



New system responses to juvenile crime

Experiences from Denmark¹

*Britt Østergaard Larsen, Seniorforsker ved VIVE – Det Nationale Forsknings- og Analysecenter for Velfærd,
Ann-Karina Henriksen, Docent ved Københavns Professionshøjskole,
Theresa Dyrvig Henriksen, Forsker ved VIVE,
Tea Torbenfelt Bengtsson, Professor MSO ved VIVE*

Abstract

In the Nordic countries, social work and child welfare interventions have traditionally played a central role in preventing children's involvement in future crime. Hence, child welfare authorities, rather than the criminal justice system, have handled cases with children involved in crime. However, in 2019, Denmark enacted a new policy reform that constitutes a radical break with this long-standing tradition of welfarism. The policy reform introduced court-like proceedings for children under the minimum age of criminal responsibility. Cases concerning juveniles aged 10 to 17 who commit serious offences are now handled by Youth Crime Boards and the Youth Probation Service. In this article, we explore the complexities of these new responses to juvenile crime in Denmark. We do this by combining quantitative analyses of administrative data with qualitative interviews with case managers. We argue that the new Danish system is highly complex and targets a diverse group of children with punitive measures. With this, we hope to provide insights relevant to policy makers and practitioners implementing new juvenile crime prevention strategies.

Keywords

criminal justice, youth crime boards, probation service, child welfare, interventions

1. Introduction

While crime rates have decreased significantly over the past decades in Denmark as seen in other Nordic and Western countries (British Youth Justice Board 2020; Hockenberry & Puzanchera 2020; Danish Ministry of

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Justice 2017a), political concerns have remained in Denmark regarding a small group of juveniles involved in violent or serious, repeated offending. A new policy reform was presented under the headline »*All actions have consequences*« the political aim of which was two-fold: to communicate to children that serious crimes would entail a quick and coordinated system response and to remove authority from the child welfare system, which was criticised for being both slow and too lenient in cases involving crime (Danish Ministry of Justice, 2017b). Thus, a new system was established with Youth Crime Boards (YCB) and a Youth Probation Service (YPS) to handle cases with juveniles aged 10 to 17 who commit a serious offence (Danish Ministry of Justice, 2017b).

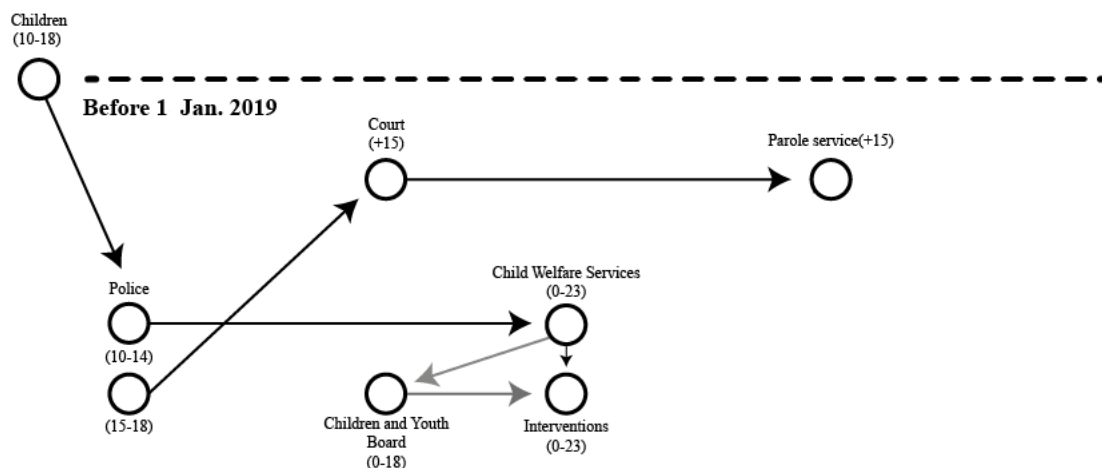
The reform constitutes a break with the long-standing tradition of welfarism in the Nordic countries where social work and child welfare interventions have traditionally played a central role in preventing children's involvement in crime. Now cases with 10-17-year-olds suspected or convicted of serious crimes are referred to the new YCBs, who can issue mandatory child welfare interventions with a fixed timeframe that typically last one to two years. Furthermore, the YPS is obliged to supervise and control that children comply with the adjudications from YCBs. Hence, the Danish policy reform created a significant change in the system responses to juvenile crime and represents a culmination of policy changes that have gradually introduced more severe sanctions to juveniles (Brinkgaard, 2020; Kyvsgaard, 2004; Storgaard, 2013).

While commissioned reports evaluating different aspects of the new system have been published, little is still known about the implications of the policy reform. In this article, we combine quantitative analyses of administrative data and qualitative interviews with case managers from child welfare services to describe the new system, the children entering it, and how it is experienced by the professionals. The quantitative analyses are based on administrative data from the Danish Police on registered offences committed by 10-17-year-olds in the years 2017-2021 as well as administrative information from YCBs and the YPS on referrals and adjudications issued in 2019-2021. The qualitative data consists of interviews with 12 case managers in the child welfare services to describe their experiences with the new system. Overall, we argue that the new Danish system is extensive and highly complex and targets a differentiated group of children with punitive measures. The actuality of knowledge about the implications of the Danish system is highlighted by recent political interest in Sweden in implementing a system based on the Danish model with YCBs and a YPS (Department of Social Affairs, 2022).



