



**FOLKETINGETS
OMBUDSMAND**

6 May 2026

Thematic report 2025

Young people in state and local prisons

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1. Introduction

The Ombudsman's monitoring activities are especially directed at society's most vulnerable citizens, and the Ombudsman prioritises, among other things, visits to institutions where the underlying rules allow for more extensive interventions.

The theme of the Ombudsman's monitoring visits in 2025 (children) was young people in state and local prisons. The visits were carried out in cooperation with the Danish Institute for Human Rights and DIGNITY – Danish Institute Against Torture.

Generally, young people under 18 are not to be placed in a state or local prison. However, decisive law enforcement considerations may mean that it happens after all when 15-17-year-olds have to serve a sentence. It can also happen when a young person is remanded in custody. In addition, a young person can be placed briefly in a local prison, for instance in connection with an arrest.

According to the annual statistics published by the Danish Prison Service, 181 young people between 15 and 17 were placed in state or local prisons in 2024. That number corresponded to about 2 per cent of all new inmates in 2024.

The Ombudsman carried out monitoring visits with a special focus on underage inmates in state and local prisons most recently in 2017, and he wanted to use the monitoring visits in 2025 to follow up on the previous visits.

The Ombudsman visited nine state and local prisons, and the investigation was concentrated on conditions for young people aged 15-17 and on the knowledge and application of the rules on the treatment of this group of inmates. There was special focus on:

- Placement, association and other relations
- Information about rights etc.
- Education, occupation, leisure time and sector cooperation
- Use of force and use of observation and security cells
- Solitary confinement and exclusion from association

- Healthcare-related conditions

2. Overall results

2.1. Main conclusions

- It is the Ombudsman's impression that staff in the visited institutions generally were especially focused on inmates between 15 and 17 and on conditions for the young people during the imprisonment.
- The monitoring visits revealed that the institutions were generally familiar with the rules on treatment of inmates under 18 and with the Danish Prison Service's guidelines on treatment of 15-17-year-olds, which had been drawn up in continuation of the Ombudsman's monitoring visits in 2017 on young people in state and local prisons, among other places. It is the Ombudsman's impression that the guidelines have contributed to ensuring a focus on the special rules on treatment of young people.
- The monitoring visits showed generally that custodial parents did not receive information and guidance in a way that enabled them to look after the underage person's interests and needs during the imprisonment.
- It was the Ombudsman's overall impression that there could be uncertainty in the visited institutions regarding the duty of drawing up a treatment plan for young people, and the requirements of such a plan's contents.
- The monitoring visits left the impression that there was focus on preventing interventions, including use of force, towards young people, and that the staff were generally reluctant to use such interventions on young people.
- Young people in the visited institutions were generally kept separate from the adult inmates. In institutions where young people had had association with adults without surveillance, the monitoring visits showed that several places had not made records about this or that there was no reason recorded for why the association was deemed to be in accordance with the young people's interests.

Besides, the investigation has shown that, in practice, underage inmates can in certain instances be placed in an institution without a young offenders unit – also for longer than short-duration placements. Based on information from the Danish Prison Service, including on the establishment of additional places for young people, it is, however, the Ombudsman's impression that

there is a management focus in the Danish Prison Service on ensuring that young people are placed in institutions that can accommodate the special needs associated with the treatment of underage inmates.

2.2. General recommendations

The Ombudsman generally recommends that the Danish Prison Service

- ensure that the case processing is organised so that both the underage inmate and custodial parents can exercise the rights of a party, and in this connection ensure that custodial parents are informed and guided in a way that enables them as legal party representatives to look after the underage person's interests and needs
- ensure that records are made about permissions for young inmates' association with adult inmates without the presence of staff, and that the records show the reasons why the association is deemed to be in accordance with the young person's interests.
- ensure that on arrival of a young inmate, a special treatment plan is drawn up as soon as possible and that the institutions know what a treatment plan must contain, including any programmes on relevant education and activation

At a meeting in November 2025, the Ombudsman and the Danish Prison Service discussed several of the observations and issues that have formed the basis of the general recommendations. To a relevant extent, the Ombudsman will also follow up on the general recommendations and other issues and observations at future meetings and discussions with the Danish Prison Service.

In addition, the Ombudsman will follow up on the general recommendations during future monitoring visits.

