

Report:

Child Removal Cases in Denmark, Finland, Norway and Sweden

Co-authors

Anita Ankarcrona, Associate professor, PhD, University of Stockholm, Sweden

Trevor Archer, Professor, Institute of Psychology, Gothenburg University.

Alexander Barkman, lawyer, Law Firm S.J.P. Haglund, Falköping, Sweden

Jenny Beltrán, lawyer, Göteborg, Sweden, v. pres. NCHR

Johan Bäckman, associate professor Sociology of Law, Helsinki University, Finland

Thomas Cohn, lawyer, Sjöbo, Sweden, Board member NCHR

Bo Edvardsson, Associate professor in psychology, associate professor in social work and registered psychologist, Örebro, Sweden

Tryggve Emstedt, lawyer, Gävle, Sweden, Board member NCHR

Sverre Eskeland, lawyer, Rettsmedhjelper, Bergen, Norway

Reinhold Fahlbeck, professor em. and author, Faculty of Law, Lund University, Lund, Sweden

Peter Haglund, lawyer, Law Firm S.J.P. Haglund, Falköping, Sweden

Ruby Harrold-Claesson, lawyer, Göteborg, Sweden, pres. NCHR

Reinhard Helters, university lecturer in Organic Chemistry, Faculty of Sciences, Lund University, Sweden

Hans Hjortsjö, former judge at the Rent Tribunal, Göteborg, former judge at the Administrative Court of Appeal, Göteborg, Sweden.

Leeni Ikonen, lawyer, Kerava, Finland, v. pres. NCHR

Eddie Johansson, lawyer, Juristfirma Thomas Cohn, Sjöbo, Sweden

Madeleine Johansson, lawyer, Göteborg, Sweden, special resource NCHR

Kerstin Koorti, lawyer, Stockholm, Sweden

Georg Kvande, medical practitioner, lawyer, Advokatfirmaet Kvande & Co, Oslo, Norway

Sverre Kvilhaug, lawyer, Author, Bergen, Norway

Denise Lagercrantz, lawyer, Stockholm, Sweden

Anette Lilleengen Kvande, lawyer, Advokatfirmaet Kvande & Co, Oslo, Norway

Søren Bernhard Lindegaard, lawyer, Odense, Denmark

Bernt Lindelöf, Professor, chief medical practitioner, Carolinska University Hospital, Stockholm, Sweden

Ingegerd Lundberg Krook, lawyer, Vattholma, Sweden

Rigmor Persson, lawyer, Göteborg, Sweden, Treasurer NCHR

Agneta Pleijel, former professor, author and film writer, Faculty of performing Arts, University of Stockholm, Sweden. Film: "Guldburen" (The Golden Cage), 1991, Swedish Television

Gry Rambusch, lawyer, Nørrebro, Denmark

Marius Reikerås, lawyer, Bergen, Norway

J. P. (Jeja-Pekka) Roos, professor of Law and sociologist, Helsinki University, Finland

Max Scharnberg, Associate professor, Uppsala University, Author of "Textual analysis of a

recovered memory trial assisted by computer search for Keywords"

Elisabeth Scheffer, lawyer, Stockholm, Sweden

Lena Hellblom Sjögren, Ph D, registered psychologist, Testimonia HB, Fagersta, Sweden

Mimi Strandell, lawyer, Stockholm, Sweden

Brita Sundberg-Weitman, Ph. D Law, former Chief Justice at Solna District Court, former judge at Svea Court of Appeal, Author of "Sverige och rättsstaten under 2000-talet" (Sweden and the Rule of Law in the 21st C), Stockholm, Sweden and "Rättsstaten Åter! " (Bring back the Rule of law!)

Venil Katharina Thiis, lawyer, Trondheim, Norway

Svante Thorsell, lawyer, Advokatfirman Stationen AB, Göteborg, Sweden

Siv Westerberg, lawyer, specialised in medico-legal cases, founding member NCHR

Eva-Marie Wittberg, lawyer, Växjö, Sweden, CEO, Juristbyrå i Växjö AB

Henning Witte, lawyer, Rechtsanwalt Dr. Henning Witte. Sweden's first German law firm.

Report: Child Removal Cases in Denmark, Finland, Norway and Sweden

Summary

The purpose of this report is to direct the attention of the European Parliament towards the laws of the Nordic countries regarding compulsory care of children and young persons, and the implementation of the said provisions.

The Nordic countries in general, and Sweden in particular, implement these provisions in a way that leads to unusually high numbers of children being removed from the care of their parents and being placed in foster homes every year. In the case of Sweden, this is the result of the Law with Special Provisions on the Care of Young Persons, which most often leads to compulsory care, on arbitrary grounds.

It is also our opinion that the administrative courts are reluctant to diverge from the position of individual social workers and social councils, when a case regarding compulsory care is put before them. The administrative courts thereby neither comply with domestic law, which provides an obligation for the said courts to ensure that cases put before them are properly and sufficiently investigated, nor do they comply with the European Convention on Human Rights, which guarantees the right to a fair trial and protection for private and family life.

In addition to the issues of arbitrary legislation and biased, or at the very least partial trials, the disproportionately high number of children being removed from the care of their parents can be attributed to the economic incentives for the *foster home industry*. These economic incentives also result in the placing of children under the care of unsuitable foster parents, whereby children who the social workers claim are subjected to neglect, are removed from their parents only to be placed in an environment where they become subjected to further, and often more serious neglect resulting in premature death.

Despite numerous attempts to influence the Swedish government to investigate the legislation concerning compulsory care of children, and the implementation of that legislation, no measures have been taken to diminish the use of compulsory care. Aiming to rid the system of compulsory care of its flaws, we urge the European Parliament Petitions Committee to investigate these issues further and, deliver a statement concerning the Nordic countries compliance with their international obligations.

Since the beginning of the 1980's, a great number of families have fled from Sweden in order to protect their children from being taken into care and placed in foster homes.

In its report, 2009, the UN Child Committee was critical of the large numbers of children in foster care in Sweden. Norway was also been criticised by the UNCC in 2011.

Report: Child Removal Cases in Denmark, Finland, Norway and Sweden

Index	Sida
• Presentation	1
• Background	2
• Relevant Domestic Law	4
• Compulsory care	4
• Other Relevant Laws	5
• The Procedure in the Administrative Court system	6
• Transfer of guardianship	7
• Cases in the European Court of Human Rights	7
• Documentary "Stolen Childhood"	9
• The NKMR/NCHR requests for thorough investigations	9
• The Neglect and abuse inquiry	10
• The NKMR/NCHR proposition for a total law reform	10
• Recent cases	13
• The European Court of Human Rights and public care cases	15
• International Scientific Research	15
• The UN Children's Committee report, 2009	17
• Russian report to the Council of Europe	17
• List of Signatories with presentation	18