2. A new complex and extensive system

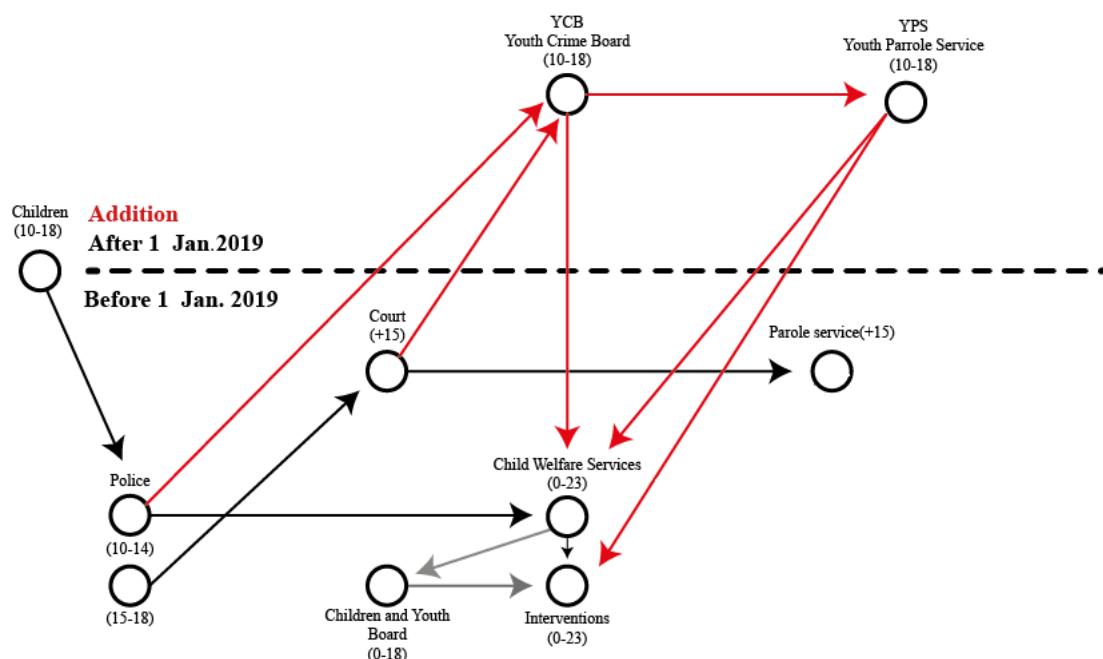
The policy reform from 2019 resulted in the youth crime prevention act (Act no. 1705) aimed at juveniles who are suspected of (aged 10-14) or convicted of (age 15-17) a violent crime or repeated serious offending. The reform introduced a new system with YCBs and a YPS as new central authorities. Prior to the reform, juveniles older than the minimum age of criminal responsibility (15 years) were prosecuted in the adult court system and, if found guilty, they were sanctioned legally and, in some cases, subject to supervision in the Danish Probation Service. Children younger than 15 could not be legally prosecuted for criminal offences. If children younger than 15 were suspected of committing a serious crime, they were directed from the police towards child welfare services, who were responsible for initiating the necessary interventions in collaboration with the child and their parents, and participation was voluntary. The system prior to the reform is illustrated in figure 1 (and described in tables A3 and A4 in the appendix).



Note: The mandatory lines of command are marked with grey arrows (only out-of-home care). The age range dealt with by the different authorities are shown in parentheses.

Figure 1. Illustration of the system before the reform

The youth crime prevention act is an example of incremental legislation (Leth-Svendsen, 2012), where new legislation is added to existing legislation rather than replacing it. The changes to the system are illustrated in figure 2 (and described in tables A3 and A4 in the appendix). The complexity of the system has increased: more authorities make the decisions and additional new procedures for supervision, control, and exchange of information about the child have been introduced.



Note: The new lines of command introduced with the new system are marked with red arrows. The age range dealt with by the different authorities are shown in parentheses.

Figure 2. Illustration of the new system after the reform with the additions to the old system

As illustrated in figure 2, the police now refer children aged 10-14 to the YCBs in addition to notifying child welfare services. The police still refer children aged 15-17 to court and, if they are found guilty, they are referred to the YCB as part of their sentencing. When a child is referred, the YCB conducts a meeting the purpose of which is to assess the need for social interventions to prevent future criminal behaviour. Meetings in the YCB take place in a court building where the participants, including the child, typically pass through metal detectors upon entry and may have to share waiting rooms with other adults awaiting court proceedings (Danish Ministry of Justice, 2021). The YCB consists of three board members: a judge, a representative from the local police, and a representative from the municipal child welfare services.² In addition, 9-13 people are typically present during the meeting, including the child, the child’s parents, a probation officer from the YPS and the child welfare case manager (Danish Ministry of Justice, 2021). Both child and parents are obliged to attend the meeting.

