnesses and incurable mental disorders. Furthermore, it is a condition that the person cannot get the necessary treatment in his or her home country. Thus, a humanitarian residence permit will not be granted to a person suffering from a very serious illness if the medical treatment is available in the person's home country. Moreover, a humanitarian residence permit may be granted if the applicant runs the risk of suffering an aggravation of his or her serious handicap upon the return to a home country with very difficult living conditions or to a family with minor children from a country at war.

96. As unaccompanied minors are regarded as vulnerable, they are – as a supplement to the general rules in the Aliens Act – subject to specific rules concerning residence permits, if the conditions for asylum are not fulfilled.

97. According to the current regulations, residence permit may be granted to:

- An unaccompanied alien who has submitted an application for asylum prior to his/her 18th birthday if, from information available on his/her personal circumstances, there are particular reasons to assume that the alien should not undergo asylum proceedings, for example if the alien is of very young age and does not understand the meaning of asylum, or to
- An unaccompanied alien who has submitted an application for asylum prior to his 18th birthday, if there is reason to assume that in cases other than those relevant to asylum, the alien will in fact be placed in an emergency situation upon a return to his country of origin, as the alien does not have a social network in the home country.

98. These rules include all unaccompanied minors regardless of whether they have been exposed to trafficking or not.

99. A residence permit may be granted if an assessment based on the applicant's individual circumstances will be conducted, including whether or not the applicant understands the meaning of asylum.

100. In the decision on whether to grant a residence permit to a minor, both the minor's individual circumstances as well as the general conditions concerning the home country or another country, to which it can be relevant to deport the minor, is to be included.

101. After an individual evaluation of the case a residence permit may be granted if the parents of the minor asylum-seeker are deceased, or the case contains certain information that the parents cannot be found and there is no adequate family or social network. Acts of war or similar riots in the minor's home country or the country where the minor has previously stayed can warrant that a residence permit may be granted.

102. Furthermore, it will be assessed if the minor asylum-seeker has a social network which can fulfil the special care needs, which the minor may have, in the home country or in a country where the minor has previously stayed. Moreover, it can also be included in the assessment whether the minor for a longer period of time has been without any contact with his or her parents and if the minor before entering Denmark was subject to public care, which can be re-established upon return.

103. The Danish Aliens Act contains rules regarding remand custody and detention.

104. Asylum-seekers who are detained are normally placed in a special detention facility for asylum-seekers (Ellebæk) which was established in 1989 to prevent asylum-seekers from being housed together with criminals. This also applies to minor asylum-seekers between 14 and 17 years, if they are detained.

Reply to the issues raised in part I, paragraph 13, of the list of issues

105. As described in Denmark's third report to the Committee on the Rights of the Child, Part IX.G.1, section 770a of the Administration of Justice Act prescribes that the court may decide, upon request, that a person in pretrial detention has to be placed in solitary confinement, if the detention was originally based on an assumption that the accused would otherwise obstruct the investigation of the case, especially by removing evidence or alerting or influencing others, and if there are certain reasons to assume that pretrial detention will not in itself be sufficient to prevent the detainee from continuing to obstruct the investigation of the case by influencing accomplices through other inmates or influencing others by means of threats or similar methods.

106. According to section 770b, solitary confinement may only be imposed or continued if the objective cannot be obtained by a less severe measure, and if the confinement, including the special strain it may involve due to the young person's age, physical or mental vulnerability or personal situation in general, is not disproportionate to the importance of the case and the legal sanction that can be expected if the detainee is convicted, and provided that the investigation will be significantly expedited, as required for pretrial solitary confinement.

107. Section 770b (2) emphasizes the special strain that the measure may impose due to the personal situation of the detainee. This provision ensures that placement of young persons below the age of 18 years in solitary confinement will only be applied in rare and exceptional circumstances where particularly serious reasons make solitary pretrial detention necessary in the specific case. For example in cases of very serious crimes related to drugs or homicide. In any renewal of solitary confinement for more than very brief periods, the principle of proportionality will carry increasing weight against any continued solitary confinement of persons below the age of 18 years, and solitary confinement will as an all-important principal not be initiated, if the detainee is under 17 years of age.