As follow-up on the monitoring visits, the Ombudsman started an own-initiative investigation on the use of routine decisions about temporary exclusion from association of young people on arrival at an institution. The investigation is mentioned below under item 4.6.2. In connection with the monitoring visits in 2025, the Ombudsman has also received additional information from the Danish Prison Service on the placement and handling of underage inmates serving a sentence when there is a lack of space in Søbysøgård Prison's closed young offenders unit (see below under item 4.2) and on information and guidance to custodial parents (mentioned below under item 4.4.2).

3. Investigation method

3.1. Monitoring visits relating to the 2025 theme (children)

Visits were carried out to Søbysøgård Prison and Western Prison (which is a local prison) which, as the only ones of the Danish Prison Service's institutions, both contain designated young offenders units. The other seven visited institutions were chosen on the basis of information from the Danish Prison Service on where young people had been or currently were placed (see more details under item 4.2). In that connection, monitoring visits were carried out to a closed and an open state prison and five local prisons. One visit to a local prison concerned a particular young person who had been placed at that local prison for some time.

One of the monitoring visits was unannounced, while the other visits were announced in advance.

The total of nine monitoring visits were carried out in the first half of 2025. On the Ombudsman's website, there is an overall list of monitoring visits to institutions for children in 2025, including the thematic visits, and the recommendations given to the individual visited institutions (www.en.ombudsmanden.dk, under 'About the Ombudsman', 'Monitoring activities', 'Monitoring visits to institutions where citizens live', 'Monitoring visits to institutions etc. for children in 2025').

3.2. Retrieval of information

From the Danish Prison Service, the Ombudsman received general information on young people in state and local prisons, including about the placement of young people and about the overall incidence of certain interventions.

Prior to the announced monitoring visits, the Ombudsman also received material from the institutions to be visited, aimed at elucidating the focus areas for the visits, among other things reports on interventions, including use of force, in relation to young people and information on young people's association with adults. Following the unannounced visit, the Ombudsman received similar information and material from the visited institution.

During the monitoring visits, the visiting teams received verbal information during interviews with managements and staff. In addition, the visiting teams carried out interviews with volunteer visitors and priests or imams that were affiliated with or employed by the visited institutions.

During the monitoring visits to the two institutions with young offenders units, the visiting teams carried out interviews with the young people.

Normally, institutions without a young offenders unit only rarely received young inmates, and when it happened, the young person was most often only placed in the institution briefly, typically for less than 24 hours. On that background, there were in these institutions none or only one young person placed in each institution at the time of the visit. Consequently, young people who had been placed in such an institution within the last year prior to the monitoring visit were offered an interview about the stay in that institution, and in several instances, there were interviews with young people who were placed in such an institution after a monitoring visit and up until 1 November 2025. To the extent that the young people were subject to parental custody, interviews with parents were offered and carried out in a similar way.

The visiting teams spoke with a total of 23 young people and 14 parents in connection with the nine monitoring visits.

The visiting teams were also shown the areas in the visited institutions which were used on placement of young people, for instance cells, exercise rooms, yard time areas and any workshops in the institutions.

3.3. The legal basis for monitoring visits

The monitoring visits were carried out as part of the Ombudsman's general monitoring activities pursuant to the Parliamentary Ombudsman Act and as part of the Ombudsman's task of preventing that persons who are or who can be deprived of their liberty are exposed to for instance inhuman or degrading treatment; cf. the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

The Ombudsman's work to prevent degrading treatment etc. pursuant to the OPCAT is carried out in cooperation with the Danish Institute for Human Rights and with DIGNITY – Danish Institute Against Torture.

The Danish Institute for Human Rights and DIGNITY contribute to the cooperation with human rights and medical expertise. Among other things, this means that staff with expertise in these fields from the two institutes participate in the planning and execution of and follow-up on monitoring visits.

In addition, the Ombudsman has a special responsibility for protecting the rights of children pursuant to, among others, the UN Convention on the Rights of the Child (the Children's Convention).

A special advisor on children's issues from the Ombudsman Office participates in the monitoring visits to institutions for children.

4. Details on the investigated conditions

4.1. Rules on treatment of 15-17-year-olds in the Danish Prison Service

The best interests of the child shall be the primary concern in all actions concerning the child. So says the UN Children's Convention.