The YCB can adjudicate two types of responses: an immediate response or an improvement programme. Immediate responses are of short duration and most often consist of conflict mediation. However, immediate responses are rarely used, and less than ten adjudications of this type

2. In cases involving children under the age of 15 or children with special needs, a child specialist assists the board, for example, by questioning the child or providing specialized knowledge in the adjudication process.



are issued annually. The improvement programmes include child welfare interventions with a fixed timeframe that typically last one to two years. If the YCB adjudicates an immediate response or improvement programme, the child is then referred (back) to child welfare service, who are responsible for effectuating the interventions. The YCB also refers the child to the YPS, who is responsible for monitoring that the children, their parents, and the child welfare services comply with the decision made by the YCB. This is in contrast with the old system, where participation in social interventions was voluntary for parents and children with the exception of compulsory placement in out-of-home care. Following the reform, social interventions are now mandatory, have a fixed timeframe, and the child is subject to supervision by the YPS. The YCB adjudications are not only mandatory for children and parents but also for the child welfare services, who are subject to weekly controls by the YPS.

2.1. Re-organisation of the system providing child welfare interventions

While the old system still exists, the new system has resulted in substantial changes with profound implications for the provision of child welfare services. First, it has meant changes in the authority of child welfare services. Before the reform, child welfare services were the main authority that made decisions about social interventions in collaboration with the child and the child's parents. Now, when a case is referred to the YCB, the child welfare services prepare an assessment and recommend one of three options: an immediate response, an improvement programme, or no response. However, it is the YCBs that have the authority to decide which response is to be issued and which interventions are to be included in an improvement programme. For some of the interviewed case managers in the child welfare services, this change gives cause for concern in cases where the YCBs do not follow their recommendations. A case manager explained, »I think it's a challenge that three people can decide on an issue that's potentially life changing for a young person, and two of them don't have a social work background«. While it can be a concern that the decisions are not based on sufficient professional knowledge, all the interviewed case managers generally acknowledged the YCBs procedures and sought to collaborate with both the YCB and the YPS.

Second, the new system, because it is an add-on to the old system, has significantly increased system complexity. The case managers' main concern about this increase in system complexity is related to children and parents, who they find often struggle to distinguish between different types of adjudications and systems of control/support. They experience children who refer to the YCB as 'the court' and talk about 'the judge' and 'their conviction'. A case manager explains, »They feel that it's a punishment, irrespective that we say it's an adjudication – it's to help you. It's a punishment to sit in there (the YCB meeting), and there is a judge«. Case managers



also find that many of the parents struggle to understand the system and distinguish between case managers, probation officers, board members, judges, etc., who all have the authority to make decisions that have a vital impact on their everyday family life. The intensity of system contact has amplified for these children and families, and the authority of making decisions lies with an increased number of professionals who are remote from the everyday lives and the multiple adversities that many of these children and families have. This heightened system complexity poses a significant challenge as it potentially leads to confusion and misperceptions among children and parents and makes it more difficult for case managers to react on the changing needs of the child due to the restriction in the provisions of child welfare services.

3. The groups of children referred to the new system

The jurisdiction of YCBs and YPS is restricted to juvenile cases with violent or serious repeated offending. The category 'violent offences' includes all the different types of violent crimes (such as threats, threats or assault against a public servant, simple assault, and aggravated assault), as well as four other categories of crimes against the person; robbery, extortion, sexual offences (sexual assault, rape), and aggravated arson. The category 'serious and repeated offending' is screened by the police and can include all other types of offences expected to be sanctioned in court with a prison sentence (suspended or unsuspended) and in which the police identify a risk of repeat offending. The cases referred to YCBs are dominated by violent offences, and the category 'serious and repeated offending' only constitutes 3.5 percent of cases with 10-14-year-olds and 10.7 percent of cases with 15-17-year-olds (Youth Crime Board, 2022).

Table 1 shows the number of juvenile cases with violent offences in the target group for YCB in the years 2017-2021.³ In the two years leading up to the introduction of the reform in 2019, the police registered approximately 3300 YCB offences committed by juveniles. This number increased to 3900 in 2019 and 4200 in 2020, and then dropped to 3382 in 2021. The YCBs handle between 607 to 1037 new cases each year. Hence, in 2019, the number of new cases referred to YCBs corresponds to 16 percent of the reported YCB offences committed by juveniles, in 2020 to 22 percent, and in 2021, almost 33 percent of the offences were referred to YCBs.

3. As cases in the category 'serious and repeated offending' are subject to screening by the police, it is not possible to include them in this reporting.



Table 1. Number of violent offences reported to the police 2017-2021 and number of cases referred to YCBs in 2019-2021 by age

	Reported violent YCB offences					Referrals to YCBs		
	2017	2018	2019	2020	2021	2019	2020	2021
10-year-olds	–	8	18	14	8	4	10	4
11-year-olds	6	19	55	41	33	17	18	14
12-year-olds	52	58	103	125	161	33	53	47
13-year-olds	141	190	298	277	283	91	107	112
14-year-olds	369	369	559	619	526	168	228	217
15-year-olds	779	662	891	1006	811	110	189	275
16-year-olds	934	920	904	1113	803	129	218	280
17-year-olds	961	1053	1056	993	757	55	86	88
Total	3242	3279	3884	4188	3382	607	909	1037

Source: Own calculations of police records of violent YCB offences and annual reports from YCB on referrals. Note: The category violent YCB offences includes all types of violent crimes as well as robbery, extortion, sexual offences (sexual assault, rape), and aggravated arson.