Table 1. Review of the number of persons under the age of 18 with completed solitary confinement and its duration during the period 2001–2008

	<i>Cases of solitary confinement for offenders under 18 years of age</i>	<i>Duration</i>				
		<i>1–7 days</i>	<i>8–14 days</i>	<i>15–28 days</i>	<i>29–42 days</i>	<i>43–56 days</i>
2001	1			1		
2002	3			1	2	
2003	5		1	4		
2004	5	1	2	1		1
2005	4		2			2
2006	6	5	1			
2007	5	1	4			
2008	4	1	3			

Reply to the issues raised in part I, paragraph 14, of the list of issues

Administrative detention

108. Young people between the ages of 14 and 17 years can be arrested by the police if the police have reasonable grounds to believe that the person has committed a criminal act and the arrest is required to prevent further criminal acts, to secure the persons preliminary presence or to prevent his or her communication with others. Anyone who has been arrested shall be released as soon as the reasons for the arrest are no longer present. If a person is not released within 24 hours that person shall be brought before a court before the end of the 24 hours.

109. Pursuant to the Danish Act on Police Activities the police shall take charge of any person who is unable to take care of himself due to the consumption of alcohol or other intoxicating or sedative substances whom they meet under circumstances that pose a danger to the person in question. If less intrusive means are not sufficient to avert the danger to the intoxicated person or others or to the public order or safety, the police may if necessary detain the intoxicated person with a view to home transportation, medical examination or placing in the care of others who can care for the person in question properly, transport to a hospital, a care home or a similar place or placing in a detention cell. The detention shall be as brief and lenient as possible. A child between the ages of 12 and 15, when found under the conditions described above, may only be placed in a detention cell if other measures are unsafe as a consequence of the child's behaviour. If a decision is made to place a child under the age of 15 in a detention cell, such child shall as soon as possible be examined by a doctor. The period spent in a detention cell shall be as brief and lenient as possible and shall not extend beyond four hours, unless it is not possible to have the child placed in the care of others who can responsibly take care of the child within such period. If the police has detained an intoxicated child under the age of 15, the custodial parent, the social authorities or others who can responsibly take care of the child shall be notified thereof as soon as possible. If a child between the ages of 15 and 17 is placed in a detention cell, the police shall notify the child's home about the fact that the child has been placed in a detention cell.

Detention of children with adults

110. As a general rule pretrial detainees under the age of 18 are placed in social institutions outside the prison system. They can, however, be placed in the prison system, if

the charge against the juvenile concerns particularly gross or dangerous crimes or the social institutions cannot manage the juvenile because of violent behaviour.

111. Detainees under the age of 18 from the Copenhagen area who are placed in the prison system will be detained in a special unit at the Copenhagen Prisons, where they are protected from older inmates.

112. Outside the Copenhagen area, young detainees who are placed in the prison system are placed in local prisons. As a general rule the young offenders only spend time with other offenders under the age of 18. If that is not possible the local prison will try to move the offender to a local prison where there are other offenders under the age of 18. They can be allowed social contact with older inmates, if the staff considers it to be in the young offender's interest. If none of these options are possible, the local prison has to inform the Department of Prison and Probation.

Sentencing

113. In principle young offenders between the ages of 14 and 17 years can be sentenced the same sanctions as adults. However, when determining a penalty the court shall in accordance with section 82 (1) of the Criminal Code, in general, consider it a mitigating circumstance that the offender had not reached the age of 18 when the offence was committed. Furthermore, according to section 33, paragraph 3, of the Criminal Code, the penalty cannot exceed 16 years, and in exceptional cases 20 years, if the offender had not reached the age of 18 at the time of the offence.

114. Moreover, Denmark has special sanctions for offenders under the age of 18 years. Please refer to the country's initial periodic report (CRC/C/8/Add.8), paragraph 323, and its second periodic report (CRC/C/70/Add.6), paragraph 268-273 concerning youth contracts, according to which young offenders aged 14-17 years commit themselves, with the consent of their parents, to participating in certain specified and listed activities, etc. in exchange for the prosecution refraining from further proceedings, and its third periodic report (CRC/C/129/Add.3), paragraph 409, concerning a special juvenile sanction in the form of a structured, controlled socio-educational treatment programme of two years for young offenders aged 14-17 years.

115. If a person under the age of 18 receives a term of imprisonment, he or she is as a rule placed in a suitable social institution outside the prison system or in a half-way house. They can, however be placed in the prison system if the respect for enforcement of criminal law, for example the nature of the crime, the dangerousness of the convicted person or experience from previous stays at a social institution, indicate that placement in the prison system may be necessary.

