

Evaluation of the judicial systems (2018 - 2020)



Denmark

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Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[5 806 081]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	93 489 587 379 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

003. Per capita GDP (in €) in current prices for the reference year

[51 280]

Comments

004. Average gross annual salary (in €) for the reference year

[38 035]

☐ NA

Comments

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[7.4669]

Allow decimals : 5

☐ NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: Statistics Denmark (dst.dk) and Danmarks Nationalbank (nationalbanken.dk)

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the question 7.

Approved budget (in €)	Implemented budget (in €)
------------------------	---------------------------

TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	251 509 997 [] NA [] NAP	255 563 041 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	152 138 103 [] NA [] NAP	153 679 764 [] NA [] NAP
2. Annual public budget allocated to computerisation	22 449 800 [] NA [] NAP	21 780 178 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	12 535 323 [] NA [] NAP	13 550 919 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	52 165 829 [] NA [] NAP	52 165 829 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[X] NA [] NAP	[X] NA [] NAP
6. Annual public budget allocated to training	2 225 755 [] NA [] NAP	2 258 893 [] NA [] NAP
7. Other (please specify)	9 995 187 [] NA [] NAP	12 127 458 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: 1) The approved and implemented budget for 5) Investments in new court buildings are included under 4) Court buildings.

2) The category "other" includes the courts expenses in connection to case handling, including postage costs, purchases of goods and services and any extraordinary expenses not directly attributable to other items.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts and legal aid together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[] NA [X] NAP	[] NA [X] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

008. Are litigants in general required to pay a court fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

- In civil cases you must pay a basic amount of DKK 500. If the value of the case exceeds DKK 50.000, you must pay another DKK 250 and 1.2 percent of the value exceeding DKK 50.000. The value of the case is determined according to the claim in the application. The total legal fee (including the basic amount of DKK 500) can't exceed DKK 75.000. When the court has completed the preparation of the case and it is necessary to convene a court hearing (or written procedure replacing this), you will pay additional court fee if the value of the case exceeds DKK 50.000. This additionally fee is calculated in the same way as the court fee payable on completion of the case.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[54]

[] NA

[] NAP

Comments In enforcement cases (fogedsager) the basic fee is DKK 300. If the claim exceeds DKK 3.000, another ½ percent has to be paid of the excess amount.

009. Annual income of court fees received by the State (in €):

[58 121 218]

[] NA

[] NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	139 254 575 [] NA [] NAP	71 917 395 [] NA [] NAP	67 337 182 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	139 254 577 [] NA [] NAP	71 917 395 [] NA [] NAP	67 337 182 [] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The amount listed in Q12.1. also includes expenses for non-litigious cases or cases not brought to court. It is not currently possible to separate these amounts

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	112 470 945 [] NA [] NAP	50 114 505 [] NA [] NAP	62 356 440 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	112 470 945 [] NA [] NAP	50 114 505 [] NA [] NAP	62 356 440 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The amount listed in Q12.1. also includes expenses for non-litigious cases or cases not brought to court. It is not currently possible to separate these amounts

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	93 961 349 [] NA [] NAP	112 402 737 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	[X] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other ministry	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Courts	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

If any other Ministry and/or inspection body and/or other, please specify:

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	() Yes (X) No	(X) Yes () No
Court administrative director	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify:

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Different sources including own calculations, Central Government Accounts and annual reports.

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	2 056 060 748 [] NA [] NAP	2 071 073 672 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

015-2. Elements of the judicial system budget (Q6, Q7, Q12 and Q13)

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	(X)	()	()
Constitutional court	()	()	(X)
Judicial management body	(X)	()	()
State advocacy	()	(X)	()
Enforcement services	(X)	()	()
Notariat	(X)	()	()
Forensic services	(X)	()	()
Judicial protection of juveniles	()	(X)	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	(X)	()
Immigration Service	()	(X)	()

Some police services (e.g. : transfer, investigation, prisoners' security)	()	(X)	()
Other	(X)	()	()

If "other", please specify: Concerning the Refugees and asylum services + immigration service: Due to an reorganisation the area is no longer part of the whole justice system.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Ministry of Finance (fm.dk)

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- The courts grant legal aid in cases covered by section 327 of the Administration of Justice Act. These are, for example, cases in the first instance concerning marriage, division of matrimonial property and custody. In other cases the Department of Civil Affairs, grant legal aid under section 328 or 329 of the Administration of Justice Act. Legal aid covers court fees, legal fees and other necessary expenses related to the proceedings. It is up to the court to decide which expenses the legal aid covers.

Pursuant to the Administration of Justice Act section 331, the legal aid covers the entire case in the relevant court and enforcement of the decision. Normally, legal aid also includes the measures taken before the granting of legal aid.

017. Does legal aid include the coverage of or the exemption from court fees?

(X) Yes

() No

[] NAP

If yes, please specify:

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

(X) Yes

() No

[] NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments - If yes, please specify:

2.1.2.Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	897 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate:

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

☒ Yes

☐ No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: The personal income including capital gain for applicants in 2018 must not exceed DKK 322.000 (EUR 43.117) for one person, or DKK 409.000 (EUR 54.770) for married couples or unmarried cohabitants. For each child, including step children and foster children, under the age of eighteen years living with the applicant or is primarily maintained by the applicant, DKK 56.000 (EUR 7499) is added to the income limit.

Full legal aid in criminal cases is granted through the appointment of a defense or support attorney regardless of income. Partial legal aid in criminal cases is only relevant if the victim or witness cannot have a support attorney appointed (refer to comments under question 21).

The personal income for partial legal aid in criminal cases is equivalent to the boundary in non-criminal cases.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	43 117 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	43 117 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	43 117 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

☒ Yes

☐ No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. Is the decision to grant or refuse legal aid taken by:

- ☐ the court
- ☐ an authority external to the court
- ☒ a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

- ☒ Yes
- ☐ No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: Question 20: The Department of Civil Affairs
Bekendtgørelse om fri proces af 11. december 2017
Question 23: Danish Administration of Justice Act section 325

2.2.Court users and victims

2.2.1.Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) where general public may have free of charge access to the following:

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/> www.retsinformation.dk

case-law of the higher court/s	()	(X) http://www.hoejesteret.dk/hojesteret/nyheder/Afgorelser/Pages/default.aspx
other documents (e.g. downloadable forms, online registration)	()	(X) http://www.domstol.dk/Selvbetjening/blanketter/Pages/blanketter.aspx

Please specify what documents and information are included in “other documents”: On the site you can find forms for filling out in several fields. This includes administrative cases, bankruptcy, enforcement law, wills etc.

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

() Yes, always

() No

(X) Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?

(X) Yes

() No

Comments - If yes, please specify:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	() Yes (X) No
Victims of terrorism	() Yes (X) No	() Yes (X) No	() Yes (X) No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	() Yes (X) No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Disabled persons	() Yes (X) No	() Yes (X) No	() Yes (X) No
Juvenile offenders	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

☒ Yes

☐ No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.): A minor can be a party only in criminal proceedings. Individuals below the general age of majority (18 years) may be prosecuted if they are at least 15 years of age. Acts committed by children under 15 years of age are not punishable under the Danish Criminal Code. In criminal cases, children have the same rights to legal aid and a free of charge support attorney as others. The holders of custody over unmarried individuals below the general age of majority are entitled to choose a defence lawyer for the individual. In certain cases, a public defence lawyer must be appointed if a defence lawyer has not been chosen. Interrogations of persons below the age of 13 years are typically conducted by a special trained police officer in specific child-friendly surroundings and they are audiovisually recorded and played in the court in order to protect the child (not necessarily the victim). Children below the age of 15 years can be interrogated under the same circumstances when the offence committed is a sexual offence or a murder. If special circumstances warrant it, persons of the age between 15 and 17 can also be interrogated under these circumstances.

032. Does your country allocate compensation for victims of offences?

☒ Yes, please specify for which kind of offences: Crimes under the Danish Criminal Code and violations of the Restraining Order Act

☐ No

Comments

032-1. Is a court decision necessary in the framework of the compensation procedure?

☐ Yes

☒ No

Comments

033. If yes, does this compensation come from:

☒ a public fund

☒ damages and interests to be paid by the person responsible

☐ a private fund

Comments The state has a right of recourse against the offender.

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

☐ Yes

☒ No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

☒ Yes

☐ No

Comments - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

☒ Yes

☐ No

☐ NAP

Comments - If necessary, please specify:

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): The Danish Administration of Justice Act contains rules concerning the possibility to obtain compensation for criminal prosecution. These rules allow for compensation under certain circumstances for example due to the excessive length of proceedings, wrongful arrest and wrongful conviction. The Prosecution Service decide on requests for compensation for criminal prosecution and these decisions can be brought before the courts. The Prosecution Service annually decides on approximately 2000 requests for compensation of which approximately 100 are brought before the courts. In 2018 the total amount of compensation due criminal prosecution paid in accordance with the rules of the Danish Administration of Justice Act was approximately DKK 23.000.000.

2.2.2 Confidence and satisfaction of citizens with their justice system



038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

National level	Court level
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1. Surveys aimed at judges	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: 1) National level: This survey is preformed annually by a private Communication company. It is a satisfaction survey aimed at different professions, amongst other judges. 1-8) Court level: a survey is performed ad hoc. Last time was in 2013. This survey was aimed at all court users. There have also been a number of satisfaction surveys regarding the perceived security in courts and the quality of interpreters and interpretation.