Table 1 also shows important differences in the age-group compositions, as the traditional age-crime curve evident in the reported number of violent offences is not reflected into the number of cases referred to YCBs. Cases with 12-, 13- and 14-year-olds are overrepresented in YCBs, while cases with 15-, 16- and 17-year-olds (in particular) are underrepresented when compared to the reported number of offences.⁴ Thus, a large group of children below the minimum age of criminal responsibility are referred to YCBs.

There are several possible explanations of why we see this difference in age-structure between number of reported offences and referrals to YCB. First of all, cases with 15-17-year-olds are referred to YCBs after trial in the ordinary court system. This system setup can, as pointed out by several of the case managers, result in a significant time lag in the processing of cases as they must await a court verdict before YCB referral. Second, only 50 percent of violent offences committed by 15-17-year-olds are sanctioned with a prison sentence (suspended or unsuspended), and many cases are dropped due to lack of evidence (see appendix table A1). However, in cases with juveniles aged 10-14 the state of the evidence is not further evaluated upon referral to the YCB, and the question of guilt is not a part of the YCB meetings. Hence, the system difference in the handling of cases with juveniles below and above the minimum age of criminal responsibility can also contribute to explaining the observed differences in the age composition of referrals.

4. The low number of cases with 17-year-olds in YCBs is a result of the system design. As 17-year-olds are referred to YCBs after trial in the ordinary court system, the time lag between the offence and court verdict often implies that time is too short to enact new measures before they turn 18 or that they age out of the juvenile system underway.



3.1. *Too much or too little? Match between the target group(s) and system responses*

In the interviews with the case managers, they highlight the complexity of providing the right support at the right time for children entering the YCB. The case managers identify three different groups of children entering the new system, where especially two of the three groups of children are seen as being potentially harmed by the new system: those who are too young or too vulnerable, and those with complex adversities besides crime involvement.

The first group, children described as either too young or too vulnerable, are typically 10-13 years old and/or have complex psychiatric diagnoses such as low IQ, autism, or ADHD. The case managers find that these children do not understand the system responses. They do not understand the YCB meetings or the following adjudication and supervision by YPS. They are stressed by meeting many different professionals and cannot benefit from the improvement programme. As argued by a case manager: »For one, they cannot comply with the demands of the programme, but also because they don't understand it«. A revision of the youth crime prevention act in 2022 opened for exempting children with severe psychological impairments from mandatory responses (section 6 (16) of Act no. 897). The case managers also mention children who are charged as active bystanders to a violent offence (section 244 of the penal act) who did not have the courage or capacity to intervene. The main problem for these children is not criminal behaviour but lack of maturity; therefore it is not seen as beneficial to provide for these children within a system that focusses on crime prevention.

The second group that case managers identify can be characterized as young offenders with complex adversities. These children fit the main target group of the reform as hard-liners with multiple charges or convictions of crime. However, they also have multiple adversities and have had a case with the child welfare services prior to entering the YCB. This group of children have multiple problems, such as the use of illicit drugs or alcohol, truancy, poor mental health, psychiatric diagnoses, and experiences of childhood trauma/neglect or abuse. Case managers experience that these children struggle to comply with the terms of the YCB adjudications and that their complex needs are not adequately met in the new system. Examples provided by the case managers of such children are children who already live in residential care and who are charged with threatening or aggressive behaviour towards staff, and who repeatedly violate the terms of their improvement programme by absconding, skipping school or by using drugs. These children are often hostile toward the YCB and YPS, because they already have many professionals in their lives. The procedures of the new system, as illustrated in figure 2, require responses to these violations by the police, the court system, the child's residential care institution, their case manager, the YCB, and the YPS, who are now involved in activities of



reporting, information sharing, and issuing adjudications. However, the concerted effort does not guarantee responses that are aligned with the needs of the child. The new system aimed for quick and effective responses, but for these children their system contact is on-going: they wait for decisions, attend meetings, appear in court, and meet probation officers. As a result, these children risk not getting timely care because the new system is too rigid to meet their changing needs (see also Andersen and Bengtsson, 2019).

A third group of children entering the new system has been identified by case managers. This group consists of children involved in minor offences, and they are not assessed to be at a high risk of reoffending. Some of these are among the 30% referred to the YCB without getting an adjudication, for example, an improvement programme (Danish Ministry of Justice, 2022). However, all the interviewed case managers also have examples of children who were simply 'unlucky' or 'at the wrong place at the wrong time, and as a result were referred to a mandatory improvement programme by the YCB. These examples typically include incidences of hitting or kicking a classmate or peer at school or being bystanders. These children may benefit from having a mentor, but their risk of reoffending is already low. A case manager explained, »it's not that they won't benefit from having a mentor, many children would, but in my view, they don't need it«. As the reform did not include additional funding for child welfare services, some of the case managers have voiced concerns about allocating resources to these children at the cost of children who have more substantial needs but who are not deemed as criminal and, therefore, not part of the new system. There is a general concern that cases within the new system will receive priority over other cases in the child welfare services.

