

Submission to the UN
Committee on the Rights
of the Child from the
Ombudsman for Children
in Sweden regarding the
list of issues for Sweden
for its sixth and seventh
reporting, 2020-02-27

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Specify date.

Introduction

The Ombudsman for Children in Sweden is a government agency established in 1993 tasked with representing children regarding their rights and interests on the basis of the UN Convention on the Rights of the Child (UNCRC). The agency is an independent national institution that monitors the implementation of the UNCRC in municipalities, regions and government agencies. We identify weaknesses in the implementation of the UNCRC and propose changes to laws and ordinances. We regularly meet with children, in particular children in vulnerable situations.

Important steps for strengthening children's rights 2015-2020

In 2018, the Swedish Parliament voted for the UNCRC to be incorporated into Swedish law. It entered into force on January 1st 2020. At the same time, a decision was taken to review how legislation and practices are aligned with the UNCRC.¹ As support for legal practitioners, guidance has been developed on how to interpret and apply the UNCRC.²

In 2016 Sweden committed to be a pathfinding country³ in the Global Partnership to end violence against children, and in 2018 the government hosted the first solution summit to end violence against children.⁴

The Swedish Parliament has passed a number of laws in the spirit of the UNCRC. For example, legislation for sexual offences committed against children, including child pornography, has been strengthened. Several other proposals for strengthening the rights of the child are currently being administrated within the government.

Efforts of the Ombudsman for Children in Sweden, 2015-2019

Since Sweden's previous review, the Ombudsman for Children has focused on different areas for children in vulnerable situations. We have investigated the situation and met children who have experienced harassment and bullying in schools, children with disabilities, children seeking asylum, children without appropriate housing, children living in particularly vulnerable geographical areas, children receiving child welfare services, children living in environments where persons are being recruited to violent Islamic extremism, and unaccompanied asylum seeking children who go missing.

The main findings of all our work is that children are not fully recognised as rights holders – children are not heard, their opinions are not taken into consideration, the rights of parents and other adults have more impact than those of children, the best interests of the child is not used as a method and there is a lack of access for redress of rights violations. The implementation of the rights of the child varies of great degree depending

¹ Government offices. Dir. 2018:20. Kartläggning av hur svensk lagstiftning och praxis överensstämmer med barnkonventionen. (*Survey of how Swedish legislation and established practice are aligned with the UNCRC*).

² Government offices. Ds 2019:23 Vägledning vid tolkning och tillämpning av FN:s konvention om barnets rättigheter. (*Guidance on interpretation and application of the UN Convention on the Rights of the Child*).

³ Government offices. S2015/07096/ Letter from State Secretary Pernilla Baralt to Unicef Executive Director Anthony Lake on 16 November 2015.

⁴ <https://www.end-violence.org/solutions-summit> (extracted 2020-02-07).

on where in Sweden the child lives. Based on this analysis we have proposed adequate changes to the government.

We have identified new challenges regarding the rights of the child – challenges that were not present when the convention was drafted but which we need to be addressed in the interpretation of the UNCRC. The internet and social media offers new opportunities for children, but may also pose new risks. Children being brought to conflict areas by their parents, living in or being born into hazardous conditions where the child's rights to health and protection is not secured nor the right to identity and citizenship. On the other hand in the UNCRC the child's right to the parents is stated. Here new ways of interpreting the CRC and the best interest of the child need to be developed.

1. General measures of implementation

1.1 Legislation

As of January 1st 2020 articles 1-42 of the UNCRC are Swedish law. The UNCRC is given the same level of gravity as other laws, without any preferential rule.⁵

The Inquiry on the rights of the child (hereafter the CR Inquiry) investigated how the rights of the child are implemented in practice in four important areas.⁶ The CR Inquiry concluded that there are great shortcomings in fulfilling the rights of the child, in particular article 3 and 12. Also, it was pointed out that children were not considered rights holders.⁷

One of the problems identified by the CR Inquiry is that the preliminary work on laws, in which parts of the UNCRC have been incorporated, may be unclear and sometimes conflicting. They may also be lacking references to the UNCRC. This is of special relevance as regards the implementation of the principle of the best interest of the child.⁸ Even after the decision to incorporate the UNCRC into Swedish law, legislative proposals often lack a child rights perspective and relevant references to the UNCRC.⁹

1.1.1 Suggestions of questions

- How does the government intend to move forward with transformation efforts to ensure that all laws are in line with the UNCRC?
- How does the government intend to monitor the legal implementation of the UNCRC to ensure that the law has the intended impact, in particular in regions and municipalities?
- How does the government intend to ensure that the UNCRC and a child rights perspective are included in State inquiries and in the preparatory work of future bills?

1.2 Resource allocation

There is not a compiled child rights budget in governmental budget bills. The resources for working with child rights are allocated to various budget areas. On the basis of the government's budget, it is not possible to ascertain whether an examination of the best interest of the child has been carried out before it was presented.

There is a special policy area in the state budget that is called "Child Rights Policy". It encompasses the budget for the Ombudsman for Children and for measures for realising the UNCRC. In 2020, the Ombudsman for Children in Sweden has been appropriated SEK

⁵ Government bill. Prop 2017/18:186 Inkorporering av FN:s konvention om barnets rättigheter. (*Incorporation of the UN Convention on the Rights of the Child.*)

⁶ How the Swedish Migration Agency handle cases of children seeking asylum with their parents, how the Social Service's handle cases of children who witness violence in close relationships, how the Social Welfare Board take decisions on support for people with disabilities according to the Act concerning Support and Service for Persons with Certain Functional Impairments (LSS) and the district court's judgements in cases where children have been subjected to violence by a relative (parent).

⁷ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*).

⁸ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 321.

⁹ Identified by the Ombudsman for Children in Sweden when submitting comments on legislative proposals.

26 million, and SEK 22 million have been appropriated to realising the UNCRC.¹⁰ The appropriation to the Ombudsman for Children in Sweden has increased by SEK 2 million since 2016. The appropriation for realising the UNCRC has decreased from SEK 34 million¹¹ in 2016.¹²

In 2019 and 2020, resource deficiencies in the welfare system have been highlighted. Municipalities and regions have alerted the government and the media that their financial situation is tight and that they are therefore forced to cut back, affecting children primarily in the areas of healthcare, social services and schools.

1.2.1 Suggestions of questions

- How does the government intend to ensure that the best interest of the child is considered in the budgeting process, in particular in reallocating funds or in deciding to make cutbacks?
- How does the government intend to support municipalities and regions in ensuring that the rights of the child are met equally throughout the country, regardless of financial conditions?

1.3 Coordination

In Sweden, it is the municipalities and regions who have the main responsibility for the implementation of the rights of the child. With 290 municipalities and 21 regions, it is difficult to obtain an overall view of how children's rights are fulfilled. As shown in this report, there are large regional and local disparities in how the UNCRC is fulfilled.

The Swedish Association of Local Authorities and Regions (SKR) are studying efforts by its members in the field of children's rights. In 2019, the results indicate that there are less decisions made on having a child rights approach, adopting a strategy and child impact analysis while the number of respondents who have institutionalised coordination of children's rights in the municipality/region have increased.¹³

1.3.1 Suggestions of questions

- How does the government intend to reduce the municipal and regional disparities in applying children's rights in Sweden?

1.4 Independent monitoring

The Ombudsman for Children is lacking the mandate to act upon individual cases and assist children who claim their rights.

The CR Inquiry stated that there are shortcomings in the possibility for children to exercise their rights and as such, the Inquiry proposed that the government investigate

¹⁰ Government bill. Prop. 2019/20:1 Budgetpropositionen för 2020. Utgiftsområde 9 Hälsovård, sjukvård och social omsorg. Kapitel 7. (*Budget Bill for 2020. Expenditure area 9 Healthcare and Social Care. Chapter 7.*)

¹¹ One reason for the high level of funds for realising the rights of the child in 2016 was due to a special assignment to the Ombudsman for Children in Sweden to develop a web portal for children on the UNCRC.

¹² Government bill Prop. 2015/16:1 Budgetpropositionen för 2016. Utgiftsområde 9 Hälsovård, sjukvård och social omsorg. Kapitel 8. (*Budget Bill for 2020. Expenditure area 9 Healthcare and Social Care. Chapter 7.*)

¹³ The Swedish Association of Local Authorities and Regions (SKR). Enkätredovisning – lokalt och regionalt beslutsfattande om barnets rättigheter 2019. (*Survey report – local and regional decision-making on the rights of the child, 2019.*)

whether it is suitable for the Ombudsman for Children to represent individuals when it is of importance for enforcement.¹⁴

The Ombudsman for Children has published a report regarding the possibility for children to complain on rights violations. There are many other institutions that can address and pursue violations of children's rights. However, none of these institutions may accept complaints regarding all rights in the UNCRC, furthermore in most cases the consent of the child's guardian is needed to start an investigation, the institutions are unknown to children, they are not adapted to children and staff lack capacity on the rights of the child.¹⁵

In 2019, a bill was proposed to institute an independent organisation for human rights in Sweden. The institution will not be able to receive individual complaints. The proposal does not make clear how collaboration with the Ombudsman for Children will occur nor how an overlap of the agencies' work will be avoided.¹⁶

1.4.1 Suggestions of questions

- How does the government intend to ensure that children can make complaints when their rights have been violated?
- Does the government intend to grant the Ombudsman for Children a greater mandate to receive, investigate and decide in individual cases of violations of children's rights?
- How does the government intend to clarify roles and collaboration between the Ombudsman for Children and the new institution for human rights?

