

**Group of Experts on Action against Violence  
against Women and Domestic Violence  
(GREVIO)**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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**Comments submitted by Denmark  
on GREVIO's first thematic evaluation:**

**Building trust by delivering support, protection and  
justice**

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**Denmark’s comments to the final first thematic evaluation report from GREVIO regarding Denmark’s implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**

Paragraph	Commentary
<p><i>34. In its baseline evaluation report, GREVIO had welcomed the efforts made by the Danish authorities to collect data for the purpose of shaping evidence-based policies on violence against women, noting, however, the absence of specific data categories concerning the relationship between victims and perpetrators. Combined with the limited disaggregation by sex, this posed challenges in identifying cases of intimate partner violence against women. The inadequacy of data related to emergency barring and protection orders, lacking any breakdown by sex or relationship, had further compounded the issue. Within the justice sector, the data-collection systems had not enabled the comprehensive tracking of cases of violence against women across the criminal justice system. GREVIO had further highlighted the absence of data on violence against women in the crucial aspects of the justice sector, such as custody decisions, the use of special measures in court, compensation claims, legal aid and post-sentence programmes. In GREVIO’s view, this lack of information masked the challenges women encounter in accessing protection and justice, prompting GREVIO to emphasise the need for systematic sex-disaggregated data collection in Denmark.</i></p>	<p>If a member of a family applies for custody through The Agency of Family Law, information on risk factors in the family are recorded at the time of application, including domestic violence. Reports of domestic violence will determine how the case is processed in the Agency of Family Law and the judiciary. Data on all known risk factors at the point of entry is shared with the Ministry of Social Affairs and Housing.</p>
<p><i>38. In Denmark, data pertaining to domestic violence and sexual violence are systematically gathered by public healthcare</i></p>	<p>During 2023 and 2024, the Danish Health Authority – in collaboration with the National Centre against Honour-based Conflicts – has developed a comprehensive framework for</p>

*institutions and services, as well as specialist sexual assault centres located within hospitals and maternity clinics. The collected data in cases of rape and sexual assault encompass a range of details, including the referring agency (police, general practitioner or emergency services, for example), demographic information about the victim such as sex, age, residence and occupation, historical instances of prior violence and information concerning the nature, location and time of the violence. Moreover, some form of information about the perpetrator, such as sex and relationship to the victim, is documented. The dataset includes information on the use of force, instances of threats, resistance exhibited during the assault, the potential influence of substances and whether the incident was reported to law-enforcement authorities.*

and

*39. Moreover, the National Patient Register contains information about all examinations and treatment in domestic violence cases in Danish hospitals in the past four decades. It registers data on the treatment provided in both outpatient and emergency services based on the NOMESCO classification and includes details such as sex and age of the victim, as well as specific data related to injuries resulting from violence. Additionally, the registry includes information about perpetrators, distinguishing between former partners and current partners. Citizens can access their own data within the registry and have*

detection and intervention for pregnant women, expectant parents and new parents exposed to violence in close relationships. Based on the comprehensive framework, handbooks have been prepared for general practice, as well as healthcare and maternity care services: The handbooks briefly communicate how healthcare personnel can detect victims of violence and follow up to ensure that they receive the adequate support and help.

In order to strengthen the knowledge among healthcare personnel, training modules of continuing professional development have been developed for general medical practice. Also, basic courses have been developed for nurses and midwives. All modules will be available for healthcare personnel in the beginning of 2025.