4. Youth Probation Service: more juveniles experience extensive control

Between 61-78 percent of cases handled in the YCBs resulted in an adjudication. This implies that 475-696 juvenile children (aged 10-17) are enrolled in a probation programme in the YPS each year. In comparison, the Danish Probation Service had 185 and 186 cases with 15-17-year-old offenders in the years 2018 and 2019 (see table A2 in the appendix). Thus, after the introduction of the new system, the number of juveniles in the probation system has tripled, and up to 50 percent of the cases involve children aged 10-14, who are under the minimum age of criminal responsibility (see table 2).



Table 2. Number of cases with adjudications issued by YCBs and referred to the YPS

	Adjudications and YPS cases			% of YCB cases referred to YPS		
	2019	2020	2021	2019	2020	2021
10-year-olds	4	3	2	100%	30%	50%
11-year-olds	16	10	10	94%	56%	71%
12-year-olds	25	24	33	76%	45%	70%
13-year-olds	61	70	85	67%	65%	76%
14-year-olds	137	156	160	82%	68%	74%
15-year-olds	86	129	194	78%	68%	71%
16-year-olds	107	137	174	83%	63%	62%
17-year-olds	39	30	34	71%	35%	39%
Cases with 10-14-year-olds	243	263	290	78%	63%	74%
Cases with 15-17-year-olds	232	296	402	79%	60%	63%
Total	475	559	696	78%	61%	67%

Source: Annual reports on referrals to YCBs and adjudications issued by YCBs.

The percentage of YCB cases with adjudications and referrals to the YPS varies across the three years but is relatively stable across the different age groups. Therefore, the age composition of YPS cases is very similar to the one of the cases referred to YCBs. Most abundant are cases with 14- and 15-year-olds, and these account for 50 percent of the total population in YPS. This reflects a significant change to the probation population prior to the reform as more than 70 percent of the juvenile cases in the Danish Probation Service were age 17 at the time of programme enrolment (see table A1 in the appendix). Hence, the shift has resulted in more and younger children now being subjected to surveillance and control by probation services.

The adjudications issued by YCBs are predominantly improvement programmes. The improvement programmes are controlled and supervised by the YPS and include one or more mandatory child welfare intervention(s) such as participation in school, job or leisure activity, home curfew, mentor, family treatment or placement in out-of-home care (see table 3). In 33 percent of the cases, out-of-home-placement at an open or locked institution is part of the improvement programme. While out-of-home-placement can be seen as the most intrusive intervention in a child's life, the majority of these children were already placed in care prior to the adjudication by the YCBs (144 of these 187 children) (Youth Crime Board, 2021). Some of the interviewed case managers had experiences with cases where the most vulnerable children were subjected to YCB adjudications and improvement programmes that merely cemented the interventions they were already part of. In some cases, the subsequent YPS supervision was experienced as superfluous because the children already had full-time professionals attending to their well-being.



Table 3: Improvement programmes with child welfare interventions issued by Youth Crime Board

	2020			
	Age 10-14	Age 15-17	All cases	% of cases
<i>Type of interventions:</i>				
Attend school, job or leisure activity	107	128	235	42%
Home curfew	31	27	58	10%
Mentor	163	176	339	61%
Family treatment	126	137	263	47%
Other preventive interventions	13	17	30	5%
Out-of-home placements	79	108	187	33%
– Placed in open institution	66	89	155	28%
– Placed in partly locked institution	5	5	10	2%
– Placed in locked institution	8	14	22	3%
Total number of cases	263	296	559	

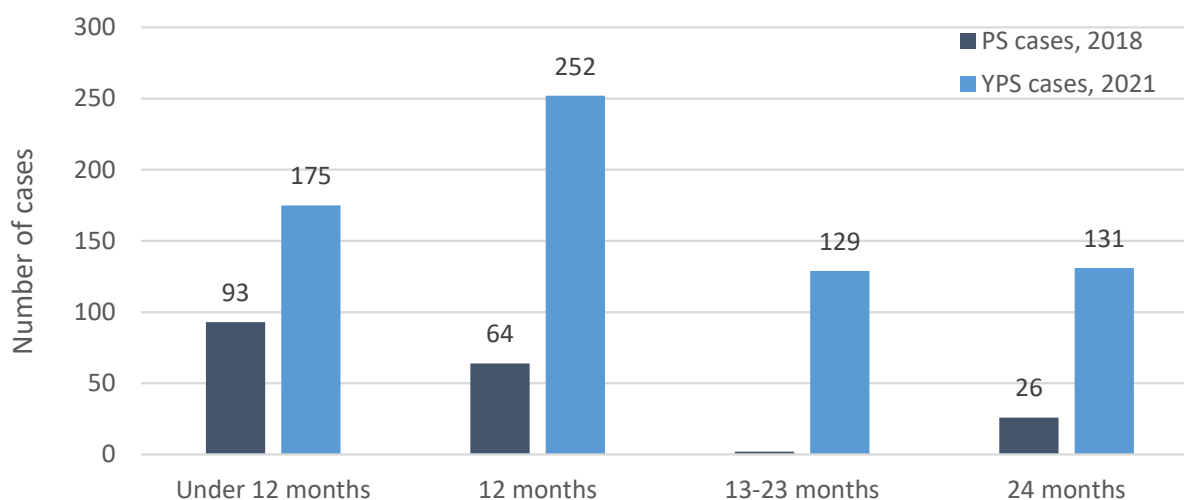
Source: Annual reports on referrals to YCBs and adjudications issued by YCBs.