According to the same Convention, no child must be subjected to torture or other cruel, inhuman or degrading treatment or punishment. A corresponding prohibition appears from the European Convention on Human Rights.

In addition, any child deprived of liberty must, according to the Children's Convention, be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age.

National rules on treatment of inmates under the age of 18 in the Danish Prison Service have been laid down in the Sentence Enforcement Act (Consolidation Act No. 201 of 28 February 2023) and in, among others, Executive Order No. 901 of 25 June 2025 (hereinafter the Executive Order on Youth Work) and Guidance Notes No. 9568 of 27 June 2025 (hereinafter the Guidance Notes on Young People). In addition, there are one-off provisions aimed at the treatment of inmates under 18 in, among others, executive orders on use of force, use of handcuffs and security cells, on exclusion from association and on disciplinary punishment.

With the modifications following from the above-mentioned provisions, young inmates are also covered by the general rules applicable to inmates in the Danish Prison Service, including the rules pursuant to the Sentence Enforcement Act and the Executive Order on Remand Custody (Executive Order No. 900 of 25 June 2025).

4.2. Placement of young people

4.2.1. Underlying rules

The Executive Order on Youth Work contains rules on placement of young people in the Danish Prison Service. According to the rules, young people remanded in custody must generally be placed in a local prison near the young person's home or place of other personal attachment. Young people who are to serve a prison sentence in an open institution must generally be placed in Søbysøgård Prison's open young offenders unit while young people serving a sentence in a closed institution must generally be placed in Søbysøgård Prison's closed young offenders unit, in Herstedvester Prison or in a local prison, including Western Prison. In addition, from 1 April 2025, young women can be placed in Jyderup Prison, subject to a concrete assessment.

The decision on placement includes considerations about, among other things, the young person's safety, the possibility of association with other inmates and the possibility of implementing a special treatment plan, for example in the form of education or activation programmes.

4.2.2. The investigation

In 2025, the Ombudsman received information from the Danish Prison Service about which institutions young people had been placed in and about current placement of young people in state and local prisons.

The information showed that in practice, young remand prisoners were generally placed in Western Prison's young offenders unit, which is a remand unit. Young people who were to serve a sentence were generally placed in Søbysøgård Prison's open or closed young offenders unit. There were also young people serving a sentence who were placed in Western Prison's young offenders unit.

Institutions without a young offenders unit did not normally, or only a few times annually, receive young inmates. Furthermore, most often the young people were only placed in the institution briefly, typically under 24 hours, as it took place in connection with situations, for instance an arrest, where there was a need for a short-term placement in a remand unit until a decision was made on the possible future placement of the young person.

At the same time, the information showed that there could be a need in certain instances for placing or transferring young people to a state or local prison without a young offenders unit – also for more than short-term placements for a few days, for instance due to considerations of security and safety or out of consideration for the young person's ability to maintain contact with family and network.

One of the Ombudsman's monitoring visits was aimed at a young person who in such an instance was transferred to a local prison to serve part of the sentence there.

In addition, the Ombudsman received information that young people in some instances could not serve their sentence in Søbysøgård Prison's closed young offenders unit due to lack of space there. On that background, young people were in several instances in 2025 called in to serve a sentence in a local prison without a young offenders unit from where they could be waiting for a longer period of time to be transferred to Søbysøgård Prison's closed young offenders unit. The Ombudsman also received complaints concerning young people in that situation.

The Danish Prison Service's young offenders units are specialised units and through their continuous reception of young inmates, they have experience in handling this particular target group. The same is not the case for other institutions which normally have young people in their care only rarely and for brief periods.

On the basis of the mentioned complaints, among other things, the Ombudsman received information from the Danish Prison Service on handling of conditions when lack of space in Søbysøgård Prison's closed young offenders unit led to young people being placed in a local prison without a young offenders unit.

Placement of young people in institutions without a young offenders unit has also been discussed in general with the Danish Prison Service at a meeting in November 2025.

It appears from the Danish Prison Service's information among other things that there is a management focus on the need to increase the capacity for young people in state and local prisons and to make the capacity more flexible with a view to complying with the rules on treatment of young inmates – also when the number of young inmates varies. According to information from the Danish Prison Service, the average daily occupancy by 15-17-year-old inmates was 11 young people in the first quarter of 2025 while it was 23 young people in the fourth quarter of 2025.