<p><i>the option to share it as needed. Subject to certain conditions, the data may be accessed by researchers for research projects or clinical trials. According to the information provided by the Danish authorities, in the year 2021, Danish public hospitals recorded 2 844 instances of contact involving 2 682 women seeking assistance for incidents of violence. In 2022, there were 3 031 instances involving 2 856 women.<sup>36</sup> These figures reveal that multiple women sought support from the health system for violence on multiple occasions. GREVIO regrets however that the data are not disaggregated based on the specific forms of violence, whether physical or sexual violence or another form. GREVIO welcomes the detailed data-collection efforts in the healthcare sector; however, it lacks any information on the extent to which these data feed into evidence-based policy-making processes.</i></p>	
<p><i>43. According to information provided by the Danish authorities, an upcoming change in the data collection system of the Ministry of Social Affairs and Housing for domestic violence will alter the data collection and reporting requirements for shelters. As of 1 July 2025, reporting by shelters, which has been voluntary since 1 July 2021, will become mandatory. GREVIO notes that the data collected by shelters and transmitted to the Ministry of Social Affairs and Housing includes the names and social security numbers of victims and their children residing in the shelters. However, victims may choose to remain anonymous during their stay if they so wish. GREVIO appreciates the Danish authorities' efforts to collect data from</i></p>	<p>The Ministry of Social Affairs and Housing would like to emphasize that it is only the statistics on inquiries made to shelters for battered women that will change from voluntary to mandatory from January 1, 2025. The statistics on duration and timing of women and children staying in the shelters is already mandatory.</p> <p>Furthermore, it is important to highlight that the reported data may only be processed for the purpose of carrying out statistical or scientific studies of significant societal importance. The processing of the data must be necessary for the performance of the studies. Statistics Denmark is data processor for the Ministry of Social Affairs and Housing. Statistics Denmark is responsible for complying with Regulation No. 679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons</p>

*shelters and specialist services; however, it emphasizes the need to implement appropriate safeguards when handling personal data, in compliance with Denmark's obligations under the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108), while ensuring that victims are fully informed of their right to anonymous shelter accommodation.*

with regard to the processing of personal data and on the free movement of such data (Data Protection Regulation) and the Data Protection Act.

Regarding anonymity, the Ministry of Social Affairs and Housing would like to emphasize that victims have the option to remain anonymous, and in such cases, a social security number is not registered.

*44. GREVIO notes that, while data is collected regarding the reasons for notifications made to child protection services regarding concerns about child welfare, including instances of domestic violence experienced or witnessed by children, there is no indication as to whether these datacollection efforts extend to monitoring municipal services offered to victims of violence against women and to what extent they inform evidence-based policy making. This includes aspects such as women's access to housing and other social welfare benefits.*

The Ministry of Social Affairs and Housing would like to state that the data collection includes different kinds of data:

1) data on women and accompanying children at shelters for battered women (including inquiries made to shelters for battered women).

2) data from all municipalities on children and young persons placed in out-of-home care. The municipalities can record several reasons for the placement, including domestic violence between parents and violence against the child.

3) data on preventive measures for children and young persons. From 2024 the municipalities can record several reasons for the preventive measures, including cases of domestic violence between parents and violence against the child.

4) data on notifications of concern for children to the administrative municipality. The municipalities can record several reasons for the notification, including domestic violence between parents and violence against the child.

The Ministry of Social Affairs and Housing uses data from all these different data sources on a regular basis to provide information about women and accompanying chil-

	<p>dren at shelters for battered women, and about children and young persons who have experienced cases of violence or domestic violence between parents, that can be used in the policy making. The data thus contributes with insights into needs and potentials towards investments in more effective social initiatives, and into understanding the effects of initiatives – such as evaluating which initiatives that work best, to what extent and in which contexts. This contributes to the understanding of how to further improve the lives of for example women and their accompanying children at women’s shelters.</p>
<p><i>80. Last, GREVIO notes with interest that the Danish Correction and Probation Service is in the process of implementing a cognitive programme (PREDOV) against intimate partner violence in three prisons. This programme, which was developed by the Swedish Correction Service, was rolled out in Denmark during 2024. PREDOV is available nationwide in the prison system for inmates convicted of intimate partner violence or homicide who are not permitted unsupervised leave to attend treatment at Dialogue against Violence, which remains the provider of psychological treatment for perpetrators on probation and inmates with unsupervised leave.</i></p>	<p>In the first quarter of 2024, PREDOV was rolled out nationwide, and not just in three prisons.</p>
<p><i>103. Recalling the findings issued in GREVIO’s baseline evaluation report, GREVIO strongly encourages the Danish authorities to take measures to:</i></p> <p><i>a. ensure that victims of all forms of violence covered by the Istanbul Convention have access to long-term psychological counselling in outpatient settings.</i></p>	<p>In Denmark, particularly vulnerable groups have the opportunity to receive public subsidies for psychological treatment, including individuals who have experienced violence. A referral for treatment must be made within 12 months of the incident, and subsidies can cover up to 12 sessions.</p> <p>Additionally, the Danish government has agreed to improve access to psychological treatment for victims of violence, rape and robbery. The initiative involves prioritizing funds to eliminate costs for psychological help for these victims. The change is expected to come into effect on July 1, 2025.</p>