The form and frequency of YPS supervision is regulated by legislation (Guidance no. 9667) rather than individual assessments. It is prescribed that probation meetings with children and parents must take place every two weeks for the first two months and subsequently on a monthly basis. Furthermore, the YPS must control that the child welfare services initiate interventions and on a weekly basis control the service providers of the interventions included in the improvement programme. If the child fails to comply with the interventions included in the improvement programme, they will receive two warnings prior to being reassigned for a new adjudication at the YCB. On average, two thirds of the children receive at least one warning during the supervision, and one third of the cases are reassigned to the YCB (Danish Ministry of Justice, 2022).

Some of the interviewed case managers highlighted that the new system was one with many benefits compared to the previous system. For example, the new system includes fast processing from identification of a problem to adjudication and initiating the intervention. The youth crime boards have become a fast track in the child welfare services, and children are helped earlier because YCB adjudications are prioritized without being influenced by budget constraints of the local municipality in question. Children with an improvement programme cut waiting lists for interventions, such as placement in care, a mentor programme, or family treatment and are thus secured an earlier intervention. A few of the case managers expressed that their child welfare unit had been more reluctant to initiate interventions previously, thus hinting that some economic limitations were removed for children with an improvement programme. Other case managers did not find that the allocation of resources had changed and that the professional assessment is the same within the new system.

One significant change with the new system is the length of the probation programmes for juveniles (see figure 3). Prior to the reform, probation programmes among 15-17-year-olds in the Danish Probation Service were short-term relative to the duration of the improvement programmes issued

in YCBs. In 2018, 50 percent of the cases with 15-17-year-old probationers had programmes shorter than 12 months, 35 percent had a 12-month follow-up period and only 15 percent had durations lasting 13-24 months (see table A2 in the appendix). In 2021, only 25 percent of the improvement programmes issued by YCBs were less than 12 months, and 38 percent of cases with juveniles aged 10-17 had programmes lasting 13-24 months.



Source: Information from the Danish Prison and Probation Service and annual reports from YCB.

Figure 3. Number of juvenile probationers in 2018 and YPS cases in 2021 by programme length

Furthermore, it is important to note that the duration of the improvement programmes can be prolonged by the YCB when children do not comply with the conditions in the programme or commit new violent crimes. Around 400-600 cases are reassigned to YCBs every year, and in 44 percent of these cases the improvement programme was adjusted in length and/or content, and only 12 percent resulted in a termination of the programme (Youth Crime Board, 2021; 2022). The adjustments to the improvement programme can include changes in the number of mentoring hours, the home curfew restrictions or relocation to a different institution. The reassignment to YCB is a prerequisite to make adjustments in the child welfare interventions included in the improvement programmes and often viewed as difficult, lengthy, and time consuming for the case managers.

In the interviews, the case managers explain how it is often the most troubled children who are reassigned to the YCB and consequently subject to extensions in the duration of their improvement programme. One of the interviewed case managers explains, »it is a hassle [for the children]. They keep getting warnings because they don't show up for YPS meetings or don't meet with their mentor enough ... they don't comply with the conditions [...] because their problems are complex«. While some of the case managers appreciate the professional conversations with some of the YPS supervisors, they also find that the structured supervision meetings



between the YPS supervisor and the child can be superfluous. The professionals all ask similar questions about the child's well-being and progress, and some case managers have experienced that the YPS have overstepped their mandate and interfered in their work.

Participation in the new system, including the improvement programme, is mandatory, which sometimes eliminates the need for case managers to engage in discussions about motivation, as both children and parents are required to comply. Some case managers experienced that this in some cases enabled early intervention, particularly with children aged 12-14 and their parents. A case manager expressed, »it takes some of the conflict stuff out of our relation, because it wasn't my decision«. However, in other cases, case managers experience that the new system is counterproductive for promoting the necessary motivation for change. Some express concerns about a change of focus as potential involvement in criminal activities takes precedence, potentially overshadowing the complex and broader support or treatment needs that many of these children have. For instance, one case manager finds that the system is »setting them [the children] up for failure«. She explains that motivation for change can take time, »he [the child] needs to be motivated little by little to build these relations«. At times, interventions need to be implemented gradually or be adjusted over time, which is not possible, or very difficult, with the new system. With the YPS monitoring improvement programmes, extensive control mechanisms with long durations have been installed. This is generally not seen as profitable for the most vulnerable children already in contact with the child welfare services and, overall, case managers express concerns about some children struggling to meet the demanding requirements of the new system.