According to the information, additional places for young people have among other things been established in one local prison with a view to strengthening the possibilities for the young people to have association with other inmates and so that special treatment plans can be implemented, including in the form of educational programmes.

Based on information from the Danish Prison Service, it is the Ombudsman's impression that there is a management focus in the Danish Prison Service on ensuring that young people are placed in institutions that can accommodate the special needs associated with the treatment of underage inmates.

The Ombudsman will discuss the above-mentioned matters at future meetings with the Danish Prison Service, and there will be a focus on those matters in connection with future monitoring visits to state and local prisons.

4.3. Knowledge of the rules

The purpose of the rules on treatment of inmates under 18 is to ensure that due consideration is shown to young inmates in state and local prisons. It is therefore essential that the staff know the rules.

During the monitoring visits to the two institutions with young offenders units, there was focus on examining the staff's knowledge of the rules on young people and the application of the rules and their significance for the staff's work in a young offenders unit.

During the monitoring visits to institutions without a young offenders unit, the primary focus of the investigation was to uncover whether the staff knew that there were rules on treatment of inmates under 18, what the main content of those rules was and where the staff, if needed, could get relevant information on the use and significance of the rules.

In continuation of the Ombudsman's monitoring visits in 2017, the Danish Prison Service (at that time called the Danish Prison and Probation Service) drew up guidelines for the treatment of young people under 18 who are remanded in custody or serving a sentence. The guidelines focus on the special rules on treatment of young inmates and other attention points concerning this group of inmates. The guidelines are updated on an ongoing basis by the Danish Prison Service and were reportedly in practice used as a form of checklist on arrival of young people.

Based on interviews with the young people, staff and managements, it is the Ombudsman's impression that staff in the visited institutions generally were especially focused on inmates between 15 and 17 and on conditions for the young people during their imprisonment.

In that connection, the Ombudsman's monitoring visits also showed that the special rules on treatment of young people in the Danish Prison Service were known among the staff in all nine visited institutions. Information from management and staff generally showed that the institutions used the Danish Prison Service's guidelines for treatment of 15-17-year-olds during imprisonment of young people, including when receiving young people. Based on the received information, it is the Ombudsman's impression that the guidelines have contributed to ensuring a focus on the special rules on treatment of young people.

In the two institutions with young offenders units, the unit staff need to be more familiar with the special rules in the field and with the use and significance for the staff's work in a young offenders unit. However, information from management and staff showed, among other things, that there was no introductory course or the like for prison officers that were to work in the young offenders units. The Ombudsman therefore recommended that the two institutions ensure that uniformed staff in the young offenders units know the rules that apply to young people placed in the Danish Prison Service.

The investigation of the knowledge of the rules did not give the Ombudsman cause for recommendations etc. in relation to state and local prisons without young offenders units.

4.4. Guidance on rights etc.

4.4.1. Underlying rules

Like other inmates, 15-17-year-olds must be informed of their rights, duties and other matters pertaining to the stay in the institution as soon as possible after they are placed in a state or local prison. This follows from rules in the Sentence Enforcement Act. Furthermore, it is presumed that remand prisoners are given a short and clear written briefing about the institution when they arrive.

There is also a duty to give guidance on, among other things, complaint options in connection with certain interventions towards the inmates, including interventions mentioned below under item 4.6.

A custodial parent must take care of a young person under 18 and can make decisions about the young person's personal life on the basis of the young person's interests and needs. This appears from the Act on Parental Responsibility (Consolidation Act No. 1768 of 30 November 2020). This means that a parent with parental custody is able to look after the young person's interests and needs as a legal party representative.

At the same time and in practice, young people who are 15 and over are generally considered to be mature enough to look after their own interests and needs – and thereby have legal capacity – even though they are subject to parental custody. Young people must therefore be informed of their rights etc. so that they can exercise the rights of a party, including make use of the right of access to files, to appeal decisions and, among other things via a consultation of parties, to impact the decisions that are made in connection with a stay in a state or local prison.

However, the fact that an underage inmate must be considered to have legal capacity does not change the custodial parent's status as a legal party representative. The Danish Prison Service must therefore organise the case processing in a way that allows both the underage inmate and custodial parents to exercise their rights as parties.

Health legislation contains special rules on information and involvement of custodial parents.