*113. Notwithstanding the correlation between experiences of physical, sexual and psychological violence and substance use among women, GREVIO notes with concern the categorisation of cases involving domestic violence together with those involving addiction, mental health issues or other situations that may lead to a high-conflict separation. No clear guidance appears to be provided to professionals working at the Family Law Agency on how to identify the presence of mental health problems and addiction issues and distinguish these situations from domestic violence. GREVIO stresses that domestic violence situations are marked by an imbalance of power, unlike high-conflict scenarios where both parties contribute to the conflict and have an equal standing. Furthermore, research shows that domestic violence intensifies after separation and that child contact arrangements (including court-ordered contact) are a significant cause of the perpetuation of physical and emotional abuse towards children and women, even where there are high levels of supervision; that child contact often replaces the intimate relationship as the avenue for men to control women, so that child contact can become a form of post-separation violence, and can make it difficult for women and children to establish safe and independent lives. The failure to acknowledge or investigate allegations of domestic violence may lead to situations where the victim feels pressure to make decisions or reach agreements that are detrimental to their safety and well-being. In this respect, experts in the field, including providers of women's specialist services and lawyers,*

The Ministry of Social Affairs and Housing would like to state that it follows from *the November 2023 agreement on an improved family law system* that through further training it must be ensured that the Family Law Agency has the necessary professional qualifications to be able to identify psychological violence and parental alienation and to support the parents in dealing with the challenges that psychological violence entails for the family, especially for the child.

*report instances where women victims of domestic violence often choose to enter into agreements with their violent ex-partners in order to avoid being regarded by the Family Law Agency as “un-cooperative” or being accused of “collaborative harassment”, even when they have well-founded concerns for their or their children’s safety. In this respect, GREVIO reiterates its position that separate meetings should be regularly offered based on a risk assessment and made mandatory if requested by a victim of domestic violence.*

and

*117. Women’s and children’s rights organisations have also expressed concerns about the lack of training provided on domestic violence, child abuse, coercive control or stalking to the professionals working at the Family Law Agency as well as external psychologists who are called as experts in custody and visitation cases.*

*114. Section 4(a) of the Act on Parental Responsibility stipulates that when a parent is convicted of committing an act of violence, it is deemed not to be in the best interest of the child for that parent to have custody, residence, or contact with the child. GREVIO, however, considers the overall approach to custody and visitation decisions in Denmark to continue to unduly centre on the notion of parental collaboration, even in cases involving domestic violence, and apart from the consideration of domestic violence as a factor in the initial categori-*

The Ministry of Social Affairs and Housing disagrees with this statement, as it follows from section 4 of the Act on Parental Responsibility that all decisions under the Act must be made based on what is the best interests of the child. The Family Law Agency and the Family Court must focus on decisions that contribute to ensuring the child's well-being and protecting the child from violence or other treatment that exposes the child to harm or danger, including witnessing violence.

This also applies to situations where the parent in question has not been convicted of violence, and it applies to interim decisions taken in the decision-making process.