116. Young offenders who serve a sentence in the prison system will as a rule be placed in a special unit at an open prison. Those who serve their sentences in a closed prison will be placed in a special unit in a closed prison.

Part II

Reply to the issues raised in part II of the list of issues

1. New bills or laws, and their respective regulations

117. In June 2010 Denmark adopted an amendment to the Criminal Code (Act No. 711 of 25 June 2010) lowering the age of criminal responsibility from 15 to 14 years. Furthermore, the maximum penalty when the offender had not reached the age of 18 when the offence

was committed was changed from 8 years to 16 years of imprisonment. Moreover, the amendment implied that it shall be considered an aggravation circumstance if the perpetrator has contributed to crime committed by a child under the age of criminal responsibility.

118. In November 2009 Denmark ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Before ratifying the convention Denmark adopted an amendment to the Criminal Code and an amendment to the Administration of Justice Act (Act No. 319 of 28 April 2009). Among other things the amendment included a new provision after which it is now criminalized to recruit, contribute to or exploit that a person under the age of 18 years participate in a performance with immoral behaviour, for example striptease. Moreover, being a member of the audience watching such a performance has now criminalized. Furthermore, the amendment included a change in the statute of limitation as regards a number of sexual offences so that the statute of limitation now, at the earliest, starts only once the victim has reached the age of majority. The age of majority is in Denmark 18 years.

119. Referring to paragraph 250 of Denmark's fourth periodic report to the Committee on the Rights of the Child (CRC/C/DNK/4) please note that the rules on adoption were changed as of 1 October 2009 making it possible in certain situation to carry out an adoption of a small child without the consent of its biological parents if the parents will permanently not be in a position to take care of the child and will not be able to play a positive role for the child.

120. Referring to paragraphs 250 and 886 of Denmark's fourth periodic report to the Committee on the Rights of the Child please note that the rules on adoption in Greenland were adjusted and in general brought up to date with Danish legislation as described in paragraphs 169-175 of Denmark's second periodic report.

Amendments to the Aliens Act

121. On 28 October 2010 a bill was put forward (bill no L 37, to be found on www.ft.dk) containing changes to the Aliens Act relating to unaccompanied minors. Among several other things, it is proposed that residence permit cannot be granted to unaccompanied minors due to young age or the lack of social network in the home country, if it will be possible for the alien to return to a reception and care centre. Residence permits issued on grounds of the specific rules mentioned above will only be valid until the alien's 18th birthday. This means that such aliens will have to return to their home country when they turn 18. According to the bill, it will also be possible to employ and pay personal representatives for unaccompanied minors in order to assure fast appointment of competent persons to support unaccompanied minors. At the present time, the bill has not yet been adopted.

122. A new and revised Action Plan to Promote Ethnic Equal Treatment was released on July 5th 2010 (see section IV.A, point 41). The action plan contains 21 concrete initiatives – including initiatives to strengthening the knowledge of the fundamental democratic values and rights in Danish society, combat discrimination, anti-Semitism and intolerance in all areas of society.

Amendments to the Act on Primary and Lower Secondary Education

123. The act on Primary and Lower Secondary Education has been amended to allow schools to lay down disciplinary rules that apply to student behavior that is displayed outside the school if the behavior has had a direct impact on good order in school. Furthermore, private property may be detained and the detention of practical or educational reasons may be maintained after the end of school day.

124. Another amendment has been made in relation to the rules of complaint: A school leader's decisions regarding the school's students can no longer be treated by the municipal council. With the change, a student and his parents could refer a given complaint to the school leader himself if they are dissatisfied with a decision taken by the school leader. The school leader's decisions are also covered by the Parliamentary Ombudsman's jurisdiction, so pupils/parents may appeal against the school leader's decision to the Ombudsman.

125. With effect from August 2007, vocational schools have been obliged to draw up action plans to improve completion rates for students. Furthermore, the schools are required to make contact teachers and mentors available to those students who need it. In addition, the school has to ensure that pupils are offered social, personal or psychological counseling.

126. To continue the positive development within the area of internships, the Government decided to further enhance placement efforts. The goal is to provide 8,900 extra places in 2011. Legislation is thus changed so the reward system and bonus scheme for employers is increased from 50,000 to 70,000 DKK.

127. The Bachelor of Social Work is under review so that the students admitted from 2011 will now have the opportunity to develop their professional competence in the employment field of vulnerable children and young people. The ministerial order for the program is changed under the Act on Vocational Programs and Bachelor Degree Programs and the relevant ministerial order.