4.4.2. The investigation

The monitoring visits showed that the young people were generally informed of their rights and the framework for their stay in the state or local prison, including given information that made it possible for them to look after their own interests and needs.

It is at the same time the Ombudsman's general impression that parents were informed of the placement of young people in state and local prisons. Parents were often notified by the police and sometimes the municipality or another authority if the young person were for instance transferred from a social institution to a state or local prison.

The visiting teams' interviews with parents generally showed, however, that parents did not receive information and guidance in a way that enabled them to look after the underage person's interests and needs during the imprisonment. Among other things, the parents were generally not informed of the conditions and framework for the young person's stay in the state or local prison, including the possibility of visiting or having contact with the young person. Nor were the parents generally informed of interventions in a way that made it possible for them to complain or in other ways look after the young person's interests or exercise party rights as legal party representatives.

The information from the parents was confirmed by the information that the visiting teams got during interviews with managements and staff in most of the visited institutions. In that connection, the monitoring visits showed that no written material or the like had been drawn up which could be used for information and guidance of parents on the placement of underage persons in the Danish Prison Service.

The conditions gave the Ombudsman grounds for recommending six of the visited institutions, including the two institutions with young offenders units, to organise the case processing so that both the young inmates and the custodial parents can exercise their rights as parties, including that relevant information and guidance are ensured. In relation to another two institutions, the condition was emphasised as a focus point. In relation to two institutions, it was also recommended that they ensure, in cooperation with the prison district's health unit, that the health legislation rules on information and involvement of custodial parents are observed.

On that background, the Ombudsman recommends generally that the Danish Prison Service ensure that the case processing is organised so that both the underage inmate and custodial parents can exercise the rights of a party, and in this connection that custodial parents are informed and guided in a way

that enables them, as legal party representatives, to look after the underage person's interests and needs

At a meeting in November 2025, the Danish Prison Service informed the Ombudsman that, based on the monitoring visits, measures had been implemented with a view to establishing procedures etc. intended to ensure that parents are given information and guidance in accordance with the contents of the Ombudsman's general recommendation.

On that background and as follow-up on the monitoring visits, the Ombudsman has asked the Danish Prison Service to be informed of the relevant measures.

4.5. Education, occupation, and leisure time

4.5.1. Underlying rules

Pursuant to the Executive Order on Youth Work, inmates of compulsory school age according to the Folkeskole Act (Act on the Danish Primary and Lower Secondary School) have a right to receive schooling and a duty to attend classes, commensurate with what is ordinarily required in the Folkeskole. The schooling must be based on the situation and learning prerequisites of the young person and must be handled by staff with the necessary professional and pedagogical qualifications.

On reception of a young inmate, the Danish Prison Service must, as soon as possible and with basis in the young person's motivation and overall prerequisites, seek to establish a special treatment plan, for example in the form of education or activation programmes for the young person. A treatment plan for young people can also include training in, among other things, ordinary practical activities such as cleaning and cooking etc. This is pursuant to the Executive Order on Youth Work and the Guidance Notes on Young People.

According to the Executive Order on Youth Work, 15-17-year-olds must have access to physical activity or exercise for at least 2 hours a day, of which at least 1 hour must be outdoors unless this is not compatible with considerations of security and safety.

4.5.2. The investigation

Particularly in institutions with a young offenders unit, both management and staff were focused on ensuring that schooling is offered in accordance with the rules of the Executive Order on Youth Work. In practice, the schooling was to a wide extent individual schooling and perhaps schooling according to the rules on special education on the basis of the young people's different ages and skill levels. To a certain extent, there was also the possibility of occupation in workshops or the like.

In state and local prisons without a young offenders unit, which as a rule only rarely received young people, and where young people most often were placed only briefly, it was in most cases only possible to offer the young people reading matter, assignments or the like.

Four institutions, including a local prison with a young offenders unit, were recommended to ensure that a special treatment plan be established as soon as possible on arrival of a young inmate, for example in the form of education or activation programmes for the young person.

Based on the investigation, it is the Ombudsman's overall impression that there can be uncertainty in the institutions of the Danish Prison Service regarding the duty of drawing up a treatment plan for young people, and the requirements of such a plan's contents.