*sation of cases, the legal framework does not place an explicit requirement on family law practitioners to duly take into account incidents of domestic violence, before a conviction, in the decision-making process. This is evident in the guidelines from the Ministry of Social Affairs, Housing and Senior Citizens on the Act on Parental Responsibility, which stipulates under the sub-heading “Collaborative Harassment” that “the parents’ ability to co-operate about the child is an important element in the assessment of the child’s best interests and therefore a factor that can be given considerable weight in decisions about parental authority, the child’s place of residence and contact”. It is also evident by the lack of effort to investigate allegations of violence and to fully assess the reasons why women and children express fear of engaging with the other parent. Reports from women’s and children’s rights NGOs point to cases where the Family Law Agency granted temporary full custody to the father despite allegations of violence and to the pressure exerted on mothers who withhold their children from their violent ex-partners by the agency and the courts. According to these reports, mothers are being arrested and charged with child abduction if they refuse to comply with the temporary visitation decision by withholding the child for as little as four days. Indeed, GREVIO observes a worrying trend in Denmark about the minimisation of women’s and sometimes children’s claims of domestic violence in parental separation cases based on ill-founded concepts similar to what is called “parental alienation”. In one of the reported cases, the Family Law Agency*

<p><i>decided to inform the social services about the suspected manipulation of a child by the mother when a 7 year-old did not wish to visit his violent father. In other instances, the reports of violence made by women in the course of parental separation proceedings were discredited by the Family Law Agency or family courts on the basis of post-partum depression or mental health issues. Representatives of women's shelters and specialist services also alerted GREVIO to an increasing distrust in their work by state authorities, including the Family Law Agency, on the ground that some women may seek their services only to support their false claims of domestic violence with the ultimate goal of taking revenge on their ex-partners in custody and visitation proceedings.</i></p>	
<p><i>115. These concerning practices persist as the case progresses to family courts. GREVIO expresses concern over information indicating that the courts exhibit a tendency to consider violence seriously in custody and visitation decisions only if it has resulted in a conviction. Accordingly, the group of court-appointed psychologists, comprising a limited number of individuals, appears to consist of professionals with shared biases and a lack of understanding about domestic violence and coercive control. According to civil society organisations, these psychologists seem to demonstrate an inclination towards harsh treatment of victims of domestic violence, with instances of substantial abuse reported during assessments and court proceedings. In light of the 2020 decision by the Danish Supreme Court, wherein joint custody was granted on the grounds</i></p>	<p>In section III.C.1, subsection 115, GREVIO expresses concern over information, from civil society organisations, indicating that the court exhibit a tendency to consider violence seriously in custody and visitation decisions only if it has resulted in a conviction. GREVIO also expresses concern over information from same organization indicating that the court-appointed psychologists are biased, lacking understanding of domestic violence and treat victims of domestic violence in a harsh manner. In relation to GREVIO's concern over information indicating that the court exhibit a tendency to consider violence seriously in custody and visitation decision only if it has resulted in a conviction The Danish Court Administration remarks the following: In Danish courts, the assessment of evidence is not governed by rules. This means that the court can take all and any evidence into consideration and is free to give weight to the evidence presented. A conviction is obviously undisputable evidence of domestic violence, but it is not the only evidence taken into consideration by the family courts in cases concerning custody and visitation. Other types of evidence include, but are not limited to, medical records, police</p>

<p><i>of “collaborative harassment” committed by the mother, despite the children's refusal to maintain contact with their father, GREVIO observes a worrying pattern of scepticism by those in the family law system towards women’s assertions of domestic violence and a serious lack of investigation into such allegations.</i></p>	<p>reports and statements from inter alia case workers in women shelters, child experts or other individuals with knowledge relevant for the case. In relation to GREVIO’s concern over information indicating that the court-appointed psychologists are biased, lacking understanding of domestic violence and treat victims of domestic violence in a harsh manner, the Danish Court Administration remarks the following:</p> <p>It follows from section 450 of the Administration of Justice Act that the family court can appoint a “child case expert” to participate in meetings concerning custody and visitation rights. Furthermore section 450 a of the Administrative of Justice Act states that the family court in matters of custody, visitations rights and residency can decide to procure child expert statements and expert statements about parents. The child experts are appointed by the district courts and are almost without exception experienced child psychologist or psychiatrists. In section 4 of the Parental Responsibility Act it is stated that all decisions taken must be based on the child’s best interest and that the family court must focus on taking decisions that contributes to securing the well-being of the child and to protecting the child against violence or other treatment, which exposes the child to harm or danger, including witnessing violence. The Danish Court Administration does not have any information indicating that the experts are biased or otherwise unwilling to recognize domestic violence. The Danish Court Administration does thus not recognize the description of the court appointed psychologist brought forward by the organization “Stop Violence against Children” and repeated in GREVIO’s draft report.</p>
<p><i>116. In connection with the above, GREVIO notes with grave concern that in November 2023 the Danish Government entered into an agreement with all political parties represented in the parliament (the Folketing) about “strengthening the child’s right to both parents and to take preventive action against collaborative harassment and parental alienation in matters of custody, the child’s place of residence and contact”.</i></p>	<p>The Ministry of Social Affairs and Housing would like to emphasize that in its description of <i>the November 2023 agreement on an improved family law system</i> Grevio fails to take into account that it follows from the agreement, that the introduction of the concept of parental alienation must not have the effect that a parent who has real reasons to cut off the child's contact with the other parent refrains from doing so in fear of being accused of collaborative harassment or parental alienation. This has also been stressed in the proposed Act, implementing the agreement, naming violence, including psycholog-</p>