5. Concluding remarks: what can we learn from the Danish case?

The ambition with the new Danish system was to target the small group of juveniles involved in serious and repeated offending and ensure that they receive timely interventions by moving the authority from child welfare authorities to the YCBs and the YPS. The policy reform was a result of ongoing political discussions about introducing more punitive system responses to minors, in which the right-wing political parties proposed to lower the minimum age of criminal responsibility from 15 to 12 years. Instead of introducing criminal justice procedures to all 12-14-year-olds, a large and broad majority in the Danish Parliament passed the new reform focusing on children aged 10 to 17 involved in serious and repeated offending (Storgaard, 2020; 2022). The preventive strategy embedded in the new system includes elements of both diversion and punishment. On one hand, the YCBs represent an alternative to the criminal justice system in cases with 10-14-year-olds, and child welfare measures are assigned instead of criminal justice sanctions. On the other hand,



the improvement programmes are mandatory and include intensive supervision and control elements. The system descriptions in this article highlight two adverse implications with relevance for policy makers and practitioners implementing new crime prevention strategies to juveniles.

First, the design of new Danish system where the YCBs and YPS were added to the existing system have resulted in a highly complex system. The mandate to enact child welfare interventions in cases with violent offending have been transferred from the child welfare services to the YCBs. Together with the new control responses in the YPS, this change has created a range of practical and organizational challenges with adverse consequences for the children. Children in conflict with the law are now issued improvement programmes with mandatory participation in child welfare interventions with a fixed timeframe lasting typically one to two years, and any changes to the programme must be approved by the YCB. This creates an inflexibility in the new system, which particularly challenges the most complex cases where rapid case processing is a necessity. For example, cases in which the child needs acute help or changes in placement. Moreover, the challenges of preventing crime in the most complex cases where children are subject to extensive social problems have not necessarily been solved. While there have been significant changes in the decision-making processes and increased control mechanisms, help and support is still offered from the same catalogue of child welfare interventions as before. The main change is therefore the design of a more complex system that introduced more punitive responses.

Second, the policy reform introduced court-like proceedings and probation programmes to juveniles below the age of criminal responsibility. Even though the YCBs are not part of the criminal justice system, case managers still describe how children experience the YCBs as 'court', referring to a 'judge', and 'conviction'. Despite the YCBs being established with the intention of diverting children aged 10-14 away from the criminal justice system, case managers describe a different experience for both children and parents. They find that the YCB meetings, held in court buildings, and the adjudications and supervision are often perceived as punitive. This reflects that the new system builds primarily on logics from the justice system rather than those of the child welfare system. Moreover, prior to the reform there was a clear distinction between the child welfare authorities, who provide care and interventions based on overall assessments of the child's need, and the criminal justice system, who sanction criminal behaviour for juveniles above the minimum age of criminal responsibility, and the probation service, who supervise minors with a conviction. Within the new system, the delineation between criminal and child welfare cases has become indistinct (Storgaard, 2020; 2022), and prior divisions in the provision of support and sanctions have been blurred. Hence, a large group of children aged 10-14 are enrolled in the mandatory improvement programmes with extensive control typically lasting one to two years based on a criminal offence, but without a trial or a formal system



to appeal the adjudication (except in cases resulting in out-of-home-placement). This raises a concern that the minimum age of criminal responsibility in Denmark has in practice been lowered to age 10 for these children, but without ensuring them the legal rights of the criminal justice system (Laursen, Thage & Pallesen, 2022). Thus, the new reform not only represents a break with Nordic tradition of welfarism; it may also conflict with recommendations from the UN Committee on the Rights of the Child, which endorse the minimum age of criminal responsibility to be at least 14 (UNCRC, 2019).

All in all, the Danish policy reform introduced more punitive responses to juveniles (aged 10-17) who have committed violent offences. The new system extended the juvenile population in the probation system, which previously was dominated by 17-year-old offenders with relatively short probation durations issued by the courts. Today, the YPS includes offenders of all ages from 10 to 17, and the durations of the programmes increased significantly. Hence, a differentiated group of children is targeted with punitive measures, and especially children experiencing extensive social problems are described as not benefitting from the increased control mechanisms.

This punitive turn in Denmark contrasts international movements where other countries have taken a stance to previous decades' of 'tough-on-crime'-policies (Motz et al., 2020). For example, Scotland raised the minimum age of criminal responsibility from 8 to 12 years in May 2019 (Scottish Government, 2019). The United States Supreme Court has ruled that juveniles are less culpable than adults (Scott, Grisso, Levick & Steinberg, 2015), leading a number of states to change the legislation on transfer from juvenile to adults' courts or to raise the age of majority (Loeffler & Grunwald, 2015). In Sweden and Finland the minimum age of criminal responsibility has remained at 15, while political pressure occasionally attempts to lower the age and introduce sanctions to children involved in gang-related or violent crime (Delmage et al. forthcoming). While the system responses have been expanded, we still need to know more about the presumably high financial cost of this extensive and highly complex system aimed at the small group of children who are serious and repeat offenders. We are also yet to find out whether the new Danish system has resulted in lower recidivism rates for the children who have experienced the YCB and YPS and whether it can justify the extensive punitive responses facing these children.