On that background, the Ombudsman generally recommends that the Danish Prison Service ensure that, on arrival of a young inmate, a special treatment plan is drawn up as soon as possible and that the institutions know what a treatment plan can contain, including any programmes on relevant education and activation.

The general recommendation must also be seen in the light of the information that young people in certain instances can be placed for longer periods of time in institutions without a young offenders unit. See item 4.2 above.

At a meeting in November 2025, the Danish Prison Service stated that, on the background of the Ombudsman's monitoring visits, there was an increased focus also centrally in the Danish Prison Service on the treatment plan rules. The Ombudsman will follow up on the conditions and the general recommendation at future meetings with the Danish Prison Service.

In addition, on the basis of information from the young people, staff and managements, it is the Ombudsman's impression that the visited state and local prisons generally took care to ensure that the young people had access to physical exercise and that there was a focus on offering the young people suitable activities.

In relation to one institution with a young offenders unit, the Ombudsman recommended that the institution endeavour to ensure access to additional activities for young people or contact with uniformed staff in the evening on weekdays and generally during the weekend

4.6. Use of force and use of security cells, observation cells, solitary confinement and exclusion from association

4.6.1. Underlying rules

In accordance with the relevant general rules of the sentence enforcement legislation, staff in state and local prisons can in certain instances use *physical force* also towards young inmates, and 15-17-year-olds can be placed in a *security cell* under certain specified conditions. This can be to avert threatened violence or to prevent self-harm, among other things. In addition, a young person can under certain conditions be placed in an *observation cell* if for example considerations of order, security and safety require it.

In line with other inmates, young people in state and local prisons can also be placed in *solitary confinement* following a decision by the state or local prison. There are varying grounds for doing so. Inmates can be *excluded from association*, among other things for security and safety reasons or because the inmate exhibits a behaviour which is clearly incompatible with a continued presence in association with other inmates. According to a concrete assessment, an inmate can also be *temporarily excluded from association*, for example while the question of exclusion is being processed. In addition, a disciplinary punishment in the form of a stay in a *disciplinary cell* can be imposed on inmates, for example in case of escape or as a consequence of violence or threats of violence towards fellow inmates, staff or others in the institution.

There are a few special rules applicable when interventions of this nature are used in connection with young people under 18 in state and local prisons. Among other things, young people can only be placed in a security cell as an exception, and if it happens, a doctor must be summoned immediately to check on the young person regardless of whether or not the young person is forcibly immobilised and regardless of whether there is no suspicion of illness, including an injury, and the young person has not asked for medical assistance. Young people on whom a stay in a disciplinary cell has been imposed can also in general participate in occupational activities in association with other inmates, and the Executive Order on Youth Work's rules on the access of 15-17-year-olds to physical activities and exercise and still apply, even when a young person has been placed in solitary confinement.

4.6.2. The investigation

In connection with each visit, the Ombudsman asked the institutions to be visited to send him information about, among other things, the institution's use of the above-mentioned interventions during the previous three years.

The information showed that a minor number of interventions had been carried out in relation to young people, and that these interventions had been

carried out primarily in institutions with special young offenders units and where young people could be placed for longer periods of time.

The Ombudsman received and reviewed reports and other case material about concrete use of force, placement in observation cell or security cell, exclusion from association and imposed placement in disciplinary cell concerning 15-17-year-olds. The material that the Ombudsman received formed the basis of discussions with the institutions' staff and management regarding interventions and prevention thereof in relation to young people, including the institutions' focus on deescalating measures and conflict management. There were also interviews with young people who had been subjected to interventions.

The investigation showed that there was a management focus on the incidence of interventions in relation to inmates under 18. In addition, it is the Ombudsman's impression that the institutions were generally focused on preventing interventions, including use of force, towards young people, and that the staff were generally reluctant to use such interventions towards young people.

In connection with two monitoring visits, information came to light that young people under 18 had routinely been temporarily excluded from association on arrival at the institution – meaning without a concrete assessment of whether it was necessary to do so, for example based on considerations of security and safety. One of the institutions stated that this practice had ceased. The matter was discussed at a meeting in November 2025 with the Danish Prison Service and gave the Ombudsman cause to start an own-initiative investigation. The Ombudsman has subsequently been informed that steps have been taken to ensure that the above-mentioned practice has been brought to a stop also in the other institution and that any decisions on temporary exclusion of young people from association are in future made in accordance with the applicable rules.

