



FOLKETINGET  
STATSREVISORERNE



FOLKETINGET  
RIGSREVISIONEN

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# The response to juveniles that have committed serious crimes measures

# 1. Introduction and conclusion

## 1.1. Purpose and conclusion

1. Every year, approx. 6,000 juveniles between the ages of 10 and 17 are suspected of or charged with a criminal offence based on violation of the Danish penal code. This figure was published by the Ministry of Justice in a report on how juvenile crime had developed over the years 2013-2022. Crime has consequences not only for the victims, but also for the juveniles and their families. At the same time, juvenile criminal activity imposes expenses on society, such as expenses incurred for placing juvenile offenders in secure institutions to serve their sentence.

2. In 2018, the Danish parliament adopted a policy reform of the criminal justice system's response to juvenile crime (in the following referred to as the reform). The Youth Crime Prevention Act took effect on 1 January 2019, and approx. DKK 160 million was allocated to the implementation of the reform.

A key aspect of the reform is to ensure a prompt and consistent response to dealing with serious juvenile offenders aged 10-17. According to the political agreement underlying the reform brief deadlines are set for case processing and funding is allocated to ensure that the deadlines can be met. The notes to the act specify several objectives set for case processing time for the various authorities handling juvenile cases.

The notes also mention that the background for the reform was a lack of direction and consistency in dealing with juvenile offenders. The juveniles were not held responsible for their criminal actions and neither the social system nor the legal system was capable of intervening in due course and helping the juveniles.

Achieving the objective of providing an efficient and consistent response to juvenile crime is contingent upon meeting the objectives set for case processing time.

3. Our study includes the Ministry of Justice, the Ministry of Social Affairs, Housing and Senior Citizens as well as several underlying authorities within the Ministry of Justice. The authorities are responsible for various aspects of the overall process that serious juvenile offenders undergo. This means that we examine both the police, the Prosecution Service, the National Courts Administration, the Youth Crime Board and the Youth Probation Service (Ungekriminalforsorgen). We also examine whether the Ministry of Social Affairs, Housing and Senior Citizens has followed up on known issues concerning the municipalities' implementation of the Youth Crime Board's decisions. Rigsrevisionen notes that the implementation of a policy that involves so many different authorities will entail a risk of excessive waiting time.

### **Charged and suspected**

When the police have identified an offender, the person will be *charged*. Juveniles aged 10-14 cannot be charged because they are below the age of criminal responsibility. Instead, they are *suspected* by the police.

### **Serious crime**

A serious crime is either a crime against life or other violations of the Penal Code, the Act on Euphoriant Substances, the Weapons Act or the Knife Act.

4. The purpose of the study is to assess whether the Ministry of Justice and the Ministry of Social Affairs, Housing and Senior Citizens have ensured a prompt and consistent response to serious juvenile offenders. The report answers the following questions:

- Are the authorities achieving the objectives set for case processing in the notes to the Youth Crime Prevention Act?
- Is the supervision of the Youth Crime Board conducted by the Youth Probation Service ensuring that the board's decisions are implemented in compliance with the regulations, and is the Youth Probation Service acting when juvenile offenders fail to adhere to the board's decisions?

Rigsrevisionen initiated the study in October 2023.



## Conclusion

**The overall effort to ensure a prompt and consistent response to serious juvenile offenders has been inadequate. None of the authorities within the Ministry of Justice are able to achieve the objectives set for case processing time. According to Rigsrevisionen's study, the municipalities often take too long to implement measures to keep juveniles away from crime. The Ministry of Social Affairs, Housing and Senior Citizens should investigate this further. Around every third juvenile offender is suspected of or charged with other crimes while waiting for a decision on a preventive intervention.**

### **The authorities are not achieving the objectives set for case processing time mentioned in the notes to the act**

Rigsrevisionen notes that it takes significantly longer than anticipated by the reform before juveniles experience any consequences of their crime after it has been reported to the police.

For juveniles aged 10-14, it takes an average of 142 days after the crime has been reported to the police before an intervention programme is implemented. For juveniles aged 15-17, this process takes an average of 269 days. Police investigations constitute a little more than one month of this process. There are no time limits for police investigations. For children aged 10-14, the process subsequent to the conclusion of the police investigation is 71% longer than anticipated. For young people, this process takes 101% longer than expected.

The study indicates that the Ministry of Social Affairs, Housing and Senior Citizens knows little about the municipalities' implementation of the Youth Crime Board's decisions. In every four cases, the municipalities spend more than three weeks implementing an improvement programme despite the fact that such programmes must be implemented immediately after the board's decision. Rigsrevisionen recommends that the ministry follow up on the results of the study.

### **The Youth Probation Service supervises compliance with the Youth Crime Board's decisions, but does not act in the event of non-compliance**

The study shows that the majority of the prescribed probation meetings and checks are held and carried out by the Youth Probation Service within the specified deadlines. However, the Youth Probation Service often fails to act in a timely manner, or fails to take action altogether, if the juveniles do not adhere to the requirements of the improvement programmes. In the years 2019-2023, there were 4,037 instances of non-compliance, accounting for 44 % of all incidents, that were not responded to. Furthermore, the Youth Probation Service does not consistently report juveniles, who repeatedly fail to fulfil the agreements of the programmes, to the Youth Crime Board. During the same period, 115 cases, representing 19% of the cases that should have been reported to the Youth Crime Board, were not submitted.

Lastly, the study clearly indicates that the Youth Probation Service has, in most cases, failed to adhere to its own guidelines and has failed to issue authoritative warnings to the municipalities, when improvement programmes have not been implemented.