

Violence Against Children in DENMARK

Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child

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The National Council for Children - English

www.crin.org/docs/resources/treaties/crc.27/Denmark-Nat-Council-for-Children.pdf

[...]

children are experiencing recognised problems in a modern welfare society such as the Danish. They might be called “new problems”. They have less to do with the absence of basic necessities of life and more to do with insufficient well-being, poor human relations and growing up under social strains and with a negative social inheritance. Such problems are, for instance, related to today’s way of living: a hectic everyday life, divorces, abuse and social marginalisation.

[...]

15. *Protection against discrimination* is such an obvious right in a democratic society such as the Danish that it may be difficult to establish any apparent violation. Still, some examples of discrimination of children as a result of national policy and legislation should be shown. The examples concern children and young people from refugee and immigrant families as well as children’s conditions in day-care facilities.

16. Research has revealed many instances of discrimination when young people from ethnic minorities apply for a job.

Denmark should enforce current legislation against discrimination and take active measures against instances of discrimination.

[...]

34. In a situation where a child is neglected or where there is an apparent risk that the child will be neglected, the public authorities must help to find other care for the child. If the child is under the age of 12, the local authorities must, dependent on the maturity of the child, ask for its view of the measures considered. If the child is 12 years old or more, the social authorities must, before making a decision, ask for the child’s view of such care. If the child is 15 years old or more, the child has its own status to sue or being sued. This means that the child is entitled to request the local authorities to find care for it away from its own home against the will of its parents, and the child is entitled to its own attorney in such matters. The same applies in a situation where the social authorities, against the will of the parents and perhaps also of the child, consider it necessary to place the child in care away from the home. This means that children have a right to joint influence from the age of 12 and a right to participation from the age of 15.

35. A survey conducted by the National Institute of Social Research¹, however, reveals that a large group of children placed in care (38%) are neither informed by their caseworkers nor given an opportunity to being heard. The reason is not clear. Obviously practice in this area needs to be tightened.

[...]

60. About one in three children will, during its upbringing, experience that the family into which the child is born is dissolved on account of the parents’ divorce. Experience shows that most children adopt to the new conditions of family life. Whether they adopt to the new conditions with or without permanent injury to their soul depends greatly on the way in which the family breaks up. Do the parents have respect for each other, show solidarity and a will to communicate – or is the process full of conflicts, accusations and poor communication? It

needs to be critically evaluated whether the public authorities support the process so that the questions of custody and access are considered in the light of the best interests of the child, the child's participation in the process and with due respect of the child's right to maintain personal relations and direct contact with both parents.

[...]

The intention of current Danish legislation is for children placed in care to return to their homes again. This means that many children return to their homes after minimal and inadequate changes in the situation of the parents. The overall needs of the child are not given sufficient attention. The National Council for Children believes legislation and practice in this area should be tightened.

· If a child has been placed in care without the consent of the parents, the parents are entitled to have the placement renegotiated after one year. This rule has led to uncertainty and instability for many neglected children. In the National Council for Children's opinion, it should be possible to place children in care for longer periods of time.

· Children's own relations established in connection with a successful voluntary or compulsory placement in care are given a low priority in the evaluation of whether they should return to their homes. The National Council for Children believes there is a need for children's own personal relations to be shown greater respect in connection with decisions about whether they should return to their home.

· Repeated replacement of the family, and thus the child's, council caseworker leads to many non-planned changes in the lives of the children placed in care.

Replacement of the caseworker may be caused by the parents' moving to another local authority, a poor relationship between the caseworker and the parents or internal matters of the social services department. The National Council for Children is of the opinion that children placed in care need to have their own permanent caseworker independent of the parents' changing addresses, etc.

· The preliminary work for placement in care has often been of inadequate quality.

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The child has not been observed and placed in optimum care in the light of its needs. The National Council for Children finds that there is a need for an increase in local resources and better qualifications of the professionals working in this field.

· The finances of the local authorities quite obviously play a part in the determination of measures to be taken and in a number of cases, the local authorities have decided to move children from 24-hour care centres to their home on account of the financial situation. The National Council for Children is of the opinion that an instance ranking above the local authorities must ensure that qualified decisions are made about the placement in care of children.

[...]

74. In the summer of 1998, it became public in Denmark that an employee had sexually abused a number of children in the day-care facility where he worked. The incident led to a nation-wide discussion about the extent of the problem in the family or child care facilities, preventive strategies, treatment, documentation of abuse, investigation methods, criminal processes, etc. Concern has also been expressed about the abuse of children and young people in connection with the production of pornographic pictures.

