

UN Committee Against Torture (CAT)
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Follow-up submission to the United Nations Committee against Torture in relation to the Concluding Observations on the eighth periodic report of Denmark

The UN Committee Against Torture ("CAT") requested in its Concluding Observations (CAT/C/DNK/CO/8) Denmark to provide by 24 November 2024 information on follow-up to the Committee's recommendations on conditions of detention, migration detention and psychiatric institutions.

Denmark submitted follow-up information to the Concluding Observations on 22 November 2024 (CAT/C/DNK/FCO/8).

The Danish Institute for Human Rights wishes to submit the following observations regarding the follow-up information provided by Denmark:

Psychiatric Institutions (recommendation no. 37)

CAT recommended that Denmark should, inter alia, continue its efforts to reduce recourse to coercion in psychiatric settings.

As stated in our submissions to the Committee from October 2023, Denmark still faces considerable human rights challenges regarding the use of coercive measures within psychiatric institutions, and this area continues to raise some of the most serious human rights issues for Denmark.

Only a short time has passed since the 10-year plan for psychiatry and mental health was adopted in September 2022 and additional resources were allocated to the psychiatric sector. These initiatives have not yet had any significant or measurable effect on the use of coercion in psychiatric institutions and the latest

available figures show that the number of adults subjected to coercion is basically unchanged over the last ten years.¹

Furthermore, the Medical Association conducted a member survey in August 2024 among doctors working in psychiatric institutions. It showed that, over the last two years, only 8 percent of respondents had experienced a positive improvement in their conditions for providing good psychiatric care to some extent or to a large extent. 87 percent felt that the capacity for providing quick assessment and treatment of psychiatric patients in need is insufficient.²

Hence, it is apparent that Denmark is still far from reaching the Government's goal of reducing coercive measures by 30 percent. Achieving this goal will require continuous and strong focus and effort over the next several years.

In this connection, the Institute wishes to draw attention to the report published by the Danish Health Authority on 21 January 2025. The report contains the Health Authority's analysis of whether it is possible to introduce new, alternative forms of coercion to substitute the most intrusive forms of coercion, namely prolonged mechanical restraint.³ The Institute is concerned that this initiative, if implemented, will result in certain forms of coercion being substituted by others, rather than reducing the overall use of coercion in psychiatric institutions.

CAT furthermore recommended to Denmark that children under the age of 15 have access to the same legal safeguards as adults and juveniles aged 15 or older.

The Institute wishes to commend the Danish government for the amendment to the Danish Mental Health Act, which came into force on 1 June 2024. This amendment ensures that all patients – regardless of age – have the same legal rights, when they are subjected to coercive measures in psychiatric institutions, including the right to a patient adviser and to complain to the Psychiatric Patients' Complaints Board.

Kind regards,

Maja Kofoed Bak-Hansen
Chief Advisor

¹ Health Authority, 'Monitoring of coercion in psychiatry: Report for the period 1 January 2023 – 31 December 2023', May 2024, p. 3, available in Danish at: <https://www.sst.dk/-/media/Udgivelser/2024/Tvang-i-psykiatrien/Monitorering-af-tvang-i-psykiatrien-2023.ashx>.

² Medical Association, 'Conditions in psychiatry – a survey of doctors' experiences of quality, capacity and competencies', August 2024, pp. 3, 5 and 7, available in Danish at: <https://laeger.dk/media/1hwao1qi/laegeforeningen-psykiatrimedlemsundersogelse-2024.pdf>.

³ Health Authority, 'Reduction of the most intensive forms of coercion: The Health Authority's assessment', January 2025, available in Danish at: <https://www.sst.dk/-/media/Udgivelser/2025/Psykiatri/Sundhedsstyrelsens-vurdering---Reduktion-af-mest-indgribende-tvangsformer---2025.ashx>.