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

☒ Yes

☐ No

Comments Complaints against judges can be submitted to the president of the court concerned or to the Special Court of Indictment and Revision. The latter was founded in 1939 and is by law located and administrated at the Danish Supreme Court. It consists of 5 members - one Supreme Court judge acting as a chairman, one High Court judge, one county court judge, one professor of law and one lawyer. The members are recommended by the Minister of Justice and appointed by the Queen for a term of 10 years, whereupon they cannot be reappointed. The Special Court processes complaints against judges and deputy judges, applications for resumption of criminal cases, appeals regarding refusal of resumption of a judgment given in default and complaints about the courts exclusion of an appointed defense lawyer in criminal cases. It also acts as a disciplinary court in cases of suspension or removal of a judge from office. The Special Court cannot review a judge's judicial decisions. In cases of complaints against judges, it can state criticism or issue a fine, if it is found that the judge has behaved improper or unseemly in his/her acts in office - the Special Court does not grant compensation. A complaint regarding improper or unseemly behavior of a judge or deputy judge has to be filed within 4 weeks after the incident has occurred or has been known to the complainant. A judgment in these cases can be appealed to the Supreme Court. An application for resumption of a criminal case can be filed to the Special Court when there is no possibility of appeal left. The decision of the Special Court cannot be appealed. An appeal regarding exclusion of an appointed defense lawyer from a criminal case has to be filed within one week and the decision of the Special Court cannot be appealed.

Complaints and claims for damages caused by errors made by the courts can be submitted to the Court Administration (Council of the Judiciary).

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	(X) Yes () No	(X) Yes () No
Higher court	(X) Yes () No	(X) Yes () No
Ministry of Justice	() Yes (X) No	() Yes (X) No
High Judicial Council	(X) Yes () No	(X) Yes () No
Other external bodies (e.g. Ombudsman)	(X) Yes () No	() Yes (X) No

Comments High Judicial Council is understood as the Danish Court Administration.

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	[X] NA [] NAP	[X] NA [] NAP
Higher court	78 [] NA [] NAP	[] NA [X] NAP
Ministry of Justice	[X] NA [] NAP	[X] NA [] NAP
High Judicial Council	19 [] NA [] NAP	382 708 [] NA [] NAP
Other external bodies (e.g. Ombudsman)	[X] NA [] NAP	[X] NA [] NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

Complaints are being handled in the Court Administration within 2 months from reception.

The Court Administration receives and handles variable numbers of complaints each year, which is why the number and the volume of compensation differ from year to year. The amount is in DKK.

Higher Court is understood as the Special Court of Indictment and Revision which is a specialized court dealing with i.a. complaints over judges. See the comment below.

3.Organisation of the court system

3.1.Courts

3.1.1.Number of courts



042. Number of courts considered as legal entities (administrative structures) and geographic locations.

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Data has not changed on this point.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other specialised 1st instance courts”, please specify: Military courts exist but they are not part of the Danish Courts Administration. The 24 district courts have always dealt with family cases. From 1 April 2019 family issues are a section of the court.

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

☐ Yes

☒ No

Comments - Please specify:

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
an employment dismissal	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
an insolvency case	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

045-1. Is your definition for small claims the same as the one in the Explanatory note?

☒ Yes

☐ No

Comments - If not, please give your definition for small claims: 50.000 Danish Kroner, approximately 6.704 Euros.

045-2. Please indicate the value in € of a small claim:

[6 704]

Comments

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: www.domstol.dk

3.2. Court staff

3.2.1. Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	375 [] NA [] NAP	177 [] NA [] NAP	198 [] NA [] NAP
1. Number of first instance professional judges	258 [] NA [] NAP	110 [] NA [] NAP	148 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	99 [] NA [] NAP	54 [] NA [] NAP	45 [] NA [] NAP
3. Number of Supreme Court professional judges	18 [] NA [] NAP	13 [] NA [] NAP	5 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	32 [] NA [] NAP	19 [] NA [] NAP	13 [] NA [] NAP
1. Number of first instance court presidents	27 [] NA [] NAP	16 [] NA [] NAP	11 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	4 [] NA [] NAP	2 [] NA [] NAP	2 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments We are aware that there is one more second instance court president this year compared to our answer in the previous questionnaire. The second instance court presidents include the court presidents in The Maritime and Commercial Court, The High Court of Greenland, The High Court of Western Denmark and The High Court of Eastern Denmark.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[X] NA [] NAP

In full-time equivalent	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
--------------------------------	--

Comments - If necessary, please provide comments to explain the answer provided: Retired judges can be hired for limited time periods due to vacancies. We do not have the number of retired judges pr. 31 December 2018, but we can inform that there have been 15 retired judges sitting in courts on an occasional basis in the year 2018. The total number of hours for the 15 retired judges amounts to 3.132,24 in 2018.

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

☐ Yes If yes, please give specifications on the types of cases and an estimate in percentage.

☒ No

☐ NAP

Comments

049. Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting in a jury):

	Figure
Gross figure	10 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In full time equivalent	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
family law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
labour law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
social law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
commercial law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
insolvency cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

other civil cases	()	(X)	()
-------------------	-----	-------	-----

[] NAP

Comments - If "other", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. If yes, for which type of case(s)?

[X] Criminal cases

[] Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[10 000]

[] NA

[] NAP

Comments 10000 is the total amount of lay judges as answered in Q049. It is not possible to say how many of these were involved in cases for the year of reference, but normally every lay judge is involved in a case 4-5 times per year.

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1 656 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	274 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	9 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	1 291 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

4. Technical staff	72 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	10 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If “other non-judge staff”, please specify:

052-1. Number of non-judge staff by instance (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	1 656 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 441 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	190 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	25 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- [] legal aid
- [] family cases
- [] payment orders
- [] registry cases (land and/or business registry cases)
- [] enforcement of civil cases
- [] enforcement of criminal cases
- [] other cases not mentioned (please describe in comment)
- [X] non-litigious cases
- [] NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- (X) Yes
- () No

Comments

054-1. If yes, please specify which services have been outsourced:

☒ IT services

☒ Training of staff

☒ Security

☐ Archives

☒ Cleaning

☐ Other types of services (please specify):

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Q49: <http://www.domstol.dk/saadangoerdu/tildigderer/naevningdomsmand/Pages/default.aspx>

3.3. Public prosecution

3.3.1. Public prosecutors and staff



055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	671 [] NA [] NAP	219 [] NA [] NAP	452 [] NA [] NAP
1. Number of prosecutors at first instance level	512 [] NA [] NAP	160 [] NA [] NAP	352 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	101 [] NA [] NAP	43 [] NA [] NAP	58 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	58 [] NA [] NAP	16 [] NA [] NAP	42 [] NA [] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	18 [] NA [] NAP	8 [] NA [] NAP	10 [] NA [] NAP

1. Number of heads of prosecution offices at first instance level	14 [] NA [] NAP	6 [] NA [] NAP	8 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	3 [] NA [] NAP	1 [] NA [] NAP	2 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to those of public prosecutors?

() Yes

(X) No

Comments - If yes, please specify their title and functions: There is a small number of police officers who conduct cases pertaining to minor offences in court behalf of the prosecution service, but it is only a small part of their normal tasks as a police officer.

057-1. Please specify their number (in full-time equivalent):

[]

[] NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

() No

[] NAP

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence ?

(X) Yes

() No

Comments As a part of the continuing education, the public prosecutors can be trained in violence against children and sexual violence.

060. Number of staff (non-public prosecutors) attached to the public prosecution services (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	457 [] NA	57 [] NA	400 [] NA

Comments The staff attached to the public prosecution service (non-public prosecutors) are shared between the police and

the prosecution offices (first instance level).

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: The numbers come from the system for administration of salary.

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	()	(X)
notaries	(X)	()
enforcement agents	(X)	()

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: The Danish Courts have a policy regarding equal treatment, which has the purpose to promote equal treatment of all employees within the Danish Courts. The policy states that there has to be made an active effort to ensure a versatile staff composition in all job functions and on all levels and that everyone regardless of age, gender, handicap, race, religion or ethnic affiliation etc., must be treated equally in regards to employment and promotion as well as be ensured equal access to professional and personal development. When recruiting this means that if there are several equally qualified applicants for a position, the applicant who represents a minority in the workplace compared to the surrounding society's composition should be chosen. In this case it can be necessary to facilitate the special needs of the applicant as part of the employment. ---

Furthermore the following laws promote gender equality in Denmark: The Consolidation Act on Gender Equality and The Consolidation Act on Equal Treatment of Men and Women as regards to Employment etc. The Act on Equal Treatment of Men and Women with regards to Employment etc. (Consolidated Act number 645, 2011-06-08 as later amended on Equal Treatment of Men and Women with regards to Employment etc. /Lovbekendtgørelse nr. 645 af 8. juni 2011 om ligebehandling af mænd og kvinder med hensyn til beskæftigelse m.v. med senere ændringer) ensures that men and women are treated equally in their working life. This means that an employer must treat men and women equally with regard to recruitment. In recruitment advertising, it is prohibited to state a preference for a specific gender and employers may not recruit an employee based on gender. Among other things, the act is about:

- working conditions
- Hiring and dismissal
- Promotion and education

Regarding lawyers, the Danish authority handling the appointment of lawyers has stated that the authority does not make registrations of

gender. Furthermore, the Danish Administration of Justice Act does not contain provisions regarding equal distribution between the sexes concerning the roles of the judicial system.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	()	(X)
notaries	(X)	()
enforcement agents	(X)	()

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: The same policy and laws regarding gender equality apply regarding promotion. See answer 61-2.