1.5 Training and capacity-building

In 2018, the Ombudsman for Children conducted a survey regarding children's knowledge of the UNCRC answered by pupils in years 5 and 8. Close to every other child knew of the UNCRC. Another sixth had heard of it. Of the two groups of respondents, 42% stated that they have in-depth knowledge and knew for sure what the UNCRC entails.¹⁷ In 2018 we also launched a website for children to inform about the UNCRC and to assist teachers in educating about it.¹⁸

The CR Inquiry stated in their review that professionals working with or for children have deficient knowledge of the rights of the child, especially with regard to the general principles.¹⁹

For the last three years, the Ombudsman for Children have had an assignment from the government to support municipalities, regions and selected governmental agencies²⁰ in

¹⁴ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 328.

¹⁵ Ombudsman for Children in Sweden. Barn och ungas klagomöjligheter. (*Complaint mechanisms for children and young people*.) 2016.

¹⁶ Government Offices Ds 2019:4 Förslag till en nationell institution för mänskliga rättigheter i Sverige. (*Proposal for a national institution for human rights in Sweden*.)

¹⁷ <https://www.barnombudsmannen.se/barnombudsmannen/i-media/nyheter/2018/barns-kunskap-om-sina-rattigheter-har-okat/> (extracted 2019-12-09).

¹⁸ Minarattigheter.se

¹⁹ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 333.

²⁰ 2017: The Swedish Migration Agency, the Swedish Agency for Participation, the Family Law and Parental Support Authority, the Swedish National Agency for Education, the Swedish National Board of Health and Welfare and the Swedish National Board of Institutional Care; 2018: Swedish Social Insurance Inspectorate, the Health and Social Care Inspectorate, the Swedish Schools Inspectorate and the National Agency for Special Needs Education and Schools;

strengthening capacity on the UNCRC.²¹ One agency not included in the assignment is the Swedish National Courts Administration.

1.5.1 Suggestions of questions

- How does the government intend to ensure children are made aware of their rights?
- How does the government intend to ensure knowledge-enhancing efforts continue with a long term perspective?
- How does the government intend to ensure that the UNCRC is made a mandatory part of basic training for relevant practitioners?
- How does the government intend to ensure that professionals in courts receive capacity building regarding the UNCRC?

1.6 Data collection

There are a few problems with the data collection on children in Sweden. All children are not visible in the statistics, especially those in vulnerable situations. Young children and children with disabilities are often not included structured surveys the living conditions of children.

A smaller number of people are responding to surveys, making it sometimes difficult to report on smaller groups such as children of single parents, children with foreign backgrounds and children with disabilities.

1.6.1 Suggestions of questions

- How does the government intend to ensure that Sweden can follow up on fulfilment of all children's rights, including children in vulnerable situations?

1.7 National strategy

Since 2010, Sweden has a strategy to strengthen the rights of the child.²² Many efforts have been carried out based on this strategy. However, the strategy has no defined period of validity, no tangible action plan associated to it, nor an evaluation system. The strategy is not adapted to the incorporation of the UNCRC in national law as well.

1.7.1 Suggestions of questions

- How has the government followed up the strategy?
- Does the government intend to develop a new strategy on the rights of the child and develop a tangible action plan?

2019: the National Board of Housing, Building and Planning, the Swedish Gender Equality Agency, the Swedish Prison and Probation Service, the Swedish Enforcement Agency, the Swedish Agency for Youth and Civil Society, the Swedish Police Authority and the Swedish Prosecution Authority.

²¹ Government offices. S2016/07874/FST Uppdrag att stödja arbetet med att säkerställa tillämpningen av barnets rättigheter i kommuners och landstings verksamheter (*Commission to support the work with ensuring the implementation of the rights of the child in the operations of municipalities and county councils*) and S2016/07875/FST Uppdrag att stödja arbetet med att säkerställa tillämpningen av barnets rättigheter i statliga myndigheters verksamhet. (*Commission Commission to support the work with ensuring the implementation of the rights of the child in the operations of government agencies.*)

²² Government bill Prop. 2009/10:232 Strategi för att stärka barnets rättigheter i Sverige. (*Strategy to strengthen the rights of the child in Sweden.*)

2. General principles

2.1 Non-discrimination

Many children growing up in areas that are statistically substandard to other areas in the country with regard to school results, economy and health describe feelings of discrimination solely based on the where they live. Children experience teachers with low expectations and that people from other areas have preconceived notions of what it means to live in a vulnerable area.²³

For children who are discriminated or abused in schools, the opportunities for redress differ depending on what agency has the mandate to pursue it. If the child has been harassed²⁴, the child must turn to the Equality Ombudsman (DO) for redress. For other forms of abuse, the child must turn to the Child and School Student Representative (BEO).

DO only investigates and pursues cases that are important in principle. These are brought to the court for judgement. Based on the best interest of the child, DO has decided not to pursue cases of one child violating another in court.²⁵ In contrast, BEO basically investigates all cases brought to the agency and has some opportunities to manage these cases outside the courts.

The governmental special investigator on vulnerable EEA citizens temporarily residing in Sweden has stated that Sweden is not required to offer children of vulnerable EU citizens the right to attend school. A number of municipalities do offer this, but it is not required by law. The investigator dismisses the fact that the UNCRC may grounds for such a right as it would contradict EU law.²⁶

The Discrimination Act specifies an exhaustive list of grounds for discrimination. Anyone subjected to discrimination on any of these grounds can initiate a case with the DO. The Discrimination Act lacks a number of grounds for discrimination listed in the UNCRC.²⁷ If a child is discriminated on these grounds, there is no institution they can turn to for support and redress. The non-profit sector, which organises many leisure activities for children, does not fall within the scope of the Discrimination Act.

2.1.1 Suggestions of questions

- How does the government intend to strengthen the situation of children living in socio-economically vulnerable areas?
- How does the government intend to ensure that children who are subjected to discrimination or harassment in schools have equal opportunities for obtaining redress?
- How does the government intend to ensure that children of EU citizens have their right to education fulfilled?

²³ Ombudsman for Children in Sweden. Utanförskap, våld och kärlek till orten. (*Exclusion, violence and love for community*.) 2018.

²⁴ A victim of offensive treatment on grounds for discrimination, sexual harassment or other discrimination as defined by the Discrimination Act.

²⁵ Information to the Ombudsman for Children in Sweden from the Equality Ombudsman (DO) by e-mail on 27 January 2020.

²⁶ Swedish Government Official Reports SOU 2016:6 Framtid sökes. (*In search of a future*.) Page 54 onward

²⁷ Political or other opinion, social origin, property or birth.

- How does the government intend to ensure that children have the possibility of redress in cases of all forms of discrimination and in all areas of society?

2.2 The best interest of the child

The CR Inquiry highlighted shortcomings as regards implementation of the best interest of the child. The Inquiry stated that it was not clear in decision-making how the best interest of the child was determined nor how this interest was weighed against other interests. Determination of the best interest of the child was often made on a general level without taking the individual child into consideration. The Inquiry concluded that capacity-building on determining the best interest of the child is necessary for the principle to be fully applied.²⁸

It is questionable if the regulation in the Aliens Act on the best interest of the child is in line with the UNCRC. It reads: *"In cases involving a child, particular consideration shall be given to what the child's health, development and best interests require"*.²⁹ The CR Inquiry proposed clarification of this regulation.³⁰

The CR Inquiry has also proposed clarification of the regulation in the Act concerning Support and Service for Persons with Certain Functional Impairments (LSS).³¹ The Inquiry further proposed that the principle of the best interest of the child should be entered into the Administrative Procedure Act and the Administrative Court Procedure Act.³²

2.2.1 Suggestions of questions

- What measures does the government intend to take to raise practitioners' level of competency in determining the best interest of the child?
- How does the government intend to pursue the proposals on amending legislation regarding the best interest of the child made by the CR Inquiry?

2.3 Respect for the views of the child

The CR Inquiry identified shortcomings in how the right of the child to be heard is met. In many rulings, there is no mention of the child being heard. In others, it was not clear what opinion the child had or what weight the child's opinion was given in the ruling. The child was often asked questions that were not relevant to the investigation, in particular in cases where the child was seeking asylum with their parents.³³

Reasons for not hearing children were that the child was considered too young, had a disability or that the guardians did not consent.³⁴ Parental consent can prevent children

²⁸ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 290 onward.

²⁹ Chapter 1, Section 10 of the Aliens Act (2005:716).

³⁰ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 175 onward.

³¹ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 201 onward.

³² Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 270.

³³ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 296 onward.

³⁴ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Page 297.

from being heard in many issues that directly affect them, such as in cases of custody, residence and contact.³⁵

In the Aliens Act and the Parental Code, it is stated that the child shall be heard unless it is considered inappropriate.³⁶

The CR Inquiry proposed to amend the regulations concerning article 12 in the Aliens Act and in LSS. The Inquiry also proposed that similar regulations be entered into the Administrative Procedure Act and the Administrative Court Procedure Act.³⁷

Children from different vulnerable situations have told us of how difficult it is to be heard in decision processes that affects them. Children also express a wish to have a say in issues that affects their vicinity and everyday lives.