128. In the social diploma programme, students can select modules within the "theoretical perspectives in social work with vulnerable children, young people and families", "methods of working with vulnerable children, young people and families", "prevention of sexual abuse of children and young people in care" and "authority and supplier within the area of children and youth".

The Faroe Islands

129. In 2009 the Faroese adopted a new law on public health insurance (No. 178).

130. In December 2008 a law amendment was implemented that increased the financial support to parents who adopt a child from abroad, from DKK 50,000 to 75,000.

131. In 2009 a law amendment was implemented on the financial support to cover loss of income for families with disabled children, as the financial support can be no more than DKK 25,000 per month.

Greenland

132. The Government of Greenland is currently revising the following bills:

- Act on Help to Children and Youth 2003
- Act on a Children's Council including a children's spokesman, a secretariat and a research/information centre

2. New institutions (and their mandates) or institutional reforms

Day-care facilities

Offer of a healthy lunch at day-care facilities

133. All children at day-care facilities must be offered a healthy lunch. Parents are given the possibility of opting out of the scheme on the basis of a decision in the parent board. The local council must grant sibling discounts and aided place subsidies in connection with the lunch scheme.

Streamlining of rules on educational curriculums, language assessment and child environment

134. The rules on language assessment are targeted at children at day-care facilities having linguistic problems and children outside day-care facilities. The rules on educational curriculums are revised so the curriculum only needs to be evaluated every two years, just as the process requirements of child environment assessments are abolished so the work carried out by the day-care facilities in terms of the child environment is integrated into the educational curriculums instead, 2010.

The Faroe Islands

135. The establishment of a new conductive intensive education service for disabled children, which started in 2008, is planning to be permanently established by 1 January 2011.

Greenland

136. In 2008 the Government of Greenland completed a municipality reform. Thus, the number of Greenlandic municipalities has been reduced from 18 to 4 municipalities.

137. In 2010 the Government of Greenland established The Knowledge and Advice Centre on Disability (IPIS). The centre will accumulate, increase and communicate knowledge on disability through personal channels, data bases, books, conferences etc. Also, the centre will offer advice to interested parties and establish networks for citizens and employees.

138. The Government of Greenland prepares to establish a cross-organizational centre for sexually abused children to improve treatment and support for such children. The model for the centre includes knowledge sharing and dissemination of information. The Government of Greenland plans to establish centres for sexually abused children in all four Greenlandic councils.

139. In the municipalities there has been growth in the number of family centres and family education sessions as well as activities for children and youth from 2008-2010.

3. Recently introduced policies, programmes and action plans and their scope

140. The Ministry of Immigration and Integration Affairs reports that an inter-ministerial working group (the Ministries of Gender Equality, Justice, Refugee, Immigration and Integration Affairs, Social Affairs, Employment, Interior and Health) is working on a new action plan as a follow-up to the Danish Government's Action Plan to fight trafficking in human beings 2007-2010. Among other things the new action plan is expected to deal with child trafficking in the field of forced labour.

Greenland

141. The present government of Greenland was formed 2 June 2009. The coalition programme emphasizes that improved conditions for children and youth is a matter of the highest priority.

142. In 2009 the government of Greenland initiated the preparation of a children and youth strategy, which will establish an ambitious framework for the political initiatives on the children and youth area up until 2025. The children and youth strategy will be introduced to the parliament in the fall 2011.

143. In 2009 the government of Greenland formed a tax and welfare commission to look at public subsidy schemes and unbalanced income distributions in society.

144. In 2010 the government of Greenland prepared the strategy “A safe Childhood”.

145. On 19 August 2010 the government of Greenland signed a five-year cooperation agreement with UNICEF Denmark to further promote children’s rights in Greenland.

146. On 5 February 2010 the government of Greenland signed a cooperation agreement with the mayors of the four Greenlandic municipalities entitled “Social responsibility must be carried on many shoulders”. The main objective of the agreement is to improve the cooperation between the Government of Greenland and the municipalities concerning children and youth.

4. Recent ratifications of human rights instruments

147. The Convention on the Rights of Persons with Disabilities was ratified by the Danish parliament on 24 July 2009 and entered into force on 23 August 2009.