Regarding lawyers, see answer 61-2

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

	Yes	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	(X)	()
notaries	(X)	()
enforcement agents	(X)	()

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? Concerning the Danish Courts (judges, non-judge staff, notaries and enforcement agents): The most recent survey partly related to the distribution of males/females within the judicial system is a survey regarding gender equality from 2017: <http://www.ligestillingidanmark.dk/reports/Stat/Redegoerelse%20-%20Retterne.pdf>. The numbers related to the distribution of males/females within the Danish Courts can be found on pages 7 and 8 of the survey.

Concerning prosecutors: As of august 2019 there are 711 prosecutors employed in Denmark. - Of these 68,2 % are female and 31,8 % are male. And in 2019 a total of 817 students were accepted into the law program* of The University of Copenhagen. -Of these 62,7 % are female and 37,3 % are male. *In Denmark employment as a prosecutor is conditional on having taken a law degree.

Concerning lawyers: The Association of Danish Law Firms has conducted a survey in 2019 which among other areas covers the distribution between males/females. The survey is not publicly available, but access to the relevant data can be provided by contacting the Danish Ministry of Justice, which will forward the request to The Association of Danish Law Firms.

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

(X) Yes

() No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? Policy regarding equal treatment within the Danish Courts:

<http://www.domstol.dk/om/publikationer/HtmlPublikationer/Politikker/Ligebehandlingspolitik/978-87-92357-23-5.pdf>.

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner)/institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
the recruitment of judges	(X)	()
the promotion of judges	(X)	()
the recruitment of prosecutors	(X)	()
the promotion of prosecutors	(X)	()
the recruitment of non-judge staff	(X)	()
the promotion of non-judge staff	(X)	()

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments By the end of 2018 Denmark has a Minister for Equal Opportunities by the name of Eva Kjer Hansen. The minister for gender equality is responsible for the Government's overall activities in the field of gender equality. The Department for gender equality functions as secretariat for the Minister and is responsible for Government initiatives in the field of Gender equality through co-ordination, development and implementation of the Government policies. ---

The Board of Equal Treatment.

The board was established on January 1, 2009 and deals with complaints of discrimination related to discrimination based on gender, race, colour, religion or belief, political views, sexual orientation, age, disability or national, social or ethnic origin.. This means that as a citizen you can complain if you feel discriminated against in the labor market because of gender, race, color, religion, belief, political views, sexual orientation, age, disability, national origin, social origin or ethnic origin.

The Danish Institute for Human Rights.

The Danish Institute of Human Rights is established by law and is the designated national equality body. According to § 1, para 7, of the Act on the Board of Equal Treatment, the Danish Institute for Human Rights can bring complaints of discrimination before the Board of Equal Treatment if they are considered a matter of principle or of public interest. Further-more, according to § 2, para 2, of the Act on the Board of Equal Treat-ment, the Institute may council or represent individuals in the regards to their complaint before the Board.

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text) Consolidation Act number 1230, 2016-10-02 on the Board of Equal Treatment/Lovbekendtgørelse nr. 1230 af 2. oktober 2016 om Ligebehandlingsnævnet. ---
Act number 553, 2012-06-18 on the Danish Institute for Human Rights – The National Human Rights Institution of Denmark/Lov nr. 553 af 18. juni 2012 om Institut for Menneskerettigheder – Danmarks Nationale Menneskerettighedsinstitution

☐ NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality) The Board of Equal Treatment and the Danish Institute for Human Rights are impartial and independent institutions set up by law.

☐ NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. block a decision or allow an appeal) The decisions of The Board of Equal Treatment concern whether the Danish laws concerning equal treatment have been violated in a given case. The Board of Equal Treatment can:

- Handle complaints of discrimination
- Make decisions about whether the national legislation has been violated
- Award compensation to victims of unlawful discrimination
- Bring a case before the courts if the decisions and settlements of the Board are not complied with and the Board is asked to do so by the complainant or the Danish Institute of Human Rights.

☐ NAP

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)

for courts' non-judge staff	()	(X)
-----------------------------	-----	-------

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments. Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding gender equality and The Board of Equal Treatment (See questions 3.4.1-3.4.2).

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment in different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments. Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding gender equality and The Board of Equal Treatment (See questions 3.4.1-3.4.2). Because the distribution of male and female employees is fairly equal within the Danish Courts, we have not taken any further measures regarding gender equality.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) : -

are planned (please specify) : -

Comments - If the situation changed since reference year, please specify in the comments. Concerning the Danish Courts: Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding

gender equality and The Board of Equal Treatment (See questions 3.4.1-3.4.2). Because the distribution of male and female employees is fairly equal within the Danish Courts, we have not taken any further measures regarding gender equality. ---
Concerning prosecutors: As of august 2019, there are 60 prosecutors in Denmark, which are employed as leaders or in functions of responsibility.
Of these 66,7 % are female and 33,3 % are male. On the basis of the statistics above, there are no implemented or planned measures to further improve gender balance and equality in promotion and in access to functions of responsibility for prosecutors.

[] NAP

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify): -

promotion procedures and access to the functions of responsibility (please specify) : -

Comments - If the situation changed since reference year, please specify in the comments. Concerning the Danish Courts: Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding gender equality and The Board of Equal Treatment (See questions 3.4.1-3.4.2). Because the distribution of male and female employees is fairly equal within the Danish Courts, we have not taken any further measures regarding gender equality. ---
Concerning prosecutors: On the basis of the answers to questions 61-4 and 61-9 regarding the distribution of female and male prosecutors in Denmark, there are no comments on the main causes of inequalities. This is due to the fact, that the gender distribution at the law study is reflected in the composition of prosecutors in the Prosecution Service.

[] NAP

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)

statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	()	(X)
--	-----	-------

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input checked="" type="checkbox"/> defined and coordinated at national level by one institution <input type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input type="checkbox"/> other
IT Governance	<input checked="" type="checkbox"/> governed on national level by one institution <input type="checkbox"/> governed on national level by several institutions <input type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- ☐ administrative, technical and scientific staff only
☒ mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
☐ other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non

Other alternatives (external service provider only – specify in a comment)	() Yes (X) No	() Yes (X) Non
---	---------------------	----------------------

Comments - please also describe in case of “other alternatives”

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

(X) Yes

() No

Comments (please specify projects that have experienced national developments)

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

(X) Yes

() No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

[X] Business processes

[X] Workload

[X] Human resources

[X] Costs

[] Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

(X) Yes

() No

Comments (please specify in particular if national frameworks of information security exist): ISO27001

065-6. Is the protection of personal data managed by courts ensured at legislative level?

(X) Yes

() No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) 1)if there are authorities specifically responsible for protection of personal data; According to the Danish rules respectively implementing and supplementing the EU data protection legislation the Danish Court administration is the supervisory authority for the Danish courts in regard to the administrative matters and the security of processing. Regarding judicial matters the court in question acts as supervisory authority and supervises the compliance with the data protection legislation. The decisions of the court can be appealed to the superior court.

2)the extent of the rights granted to citizens in the specific framework of software used by courts; The rights of the citizens follows from

the EU and Danish legislation. The rights have not been infringed or restricted in the designing or implementation of specific software used by courts in Denmark. The IT systems of the courts support the rights of the citizens.

3)if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) The sharing of databases is also regulated by the data protection legislation and there are to our knowledge no specific controls or limitations by law regarding the sharing of databases managed by courts. Please note that the legal bases to share databases managed by other administrations/public authorities generally do not encompass the courts.

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

() Yes

(X) Non

Comments Expected to be implemented by medio 2021

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes () No	() Yes () No	() Yes () No	() Yes () No
Criminal	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes () No	() Yes () No	() Yes () No	() Yes () No
Administrative	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes () No	() Yes () No	() Yes () No	() Yes () No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

() Yes

(X) No

Comments

062-6-1. If yes, please specify the following information:

[] Linkage with other European records of the same nature

[] Content directly available through computerised means for judges and/or prosecutors

Comments - Please specify who is the authority delivering the access

3.5.4 Writing assistance tools

**062-7. Are there writing assistance tools for which the content is coordinated at national level?
(models or templates, paragraphs already pre-written, etc.)**

(X) Yes

() No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

(X) Yes

() No

Comments

062-8-1. If yes, please specify:

Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
--	---	---------------------------

Civil and/or commercial	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	() Yes () Pilot testing (X) No [] NA
Criminal	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	() Yes () Pilot testing (X) No [] NA
Administrative	() in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [X] NA	() in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [X] NA	() Yes () Pilot testing (X) No [] NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- (X) 100% - accessible to everyone in judiciary
- () 50-99% - accessible for most judges/prosecutors in all instances
- () 10-49% - in some courts only
- () 1-9% - in one court only
- () 0% (NAP) - No access

[] NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- (X) Yes
- () No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input type="checkbox"/> both <input checked="" type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input checked="" type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input type="checkbox"/> both <input checked="" type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Business registry	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
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Comment – if it exists in other matters please specify

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input checked="" type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Justice expenses management	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input checked="" type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other (please specify in comments)	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Comments

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

☒ Yes

☐ No

Comments

063-7-1. If yes, please specify the following information:

Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
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For judges	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input checked="" type="radio"/> 0% (NAP) <input type="radio"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP
For prosecutors	<input type="radio"/> 100% <input type="radio"/> 50-99% <input checked="" type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input type="radio"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP
For non-judge/non-prosecutor staff	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input checked="" type="radio"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

☒ Yes

☐ No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input checked="" type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input type="radio"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP
Criminal	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input checked="" type="radio"/> 0% (NAP) <input type="radio"/> NA	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA <input type="radio"/> NAP

Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - if it exist in other matters please specify

064-3. Is it possible to request legal aid by electronic means?