2.3.1 Suggestions of questions

- What measures does the government intend to take to build capacity of practitioners to ensure that children are heard, including young children and those with disabilities?
- Does the government intend to amend the Aliens Act and the Parental Code, removing the possibility to not hearing children if considered inappropriate?
- How does the government intend to review the rights of guardians to deny a child from being heard?
- What structural measures does the government intend to take so that children may be heard in societal issues, including in decisions by the government and parliament?
- How does the government intend to pursue with the proposals from the CR Inquiry's as regards the right of the child to be heard?

2.4 The right to life, survival and development

In 2018, 246 people between the ages of 15 and 24 and 9 people under the age of 15 committed suicide.³⁸ The rate of attempted and committed suicide among children and young people who identify with another gender than the gender given to them at birth is higher than among other children and young people. In a survey on the health of transgender persons, 57% of respondents age 15 to 19 reported that they have seriously considered taking their own lives in the last twelve months. Forty percent reported that they had attempted suicide.³⁹

Some unaccompanied asylum seeking children have suicidal thoughts and a number have attempted suicide and some have carried it out.⁴⁰

³⁵ According to the Custody Inquiry however, it is unusual that parents withhold their consent for the child to be heard in matters of custody, residence and contact. See Swedish Government Official Reports SOU 2017:6 Se Barnet! (*See the Child!*) Page 156.

³⁶ Chapter 1, Section 11 of the Aliens Act (2005:716) and Chapter 6, Section 19 of the Parental Code (1949:381).

³⁷ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). Pages 178, 206 and 270.

³⁸ The Swedish National Board of Health and Welfare. Dödsfallregistret (*Register of Cause of Death*). 2018.

³⁹ The Swedish Public Health Agency. Hälsan och hälsans bestämningsfaktorer hos transpersoner. (*Health and health determinants among transgender persons*). 2015. Page 40.

⁴⁰ <http://www.mynewsdesk.com/se/number-vistaarinteut/pressreleases/pressmeddelande-fraan-nummer-vistaarinteut-170206-1788402> (extracted 2020-02-07) and <https://www.barnombudsmannen.se/barnombudsmannen/i-media/nyheter/2017/mote-med-myndigheter-om-ensamkommande-barns-halsa/> (extracted 2020-02-07).

The short-term, temporary residency permits now given to children with protection status have a negative impact on the development of the child as it affects their mental health and education. See more under chapter 8.1.

2.4.1 Suggestions of questions

- What measures is the government taking to prevent children from attempting and committing suicide?
- What measures has the government taken to ensure that the short, temporary residence permits do not risk inhibiting the child's right to development?

3. Civil rights and freedoms

3.1 Right to citizenship

Statelessness

In Sweden, children born into statelessness are not automatically granted Swedish citizenship. To obtain Swedish citizenship, the child's guardian must apply for Swedish citizenship on behalf of the child and the child must have a permanent residency.⁴¹ The Council of Europe Commissioner for Human Rights has criticised Sweden for the limited opportunities to Swedish citizenship given to stateless individuals.⁴²

Children abroad who are Swedish citizens

Children who are Swedish citizens being brought abroad, with or without their parents, may end up in hazardous situations where their rights are violated – e.g. children who are brought abroad to be married or genitally mutilated, children who are sent to be raised with relatives in another country, or parents bringing their children abroad to join militant groups. Sometimes the right to identity and citizenship is jeopardized, e.g. when the Swedish parent has died or disappeared. It is unclear what measures the State is obliged to take to ensure the rights and safety of these children.

3.1.1 Suggestions of questions

- What measures does the government intend to take to ensure that children who have a residency permit in Sweden do not remain stateless?
- What measures does the government take to ensure that children born abroad to Swedish subjects are able to obtain Swedish citizenship?
- What measures does the government take to support children in hazardous situations abroad and to assist these children to return to Sweden when it is in the best interest of the child?

⁴¹ Section 6 Swedish Citizenship Act (2001:82).

⁴² Council of Europe Commissioner for Human Rights. Report following his visit to Sweden from 2 to 6 October 2017 CommDH(2018)4. 2018. Bullet points 56-58.

4. Violence against children

4.1 Torture and other cruel or degrading treatment or punishment

In February 2020 the government made a proposal to set up rules to counteract isolation and introduce time limits in remand prisons.⁴³ See more under chapter 8.4.

In 2018, 38 children placed in remand prison had restrictions for more than 30 days. A few children were detained for as long as 180 days with restrictions. Certain exceptions were made to the restrictions placed on the children detained for longer than 30 days. For example, they were allowed to receive phone calls and visitors.⁴⁴

In other locked institutions, such as compulsory psychiatric care and special residential homes for young people (SiS-homes), isolation, straps and belts are still used. The use of isolation in SiS-homes has been limited to a maximum of four hours.⁴⁵ In compulsory psychiatric care facilities, children can be isolated from other patients for eight hours, with the possibility of extending this period with another eight hours.⁴⁶ There is now a proposal from the government to change this to a maximum of two hours, as well as allowing the use of straps to restrain children for a maximum of one hour.⁴⁷

4.1.1 Suggestions of questions

- What measures does the government intend to take to ensure that the proposed new legislation for children in remand prisons and police cells are implemented in practice?
- What measures does the government intend to take to fully prohibit the use of isolation, belts and straps for children in locked institutions?
- What measures does the government intend to take to ensure that the staff in locked institutions have capacity in the use of non-coercive methods?

4.2 Abuse and neglect

As the first path-finding country in the Global Partnership to end violence against children Sweden has committed to develop a national strategy for combating violence against children. This strategy has not yet been developed.⁴⁸ Nor the envisaged policy development for the partnership.

According to a survey from the Children's Welfare Foundation Sweden 14% of children experience physical abuse by a parent at some point during childhood. 5% were victims of abuse many times. 11% suffered from psychological abuse by a parent. 14% experienced physical or psychological violence between parents at some point. 3%

⁴³ Government Offices. Referral to the Council on Legislation *Effektivare hantering av häktningar och minskad isolering (More effective management of remand prisons and decrease use of isolation)*. 13 February 2020.

⁴⁴ Swedish Prosecution Authority. Åklagarmyndighetens årsredovisning 2018. (*Swedish Prosecution Authority Annual Report 2018*.) 2019. Pages 37-39.

⁴⁵ Section 15 c Care of Young Persons Act (1990:52).

⁴⁶ Sections 19 and 20 §§ Compulsory Psychiatric Care Act (1991:1128).

⁴⁷ Government offices. Referral to the Council on Legislation. *Förbättringar för barn inom den psykiatriska tvångsvården. (Improvements for children in compulsory psychiatric care.)* 19 December 2019.

⁴⁸ The government has submitted an action plan to the Global Partnership, but it only covers protecting children from trafficking, exploitation and abuse (Skr. 2015/16:192), not all forms of violence. This action plan ceased to be valid in 2018.

experienced repeated physical violence by one parent towards the other. Half of the children who were subjected to child abuse were also victims of bullying.⁴⁹

The survey highlighted particularly vulnerable groups. Among these are children who neither identify as a boy or a girl, children with disabilities or chronic illness, children living in economically vulnerable conditions, children born outside the Nordic countries, children living with a single parent, or children with parents in a custody dispute.⁵⁰

Violence in the home

The CR Inquiry showed that children who had been subjected to violence by their parents had difficulty obtaining legal redress from the courts, since they have difficulty describing and showing proof of pain, which is necessary for sentencing someone for abuse. The Inquiry proposed a new criminal offence – child abuse – for cases when child is abused by a caregiver. This offence would not require proof of pain.⁵¹

Violence in institutions and other placements

In a survey with 260 children at SiS-homes, one in four girls and one in six boys stated that they seldom or never feel safe. This insecurity is linked both to other children in the home and to the treatment of staff. Almost 40% of the girls and just over 20% of the boys had experienced violence at the institution. Half stated that an adult was involved in the violent act. Some of the children have also experienced sexual harassment from adults at the institution.⁵²

Children placed in a residential care home (HVB) or in foster families also experience violence and abuse, from both children and adults, including sexual harassment and abuse. Some children said that they had been subjected to violence for several years in a foster home and nothing was done, despite the fact that they told social services about the violence.⁵³

4.2.1 Suggestions of questions

- What measures is the government taking on a national and international level to live up to the undertaking of being a pathfinding country in the Global Partnership to end violence against children?
- What measures does the government intend to take to ensure that no child that is taken into social care is subjected to violence or abuse?
- How does the government intend move forward with the proposal from the CR Inquiry on a new criminal offence – child abuse?

⁴⁹ Jernbro, C. and Jansson, S. Våld mot barn 2016 – en nationell kartläggning (*Violence against children 2016 – A national survey*). Children's Welfare Foundation Sweden. 2016.

⁵⁰ Jernbro, C. and Jansson, S. Våld mot barn 2016 – en nationell kartläggning (*Violence against children 2016 – A national survey*). Children's Welfare Foundation Sweden. 2016.

⁵¹ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*).

⁵² Ombudsman for Children in Sweden. Vem bryr sig – när samhället blir förälder (*Who cares – When society becomes a parent*). 2019.

⁵³ Ombudsman for Children in Sweden. Vem bryr sig – när samhället blir förälder (*Who cares – When society becomes a parent*). 2019.