75. Information about the extent of sexual abuse of children in Denmark is scarce. Only few surveys have addressed the problem, and there is no tradition for including specific questions about sexual abuse in Danish population surveys about the health and welfare of children. Agreement about the extent of the problem has not been reached. The results of the few but very diverse surveys conducted in Denmark range from 0.2% to 10.3% of a child population exposed to sexual abuse. The general opinion is that most of the abuse takes place in the child's family environment, but the opinion has not been documented by research. The past year's focus on sexual abuse of children in day-care facilities has disclosed a number of

incidents and it suggests that the information available is insufficient.

[...]

77. At the end of 1999, the National Council for Children presented a number of recommendations on the basis of the expert group's work, including the following:

- *The available research-based knowledge about the extent and nature of sexual abuse of children must be increased. A national knowledge centre must be established, which, across the sectors of society, is able to contribute to the prevention of abuse, investigation and documentation and treatment of abused children.*
- *In connection with suspicions of sexual abuse, it must be possible for children to be examined at regional centres by a trained staff, which includes expertise in pediatrics, forensic medicine, psychology and care.*
- *The framework and methods used by the police for video-recorded interviews of children in these cases must be further developed. Interviews and the interrogation room should respect children's special linguistic qualifications, their non-verbal expressions and their needs to feel secure.*
- *Adults convicted of sexual abuse of children should never be allowed to obtain employment, which means that they are to take care of children. The registration of them should be indefinite.*
- *Each local authority should establish a professional task force to call upon in the event of a suspicion of sexual abuse in a day-care facility or at a school. One objective is to create an environment in which children, parents and staff may feel secure pending any investigation.*
- *The basic training of the various professional groups which take care of or educate children should provide students with actual knowledge and theory about sexual abuse, interpretation of signals shown by the children and the short and long-term psychological consequences and possible treatment. The management functions of the local institutions should be strengthened to prevent abuse.*

[...]

83. Danish children are also experiencing well-being problems, especially the problems of older schoolchildren are documented. There is a relatively large group (around 20%), which does not feel especially comfortable at school, and the percentage is higher for older pupils. As regards the general well-being, there is also cause for some concern for a group of big schoolchildren: some 10-20% say they often have different (psychosomatic) symptoms, that they are lonely and that they are "bored with life" (see also section C). The group of children which does not feel comfortable comprises more girls than boys, with an overweight of children from a socially poor background.

[...]

87. Abuse of alcohol by pregnant women is the single most frequent cause of mental retardation of children. 80% of all pregnant women drink alcohol, and 3.4% drink heavily. Some 2,200 children a year are born by women drinking heavily in Denmark.

88. Pregnant women having problems of abuse and mental problems often do not attend at all, are late for or do not regularly attend their preventive medical examination during the pregnancy. It is especially difficult to help pregnant women taking illicit drugs in the established system.

89. It has been documented that incidents of neglected children and cruelty to children are strongly overrepresented among parent abusers and parents suffering from mental illness or with low intelligence. At least 4% of children under the age of one year are estimated to be neglected. Cruelty to children is the most frequent cause of serious, and perhaps fatal, head traumas among infants.

90. A special group of abused children is the group of so-called shaken babies – the shaken baby syndrome. About 10 instances are registered each year in Denmark, but the real figures is probably much higher.

91. Smoking is very bad for the pregnancy. Children born by women who smoke weigh on average 250 grams less than children born by non-smokers, and some birth complications are

more frequent among smokers. The risk of the unexpected death of an infant is higher for infants born by smokers, and throughout their childhood, they suffer more frequently from bronchial infections and are more often admitted to hospital. A survey conducted in 1996 revealed that 26.5% of pregnant women were smoking at the time of their first visit to the midwife.

[...]

100. The Danish local authorities are under an obligation to ensure a reasonable number of day-care places. Most children are cared for in day-care facilities from the age of six months to around 10 years. To begin with, they are cared for all day and later after school only. At the beginning of 1999, about 80% of all children between the age of six months and five years (both ages included) were attending day-care facilities. On account of the short maternity leave, children start attending day-care facilities exactly at the time in their lives when they are capable of recalling persons who are not present and thus of missing them.

101. The trend of staff numbers per child attending day-care facilities has been slightly decreasing, in terms of both full-time employees per place and the number of man-hours per child. Many local authorities have replaced the previous after-school centres with schoolbased day-care facilities. Their staff numbers are fixed at about two-thirds of those of the after-school centres and they are often located on premises available at schools instead of premises suited for the purpose.

102. The government's guarantee that all parents can have their children looked after during the day has increased the intake of children in institutions, but the number of places and staff has not increased accordingly, and a public debate is going on about the number of places in and the quality of day-care facilities.