☒ Yes

☐ No

Comments Only applies for Civil cases through Civilsystemet.

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

☒ Yes

☐ No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> [] SMS <input type="checkbox"/> [] E-mail <input checked="" type="checkbox"/> [X] Specific computer application <input type="checkbox"/> [] Other	<input checked="" type="checkbox"/> [X]
Criminal	<input type="checkbox"/> []	<input type="checkbox"/> []	<input type="checkbox"/> []	<input type="checkbox"/> [] SMS <input type="checkbox"/> [] E-mail <input type="checkbox"/> [] Specific computer application <input type="checkbox"/> [] Other	<input type="checkbox"/> []
Administrative	<input type="checkbox"/> []	<input type="checkbox"/> []	<input type="checkbox"/> []	<input type="checkbox"/> [] SMS <input type="checkbox"/> [] E-mail <input type="checkbox"/> [] Specific computer application <input type="checkbox"/> [] Other	<input type="checkbox"/> []

Comments

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Communication between court and lawyers representing parties

☒ (X) Yes

☐ () No

Communication between court and parties not represented by lawyer

☒ (X) Yes

☐ () No

Comments

064-6-1. If yes, please specify the following information:

Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework

Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Notaries (as defined in Q192 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Judicial police services	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments

064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)

☒ Yes

☐ No

Comments – Please describe the system that exists. Cases go through Civilsystemet.

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

☒ Yes

☐ No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

☒ Yes

☐ No

Comments Sound or audio-visual recording during investigation are only made in cases in which children are victims. Sound recording is used in cases about rape. In addition the police can choose to sound record in other types of cases.

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

Admissibility of electronic evidence	Legislative framework
--------------------------------------	-----------------------

Civil and/or commercial	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only
Criminal	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only
Administrative	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only

Comments Mostly all types of evidence - electronic or not - are admissible in trials in the Danish courts.

3.6.Performance and evaluation

3.6.1.National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

() Yes

(X) No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	() Yes (X) No
within the public prosecution services	() Yes (X) No

Comments The public prosecution is not part of Danish Court Administration.

3.6.2.Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

[X] number of incoming cases

[X] length of proceedings (timeframes)

- ☒ number of resolved cases
- ☒ number of pending cases
- ☒ backlogs
- ☐ productivity of judges and court staff
- ☐ satisfaction of court staff
- ☐ satisfaction of users (regarding the services delivered by the courts)
- ☐ costs of the judicial procedures
- ☐ number of appeals
- ☐ appeal ratio
- ☐ clearance rate
- ☐ disposition time
- ☒ other (please specify):Number of weighted cases.

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

- ☒ Yes
- ☐ No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- ☐ number of incoming cases
- ☐ length of proceedings (timeframes)
- ☐ number of resolved cases
- ☒ number of pending cases
- ☒ backlogs
- ☒ productivity of prosecutors and prosecution staff
- ☐ satisfaction of prosecution staff
- ☐ satisfaction of users (regarding the services delivered by the public prosecutors)
- ☐ costs of the judicial procedures
- ☐ clearance rate
- ☐ disposition time
- ☒ percentage of convictions and acquittals
- ☒ other (please specify):time between preliminary charge and indictment

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

☒ Yes

☐ No

Comments

073-0. If yes, please specify the frequency:

☐ Annual

☐ Less frequent

☒ More frequent

Comments - If "less frequent" or "more frequent", please specify: Monthly for the district courts. quarterly for other courts.

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

☒ Yes

☐ No

Comments

073-2. If yes, which courses of action are taken?

☒ Identifying to the causes of improved or deteriorated performance

☒ Reallocating resources (human/financial resources based on performance (treatment)

☐ Reengineering of internal procedures to increase efficiency (treatment)

☐ Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

☒ Yes

☐ No

Comments

073-4. If yes, please specify the frequency:

☐ Annual

☐ Less frequent

☒ More frequent

Comments - If "less frequent" or "more frequent", please specify: Monthly

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

☒ Yes

☐ No

Comments

073-6. If yes, which courses of action are taken?

- ☐ Identifying to the causes of improved or deteriorated performance
- ☒ Reallocating resources (human/financial resources based on performance (treatment))
- ☒ Reengineering of internal procedures to increase efficiency (treatment)
- ☐ Other (please specify):

Comments

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

- ☐ High Judicial Council
- ☐ Ministry of Justice
- ☐ Inspection authority
- ☐ Supreme Court
- ☐ External audit body
- ☒ Other (please specify):Danish Court Administration

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple options possible) :

- ☐ Public prosecutorial Council
- ☒ Ministry of Justice
- ☐ Head of the organisational unit or hierarchical superior public prosecutor
- ☒ Prosecutor General /State public prosecutor
- ☐ External audit body
- ☐ Other (please specify):

Comments

3.6.3. Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- ☒ number of incoming cases
- ☒ length of proceedings (timeframes)
- ☒ number of resolved cases
- ☒ number of pending cases
- ☒ backlogs
- ☒ productivity of judges and court staff
- ☐ satisfaction of court staff
- ☐ satisfaction of users (regarding the services delivered by the courts)
- ☐ costs of the judicial procedures
- ☐ number of appeals

- ☐ appeal ratio
- ☐ clearance rate
- ☐ disposition time
- ☒ other (please specify):weighted cases

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- ☒ number of incoming cases
- ☐ length of proceedings (timeframes)
- ☒ number of resolved cases
- ☒ number of pending cases
- ☒ backlogs
- ☒ productivity of prosecutors and prosecution staff
- ☐ satisfaction of prosecution staff
- ☐ satisfaction of users (regarding the services delivered by the by the public prosecution)
- ☐ costs of the judicial procedures
- ☒ clearance rate
- ☐ disposition time
- ☒ percentage of convictions and acquittals
- ☒ other (please specify):Time between preliminary charge and indictment

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- ☒ civil law cases
- ☒ criminal law cases
- ☐ administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	()	(X)
within the public prosecution services	()	(X)

Comments We monitor the overall time from the courts receive a case until it is finalized, but not what happen in between. The same goes for the prosecution

3.6.4.Information regarding courts /public prosecution services activity



080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

☒ Yes (please indicate the name and the address of this institution):Danish Court Administration

☐ No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

☒ Yes, on internet

☐ No, only internally (in an intranet website)

☐ No

Comments

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

☒ Yes (please indicate the name and the address of this institution):The Public Prosecutor's office, Frederiksholms Kanal 16, 1220 Copenhagen, Denmark

☐ No

Comments

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

☒ Yes, on internet

☐ No, only internally (in an intranet website)

☐ No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

☒ Yes

☐ No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): The content is very much up to the courts. But case flow, goals attainments and an essay of what happened and influenced the court during the year is being examined.

081-1. If yes, please specify in which form this report is released:

☒ Internet

☐ Intranet (internal) website

☐ Paper distribution

Comments Each court release an annual report.

081-2. If yes, please, indicate the periodicity at which the report is released:

- ☒ Annual
☐ Less frequent
☐ More frequent

Comments

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

- ☒ Yes
☐ No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-4. If yes, please specify in which form this report is released:

- ☒ Internet
☐ Intranet (internal) website
☐ Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

- ☒ Annual
☐ Less frequent
☐ More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

- ☒ Yes
☐ No

Comments - If yes, please specify:

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

- ☒ Yes
☐ No

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

() Yes

(X) No

Comments There are no such targets from the side of Danish Court administration, but quantitative performances are used to re-allocate ressources so the court in most need of ressources in case of a vacant judge position also gets the vacant position.

083-1. Who is responsible for setting the individual targets for each judge?

[] Executive power (for example the Ministry of Justice)

[] Legislative power

[] Judicial power (for example the High Judicial Council, Supreme Court)

[] President of the court

[] Other (please specify):

Comments NA as per answer 083.

114. Is there a system of qualitative individual assessment of the judges' work?

() Yes

(X) No

Comments

114-1. If yes, please specify the frequency of this assessment:

() Annual

() Less frequent

() More frequent

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

() Yes

(X) No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

[] Executive power (for example the Ministry of Justice)

[] Prosecutor General /State public prosecutor

[] Public prosecutorial Council

[] Head of the organisational unit or hierarchical superior public prosecutor

[] Other (please specify):

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

() Yes

(X) No

Comments

120-1. If yes, please specify the frequency of this assessment:

() Annual

() Less frequent

() More frequent

Comments

C4. Please indicate the sources for answering the questions in this chapter:

Sources: www.domstol.dk and POLSAS

Mål- og Resultatplan for anklagemyndigheden 2019

Årsrapport for anklagemyndigheden 2018

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[77]

[] NA

[] NAP

Comments - Please add methodology for calculation used. It is only registered for certain fines where it is not necessary to show up in a court if one can agree to the fine for the court to confirm the fine issued by the police.

085. Is there a procedure to effectively challenge a judge, if a party considers that the judge is not impartial?

(X) Yes

() No

Comments - Please could you briefly specify: Chapter 5 of the Administration of Justice Act includes rules regarding when the judge can be seen as impartial, what the time limits are for the party to state to judge's impartiality and how the court must handle the statement. The rules also apply to lay judges, expert judges etc. Data is not available.