4.3 Sexual exploitation and sexual abuse

In the survey by the Children's Welfare Foundation Sweden 40% of girls and 10% of boys reported being sexually abused. Abuse is most commonly perpetrated by someone the child knows who is of the same age, but 6% of those who reported being sexually abused by a parent or step-parent.⁵⁴

In 2019, the magazine "Vecko-Revyn" reviewed the number of cases of sexual assault at residential care homes.⁵⁵ They identified 106 reports concerning 133 victims between 2014 and 2018. 85 were cases of rape. In 44% of the cases, the perpetrator was a staff member. In only 19 cases the perpetrator was convicted.⁵⁶

In 2017, the #metoo campaign exploded. Children used the hashtags #tystiklassen⁵⁷ and #räckupp-handen⁵⁸ to witness about many forms of sexual assault in school – by other pupils as well as teachers and other adults. Stories of abuse even came from very young children.⁵⁹ Following this, the Swedish National Agency for Education developed supporting guidelines for teachers to prevent sexual abuse.⁶⁰

4.3.1 Suggestions of questions

- What preventive measures does the government intend to take to decrease the risks for children to be subjected to sexual abuse?
- What measures does the government intend to take to protect children from sexual assault when they are taken into social care?
- How does the government intend to ensure that sexual assault at institutions and schools are discovered, reported and children receive the support they are entitled to?

4.4 Freedom of the child from all forms of violence

Between 6 and 10% of pupils report that they have been victims of bullying in school. Bullying has increased in recent years.⁶¹ Pupils are subjected to violence, harassment and assault by other pupils as well as teachers or other adults at the school. In 2018, BEO received 780 reports of harassment by adults (41% of the total number of harassment reports).⁶²

⁵⁴ Jernbro, C. and Jansson, S. Våld mot barn 2016 – en nationell kartläggning (*Violence against children 2016 – A national survey*). Children's Welfare Foundation Sweden. 2016.

⁵⁵ The magazine examined reports of sexual abuse to either the Health and Social Care Inspectorate (IVO) or cases taken to courts.

⁵⁶ <https://veckorevyn.com/nyheter/veckorevyn-avslojar-over-hundra-unga-utsatta-for-sexuella-overgrepp-pa-hvb-hem-de-senaste-fyra-aren/> (extracted 2019-12-12).

⁵⁷ Silence in the classroom.

⁵⁸ Raise your hand.

⁵⁹ For example, <https://www.svt.se/nyheter/inrikes/tystiklassen-nu-gor-eleverna-uppror-mot-sexuella-trakasserier-i-skolan> (extracted 2019-09-27).

⁶⁰ The Swedish National Agency for Education. Koll på arbetet mot sexuella trakasserier. (*Checking up on the work against sexual harassment*.) 2018.

⁶¹ The Public Health Agency. Skolbarns hälsovanor i Sverige 2017/18. (*The health habits of school children in Sweden 2017/18*.) 2018. The study surveyed pupils aged 11, 13 and 15.

⁶² The Swedish Schools Inspectorate. Tillsyn utifrån individärenden – statistik över anmälningar och beslut 2018. (*Supervision based on individual cases – statistics on number of reports and decisions, 2018*.) 2019.

The Education Act prohibits abusive treatment⁶³ of pupils, but teachers and principals may use justified measures⁶⁴ against pupils in order to address a pupil's disruptive behaviour. The measure must be proportionate to the purpose and circumstances, but may include violence that goes beyond the rights of necessity and self-defence.⁶⁵ There is a risk that this authority can be misused, as has been shown in certain court cases.⁶⁶

4.4.1 Suggestions of questions

- What measures does the government intend to take to prevent violence, bullying and harassment of children in school?
- How does the government intend to clarify that all forms of violence against children in schools are prohibited?

4.5 Violence in the community

Violence is present in the everyday lives of certain children, in their local communities. Children experience shootings, stone throwing, intimidation, harassment, assault and more. Young children tell us of how they are not allowed to play in certain playgrounds due to fear of violence. The experience of violence differ dependent on gender – boys experience direct violence and girls describe feeling unsafe. Violence becomes normalised and can lead to lower thresholds for children themselves to turn to violence. In some cases, it leads to children being recruited to violent extremist groups or criminal gangs.⁶⁷

Unaccompanied minors who go missing often end up in the street environment and experience different forms of violence, including sexual assault and trafficking.⁶⁸

4.5.1 Suggestions of questions

- What measures does the government intend to take to decrease the risks of children experiencing violence in their community?
- In what way are children involved in developing measures to prevent violence?
- How are girls' and boys' different experiences of violence in the community taken into account when measures are taken to prevent violence?

⁶³ Chapter 6, Section 9 the Education Act (2010:800).

⁶⁴ These shall be immediate and temporary.

⁶⁵ Chapter 5, Section 6 the Education Act (2010:800).

⁶⁶ See, for example, the Västra Sverige Court of Appeal case B 5194-14 from 13 March 2015; Övre Norrland Court of Appeal case B 671-11 from 7 May 2012; and Göta Hovrätt (*Court of Appeal*) case FT 471-19 from 1 July 2019. The latest case has been brought to the Supreme Court.

⁶⁷ See the Ombudsman for Children in Sweden. Children and Young People's Experiences of Violent Islamic Extremism 2018 and the Ombudsman for Children in Sweden. Utanförskap, våld och kärlek till orten. (*Exclusion, violence and love for community.*) 2018.

⁶⁸ Ombudsman for Children in Sweden. Unaccompanied children who disappear in Sweden. 2017.

5. Family environment and alternative care

5.1 Children deprived of a family environment

Children with incarcerated parents

Each year, at least one parent of approximately 8,000 children are in prison. Including conditional sentences estimations are that over 30,000 children have a parent that is under some form of detention.⁶⁹ A recent study show that the support these children receives from the social services is insufficient – 79% of municipalities had no particular initiatives for children with parents in detention, 94% had no preventive or outreach operations for these children. Only a few municipalities had group activities or offered individual support. Most of the support available for this group came from NGO's^{70, 71}

Children in care of the social welfare services

In 2018 331,000 reports of concern for children were made to the social services. 126,000 (38%) resulted in an investigation. The reports included 180,000 children, corresponding to 8% of all children in Sweden. Two thirds included children under the age of 12 and the majority of reports concerned boys. 20 % was regarding violence in close relationships.⁷²

In 2018, 38,800⁷³ children and young people⁷⁴ received care in line with the Social Services Act or the Care of Young Persons Act (LVU). The most common placement is in foster homes.⁷⁵

Studies show major shortcomings regarding the investigations when children are taken into care. It includes substandard investigations, children not being heard, poor follow-up of placements, placements that are not customised to the individual and grievous misconduct such as violence and assault when the child is in social care.⁷⁶

Children have told us about poor contact with his/her social worker. The children report having little time with their social worker, not being heard, not being listened to regarding how they perceive they are being treated, not being informed of what is about to happen and of being moved repeatedly between homes.⁷⁷

⁶⁹ The Swedish National Board of Health and Welfare. Barn med frihetsberövade föräldrar. (*Children with incarcerated parents.*) 2018.

⁷⁰ In particular, the organisation BUFFF (Swedish abbreviation for children and young people with a parent/family member in prison.)

⁷¹ The Swedish National Board of Health and Welfare. Barn med frihetsberövade föräldrar. (*Children with incarcerated parents.*) 2018.

⁷² The Swedish National Board of Health and Welfare. Anmälningar om barn som far illa eller misstänks fara illa. Nationell kartläggning 2018. (*Reports of children who are maltreated or suspected of being maltreated. National survey 2018.*) 2019.

⁷³ As of 2018, asylum-seeking children are included in the statistics, making comparisons with previous years impossible. Of the children placed in foster homes, barely 30% were unaccompanied asylum-seeking children.

⁷⁴ The act can be used for persons up to 20 years of age.

⁷⁵ The Swedish National Board of Health and Welfare. Statistik om socialtjänstinsatser till barn och unga. (*Statistics on social service efforts to children and young people.*) 2018.

⁷⁶ See, for example, the Abuse and Neglect Inquiry (SOU 2011:61 Utredningen om vanvård i den sociala barnvården) (*Swedish Inquiry on Child Abuse and Neglect in Institutions and Foster Homes*); the Redress Inquiry (SOU 2011:9 Barnen som samhället svek – åtgärder med anledning av övergrepp och allvarliga försummelser i samhällsvården) (*The children society let down – measures in light of abuse and serious neglect in social care*); SOU 2015:71 Barns och ungas rätt vid tvångsvård. Förslag till ny LVU (*The rights of children and young people in compulsory care. Proposal for a new Care of Young Persons Act*); Barnets och ungdomens reform – Förslag för en hållbar framtid, slutrapport från den nationella samordnaren för den sociala barn- och ungdomsvården. 2017; (*The reform of the child and youth - Proposals for a sustainable future, final report from the National Coordinator for Social Child and Youth Care. 2017*); and various reports from the Swedish Health and Social Care Inspectorate (IVO).

⁷⁷ Ombudsman for Children in Sweden. Vem bryr sig – när samhället blir förälder (*Who cares – When society becomes a parent*). 2019.

One study shows that social workers have on average one hour per day for contact with children and guardians. Only a small portion of this hour is used for individual discussions with children.⁷⁸ Another study shows that child involvement in decisions and planning is low. Only 48% of municipalities notify all placed children of their rights and provide contact information to social workers and to the Child and Young Person Hotline of the Health and Social Care Inspectorate (IVO).⁷⁹

5.1.1 Suggestions of questions

- What measures does the government intend to take to build the capacity of social services regarding reaching out to and offering adequate and equal support to children with incarcerated parents?
- What measures does the government intend to take to strengthen social services to ensure that investigations of children at risk have high quality and always include the opinion of the child?