*On one hand, this agreement foresees the allocation of DKK 129.5 million to strengthen the work of the Family Law Agency, reduce long processing times and improve the child-friendliness of the facilities where supervised visitation and interviews with children take place, which GREVIO welcomes. On the other hand, the agreement calls for the inclusion of the “parental alienation” in the Act on Parental Responsibility and emphasises the need to train professionals working at the Family Law Agency to detect parental alienation. The agreement defines parental alienation as “one parent's deliberate use and manipulation of the child in relation to the other parent with the aim that the other parent loses contact with the child”. GREVIO reiterates that the frequent recourse to concepts such as ‘parental alienation’, ‘hostile or unco-operative mothers’, or the positioning of protective mothers as employing coercive control or suffering from mental health issues in family court result in insufficient investigations into the level of abuse and risks of harm emanating from the abusive parent, and ultimately, in unsafe contact decisions. GREVIO strongly warns against the inclusion of “parental alienation” or similar concepts in national legislation in Denmark, stressing that these notions are widely employed as strategies by domestic violence perpetrators and their legal counsel to undermine mothers' and children's allegations of domestic violence. GREVIO is thus gravely concerned that such a step could further disempower women victims of violence seeking safe custody and visitation arrangements.*

ical violence, and substance abuse as real reasons to cut off the child's contact with the other parent.

*141. As GREVIO has had the opportunity to note, the effective prosecution of rape, including consent-based rape, requires adequate resources and increased skills for case-building in terms of collecting evidence. As for the recently criminalised psychological violence, civil society organisations have voiced concern about the infrequent prosecution of this offence, citing the difficulty in meeting evidential criteria as a primary obstacle. These concerns were echoed by practising law-enforcement and prosecutorial authorities in the field, particularly in cases involving psychological violence and instances of rape that do not involve the use of force. The challenge arises when the withdrawal of the victim's testimony impedes the ability to meet the evidentiary threshold. While law-enforcement and prosecutorial authorities take additional precautions to prevent over-reliance on the victim's testimony, incorporating measures such as obtaining witness testimonies, video recording the victim's initial statement in rape cases and collecting photographic evidence, they nevertheless acknowledge that the withdrawal of a victim's testimony constitutes a significant factor contributing to attrition rates. Although GREVIO has not been afforded with data on the number of reports and prosecutions related to psychological violence prior to 2023, information provided by the authorities indicates that in 2023, 541 cases were reported. Of these, 79 resulted in prosecution, leading to 44 convictions. These figures suggest a low prosecution rate relative to the number of reported cases. As for sexual violence, GREVIO observed certain obstacles that*

The Director of Public Prosecutions has the following comments in relation to the decline in number of reported cases of stalking from 2022 to 2023, ref. para 141, in the First thematic evaluation report on Denmark:

In the Danish Criminal Code, para 242, stalking is defined as an act whereby a person systematically and continuously contacts, pursues or otherwise harasses another person in a manner likely to invade the privacy of the relevant person. Thus, cases of stalking comprise a sequence of incidents involving systematic and persistent persecution/harassment of a victim. As of 16 August 2022, the Danish Police has adopted a registration model for stalking cases whereby one report is created per victim and not per incident.