Kontaktoplysninger

Britt Østergaard Larsen: brla@vive.dk

Ann-Karina Henriksen: ankh@kp.dk

Theresa Dyrvig Henriksen: tfd@vive.dk

Tea Torbenfelt Bengtsson: ttb@vive.dk



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Appendix

Table A1. Verdicts, juveniles aged 15-17 prosecuted for a violent offence (percent)

2021	Age 15	Age 16	Age 17	Total
	%	%	%	%
Prison sentence:	53	57	50	53
– <i>Unuspended prison sentence</i>	4	8	14	9
– <i>Suspended prison sentence</i>	49	48	36	44
Fine	2	2	2	2
Withdrawal of the charge	7	6	7	7
Other verdict	1	3	2	2
Not guilty:	37	33	39	36
– <i>Case dismissed, state of the evidence</i>	31	26	28	28
– <i>Acquitted</i>	6	7	11	8
Total	100	100	100	100
Number of convictions	241	384	361	986

Source: Information from Statistics Denmark (STRAF40).

Table A2. Juvenile probationers in the ordinary Danish Probations Service

	2018		2019	
	N	%	N	%
<i>Age at enrolment:</i>				
Age 15	5	3	11	6
Age 16	34	18	40	21
Age 17	146	79	135	73
<i>Length of the program:</i>				
Under 12 months	93	50		
12 months	64	35		
13-23 months	2	-		
24 months	26	15		
Total	185	100	186	100

Source: Information provided by the Danish Probation Service.



Table A3. System responses before and after the reform in cases with 10-14-year-old offenders

	Cases with 10-14-year-olds committing serious offences	
	Before 2019 reform	After 2019 reform
<i>Police</i>	Role: Inform parents and social authorities. (inform crime preventive police unit).	Role: Inform parents and social authorities. Screen the case and refer to YCB.
<i>Local social authorities</i>	Role: Decides upon further enactments based on overall assessment of the child. Cases with out-of-home-placement are handled by the 'children and youth board'. Responsible for the enactment of interventions. Follow-up: 6 months follow-up-meeting with child/family.	Role: Makes an assessment to YCB with a recommendation on whether/or which child welfare interventions to enact. Responsible for the enactment of interventions issued by YCB. Follow-up: Weekly reports to YPS + 6 months follow-up-meeting with child/family.
<i>Child welfare measures</i>	The local authorities can enact child welfare interventions. In most cases voluntary in cooperation with the family and without a fixed timeframe.	Cases with an 'improvement program' includes mandatory child welfare interventions with a fixed timeframe issued by YCB and controlled by YPS.
<i>Criminal court proceedings</i>	No	No
<i>Youth Crime Boards</i>	No	YCB makes an adjudication and decide to issue an 'improvement program' or an 'immediate response'. If the child commits a new crime or does not comply with conditions, the case can be reassigned to YCB.
<i>Youth Probation Service</i>	No	Approximate 400 yearly cases with an 'improvement program' or an 'immediate response' are referred to YPS who perform fortnightly/monthly probation meetings with children and parents and weekly controls with interventions.



Table A4. System responses before and after the reform in cases with 15-17-year-old offenders

	Cases with 15-17-year-olds committing serious offences	
	Before 2019 reform	After 2019 reform
<i>Police</i>	Role: Inform parents and social authorities (inform crime preventive police unit).	Role: Inform parents and social authorities. Screen the case and recommend YCB to the prosecutor.
<i>Local social authorities</i>	Role: Decides upon further enactments based on overall assessment of the adolescents. Cases with out-of-home-placement are handled by the 'children and youth board'. Responsible for the enactment of interventions. Follow-up: 6 months follow-up-meeting with child/family.	Role: Makes an assessment to YCB with a recommendation on whether/or which child welfare interventions to enact. Responsible for the enactment of interventions issued by YCB. Follow-up: Weekly reports to YPS + 6 months follow-up-meeting with child/family.
<i>Child welfare measures</i>	The local authorities can enact child welfare interventions. In most cases voluntary in cooperation with the family and without a fixed timeframe.	Cases with an 'improvement program' includes mandatory child welfare interventions with a fixed timeframe issued by YCB and controlled by YPS.
<i>Criminal court proceedings</i>	Yes	Yes. Cases with a criminal verdict are referred to YPS by the court at the request of the prosecutor.
<i>Court sanctions</i>	Charge withdrawal with a warning, fine, suspended prison sentence, unsuspended prison sentence. If repeat offending or serious crimes a criminal record.	Charge withdrawal with a warning, fine, suspended prison sentence, unsuspended prison sentence. If repeat offending or serious crimes a criminal record.
<i>Youth Crime Boards</i>	No	YCB makes an adjudication and decides whether to issue an 'improvement program' or an 'immediate response'. If the child commits a new crime or does not comply with conditions, the case can be reassigned to YCB.
<i>(Youth) Probation Service</i>	Approximate 185 yearly cases with 15-17-year-olds under supervision in the Danish Probation Service. E.g. due to sanctions with community service or other conditions in a suspended prison sentence or juveniles on parole.	Approximate 230 yearly cases with an 'improvement program' or an 'immediate response' are referred to YPS who perform fortnightly or monthly probation meetings with children and parents and weekly controls with interventions.