5.2 Custody disputes

Children in the middle of a custody dispute have trouble exercising their rights. Inquiries show major shortcomings in determining the best interest of the child and the child's right to be heard in cases of custody, residence and contact. The conflict between the parents, rather than the best interests of the child, is generally in focus.⁸⁰

Children are not seen as a legal party in cases regarding custody, residence and contact. The lack of a child rights perspective becomes particularly apparent in cases of contact with the parent the child does not live with. The Parental Code states that the child has the right to contact with the parent they do not live with.⁸¹ However, it is the parent who can request contact with the child.⁸² The child has no possibility of exercising their own right. A parent can also demand contact against the will of the child, including enforcing contact by means of police retrieval of the child.

A parent who have killed the other parent obtain sole custody of their child. This makes it possible for this parent to deny the child support and treatment. It is possible for the court, at the behest of the Social Welfare Board, to move custody to another person. However, this is not always applied.

5.2.1 Suggestions of questions

- How does the government intend to strengthen the child rights perspective in legislation and practice in disputes on custody, residence or contact?
- What is the view of the government to make children a legal party in cases of custody, residence and contact?

⁷⁸ Barnets och ungdomens reform – Förslag för en hållbar framtid, slutrapport från den nationella samordnaren för den sociala barn- och ungdomsvården. (*The reform of the child and youth - Proposals for a sustainable future, final report from the National Coordinator for Social Child and Youth Care.*) 2017. Page 25.

⁷⁹ The Swedish National Board of Health and Welfare. Öppna jämförelser 2019. Social barn- och ungdomsvård. (*Open comparisons 2019. Social child and youth care.*) 2019.

⁸⁰ Swedish Government Official Reports SOU 2017:6 Se barnet!. (*See the Child!*)

⁸¹ Chapter 6, section 15 of the Parental Code (1949:381).

⁸² Chapter 6, section 15 a of the Parental Code (1949:381).

- What measures does the government intend to take to ensure that a parent who has killed or severely harmed the other parent does not obtain custody of the child?

5.3 Family reunification

In the temporary Aliens Act⁸³ (see chapter 8.1), the opportunities for family reunification is limited. The person residing in Sweden must be highly likely to receive a permanent residency permit and be able to financially support the family members. If the person in Sweden is under 18, there is no requirement for financial support, nor if the application is made within three months of the sponsor being granted residence permit.⁸⁴ Previously, families with children were exempt from the supporting requirement.

Persons who obtain a residency permit on humanitarian grounds have no possibility of family reunification, unless it would in contradiction with an international commitment by the state.

5.3.1 Suggestions of questions

- What measures does the government intend to take to ensure that applications for family reunification where children are involved are processed in a positive, human and expeditious manner?
- How does the government intend to ensure that the supporting requirement and the three-month time limit does not make family reunification impossible for children?

6. Disability, basic health and welfare

6.1 Children with disabilities

Children with disabilities share experiences of lack of participation and information. They have told us that they are not involved in decisions that affects them, they are not being heard when decisions are discussed and made on treatment and support and they do not receive information about their disability and what actions are taken.⁸⁵

The CR Inquiry showed that in half of the cases reviewed, conversations had not taken place with the child. In a few cases, the parents were heard instead, but in the vast majority, the child's opinions were not taken into account in any way.⁸⁶

According to LSS guardians have the right to represent their child on applications for initiatives for children under 15 and in some instances for children between 15 and 18.⁸⁷ The guardian can also deny the social services speaking with their child, if the child is not considered mature enough.⁸⁸

In LSS, the best interest of the child is not a criterion for gaining legal right to initiatives. The law only states that when measures affects children, the child's best interest must be

⁸³ Act on Temporary restrictions on the possibility of be granted residence permits in Sweden (2016:752).

⁸⁴ Sections 6-10 Act on Temporary restrictions on the possibility of be granted residence permits in Sweden. (2016:752).

⁸⁵ Ombudsman for Children in Sweden. Respekt. (*Respect*). 2016.

⁸⁶ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (The UNCRC is becoming Swedish law). Page 199.

⁸⁷ Section 8 Act concerning Support and Service for Persons with Certain Functional Impairments (1993:387).

⁸⁸ Governmental Bill. Prop. 2009/10:176 Personlig assistans och andra insatser - åtgärder för ökad kvalitet och trygghet. (*Personal assistance and other efforts - measures to improve quality and safety.*) Page 74.

taken into consideration.⁸⁹ A study concluded that the best interest of the child is not used as a method in processing LSS cases. Particularly difficulties occurs when decision makers experience that the child and the parent express different needs. The study showed major shortcomings in the right to be heard. The study showed that competency was lacking, including on the diversity of disabilities, and that tools for communicating were not available.⁹⁰

The Education Act allows municipalities to deny children with disabilities a place in a specific school, citing financial or organisational obstacles.⁹¹

Studies have shown that children with disabilities run a higher risk of being subjected to violence in the home, bullying and sexual abuse.⁹² Children have told us that they experience violence and harassment by other children, as well as teachers and other caregivers. Children with disabilities in SiS-homes describe extra vulnerability when they are subjected to punishments such as isolation.⁹³

The criminal justice system does not have sufficient expertise in cases where a child with disability is the aggrieved party. The criminal justice system rarely summons experts to inform the court about what the disability means for the child.⁹⁴

6.1.1 Suggestions of questions

- What measures does the government intend to take to ensure that professionals have sufficient competence on how children with disabilities can be active participants in all matters affecting them?
- What measures does the government intend to take to ensure that schools are not allowed to reject the application of children with disabilities solely due to financial obstacles?
- What measures does the government intend to take to reduce the risk for children with disabilities to be subjected to violence and degrading treatment?
- What measures does the government intend to take to increase the competence in courts regarding children with disabilities as victims?

6.2 Health and healthcare

Children seeking asylum in Sweden are to be given a health examination. However, school healthcare professionals have told us that many asylum-seeking children had not had a health examination before starting school. Asylum-seeking children are not given a national identity number to allow healthcare professionals to follow what examinations, vaccinations, etc. the child has had if the child moves during the asylum process.⁹⁵

Children in the care of the social welfare services are less healthy than children in the rest of the population – physically, mentally and with poorer dental health. Not all

⁸⁹ Section 6 a Act concerning Support and Service for Persons with Certain Functional Impairments (1993:387).

⁹⁰ The Swedish National Board of Health and Welfare. Uppföljning av barnkonventionens genomslag vid tillämpning av LSS. (*Follow up of the impact of the UNCRC when applying LSS.*) 2019.

⁹¹ Chapter 10, section 30, paragraph 2, point 1 of the Education Act (2010:800).

⁹² Children's Welfare Foundation Sweden. Om barn med funktionsnedsättning i Sverige och deras utsatthet för våld och kränkningar. (*Regarding children with disabilities in Sweden and their vulnerability to violence and harassments.*) 2016.

⁹³ Ombudsman for Children in Sweden. Respekt. (*Respect*). 2016. Page 131.

⁹⁴ Children's Welfare Foundation Sweden. Om barn med funktionsnedsättning i Sverige och deras utsatthet för våld och kränkningar. (*Regarding children with disabilities in Sweden and their vulnerability to violence and harassments.*) 2016. Page 42.

⁹⁵ Ombudsman for Children in Sweden. Nyanlända barns hälsa. (*The health of newly arrived children.*) 2017.

municipalities perform health examinations on children who are placed in care.⁹⁶ Children placed at SiS-homes report more poor health than the general population.⁹⁷ Children in HVB have told us of being denied access to doctors, which in some cases led to acute health problems.⁹⁸

For certain groups of children, waiting times for treatment are long. For example, children who do not identify with their gender given at birth can wait up to 20 months to start a gender dysphoria investigation.⁹⁹

6.2.1 Suggestions of questions

- What measures does the government intend to take to ensure that asylum-seeking children have a health examination as soon as possible after arriving in Sweden and to ensure co-operation and collaboration between health institutions in cases where the child moves during the asylum process?
- What measures does the government intend to take to ensure that children who are in the care of the social services receives sufficient health care?
- What measure does the government intend to take to shorten the waiting periods within the healthcare, in particular for children who are waiting for an assessment on gender dysphoria?

6.3 Mental health

Mental illness is on the rise among children. The number of children¹⁰⁰ who have been diagnosed with some form of mental illness has risen from 6,000 in 2013 to 7,700 in 2017. More boys than girls receive diagnoses. The socio-economic status of the child contributes to mental illness. Other factors, such as the country of origin and educational level of the parents and type of family, play a great role in disparities in mental illness. Children with disabilities and LGBTQI children have poorer mental health.¹⁰¹

The number of children who are treated for anxiety and depression are also increasing, and there are more girls than boys who are receiving treatment. There are great regional disparities as regards care and treatment of psychiatric conditions and diseases.¹⁰²

Asylum seeking children have expressed feelings of mental illness – having trouble eating and sleeping, of feeling worried and of not being able to manage school. Some told of suicidal thoughts and attempts. School healthcare staff also reported that mental illness is the greatest problem for asylum-seeking children. They also gave witness to cooperation issues with BUP when they attempted to have the children treated for trauma and other psychological issues.¹⁰³

⁹⁶ To review these studies, see the Ombudsman for Children in Sweden. *Vem bryr sig – när samhället blir förälder (Who cares – When society becomes a parent)*. 2019. Page 40 onward.