[...]

129. Obesity and mental illnesses, including eating disorders, among children and young people are diseases, which are probably related to a lack of support and care and may be regarded as a sign of a lack of well-being. Children and young people who are generally not doing fine often have a poor social network.

130. Adolescence entails choices and actions that determine the future adult life. It is therefore alarming that so many young people (about 20%) in Denmark drop out of the education system. This creates a very exposed group of young people. In a high-tech information society such as the Danish, a lack of education generates a high risk of marginalisation.

[...]

132. According to Article 23, mentally or physically disabled children must be ensured a full and decent life, special care and effective access to education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development.

133. Denmark does not prepare any overall statistics in this field as such. Hence, it is not possible to give an account of the total number of disabled children, including of sexual differences, the development over time of children with different disabilities or the number of multi-disabled children¹. However, the incidence of multi-disabled children is estimated at around 1% of all children². The shortage of statistics means that the group of disabled children is less visible.

[...]

139. The group of single parents is not homogeneous. Some single parents have a lot of resources and do a lot better than the average, in both financial and social terms, and then there are single parents who are vulnerable and doing poorly. Seen as one group, the group of single parents differ from other families with children in that a rather large percentage receives cash benefits (about 40%) and housing benefits (about 60%). This is the group where we find the particularly vulnerable group of single-parent families, which mainly consists of single mothers and their children.

140. Financially and materially, especially single mothers aged 30-49 years with two or more children have very low income. In this group, the proportion of really (and substantially) poor

is some 17%: financially, this group is below the threshold for necessities of life regarded as the minimum for living a decent life¹.

141. Surveys of these hard-pressed and vulnerable single-parent families² reveal:

- significant financial problems regarding necessities of life and the good things in life. The reason is that most of the families in this hard-pressed group do not work and when they seek help and support from the public social system, they often encounter large barriers;
- educational weaknesses, because either the mothers do not have any education or are not encouraged to receive one. Too many of the mothers go from one employment and activation project to the next;
- housing problems which are seen as acute by many. They regard themselves as trapped in a downward process, which keeps them in an environment that does not help them to get on with their lives either;
- a poor network where they miss fellow workers, friends and relatives to support them in their everyday lives. To many of them, this is also caused by their ethnic minority backgrounds, which mean that they more or less do not have any network at all. They are very much living by themselves;
- incidents of violence leading to shorter or longer stays at sheltered housing for women. A survey showed that more than half the mothers had been subject to assault and battery by their partners.

142. Children in these families grow up under a lot of social and psychological strain and experience dramatic incidents of violence, strong conflicts and humanly degrading acts. The surveys show children influenced by these incidents, both as regards friends, their ability to make stable contacts, schooling and health and well-being. This group must definitely be regarded as a high-risk group in nearly all social and psychological respects.

143. The social services provided for this group of single parents and their children have clearly been insufficient and characterised by a lack of knowledge and will to provide efficient help. Many of the mothers find that they are being trapped in a social and degrading situation without any chances of becoming self-supporting. Most of the children do not receive sufficient help to get over these difficult incidents and develop in a good and constructive manner.

[...]

149. Surveys conducted by the WHO in 1994 and 1998 of schoolchildren's health and wellbeing and the National Council for Children's own survey conducted in 1998 show that about 25% of Danish children aged 11-15 years are being bullied often or very often during a school year. The Council considers this percentage to be alarmingly high.

150. A number of factors contribute to an environment where bullying thrives: unclear placement of responsibility for well-being at the school, the school's physical environment, the school's values, the form and content of lessons, communication between teachers and pupils, signals given by parents and children's upbringing.

[...]

157. In Denmark, it is possible to hold young people aged 15-17 in solitary confinement. Legislation dated May 2000 makes it possible to hold young people in solitary confinement for up to eight weeks. Explanatory notes point out that this option should only be used under very special circumstances. This reservation was also highlighted by the Minister for Justice in May 2000 in connection with the protests against the passing of the solitary confinement legislation.

158. There is ample psychological and educational knowledge to confirm the general opinion that it is positive for children to learn and develop under the influence of the entire environment. This particularly applies to children where special measures need to be taken due to criminal acts. It is of the utmost importance that these measures have positive values, require the child's participation and joint responsibility, hold opportunities for education and schooling – and have positive role models and patterns of attachment. When the measure is a prison or a similar closed environment, this can only be achieved by creating a special environment for young people – outside the adult prisons.

That solitary confinement is humanly degrading is documented by ample psychological evidence. This consequence is even clearer when looking at children and young people in solitary confinement. [...]