Part III

Reply to the issues raised in part III, paragraph 1, of the list of issues

1. Budget allocations to all social sectors covering child rights

Expenditure

148. Total day-care facility expenses are shown in table 2.

Table 2: Local authority day-care facility expenses

<i>2010-pl</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Gross operating expenses ¹ (DKKbn)	39.9	40.1	39.8	39.7	39.8	39.7	39.5	39.3	40.3
Net operating expenses ² (DKKbn)	31.7	31.7	31.4	31.3	31.2	31.7	31.9	31.8	32.5

Source: Statistics Denmark’s statement of local authority accounts, Statistics Denmark. 2006 figures are subject to some uncertainty and may be subject to revision.

¹ Day-care facility, club facility and school-based day-care facility operating expenses (3.05, 5.10-5.16, 5.18-5.19), including parent payment, but excluding parent payment in private institutions (Oct. 2005 and onwards). Expenses relating to special day-care and club facilities are included in the 2001 statement, but will be stated separately with effect from 2002. The levels of 2001 and previous years are not known.

² Similar to note 1, but exclusive of parent payment.

149. Expenses relating to initiatives aimed at disadvantaged children and young people are shown in table 3.

Table 3: Public net expenditure for disadvantaged children and young people

<i>DKKm (10-pl)</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Special day-care and club facilities	-1	626	726	797	838	858	800	951	1,106
Shelters,	8,3482	8,732	9,003	9,197	8,674	8,859	8,799	9,414	10,291

DKKm (10-pl)	2001	2002	2003	2004	2005	2006	2007	2008	2009
residential homes and foster families									
Preventive measures	2,941	3,158	3,223	3,393	3,257	3,341	3,548	3,750	4,203
Remand homes	-	145	163	177	210	222	257	278	321
Total expenditure	11,289	12,661	13,115	13,563	12,979	13,280	13,405	14,392	15,921

Source: Statistics Denmark.

¹ Cannot be stated separately until 2002. Thus, the 2001 total is not comparable to previous years.

² Including expenses related to detention places.

150. The above expenses, however, do not cover all initiatives related to children. Expenses related to education, for instance, which is free of charge in Denmark, may also be included together with expenses related to hospitalization, visits to the doctor and dentist – also provided free of charge in Denmark. Expenditure also includes expenses related to other support and initiatives targeted at children and young people – from leisure time passports, school-based weight-loss programmes and disability-compensating services to local authority-supported sports clubs and associations.

The Faroe Islands

Updated and new statistics

151. Statistics from Nososco (“Social Protection in the Nordic Countries 2007/2008”, Nordic Social-Statistical Committee) are shown below.

Section 1134

152. Expenditure on cash benefits and services to families and children, 2007, in million DKK: Cash benefits: 226; Services: 360. Totalling DKK 586 million, equal to 4.7 % of GDP.

Section 1087

Table 4. Children enrolled in day-care institutions and publicly financed day care by age in per cent of the respective age groups, 2008

<1 year	1–2 years	3–5 years	6 years	7–10 years
7%	57%	67%	80%	28%

New statistics

Preventive measures

153. Children, adolescents and families receiving support measures during 2008: 0-17 years: 313; 18-22 years: 28; families: 203.

Placement away from home:

154. Children and adolescents placed away from their homes during the year, by age and per 1,000 inhabitants in the respective age groups, 2008:

Girls: 0-6 years: 2,5; 7-14 years: 5,6; 15-17 years: 17,5; 18-20 years: 1,8; 0-20: 5,9.

Boys: 0-6 years: 1,6; 7-14 years: 5,3; 15-17 years: 5,0; 18-20 years: 3,3; 0-20: 3,8.

Total: 0-6 years: 2,1; 7-14 years: 5,5; 15-17 years: 11,0; 18-20 years: 2,6; 0-20: 4,8.

155. Children and adolescents in placements per 31 December 2008 in the year broken down by placement facility in per cent, total is 100 %:

Foster care: 69; residential institution: 30; other facility: 1.

156. Number of children receiving maintenance-allowance advances as percentages of the population under 18 years, 1995-2008:

1995: 8

2000: 9

2007: 9

2008: 7

Greenland

157. The local authorities in Greenland are economically responsible for social support given to children and families in Greenland.

158. In 2008 the expenses to out of home placements and support to children and families amounted to approximately 225 million DKK. Expenses concerning administration in the social welfare departments are not included in the figures. Another 17 million DKK were invested on special projects for children and youth.

159. In the National Healthcare Program approximately 6.5 million DKK were invested on activities aimed at children and youth in 2008.