⁹⁷ 6 % of the boys and 11 % of the girls, in comparison to 1 % in the general population. Ombudsman for Children in Sweden. *Vem bryr sig – när samhället blir förälder (Who cares – When society becomes a parent)*. 2019. Page 43.

⁹⁸ Ombudsman for Children in Sweden. *Vem bryr sig – när samhället blir förälder (Who cares – When society becomes a parent)* 2019. Page 47.

⁹⁹ <https://fpes.se/2019/10/16/transvarden-for-unga/#.Xj0n2WhKg2w> (extracted 2020-02-07).

¹⁰⁰ Between 7 and 17 years old.

¹⁰¹ The Public Health Agency. *Ojämlighet i psykisk hälsa i Sverige. (Disparities in mental health in Sweden.)* 2019.

¹⁰² The National Board of Health and Welfare. *Psykiatrisk vård och behandling till barn och unga. Öppna jämförelser 2019. (Psychiatric care and treatment of children and young people. Open comparison 2019.)* 2019.

¹⁰³ Ombudsman for Children in Sweden. *Nyanlända barns hälsa. (The health of newly arrived children.)* 2017.

71% of children in SiS-homes have a psychiatric diagnosis. Compared to peers, children in these homes are prescribed a much higher amount of and a larger range of drugs. There is also an over-representation of severe self-harm and suicide attempts.¹⁰⁴ Children have told us about mental illness – causing themselves harm, having suicidal thoughts and of attempting suicide. They also told of sleep difficulties, PTSD, anxiety and depression. In our survey, a number of children mention that they have been diagnosed with ADHD.¹⁰⁵

It is difficult for children with mental illness to receive help and support. The Child and Adolescent Psychiatry (BUP) express a deficiency in resources, both economic and access to competent staff for treatment.¹⁰⁶ It is also unclear who bears the main responsibility for children with mental illness – BUP primarily provides treatment for children with severe difficulties. School healthcare does not always have the capacity or expertise for treating children with less severe problems and basic healthcare is also poorly equipped for this. It is difficult for children and their parents to know where to turn for adequate, sufficient care.¹⁰⁷

There is a national target for availability to BUP stating that a first assessment must be made within the first 30 days and that an in-depth investigation or treatment must commence within the following 30 days (guarantee of care).¹⁰⁸ In 2019, both targets were reached in 55% of cases, but there were great regional differences. As regards the first assessment it varied between 21 % and 97 %. As regards the target on in-depth investigation or treatment within 30 days, there was differences between 0 and 96 %.¹⁰⁹

6.3.1 Suggestions of questions

- What measures does the government intend to take to guarantee that every child at risk of mental illness receives the support he/she has the right to?
- What measures does the government intend to take to find out the causes of mental illness among children, in particular children from vulnerable groups?
- What measures does the government intend to take to prevent mental illness among different groups of children?
- What measures does the government intend to take to ensure that BUP has enough resources to be able to fulfil the guarantee of care and ensure equal access in the entire country?

6.4 Living standard

The daily allowance for asylum seekers has not changed since 1994. For families with more than two children, the allowance is halved from the third child on. The child

¹⁰⁴ The Swedish National Board of Health and Welfare. *Vård av barn och unga i HVB utifrån deras samlade behov. (Care of children and young people in residential care homes based on their collected needs.)* 2019. Page 16 onward.

¹⁰⁵ Ombudsman for Children in Sweden. *Vem bryr sig – när samhället blir förälder (Who cares – When society becomes a parent).* 2019. Page 43 onward.

¹⁰⁶¹⁰⁶ For example, see <https://www.bup.se/sv/Om-BUP/Aktuellt/fakta-om-vantetider-administrativ-registrering-och-personalomsattning-i-bup/> (extracted 2020-02-07).

¹⁰⁷ Children's Rights in the Society (Bris). *Årsrapport för 2018 Hur har barn det? Om barns livssituation – trender, utmaningar och möjligheter. (Annual report 2018. How are things with children? Regarding children's lives - trends, challenges and opportunities.)* 2019. Page 12 onward.

¹⁰⁸ Government offices. S2020/00441/FS Insatser inom området psykisk hälsa – Överenskommelse mellan staten och Sveriges Kommuner och Regioner (SKR). *(Interventions in the field of mental health - Agreement between the state and the Swedish Association of Local Authorities and Regions (SKR))*

¹⁰⁹ <https://www.vantetider.se/Kontaktkort/Sveriges/BUP/> (extracted 2020-02-07).

allowance for children with citizenship/residency permit has successively been raised. Families with two or more children are also given a supplementary child allowance.

If an asylum application is denied, the child and his/her family continue to have the right to a daily allowance until they leave the country as long as they remain in their assigned accommodations and do not refuse to leave the country. If not doing so, their daily allowance is discontinued. Municipal social services have the ability to provide assistance to families in need if they cannot support themselves. In 2017, the Supreme Administrative Court ruled that families living undocumented have no right to this assistance as they would have the right to a daily allowance if they were not hiding from the authorities.¹¹⁰ Some municipalities have nonetheless decided to provide assistance to families living undocumented.¹¹¹

In 2018, 448 children were subject to eviction.¹¹² In the autumn of 2017, a survey of the scope of homelessness in Sweden was carried out. During the week that was measured, an estimated 15,000 children lived in some form of homelessness, whether permanently or temporarily. This number should be viewed as the bare minimum as not all children are reflected in the statistics.¹¹³

Children living in temporary accommodations express a feeling of daily insecurity as many are placed by the municipality in accommodations primarily intended for adults with e.g. substance abuse or mental illness, where violence may occur. Many children also tell of overcrowding and difficulties finding private spaces for doing homework in peace and quiet. Some children will not bring friends home for shame of their accommodations.¹¹⁴

Children seeking asylum with their parents are placed in accommodations by the Swedish Migration Agency. Children we met describe these accommodations as unsafe and overcrowded. The children sometimes encounter alcohol abuse and violence among the residents. The accommodations do not have satisfactory child-friendly areas and for young children who do not yet attend school, there are very few activities to keep them busy. The accommodations are often far away from the local community, making it difficult to socialise with other children.¹¹⁵

6.4.1 Suggestions of questions

- What measures does the government intend to take to increase the daily allowance for asylum seeking families?
- What measures does the government intend to take to ensure that families with children living in Sweden without proper documentation have their right to reasonable standard of living respected?
- What measures does the government intend to take to decrease the number of evictions of families with children and the number of children living in homelessness?

¹¹⁰ Supreme Administrative Court. Case no. 1527-1529-16.

¹¹¹ See, for example, the City of Stockholm. Handläggning av ekonomiskt bistånd. Riktlinjer (*Processing economic aid. Guidelines.*). 2017.

¹¹² Swedish Enforcement Authority. Helårsstatistik vräkningar som berört barn 2008-2018. (*All-year statistics of evictions that affected children 2008-2018.*). 2019.

¹¹³ The Swedish National Board of Health and Welfare. Hemlöshet 2017 – omfattning och karaktär. (*Homelessness 2017 – scope and character.*) 2017.

¹¹⁴ Ombudsman for Children in Sweden. Inget rum för trygghet – barn och unga om vräkningar och hemlöshet. (*No room for security – children and young people on evictions and homelessness.*) 2016.

¹¹⁵ Ombudsman for Children in Sweden. We left everything behind. 2017.

- What measures does the government intend to take to ensure that housing provided to children and their families by the state or the municipality are safe, secure and of sufficient size?

7. Education, leisure and cultural activities

7.1 The right to education

Mandatory elementary schooling

Sweden has great inequities in education depending on where you live and what school you attend. Since the turn of the century, the socio-economic background of children has had an increasing influence on how well they perform in school. School segregation has increased as pupils are increasingly divided up into schools based on socio-economic background. Disparities in grades between schools doubled between 2000 and 2016.¹¹⁶

Children living in socio-economically vulnerable areas tell of the low expectations teachers have on them, that they are sure that they will not live up to the school's targets or to be able to select the education they would like to.¹¹⁷ Children with disabilities also speak of low expectations from teachers and their surroundings.¹¹⁸

Children who are placed in social care have lower grades on average and fewer complete their studies compared to their peers.¹¹⁹ Barely 60% qualify for secondary school. For boys, the number is 50%.¹²⁰ Children in social care told us of interrupted schooling, that it took time after being placed to start school again¹²¹, about fears of unfair grading due to poor cooperation with their previous school. A number also reported being absent without a valid reason several times a week.¹²²

Children sometime stay at home from school without a valid reason, so called "school refusers". There are no official statistics for how many children are school refusers. A survey in 2015 showed that 1,700 pupils were absent without valid reason for a month or more. The same survey showed that another 18,000 pupils were reported to have sporadic absence without valid reasons.¹²³ Another study concluded that schools need to improve preventive actions as well as how to get pupils to return to school. The reasons for absence were undiscovered, since children were not heard by the schools.¹²⁴

¹¹⁶ The Swedish National Agency for Education. *Analys av familjebakgrundens betydelse för skolresultaten och skillnader mellan skolor. (Analyses of the importance of family background for school results and differences between schools.)* 2018.