085-1. Ratio between the total number of initiated procedures of challenges and total number

of finalised challenges (in the reference year):

[]

[X] NA

Comments

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

[X] For civil procedures (non-enforcement)

[X] For civil procedures (timeframe)

[X] For criminal procedures (timeframe)

[] NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): Research and analysis are a core part of the Danish Institute for Human Rights' (DIHR) mandate, and a central

prerequisite to effect changes and promote human rights both in Denmark and abroad. The Research Department aims to ensure that DIHR remains a world-leading knowledge centre, renowned for innovative and multidisciplinary research and analysis. It is one of the largest human rights research centres in Europe, serving as a hub at the intersection between human rights scholarship and practice. Our research intends to provide innovative, relevant and impactful perspectives on current human rights issues, while simultaneously meeting the highest academic standards. The department also hosts the secretariat of the Association of Human Rights Institutes (AHRI), the largest international network of human rights research institutions.

086-1. Is there in your country a possibility to review a case after a decision on violation of human rights by the European Court of Human Rights?

(X) Yes

() No

[] NAP

Comments The Danish Court Administration Act art. 977 gives the Special Court of Indictment and Revision the possibility to re-open a case when it is likely that the judgment of the case will fall out differently than the first time the case was handled in court.

D1. Please indicate the sources for answering questions in this chapter.

Sources: Sources: Q 085: se the comments below the question.

Q 086: <https://www.humanrights.dk/research>

Q 085: Danish Court Administration

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

[] civil cases

☒ criminal cases

☒ administrative cases

☐ There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

☒ civil cases (small disputes)

☒ criminal cases (misdemeanour cases)

☐ administrative cases

☐ There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

☐ civil cases

☐ criminal cases

☐ administrative cases

Comments - If yes, please specify: No

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

☒ Yes

☐ No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	144 319 [] NA [] NAP	2 277 208 [] NA [] NAP	2 267 599 [] NA [] NAP	149 974 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	20 458 [] NA [] NAP	41 854 [] NA [] NAP	39 768 [] NA [] NAP	22 544 [] NA [] NAP	[X] NA [] NAP

2. Non litigious cases (2.1+2.2+2.3)	94 887 [] NA [] NAP	2 076 446 [] NA [] NAP	2 070 226 [] NA [] NAP	97 182 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	83 319 [] NA [] NAP	357 316 [] NA [] NAP	357 728 [] NA [] NAP	82 907 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	9 229 [] NA [] NAP	1 714 131 [] NA [] NAP	1 707 761 [] NA [] NAP	11 674 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	3 094 [] NA [] NAP	1 689 592 [] NA [] NAP	1 690 470 [] NA [] NAP	2 216 [] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	6 135 [] NA [] NAP	24 539 [] NA [] NAP	17 291 [] NA [] NAP	9 458 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	2 339 [] NA [] NAP	4 999 [] NA [] NAP	4 737 [] NA [] NAP	2 601 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
4. Other cases	28 974 [] NA [] NAP	158 908 [] NA [] NAP	157 605 [] NA [] NAP	30 248 [] NA [] NAP	[X] NA [] NAP

Comments As concerns "non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. Furthermore, the reason for the discrepancy is that we do not have pending figures from the Maritime and Commercial High Court. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

092. If courts deal with "civil (and commercial) non-litigious cases", please indicate the case categories included:

. Paternity, adoption, guardianship and others in the same category; cases under inquisitorial procedures.

093. Please indicate the case categories included in the category "other cases":

. Estate of deceased persons, notary, insolvency cases not included under 2.2.2. above.

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	16 981 [] NA [] NAP	167 564 [] NA [] NAP	165 858 [] NA [] NAP	18 687 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	8 200 [] NA [] NAP	24 225 [] NA [] NAP	23 198 [] NA [] NAP	9 227 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	8 781 [] NA [] NAP	143 339 [] NA [] NAP	142 660 [] NA [] NAP	9 460 [] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: Our statistics on criminal cases does not have data on pending cases older than 2 years. We can not differentiate pending cases according to age. When we categorize cases as "severe", it does not mean that privation of liberty is the end result, but based on the category chosen by the court to deal with the case could include severe cases. Minor cases are typically fines that will never have as a result of privation of liberty. Probably there are too many cases under the category "severe" then, but that is the figures we have.

4.2.3. Case flow management – second instance

097. Second instance courts (appeal): Number of "other than criminal law" cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	1 935 [] NA [] NAP	4 839 [] NA [] NAP	4 636 [] NA [] NAP	2 138 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 935 [] NA [] NAP	4 839 [] NA [] NAP	4 636 [] NA [] NAP	2 138 [] NA [] NAP	[X] NA [] NAP

2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	1 551 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 237 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 066 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 722 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	1 551 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 237 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 066 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 722 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify.

4.2.4. Case flow management – Supreme Court



099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	100 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	257 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	236 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	121 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	100 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	257 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	236 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	121 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “Other cases”, please specify In the Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

it is also important, when we talk discrepancy, that there is a year between previous and present year (2016 - 2018). 2017 is missing, so data - in particular pending cases - may vary.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

☒ Yes

☐ No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [181]

cases closed by this procedure? [27]

Comments Manifest inadmissibility would be cases that:

- Denmark had no jurisdiction in the matter
- The part did not pay the fee to the court
- summary of the case was not given to the court in due time
- Appeals Permission Board had not granted permission for the case to be appealed
- The Supreme Court has not granted permission to appeal cases from the Maritime and Commercial Court.

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

3. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
----------------	--	--	--	--	--

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify Data are from the yearly report 2018 from the Supreme Court, <http://www.hoejesteret.dk/hoejesteret/embedsregnskab/Documents/Årsberetning2018.pdf>

4.2.5. Case flow management and timeframes – specific cases



101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	1 534 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 911 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 905 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 540 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	8 593 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	9 381 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	7 438 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	10 536 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Robbery case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments It should be noticed that all cases from the District Courts regarding marriage and paternity/maternity are considered litigious divorce cases.

There is a change of numbers of pending insolvency cases as we succeeded to include the Maritime and Commercial Court's pending insolvency cases in the overall figure.

101-1. Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

1. General Description of the Asylum System (types of procedures and instances). The appeal system in asylum cases is two-tiered. The Immigration Service is the first instance responsible for assessing a claim for asylum and the Refugee Appeals Board is the second instance. If the Immigration Service rejects an application for asylum, the rejection occurs according to one of two different procedures. Most cases are decided according to the so-called normal procedure. This means that, if the asylum applicant is rejected,

the case is automatically referred to the Refugee Appeals Board. A minority of cases are considered manifestly unfounded and decided in an accelerated procedure. This occurs when the Immigration Service assesses that the applicant clearly cannot be granted asylum in Denmark. If The Danish Refugee Council which is a private, independent humanitarian organisation (NGO) agrees with the Immigration Service, the application will be rejected without contest. The asylum applicant cannot appeal this decision. On the other hand, if the Danish Refugee Council disagrees, the Immigration Service will generally still reject the application, but will nevertheless refer the matter to the Refugee Appeals Board for a final decision. Regardless of the procedure, the asylum seeker has the right to remain in Denmark until the Refugee Appeals Board has determined the outcome of the case (suspensive effect). The asylum seeker is appointed an attorney when the case is pending before the Refugee Appeals Board. The lawyer's fee is subject to the rules applying when legal aid is granted. 2. Competences of the Authorities involved in review and appeal (as laid down in national legislation). The Refugee Appeals Board is a quasi-judicial body. The members of the Board are independent and may not accept or seek directions from anyone including the appointing or nominating authority or organisation. The Board is considered to be a court within the meaning of article 39 of the EU Council Directive on asylum procedures (2005/85/EC) concerning the right for asylum seekers to have their case examined by court or tribunal.

Asylum cases are heard by a board consisting of three members. The chairman must be an appointed judge. One member is appointed by the Ministry of Refugee, Immigration and Integration Affairs, and one member is appointed upon nomination from the Council of the Danish Bar and Law Society. In the accelerated procedure the cases are decided by the appointed judge only. When assessing an application for asylum the Board has the full competence in assessing the facts and the points of law. The competences of the Refugee Appeals Board comprise cases where the Immigration Service has refused an application for a residence permit for an alien who claims to fall within section 7 (1) (The Convention relating to the Status of Refugees of 28 July 1951) or section 7 (2) (subsidiary protection – risk of death penalty, torture or inhuman or degrading treatment or punishment). For the Refugee Appeals Board to consider the conditions for a residence permit under section 7(1) of the Aliens Act to be fulfilled, the general criterion is that it may be feared that the person in question will be subjected to specific and individual persecution of some severity or a risk thereof in case of return to his country of origin. The wording of section 7 (2) is close to the wording of Article 3 of the European Convention on Human Rights. It appears from the explanatory comments to section 7(2) that it is presupposed that the immigration authorities will comply with the case law of the European Court of Human Rights in the field when applying the provision and that Denmark in addition to the provisions of the European Convention on Human Rights has an obligation to respect a number of other conventions of relevance to the provision. Furthermore it appears from the comments that a residence permit under section 7(2) cannot be granted with reference alone to a generally chaotic situation or a state of civil war in the country of origin. According to its practice, the Refugee Board will generally consider the conditions for issuing a residence permit under section 7(2) to be fulfilled when there are specific and individual factors rendering it probable that the applicant will be exposed to a real risk of the death penalty or of being subjected to torture or inhuman or degrading treatment or punishment in case of return to his country of origin. Pursuing to section 56 (8) of the Danish Aliens Act Board decisions are final, which means that Board decisions are not subject to judicial review. This has been established before the Supreme Court. The judgements in these cases have concluded that the Board is an expert board of a quasi-judicial nature and that deliberations of the courts are limited to points of law. 3. Brief description of the proceedings before the authorities involved in review and appeal. With exception of cases in the accelerated procedure proceedings all Board hearings are in general oral. If the case is referred to be considered under an oral proceeding at the Board, the hearing is attended by the asylum-seeker, the attorney, an interpreter and a representative of the Immigration Service. During the hearing the asylum-seeker has an opportunity to make a statement and reply to questions. Then the attorney and the representative of the Immigration Service have an opportunity to present their legal arguments, whereupon the asylum-seeker makes a final statement. After the deliberations of the Board, a written decision is drafted, reproducing the information available in the case and the decision of the Board with its grounds. Normally, the Board decision will be served on the asylum-seeker in direct continuation of the Board hearing, and at the same time the chairman will give a brief explanation of the decision made.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for

judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Litigious divorce case	16 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	144 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	124 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	164 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	0 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Employment dismissal case	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	367 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP

Comments To reach the average total is used the percentage appealed times the time of 2nd instance alone + 1st instance average time. It should be noted, that Danish Court Administration has amended the way, the second instance is calculated so it may vary from last report.

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. It is assumed that litigious divorce cases do not go further than second instance. Short description on the divorce system: In Denmark, the handling of all matrimonial matters starts since 1 April 2019 at the Agency of Family Law; earlier it started at the State Administration. Spouses wishing to separate or divorce must apply to the Agency of the Family Law and pay a fee for the processing of the application. If the spouses disagree on the terms of the separation or divorce, they must attend a meeting to negotiate terms. An fee applies to such a meeting. Further information in English can be found on the webpage of the Agency of the Family Law: <https://familieretshuset.dk/en>

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. With regard to divorce cases, 1st instance is one weighted average figure from the district courts. Similarly is average length in 2nd instance the weighted average figure of the two high courts. The average total length is the weighted average figure of the district courts added with the weighted average figure of the two high courts multiplied with the percentage these cases is of the number of finished cases in the district courts. Insolvency cases are weighted between district courts and Maritime and Commercial High Court. Included are bankruptcy cases and reconstruction cases.

4.2.6. Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- ☐ to conduct or supervise police investigation
- ☐ to conduct investigations
- ☒ when necessary, to request investigation measures from the judge
- ☒ to charge
- ☒ to present the case in court
- ☒ to propose a sentence to the judge
- ☒ to appeal
- ☐ to supervise the enforcement procedure
- ☒ to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- ☒ to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- ☐ other significant powers (please specify):

Comments The public prosecutor does not lead the investigation, but may (in complicated cases) be a part of the management of an investigation.

106. Does the public prosecutor also have a role in:

- ☐ civil cases
- ☐ administrative cases
- ☐ insolvency cases

Comments - If yes, please specify: The public prosecutor does not have a role in these types of cases.

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	473 204 <input type="checkbox"/> NA <input type="checkbox"/> NAP	250 558 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 388 <input type="checkbox"/> NA <input type="checkbox"/> NAP	163 258 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Please note that there has been a mistake with the previous data collection for 2006, 2008, 2010, 2012, 2014 and 2016 concerning question 107 and 108. This is due to missing information and collection of data from the Danish Administration of Justice Act. In the future we will make sure that every information is incorporated.

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

Number of guilty plea procedures

Total	4 283 [] NA [] NAP
Before the court case	[X] NA [] NAP
During the court case	[X] NA [] NAP

Comments

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	250 558 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	[X] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments Please note that there has been a mistake with the previous data collection for 2006, 2008, 2010, 2012, 2014 and 2016 concerning question 107 and 108. This is due to missing information and collection of data from the Danish Administration of Justice Act. In the future we will make sure that every information is incorporated.

109. Do the figures include traffic offence cases?

() Yes

(X) No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: POLSAS

5. Career of judges and public prosecutors

5.1.Recruitment and promotion

5.1.1.Recruitment and promotion of judges

110. How are judges recruited?

- ☐ mainly through a competitive exam (open competition)
- ☐ mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- ☐ a combination of both (competitive exam and working experience)
- ☒ other (please specify):See general comment

Comments

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

- ☐ an authority made up of judges only
- ☐ an authority made up of non-judges only
- ☒ an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

112. Is the same authority (Q111) competent for the promotion of judges?

- ☒ Yes
- ☐ No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

- ☐ Competitive test / Exam
- ☐ Other procedure (interview or other)
- ☒ No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

- ☐ Years of experience
- ☒ Professional skills (and/or qualitative performance)
- ☒ Performance (quantitative)
- ☒ Assessment results
- ☐ Subjective criteria (e.g. integrity, reputation)
- ☒ Other
- ☐ No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):
Emphasis is placed on the candidates legal and personal qualifications.

5.1.2.Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- ☐ statutory independent
- ☒ under the authority of the Minister of Justice or another central authority
- ☐ other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- ☐ Yes
- ☒ No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

- ☒ mainly through a competitive exam (open competition)
- ☐ mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- ☐ a combination of both (competitive exam and working experience)
- ☐ other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

- ☐ an authority composed of public prosecutors only
- ☐ an authority composed of non-public prosecutors only
- ☒ an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

- ☒ Yes
- ☐ No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- ☐ Competitive test / exam
- ☐ Other procedure (interview or other)
- ☒ No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- ☒ Years of experience

- ☒ Professional skills (and/or qualitative performance)
- ☒ Performance (quantitative)
- ☒ Assessment results
- ☒ Subjective criteria (e.g. integrity, reputation)
- ☐ Other
- ☐ No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- ☒ Yes, please indicate the compulsory retirement age:70
- ☐ No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

- ☐ For disciplinary reasons
- ☒ For organisational reasons
- ☒ For other reasons (please specify modalities and safeguards):
- ☐ No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

- ☒ Yes, duration of the probation period (in years):
- ☐ No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- ☒ Yes, please indicate the compulsory retirement age:-
- ☐ No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Dismissal as a disciplinary sanction.

124. Is there a probation period for public prosecutors? If yes, how long is this period?

- ☐ Yes, duration of the probation period (in years):
- ☒ No

Comments It is noticed that there are no specific probation period for public prosecutors. Prosecutors are, however, covered by the Employers' and Salaried Employees Act which means they have the same probation period as most other salaried employees. This means that within the first three months, the employer may terminate the employment by giving a notice of at least 14 days.

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments Judges are appointed to office for an undetermined period. See answer 121.

125-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

Sources: Regarding judges: The Administration of Justice Act and The Danish Constitution
Regarding prosecutors: The Ministry of Justice

5.2.Training

5.2.1.Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	(X) Yes () No	() Yes (X) No	() Yes (X) No

General in-service training	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments Training is optional except for the initial training that is compulsory for deputy judges. The Danish Court Administration offers on a yearly basis approx. 250 different sessions/seminars. In regards to In-service training on ethics this is incorporated in our initial training for deputy judges where it is relevant. In addition we offer different topics on our larger assemblies for appointed judges where ethics are a part of the specific topics.

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in courts	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on ethics	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: In all of the mentioned areas the Danish court administration offers training to deputy judges on a regular basis, as a minimum every other year and the participation in these training activities is mandatory.

Regarding appointed judges, training is also offered regularly. However, participation in the training activities is optional and topics of training can vary from year to year depending on the specific needs for training.

5.2.2. Training of prosecutors



129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in office	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in office	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training on ethics	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: On average, each employee in the Prosecution Service in Denmark spends 3 days a year on in-service training.

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>]	<input type="checkbox"/>]	<input checked="" type="checkbox"/> X]
One institution for prosecutors	<input type="checkbox"/>]	<input type="checkbox"/>]	<input checked="" type="checkbox"/> X]
One single institution for both judges and prosecutors	<input type="checkbox"/>]	<input type="checkbox"/>]	<input type="checkbox"/>]

Comments In regards to prosecutors: After completing a 3-year initial training program, the majority of prosecutorial training (incl. managerial training) is voluntary and can be undertaken by the prosecutor as and when needed. The Director of Public Prosecutions offers a catalogue of courses covering a wide range of topics ranging from rhetoric and media training to specific criminal topics such as tax evasion and cybercrime.

131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	1 400 000 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP
One institution for prosecutors	930 000 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP
One single institution for both judges and prosecutors	<input type="checkbox"/>] NA <input checked="" type="checkbox"/> X] NAP

Comments The Danish Court Administration receives a budget of approximately 1.400.000 EURO per year for training. This budget is for training of all personnel groups at the Courts of Denmark. The latter employ approximately 2.300 staff including 380 appointed judges.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. Judges: If a deputy judge starts his or hers career directly after finishing law school he or she will have compulsory initial training. However, you can be appointed a judge without the compulsory initial training based on an extensive experience with working within the judicial area. In that case you will be offered a wide range of optional training in current topics.
Prosecutors: Not relevant because of the answer to question 131

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	398 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	135 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP

1. Only for judges	92 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Only for prosecutors	99 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Only for other non-judge staff	94 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Only for other non-prosecutor staff	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other common training	100 <input type="checkbox"/> NA <input type="checkbox"/> NAP	133 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments: Please note that we are unable to differ between appointed judges and deputy judges. Therefore, the category "Only for judges" captures both appointed judges and deputy judges. The e-learning courses are not offered by The Danish Court Administration, but another public institution in Denmark. However, they are available to all staff working within The Courts of Denmark. Prosecutors: As supplement to our own online training courses, we recommend our employees to explore e learning supplied by the government. These online courses count several thousands and they cover a variety of sub-jects, which are relevant for an employee in our system.