2. The number of children living in poverty

160. Some children live in poor families. Denmark does not apply an official poverty line.

161. The European Union employs an at-risk-of-poverty rate indicating the percentage of individuals whose annual income is less than 60% of the disposable median income in the member state in question. The indicator is also calculated for the age group 0-17. According to the indicator, 9% of Danish children were at risk of poverty in 2008. The Organization for Economic Cooperation and Development calculates a similar indicator on the basis of 50% of median income, and according to this indicator, 2.7% of Danish children were living in poor families in 2005.

Greenland

162. At present there are no certain figures on children living in poverty in Greenland. Estimates have been initiated in the survey "Child poverty in Greenland" from 2007 prepared by The Documentation Centre on Children and Youth.

163. Greenland does not have an official poverty line. However, in 2007 the Documentation Centre on Children and Youth (MIPI) published figures on relative poverty. The figures showed that 9 per cent of Greenlandic children live in households with an income below 50 percent of the median income. The figures do not take into account the substance economy.

3. The number of unaccompanied asylum seeking children who have been granted residence permits on humanitarian grounds and those who have been refused such permits

Table 5. The number of unaccompanied asylum seeking children who have been granted residence permits on humanitarian grounds and those who have been refused such permits

	2004	2005	2006	2007	2008	2009	2010 (until 4 December*1)
Number of unaccompanied minor asylum seekers who has submitted application for asylum in Denmark	128	109	107	93	302	529	382
Asylum*2 granted	2	10	12	4	28	86	133
Asylum refused	75	41	47	29	53	63	191
Section 9 b (1) - humanitarian residence permit granted	1	0	1	0	0	0	0
Section 9 b (1) - humanitarian residence permit refused	58	27	34	27	39	133	172
Section 9 c (3) (i) - unaccompanied minor asylum seeker - residence permit granted	15	8	4	4	5	6	5
Section 9 c (3) (i) - unaccompanied minor asylum seeker - residence permit refused by the Danish Immigration Service	0	0	0	0	0	1	0
Section 9 c (3) (i) - unaccompanied minor asylum seeker - residence permit refused by the Ministry*3	0	0	0	0	0	0	1
Section 9 c (3) (ii) - unaccompanied minor asylum seeker - residence permit granted	4	3	11	17	12	22	32
Section 9 c (3) (ii) - unaccompanied minor asylum seeker - residence permit refused by the Danish Immigration Service	56	14	20	5	11	17	15
Section 9 c (3) (ii) - unaccompanied minor asylum seeker - residence permit refused by the Ministry*3	52	26	28	15	10	17	27

*1 Please note that the statistics for 2010 are preliminary.

*2 Geneva Convention (status), B-status/De Facto Status.

*3 The Danish Immigration Service's decisions upheld by the Ministry.

164. In Denmark, an unaccompanied minor is defined as a person under 18 years of age who enters the country without parents or other persons who are responsible for the child, e.g. siblings or grandparents. Also children who enter the country accompanied, but who are later abandoned, are treated as unaccompanied.

165. In cases where the asylum application is refused by the Danish Immigration Service and the decision is upheld by the Refugees Appeals Board, the Immigration Service automatically processes the case, regarding whether the unaccompanied minor asylum-seeker can obtain a residence permit under section 9 c (3) (ii) as an unaccompanied minor asylum-seeker.

166. There is no connection between the number of asylum applications in a period and the number of final decisions in the same period, as all of the asylum applications submitted in this period will not necessarily have their cases processed within the same period.

167. When the number of refusals in the Ministry is higher than the number of refusals in the Immigration Service, it is among other things caused by the fact that in some cases more than one refusal is given to the same person because of retrial in the Ministry.

4. The number of unaccompanied asylum-seeking children detained on arrival in the State party

168. It is not possible to provide information about the number of unaccompanied minor asylum-seekers detained on arrival in the State party, as there does not exist any statistical material regarding this.

169. The Danish National Police has informed the Ministry that there is no age limit in regard to the possibility of detaining aliens pursuant to the Danish Aliens Act, including the detention of unaccompanied minor asylum-seekers. However, the National Police has informed the Ministry that the National Police as a general rule does not detain unaccompanied minor asylum-seekers on arrival in Denmark. The detention of unaccompanied minor asylum-seekers should as far as possible be avoided and will only take place when exceptional reasons make it appropriate. In such cases the detention shall furthermore be as short-term as possible.