¹¹⁷ Ombudsman for Children in Sweden. *Utanförskap, våld och kärlek till orten. (Exclusion, violence and love for community.)* 2018; and Ombudsman for Children in Sweden. *Children and Young People's Experiences of Violent Islamist Extremism.* 2018.

¹¹⁸ Ombudsman for Children in Sweden. *Respekt (Respect).* 2016.

¹¹⁹ The Swedish National Board of Health and Welfare. *Placerade barns skolgång – ett gemensamt ansvar. (Schooling of children in placements – a shared responsibility.)* 2013.

¹²⁰ For a compilation of research and reports, see the Ombudsman for Children in Sweden. *Vem bryr sig – när samhället blir förälder (Who cares – When society becomes a parent.)*. 2019. Page 53.

¹²¹ One child reported not going to school for three years as he/she was waiting to be evaluated for ADHD and that social services found it unsuitable for him/her to attend school until the evaluation was done.

¹²² Ombudsman for Children in Sweden. *Vem bryr sig – när samhället blir förälder (Who cares – When society becomes a parent.)* 2019. Page 56 onward.

¹²³ The Swedish Schools Inspectorate. *Omfattande ogiltigt frånvaro i Sveriges grundskolor. (Extensive unauthorised absence in Sweden's primary schools).* 2016.

¹²⁴ The Swedish Schools Inspectorate. *Omfattande frånvaro – en granskning av skolors arbete med omfattande frånvaro. (Extensive absence – an examination of schools' work with extensive absence.)* 2016.

Asylum-seeking children have the right to go to school, but it is not mandatory.¹²⁵ These children have told us of long waiting periods to start school¹²⁶, in spite of the aim to offer education within one month of the child's arrival to Sweden.¹²⁷

Asylum-seeking children experience that the drawn out asylum process, uncertainty of being allowed to stay and worrying about family members in other parts of the world affect their ability to learn. Some children mentioned that the education was not adapted to their needs and that they were kept in the preparatory class for too long.¹²⁸

Preschool

Children in preschools are not offered equitable possibilities and conditions, there are shortcomings in the pedagogy and that municipal resources are not always allocated to the preschools in greatest need.¹²⁹ The number of employees in preschools with preschool teaching degrees was 39.5% in 2018, a reduction from the 42.5% in 2014. 31% entirely lack relevant education¹³⁰ for working with children. There are significant disparities between municipalities in how many employees have preschool teaching degrees – from 31% to 48%.¹³¹ There are a great number of preschools that do not have a single employee with a preschool teaching degree.¹³²

7.1.1 Suggestions of questions

- What measures does the government intend to take to ensure that all children have an equal education, both in primary school and preschool, independent of socio-economic background?
- What measures does the government intend to take to prevent long-standing absence of children in schools?
- What measures does the government intend to take to increase the number of employees within preschools with a preschool teacher degree?

7.2 The right to leisure activities

Children often tell the Ombudsman for Children on the importance of having leisure activities in their vicinity.¹³³ Shortcomings are, for example, that youth recreation centres are more frequented by boys than girls, thus limiting leisure activities for girls¹³⁴, that children in sparsely populated areas do not have the same leisure time opportunities¹³⁵ and that children who live in economic vulnerability have fewer possibilities for an active leisure time.¹³⁶

¹²⁵ Chapter 9, Section 5 of the Education Act (2010:800).

¹²⁶ Ombudsman for Children in Sweden. We left everything behind. 2017. Page 65.

¹²⁷ Chapter 4, Section 1 a of the Education Ordinance (2011:185).

¹²⁸ Ombudsman for Children in Sweden. We left everything behind. 2017. Page 65 onward.

¹²⁹ The Swedish Schools Inspectorate. Delrapport II – Förskolans kvalitet och måluppfyllelse. (*Partial report II – The quality of preschool and achievement of goals.*) 2017.

¹³⁰ In addition to the preschool teacher's degree, for example, upper secondary education for working with children or university degree as in teaching or leisure activity pedagogy.

¹³¹ The Swedish National Agency for Education. PM Barn och personal i förskolan per 15 oktober 2018. (*Memorandum – children and staff in preschools as of 15 October 2018.*) 2018.

¹³² The Swedish National Agency for Education. Statistik barngrupper och pedagogisk personal per förskola per 15 oktober 2018. (*Statistics – groups of children and pedagogical staff per preschool as of 15 October 2018.*) 2018.

¹³³ For example, see the Ombudsman for Children in Sweden. Utanförskap, våld och kärlek till orten. (*Exclusion, violence and love for community.*) 2018. Page 56 onward.

¹³⁴ Lindström, Lisbeth. Citizenship, Leisure and Gender Equality. International Education Studies No. 5. 2012.

¹³⁵ Swedish Agency for Youth and Civil Society. Fokus 06 – En analys av ungas kultur och fritid. (*Focus 06 – An analysis of culture and leisure time of young people.*) 2006. Page 3.

¹³⁶ Statistics Sweden. Barns fritid. (*Leisure time of children.*) 2009. Page 37.

In asylum accommodations there are few, if any, leisure activities at their accommodations. The accommodations may also be located at a great distance from the local community, thus limiting access to sport clubs, cultural schools and other leisure time activities. Unaccompanied minors who live in HVB express that most of the available leisure activities are adapted to the needs of boys.¹³⁷

Municipalities in Sweden can offer children cultural activities through cultural schools.¹³⁸ Access to cultural schools differs greatly depending on where in the country you live. There are also disparities in which activities are offered, how many children can attend and what it costs to participate. Most municipalities charge a fee. At least 16 municipalities do not charge for attending cultural school.¹³⁹

7.2.1 Suggestions of questions

- What measures does the government intend to take to ensure that all children in Sweden have access to a meaningful leisure time?
- How does the government intend to ensure equal access to culture schools, including for children living in economic vulnerable situations?

8. Special protective measures

8.1 Asylum-seeking children

Temporary Aliens Act

A temporary Aliens Act took effect on 20 July 2016. It will be valid until 19 July 2021.

In the ordinary act, refugees, regardless of status, were as a main rule given permanent residency permits. Now, time-limited residency permits is the main rule. Refugees receive a three-year residence permit and those with subsidiary protection status receive 13 months. The possibility of receiving a permit for humanitarian reasons is only possible if deporting or rejecting the person were to be in conflict with international conventions Sweden has ratified.¹⁴⁰

A child can only obtain permanent residency if it of absolute necessity due to their health.¹⁴¹ The child's parents and siblings will only obtain temporary residency.¹⁴²

It is our view that these regulations severely limits the possibilities for children to exercise their rights, in particular the right to development, health and education.

Currently, a parliamentary committee is negotiating new immigration legislation. The committee shall include a child rights perspective.¹⁴³ However, it is not explicitly stated that the committee should consider including child-specific forms of persecution, as recommended by the Committee.

¹³⁷ Ombudsman for Children in Sweden. We left everything behind. 2017.

¹³⁸ Cultural schools are voluntary, subsidised education run by municipalities. Cultural schools offer courses in playing instruments, singing, theatre, dance, art and other cultural expressions to children and young people.

¹³⁹ Governmental Bill. Prop. 2017/18:164 En kommunal kulturskola för framtiden – en strategi för de statliga insatserna. (*A municipal cultural school for the future – a strategy for governmental efforts.*). Page 5 onward.

¹⁴⁰ Sections 5 och 11 Act on Temporary restrictions on the possibility of be granted residence permits in Sweden (2016:752).

¹⁴¹ Section 18 Act on Temporary restrictions on the possibility of be granted residence permits in Sweden (2016:752).

¹⁴² See legal case UM 167-17, Migration Court in Luleå.

¹⁴³ Government offices. Dir. 2019:32 Den framtida svenska migrationspolitiken. (*The Swedish migration policy in the future.*)

Unaccompanied children

Forensic age assessments are used in the asylum process, conducted by the National Board of Forensic Medicine.¹⁴⁴ A number of investigations have shown that forensic age assessments have been the sole basis for determining whether a person is under the age of 18, without having a multi-disciplinary approach.¹⁴⁵ Other investigations have shown major shortcomings in how forensic age assessments are conducted and in the reliability of used methods.¹⁴⁶ The Swedish Migration Agency's own investigations show major shortcomings in applying the principle of giving the benefit of doubt in forensic age assessments.¹⁴⁷

The system of guardians for unaccompanied children have several problems. Traumatized children may not get the support they are in need of from a guardian. There is no upper limit to the number of children one person may simultaneously be a guardian for and there is no national register. There are cases of guardians having 40-50 children to assist. Municipalities have no system to share information regarding the suitability of a guardian. Some children have told us of major problems regarding contact, understanding, help and support.¹⁴⁸

Between January 2014 and October 2017, 1,736 unaccompanied children disappeared from their accommodations. They have experienced physical and psychological violence, as well as sexual exploitation. They describe a difficult life, many having lived on the streets. Children leave their accommodation for varying reasons – some are related to the asylum process, others to the situation at the accommodation, including experience of violence and threats.¹⁴⁹

The Stockholm County Administration Board have showed that there is a knowledge gap with regard to unaccompanied minors who go missing, that many municipalities are lacking procedures for prevention and for acting when a child goes missing. Collaboration and coordination is further complicated by the many actors involved on different levels when a child goes missing.¹⁵⁰

The asylum process

There are many shortcomings in applying children's rights in the asylum process. When a child seeks asylum together with their parents, the child's reason for asylum is rarely investigated.¹⁵¹

¹⁴⁴ Swedish National Board of Forensic Medicine. Återrapportering avseende regeringsuppdrag till Rättsmedicinalverket att genomföra medicinska åldersbedömningar (Ju2016/03931/Å). (*Reporting on government assignment to the Swedish National Board of Forensic Medicine to carry out medical age assessments.*) 2016.