E2. Please indicate the sources for answering the questions in this chapter:

Sources: In regards to questions 131, 131-0, 131-1, 131-2 the Danish Court Administration have answered for the judges and other personnel employed at The Courts of Denmark.

Questions regarding prosecutors have been answered by The Director of Public Prosecutions.

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	128 780 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	960 683 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	225 785 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 685 333 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	53 600 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	400 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	91 087 [] NA [] NAP	[X] NA [] NAP	686 800 [] NA [] NAP	[X] NA [] NAP
---	-----------------------------	---------------------	------------------------------	---------------------

Comments

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	(X) Yes () No	() Yes (X) No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	() Yes (X) No	() Yes (X) No

Comments

134. If “other financial benefit”, please specify:

[X] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No

Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. Judges may only have secondary employment if the Administration of Justice Act allows. Judges may only have permanent secondary employment with remuneration if determined by law or if the Board of Secondary Employment (Bibeskæftigelsesnævnet) allows. Occasionally or single secondary employment without remuneration does not require permission. The above crosses are set with a certain reservation. A concrete assessment will always be made. "Other function" can be: council and board, special courts and legal committee.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	(X) Yes () No	(X) Yes () No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	(X) Yes () No	(X) Yes () No
Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: According to the Code of Conduct for the Police and the Prosecution Service a prosecutor is allowed to have secondary employment. The secondary employment must however be compatible with the service as prosecutor. This means that the secondary employment must not be in conflict with the Prosecution Services basic values or the dignity requirements. Furthermore the secondary employment must not entail a conflict of interest with the job as prosecutor.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

() Yes

(X) No

Comments - If yes, please specify the conditions and possibly the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

☐ Yes

☒ No

Comments There are no institutions/bodies dedicated to giving opinions on ethical questions of the conduct of judges. If a judge behaves improper or unseemly, the court president can issue a warning to the judge in question. The warning can be appealed to The Special Court of Indictment and Revision.

138-1. If yes, how is this institution / body formed

☐ only by judges

☐ by judges and other legal professionals

☐ other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

☐ Yes

☐ No

[] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

[] NAP

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

☒ Yes

☐ No

Comments The Danish Parliamentary Ombudsman deals with the conducts of the public administration including prosecutors.

138-4. If yes, how is this institution / body formed

☐ only by prosecutors

☐ by prosecutors and other legal professionals

☒ other, please specify: The Danish Parliamentary Ombudsman is a law graduate and is elected by the Danish Parliament to investigate complaints about the public administration. The Parliamentary Ombudsman employs about 100 staff members.

Comments The Danish Parliamentary Ombudsman is a law graduate and is elected by the Danish Parliament to investigate complaints about the public administration. The Parliamentary Ombudsman employs about 100 staff members.

138-5. Are the opinions of this institution / body publicly available?

☒ Yes

☐ No

[] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. The Danish Parliamentary Ombudsman received 4,798 complaints in 2018 from citizens who believe that a public authority has made mistakes. Furthermore, the Ombudsman opened 162 cases on his own initiative. In 2018, the Ombudsman closed 4,955 cases. 764 of those cases led to investigations being

opened. In 2018 4 of those investigations dealt with the conduct of the Director of Public Prosecutions and 15 with the State Prosecutors but none lead to criticism.

[] NAP

5.4.Disciplinary procedures

5.4.1.Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

- ☐ Court users
- ☒ Relevant Court or hierarchical superior
- ☐ High Court / Supreme Court
- ☐ High Judicial Council
- ☒ Disciplinary court or body
- ☐ Ombudsman
- ☐ Parliament
- ☐ Executive power (please specify):
- ☒ Other (please specify):The Minister of Justice
- ☐ This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options possible):

- ☐ Citizens
- ☐ Head of the organisational unit or hierarchical superior public prosecutor
- ☒ Prosecutor General /State public prosecutor
- ☐ Public prosecutorial Council (High Judicial Council)
- ☐ Disciplinary court or body
- ☐ Ombudsman
- ☐ Professional body
- ☐ Executive power (please specify):
- ☒ Other (please specify):the Ministry of Justice
- ☐ This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- ☐ Court
- ☐ Higher Court / Supreme Court
- ☐ High Judicial Council
- ☒ Disciplinary court or body

- ☐ Ombudsman
- ☐ Parliament
- ☐ Executive power (please specify):
- ☐ Other (please specify):

Comments The Special Court of Indictment and Revision

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- ☐ Supreme Court
- ☐ Head of the organisational unit or hierarchical superior
- ☒ Prosecutor General /State public prosecutor
- ☐ Public prosecutorial Council (High Judicial Council)
- ☐ Disciplinary court or body
- ☐ Ombudsman
- ☐ Professional body
- ☐ Executive power (please specify):
- ☒ Other (please specify):the Ministry of Justice

Comments

5.4.2.Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Of the two disciplinary proceedings mentioned regarding judges; one was against a judge and the other was against a deputy judge.

Of the five disciplinary proceedings mentioned regarding prosecutors as "other"; includes 3 breaches of personal data due to loss of documents / files (2) and loss of work computer (1) that was left in court by mistake. Furthermore, it includes incorrect registration of working hours (1) and unacceptable communication with co-workers and leader (1).

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	2 [] NA [] NAP	13 [] NA [] NAP
1. Reprimand	2 [] NA [] NAP	1 [] NA [] NAP
2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	1 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	2 [] NA [] NAP
9. Other	0 [] NA [] NAP	9 [] NA [] NAP
10. Dismissal	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Of the two sanctions mentioned regarding judges; one was against a judge and the other was against a deputy judge.

Of the 9 sanctions mentioned regarding prosecutors as other: 2 cases are yet to be resolved. 7 cases were resolved by a meeting between Human Resources and the employee. The meetings were not a reprimand (disciplinary), however the importance of preventing a similar incident in the future was emphasized. The minutes of the respective meetings have been made part of the personal file of the individual employees.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Regarding judges: Yearly statistics available from The Special Court of Indictment and Revision.

Regarding prosecutors: The Director of Public Prosecutions. The information has been obtained from the system for administration of salary and the case management system.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	6 563 [] NA	4 195 [] NA	2 368 [] NA

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[X] NA

[] NAP

Comments

149. Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[X]	[X]	[X]
Dismissal cases	[X]	[X]	[X]
Criminal cases – Defendant	[X]	[X]	[X]
Criminal cases – Victim	[X]	[X]	[X]
Administrative cases	[X]	[X]	[X]

[] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly:

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No	(X) Yes () No	() Yes (X) No
Family member	(X) Yes () No	(X) Yes () No	(X) Yes () No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): The Ministry of Justice can allow that employees in certain civil society organisations can represent a client in the first instance in cases concerning work etc. Forbrugerombudsmanden (the consumer ombudsman) can represent clients in certain cases in both the first and second instance. Family members and self-representation: Self-representation or representation by certain family members is always possible.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- ☐ Notarial activity
- ☒ Arbitration / mediation
- ☒ Proxy / representation
- ☒ Property manager
- ☒ Real estate agent
- ☐ Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- ☒ Self-employed lawyer
- ☒ Staff lawyer
- ☒ In-house lawyer

Comments

150. Is the lawyer profession organised through:

- ☒ a national bar association
- ☐ a regional bar association
- ☐ a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- (X) Yes

☐ No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

☒ Yes

☐ No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

☐ Yes

☒ No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: The Danish Bar and Law Society. Registration with the BLS is mandatory for everyone currently holding the licence to practice as an 'advokat' in Denmark, Greenland and Faroe Islands.

6.1.2. Practicing the profession



154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

☒ Yes

☐ No

Comments

155. Are lawyers' fees freely negotiated?

☒ Yes

☐ No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

☒ Yes, laws provide rules

☒ Yes, standards of the bar association provide rules

☐ No, neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures



157. Have quality standards been determined for lawyers?

☒ Yes

☐ No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

☒ the bar association

☐ the Parliament

☐ other (please specify):

Comments

159. Is it possible to file a complaint about:

☒ the performance of lawyers

☒ the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

☐ a judge

☐ Ministry of Justice

☒ a professional authority

☐ other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	828 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	230 [] NA [] NAP
1. Reprimand	27 [] NA [] NAP
2. Suspension	5 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	192 [] NA [] NAP
5. Other	6 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. violations without sanction

7. Court related mediation and other alternative Dispute Resolution

7.1 Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

(X) Yes

() No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

[] Before/instead of going to court

[] Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

[X] No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: See comment for Q163 for more information

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

() Yes

(X) No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Family cases	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Labour cases including employment dismissals	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Consumer cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

(X) Yes

() No

[] NAP

Comments - If yes, please specify (only one or both options):: The rules on legal aid are to be found in chapter 31 of the Danish Administration of Justice Act. Legal aid is given to a specific claim in a specific civil case. Legal aid can be given both in already raised cases and before the case is raised before the courts. If there is mediation in the cases, the grant of legal aid will - in general terms - include the possible costs connected to the mediation. The courts will determine whether the costs are included in the granted legal aid.