Prior to 16 August 2022 there was divergence in the registration practices adopted by the police, including in March and May 2022, where two cases of stalking consisting of approximately 430 incidents and approximately 500 incidents, respectively, were reported and registered separately. Therefore, the decline in number of reported cases of stalking from 2022 to 2023 can be explained by the divergence in the registration practices adopted by the police prior to August 16, 2022.

<p><i>hinder the use of video-recorded testimonies to its full potential. In terms of analysing the implementation of the newly introduced stalking offence, GREVIO notes that in 2022 and 2023, there were 1,693 and 349 reported cases of stalking, respectively. While GREVIO does not have information regarding the reasons for the decrease in reports between these two years, it notes an increase in convictions from 12 in 2022 to 52 in 2023. This is an indication of the active utilisation of this newly criminalised offence by prosecution services and the courts. As emphasised in GREVIO's baseline evaluation report this is an important step in enabling access to justice for women victims of stalking. However, it is also important to investigate the reasons behind the decline in reported cases between 2022 and 2023.</i></p>	
<p><i>144. GREVIO encourages the Danish authorities to ensure that prosecution services enhance their efforts regarding case building for all forms of violence covered by the Istanbul Convention, including digital manifestations of such violence. To this end, GREVIO encourages the timely collection of evidence, including evidence beyond the victim's statement in sexual assault and rape cases, especially in the context of the newly introduced consent-based legal provision. Moreover, GREVIO strongly encourages the Danish authorities to take measures to allow, in conformity with Article 55, paragraph 1, prosecution to continue in cases where victims withdraw their statement in such cases.</i></p>	<p>The Director of Public Prosecutions has the following comments in relation to the recommendation regarding the timely collection of evidence, including evidence beyond the victim's statement in sexual assault and rape cases, para 144, in the First thematic evaluation report on Denmark:</p> <p>It is a priority of the Danish Prosecution Services and the Danish Police to secure the effective prosecution of sexual assault and rape, including consent-based rape. Effective prosecution of sexual assault and rape, including consent-based rape, is secured by the increased focus of the police to collect relevant physical and digital evidence, including e.g. correspondence between the suspect and the victim and correspondence between the suspect and the victim and other parties.</p>

*173. While GREVIO welcomes the availability of these measures, it expresses serious concern about their lack of implementation in family court proceedings. Shelter representatives have brought to GREVIO's attention that, in practice, there are instances where victims are not adequately notified about the perpetrator's temporary leave of absence from prison or release. Moreover, as per indications provided by civil society organisations, despite well-documented cases of domestic violence and coercive control, numerous perpetrators persist in displaying intimidating and threatening behaviour in courtrooms, and judges exhibit reluctance to intervene. The reported behaviours include gestures such as simulating firearm use or decapitation, intense staring, eye rolling and verbal threats. Furthermore, mothers with children from different fathers report that family courts allow the simultaneous presence of both fathers or schedule hearings on the same day, resulting in prolonged court sessions for mothers. GREVIO has also received concerns about psychologists in the courts lacking specialisation in victim-focused communication, often contributing to the re-traumatisation of women. Finally, GREVIO stresses that the recurrent instances of data breaches, wherein the Family Law Agency has inadvertently disclosed the addresses of individuals under address protection to perpetrators, pose a significant threat to the safety of the victims and their children.*

In section III.D.5, subsection 173, GREVIO expresses concern over information indicating that numerous perpetrators persist in displaying intimidating and threatening behavior during family court proceedings and that judges exhibit reluctance to intervene. The Danish Court Administration remarks the following: The Danish Court Administration does not have any information indicating that judges in the family courts are reluctant to intervene if/when intimidating, threatening or otherwise inappropriate behavior is displayed during court proceedings.

Overall comment	As of 29 August 2024, the name of the Ministry of Social Affairs, Housing and Citizens was changed to the Ministry of Social Affairs and Housing, which continues having responsibility for the Act on Parental Responsibility.
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