In addition, the investigation of the staff's use of interventions, including use of force, gave cause for a few concrete recommendations in relation to some of the visited institutions, among other things to ensure that a doctor is immediately summoned to carry out a medical check if an underage inmate as an exception is placed in a security cell and that information about the summoning of a doctor and the medical check is documented.

4.7. Association with other inmates

4.7.1. Underlying rules

According to the rules of sentence enforcement legislation, an inmate must, as far as possible, have access to association with other inmates.

It follows from the Children's Convention that a child who has been deprived of liberty must be kept separate from adults unless it is considered in the child's best interest not to do so. In accordance with this, underage persons in state and local prisons can, according to the Executive Order on Youth Work, only have association with adults following a concrete assessment and within specifically stipulated limits.

If a 15-17-year-old is allowed to associate with adult inmates with the staff present, the staff must be particularly aware of ensuring that the young person is not exposed to harmful influences. It is also possible to allow that young people associate with adult inmates without the staff being present. If so, a note about it must be entered into the records, including the reason why the association is deemed to be in accordance with the young person's best interests.

The mentioned rules mean that inmates under 18 can in practice be without association with other inmates because there are no other inmates in the state or local prison that the staff can allow the young person to have association with. If a young person does not have access to association with others, the Danish Prison Service must daily assess whether it is possible to establish access to association or to transfer the young person to another institution where it is possible to have association with others. This is pursuant to rules in the Executive Order on Youth Work and the Guidance Notes on Young People.

4.7.2. The investigation

Based on the visiting teams' interviews with the young people, staff and managements, it is the Ombudsman's impression that there was a general commitment to allow young people association with other inmates. In that connection, it appeared from the young people's information that the possibility of having association with other inmates was important, among other things to ensure social contact and variety.

The institutions generally kept underage inmates separate from adult inmates, and the possibility of association was therefore best when there was more than one young inmate in the same institution so that they could associate with each other. However, the visiting teams found that the institutions' managements and staff were focused on and knew that underage inmates can be allowed to associate with adult inmates who in the staff's and management's assessment will not expose the young people to any harmful influences.

However, in the cases where a young person was only placed in an institution for a brief period, the institution often did not have any basis for being

able to make that assessment and thereby to establish association with adults.

In several of the visited institutions, 15-17-year-olds had had association with adult inmates without staff being present. The written information from the institutions showed, however, that either it had not been recorded that association had been allowed or the records did not show the reason why the association had been deemed to be in accordance with the young person's best interests. The requirements for records and reasons must help ensure that the young person's best interests in the individual case has been assessed and taken into account regarding the association. Lacking or incomplete records led to recommendations in relation to two institutions, while the duty to take notes was emphasised as a focus point in relation to two other institutions.

On that background, the Ombudsman recommends generally that the Danish Prison Service ensure that records are made about permissions for young inmates' association with adult inmates without the presence of staff, and that the records show the reasons why the association is deemed to be in accordance with the young person's best interests.

4.8. Additional about relations and cooperation between sectors

It follows from the Children's Convention that a child deprived of liberty must be able to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances.

In accordance with this, the rules of the Executive Order on Youth Work presume that applications for a visiting permit from family members of 15-17-year-olds must be accommodated as far as possible and that the possibility of granting permission for a longer visit should be used especially in relation to young inmates.

It is the Ombudsman's impression that the young people in the visited institutions were given help to maintain their contact with parents or other persons in their network, including in the form of telephone contact. Furthermore, the Ombudsman found that the institutions as far as possible accommodated applications for a visiting permit from young people's relatives and that both management and staff were focused to a relevant extent on strengthening the possibility of young people maintaining contact with family and other persons in their network during a period in prison.

In addition, the young people received help, also from social workers in the visited institutions, to handle issues of a practical nature and to maintain contact with educational institutions, employers and public authorities etc.

Furthermore, the young people with whom the visiting teams spoke generally said that the tone was good between them and the staff and that the young people – considering that they were inmates in a state or local prison – were treated well.

According to information from the managements and the staff in the visited institutions, there was generally good cooperation with police, municipalities and other authorities about conditions for the young people, including in connection with release or transfer of young people, for example to a social institution.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a series of loops and a horizontal line extending to the right.

Christian Britten Lundblad