¹⁴⁵ <https://www.svt.se/nyheter/inrikes/svt-granskar-medicinska-aldersbestamningar-avgorande-for-migrationsverket> (extracted 2019-10-10)

¹⁴⁶ <https://www.svd.se/om/svd-granskar-aldersbedomningarna> (extracted 2019-10-10)

¹⁴⁷ Swedish Migration Agency. Tematisk kvalitetsuppföljning av initial åldersregistrering (dnr 1.3.4-2016- 36465). (*Thematic quality follow-up of initial age registration.*) 2016.

¹⁴⁸ Ombudsman for Children in Sweden. We left everything behind. 2017.

¹⁴⁹ Ombudsman for Children in Sweden. Unaccompanied children who disappear in Sweden. 2017.

¹⁵⁰ Stockholm County Administration. Report 2016:25. På flykt och försvunnen. En nationell kartläggning av ensamkommande barn som aviker. (*On the move and missing. A national survey on unaccompanied children who disappear*) 2016.

¹⁵¹ Swedish Government Official Reports SOU 2016:19 Barnkonventionen blir svensk lag (*The UNCRC is becoming Swedish law*). The Swedish Migration Agency's own quality assessments also show this.

Processing times are long. In 2019, the average processing time for asylum cases was 288 days. However, this differs depending on the country of origin of the asylum-seeker. For asylum-seekers from Afghanistan the processing time was 581 days.¹⁵²

Legislation has still not changed regarding asylum-seeking children who have been taken away from their parents and into care during the asylum process. It is still possible to deport children with their parents, even in cases in which the Social Welfare Board has deemed the parents unfit to care for the child.

8.1.1 Suggestions of questions

- What measures does the government take to ensure that the rights of the child are fully respected when implementing the temporary Aliens Act?
- What measures does the government intend to take to ensure that the new Aliens Act include child specific forms of persecution as grounds for obtaining asylum?
- What measures does the government intend to take to ensure that age assessment of unaccompanied asylum seeking children are carried out through a multi-disciplinary approach and where the principle of benefit of the doubt is respected?
- What measures does the government intend to take to reform the system of guardians for unaccompanied children?
- What measures does the government intend to take to establish a national register of guardians, as well as limitations on the number of children a person can be guardian for?
- What measures does the government intend to take to improve the coordination and cooperation between different actors involved when an unaccompanied child departs from where he/she lives?
- What measures does the government intend to take to decrease the turnarounds in asylum cases and ensure that a child's own grounds for asylum is investigated in cases where the child applies for asylum together with his/her parents?
- What measures does the government intend to take to ensure that a child who is taken into care by the social services due to the lack of care of the parents is not deported together with his/her parents until the social services consider that the parents have the capacity to care for the child?

8.2 Optional protocol on the sale of children, child prostitution and child pornography

The child pornography offence is an offence against public order and not a sexual offence in the Penal Code.¹⁵³ All children under the age of 18 are not protected through the child

¹⁵² Swedish Migration Agency. Avgjorda asylärenden beslutade av Migrationsverket, förstagångsansökningar. (*Concluded asylum cases decided by the Swedish Migration Agency, first-time applications.*) 2019.

¹⁵³ All other sexual offences, against adults and children alike, are found together under Chapter 6 of the Penal Code. A proposal has been made to move the child pornography offence to Chapter 6 of the Penal Code (see Government offices. Ds 2018:23 Vissa frågor om barnpornografibrottet och om avskaffad preskription för allvarliga brott mot barn

pornography offence as an assessment of whether the child has passed puberty must be done. For child pornography offences that are considered minor, penalties may still be in the form of fines.¹⁵⁴

According to a ruling from the Court of Appeals children are not fully protected from sexual assault online. In particular when a child conduct sexual assault on themselves following instructions from adults over the internet.¹⁵⁵

8.2.1 Suggestions of questions

- What measures does the government intend to take to ensure that all children below 18 years of age are protected by the child pornography offence and that the offence is considered a sexual offence?
- What measures does the government intend to take to ensure that children who are subjected to sexual assaults through the Internet have full legal protection?

8.3 Administration of juvenile justice

There are major shortcomings in police statistics about how many children are being held in custody and for how long. Upon our request, we learned that 1,884 children had been placed in police cells in 2018. Children can be held in police cells for the same period of time as adults – four days.

In a study by the Police Authority in 2019, they found that the average time that children were held in police cells was 12.5 hours. 88 children were held for longer than 24 hours. One child was in the police cell for 96 hours and 20 minutes, longer than the allowed 96 hours. The youngest child held in custody was 14 years old, younger than the permitted age limit. The report also identified a number of difficulties in collaboration with other actors¹⁵⁶ which led to children being held in custody longer than necessary.¹⁵⁷

In 2018, 150 children were detained in remand prison.¹⁵⁸ 47 children were detained for longer than 30 days. A small number were detained for as long as 180 days.¹⁵⁹ Currently, there is no limit to how long a child may be detained until trial. The government recently proposed a change in legislation to have a time limit on pre-trial detention for children, decrease isolation and efforts to have decrease the number of children in police cells.¹⁶⁰

(Some questions concerning the child pornography offence and abolished statute of limitations for serious crimes against children)).

¹⁵⁴ Chapter 16, section 10 a Penal Code (1962:700).

¹⁵⁵ Svea Hovrätt Court of Appeal. Ruling in case B 8435-19 on 22 October 2019. Also see

<https://www.aftonbladet.se/nyheter/a/xPy6Ap/aklagare-overgreppsdomb-lottar-luckor-i-lagen> (extracted 2020-02-26).

¹⁵⁶ Primarily the National Transport Unit, which is run by the Swedish Prison and Probation Service, and the social services in different municipalities.

¹⁵⁷ The Swedish Police Authority. Kartläggning av barn i polisarrest. (*Mapping of children in police cells.*) 2019.

¹⁵⁸ Swedish Prosecution Authority. Åklagarmyndighetens årsredovisning 2018. (*Swedish Prosecution Authority Annual Report 2018.*) 2019. p. 37.

¹⁵⁹ Swedish Prosecution Authority. Åklagarmyndighetens årsredovisning 2018. (*Swedish Prosecution Authority Annual Report 2018.*) 2019. p. 39.

¹⁶⁰ Government offices. Referral to the Council on Legislation Effektivare hantering av häktningar och minskad isolering (*More effective management of remand prisons and decrease use of isolation.*) 13 February 2020.

In 2018, 3,936 convictions were made of children who had committed some form of crime. Ten were sentenced to prison, 51 were sentenced to compulsory youth care and four were sentenced to forensic psychiatric care.¹⁶¹

8.3.1 Suggestions of questions

- What measures does the government intend to take to ensure that the child specific rules for remand prisons and police cells are put into practice?
- What measures does the government take to prevent children from being recruited to criminal networks?

8.4 Victims and witnesses of crimes

Children who are victims of crimes, may often be interviewed, undergo forensic investigation and receive psychological and social support from a Barnahus (children's advocacy centre). However, not all parts of the country have Barnahus.¹⁶² There are also great disparities between the support provided by different Barnahus and what victims of crime¹⁶³ will be taken there. Collaboration and statistics are complicated by different laws.¹⁶⁴

Currently there is a proposal to the government making it a criminal offence to allow children to witness¹⁶⁵ violence in the home. If the proposal is adopted, these children will be viewed as aggrieved parties, having the right to a counsel and to damages.¹⁶⁶

8.4.1 Suggestions of questions

- What measures does the government intend to take to ensure that all children who have been victims of crimes are being questioned and receive support through a Barnahus?
- What measures does the government intend to take to facilitate coordination and co-operation at Barnahus?
- What measures does the government intend to take to ensure that children experiencing violence in the home are considered an aggrieved party?

9. Ratification of the Optional Protocol on a communications procedure

Sweden has not signed or ratified the optional protocol on a communications procedure. The government has not given any official reason as to why.

¹⁶¹ Swedish National Council for Crime Prevention. Tabell 440. Lagföringsbeslut efter huvudpåföljd och den lagförda personens ålder. (Table 440. Decisions to take legal procedures by main sanction and the age of the prosecuted person.) 2018.

¹⁶² Currently, 68 out of the 290 municipalities in Sweden does not have access to a Barnahus.

¹⁶³ Particular mention may be made of 15-17-year olds, children who experience violence in the home and, in some cases, children who are victims of honour-related crimes.

¹⁶⁴ Barnafriad. Slutrapport Utvärdering av Barnahus. (Final report Evaluation of Barnahus.) 2019.

¹⁶⁵ This has been limited to the child actually seeing or hearing the violence. Only experiencing the consequences of the violence is not included.

¹⁶⁶ Swedish Government Official Reports SOU 2019:32 Straffrättsligt skydd för barn som bevittnar brott mellan närstående samt mot uppmaning och annan psykisk påverkan att begå självmord. (Criminal protection for children who witness crimes between their relatives and against encouragement and other psychological influence to commit suicide.)

9.1.1 Suggestions of questions

- When will Sweden ratify the optional protocol on the complaints mechanism of the UNCRC?