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	143 [] NA [] NAP	51 [] NA [] NAP	92 [] NA [] NAP

Comments The number of registered judges who serve as mediators in court mediation in 2018 is 86. The number of registered attorneys who are appointed to serve as mediators in court mediation in 2018 is 57.

167. Number of court-related mediations:

Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
---	---	--

Total (1 + 2 + 3 + 4 + 5 + 6)	715 [] NA [] NAP	658 [] NA [] NAP	453 [] NA [] NAP
1. Civil and commercial cases	460 [] NA [] NAP	418 [] NA [] NAP	203 [] NA [] NAP
2. Family cases	250 [] NA [] NAP	235 [] NA [] NAP	145 [] NA [] NAP
3. Administrative cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Labour cases including employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Criminal cases	5 [] NA [] NAP	5 [] NA [] NAP	2 [] NA [] NAP
6. Consumer cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate the source:

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- ☒ Mediation other than court-related mediation
- ☒ Arbitration
- ☐ Conciliation (if different from mediation)
- ☒ Other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: <http://www.domstol.dk/saadangoerdu/retsmaegling/Pages/default.aspx>

You can find the lists on the right hand side of the page: "Liste over dommerretsmæglere" and "Liste over advokatmæglere".

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

- ☒ Yes
- ☐ No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments In Denmark there are 24 enforcement courts, however The Danish Court Administration does not have information regarding the total number of enforcements agents employed by the Danish Courts or the gender of the enforcement agents.

171. Are enforcement agents (multiple options are possible):

- ☐ judges
- ☐ bailiffs practising as private professionals under the authority (control) of public authorities
- ☒ bailiffs working in a public institution
- ☒ other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

- ☐ Yes
- ☒ No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Eviction measures	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- ☒ Service of judicial and extrajudicial documents
- ☒ Debt recovery
- ☐ Voluntary sale of moveable or immoveable property at public auction
- ☒ Seizure of goods
- ☒ Recording and reporting of evidence
- ☒ Court hearings service
- ☐ Provision of legal advice
- ☐ Bankruptcy procedures
- ☐ Performing tasks assigned by judges
- ☐ Representing parties in courts
- ☐ Drawing up private deeds and documents
- ☐ Building manager
- ☐ Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- ☒ Yes
- ☐ No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- ☐ Yes
- ☒ No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the

profession is not organised):

☒ a national body

☐ a regional body

☐ a local body

☐ NAP

Comments

174. Are enforcement fees easily established and transparent for court users?

☒ Yes

☐ No

Comments

175. Are enforcement fees freely negotiated?

☐ Yes

☒ No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

☒ Yes

☐ No

Comments

H0. Please indicate the sources for answering question 170

Source: The number 24 corresponds to the number of enforcement courts and not the number of enforcement agents individually.

8.1.2. Efficiency of enforcement services



177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

☒ Yes

☐ No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

☐ professional body

☒ judge

☐ Ministry of Justice

☐ public prosecutor

☐ other (please specify):

179. Have quality standards been determined for enforcement agents?

☒ Yes

☐ No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

☐ professional body

☒ judge

☐ Ministry of Justice

☐ other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

☐ Yes

☒ No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

☐ Yes

☒ No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

☐ no execution at all

☐ non execution of court decisions against public authorities

☐ lack of information

☐ excessive length

☐ unlawful practices

☐ insufficient supervision

☐ excessive cost

☐ other (please specify):

Comments This kind of information is not collected.

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?

() Yes

(X) No

Comments - If yes, please specify:

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	(X) Yes () No
for administrative cases	() Yes (X) No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

(X) between 1 and 5 days

() between 6 and 10 days

() between 11 and 30 days

() more (please specify):

[] NA

Comments The estimation is carried out by a staff member of the Danish Court Administration who used to be judge at a court.

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	[X] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: Q 186: The estimation is carried out by a staff member of the Danish Court Administration who used to be judge at a court.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- ☐ Judge
- ☐ Public prosecutor
- ☒ Prison and Probation Services
- ☐ Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- ☐ Yes
- ☒ No

Comments

191. If yes, what is the recovery rate?

- ☐ 80-100%
- ☐ 50-79%
- ☐ less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Total	Male	Female
TOTAL (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Professionals appointed by the State	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Public officials	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary (multiple options possible):

- ☒ diploma
- ☐ professional experience/professional training
- ☐ exam
- ☐ appointment procedure by the State
- ☐ other (please specify):

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- ☐ yes, please indicate the age of retirement:
- ☒ no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Notaries in Denmark are not appointed to

office for an undetermined period, nor are they appointed for a certain period. Being a notary does not require a specific education, but the position will often be held by a office clerk working at the court. Normally the office clerk will have a regular ongoing employment that can be terminated by both the employer and the office clerk.

194. What kind of activities do notaries perform (multiple options possible):

- ☒ Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- ☒ Authentication
- ☒ Certification of signatures
- ☒ Legality control of documents submitted by the parties
- ☐ Mediation
- ☐ Taking of oaths
- ☒ Other, for example collect taxes, keep registers etc. (please specify): Drawing lots (toss)

Comments

194-1. Do notaries have the exclusive rights when exercising their profession:

- ☒ Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- ☐ Authentication
- ☐ Certification of signatures
- ☐ Legality control of documents submitted by the parties
- ☐ Mediation
- ☐ Taking of oaths
- ☐ Other, for example collect taxes, keep registers etc. (please specify):

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with: You can choose whether you want to have the notary's attest of a will or you want to sign it in the presence of witnesses. But only the notaries can attest a notarial will. If you want a notarized copy, certification or toss, only the notaries can perform there - but most of these performances are not mandatory but optional.

If you need legalization of a document, it can also be performed by The Danish Chamber of Commerce.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- ☐ Real estate transaction
- ☐ Family law
- ☒ Succession law
- ☐ Company law
- ☒ Legality control of gambling activities
- ☒ Other

Comments Other: Authentication of documents and signatures.

194-3. Do notaries use specialised digital systems in their activity?

- ☐ In establishing authentic instruments
- ☐ In recording authentic instruments (archives)
- ☐ Other activity (please specify):

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

(X) Yes

() No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

[] professional body

[X] court

[] Ministry of Justice

[] public prosecutor

[] other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

() Yes

(X) No

Comments

I1. Please indicate the sources for answering question 192:

Sources: 24 is the number of notarial offices. The notaries are seated in the buildings of the district courts and there are as many notarial offices as district courts.

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

() Yes

(X) No

Comments

198. Is the function of court interpreters regulated by legal norms?

(X) Yes

() No

Comments

199. Number of accredited or registered court interpreters:

☐ NA

☐ NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

☐ Yes

☒ No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

☐ Yes, for recruitment and/or appointment for a specific term of office

☐ Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

☒ No, please specify which authority selects court interpreters: The National Police

Comments

J1. Please indicate the sources for answering question 199

Sources: The number 3000 is the number of court interpreters on the National Police's list of interpreters.

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

202. In your system, what types of judicial experts can be requested to participate in judicial procedures (multiple choices possible):

☐ experts who are requested by the parties to bring their expertise to support their argumentation,

☒ experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

☐ "legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

☒ Other (please specify): Children's expert

Comments

202-1. Are there lists or databases of registered judicial experts?

☒ Yes

☐ No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?):

202-2. Who is responsible for registering judicial experts?

☐ Ministry of justice

☒ Courts

☐ Independent body (association of judicial experts)

☒ Other

Comments See comment to Q 202-1.

202-3. Is the registration of judicial experts limited in time?

☒ Yes, for how long 4 years

☐ No

Comments See comment to Q 202-1.

203. Is the title of judicial experts protected?

☒ Yes

☐ No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

☐ judicial proceedings

☐ the profession of expert

☐ other

Comments

204. Is the function of judicial experts regulated by legal norms?

☒ Yes

☐ No

Comments The Administration of Justice Act chapter 9b.

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

(X) Yes

() No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	464	341	123
	[] NA	[] NA	[] NA
	[] NAP	[] NAP	[] NAP

Comments The numbers include both the expert judges in regular cases and in cases regarding smaller claims and children's experts.

205-1. Who sets the expert remuneration?

- The Court Administration (the Administration of Justice Act article 93). The court sets the remuneration with regard to technical experts and the Court Administration sets the remuneration for children experts.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

(X) Yes

() No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	[X] NA [] NAP
1.Civil and commercial litigious cases	[X] NA [] NAP
2.Administrative cases	[X] NA [] NAP
3.Criminal cases	[X] NA [] NAP
4.Other cases	[X] NA [] NAP

207. Are the courts responsible for selecting judicial experts?

- ☐ Yes, for recruitment and/or appointment for a specific term of office
- ☐ Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- ☒ No, please specify which authority selects judicial experts The Court Administration and the high courts

Comments

207-1. Does the judge control the progress of the expertise?

- ☒ Yes
- ☐ No

Comments

K1. Please indicate the sources for answering question 205

Sources: Most of the information can be found on www.domstol.dk.

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans -

2. Budget -

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) -

3.1. Access to justice and legal aid -

4. High Judicial Council -

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. -

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities -

7. Enforcement of court decisions -

8. Mediation and other ADR -

9. Fight against crime -

9.1. Prison system -

9.2 Child friendly justice -

9.3.Violence against partners -

10. New information and communication technologies -

11. Other -