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Police shot into a crowd of demonstrators, injuring at least 11 people. A year later, the circumstances in which they resorted to potentially lethal force remain unclear. A young man lies in a vegetative state after suffocating and suffering a heart attack while being restrained by police. A 50-year-old woman, who had been too ill to attend court, was arrested and allegedly beaten in custody.

These cases point to the wide range of reports of ill-treatment by Danish police that Amnesty International has received in recent years. The organization has recorded numerous complaints from former detainees, the majority from Copenhagen, who allege that both uniformed and plainclothes police officers ill-treated them. Such treatment violated their rights to physical integrity and not to be subjected to cruel, inhuman or degrading treatment. These rights are enshrined in international human rights treaties which have been ratified by Denmark and in other well established international standards.¹

In two areas of policing a disturbing pattern of ill-treatment has emerged. The first has been during demonstrations, particularly those which have degenerated into violent confrontations between demonstrators and the police. The second was during a 15-month police operation in 1992 and 1993 against hashish dealing in Christiania, a community in Copenhagen.

Several reports of ill-treatment involve police working in plain clothes, particularly a controversial unit of the Copenhagen police, the *Uropatrulje* (the "unrest patrol", hereafter called the Uro patrol), which engages in surveillance of political groups and other groups and patrolling and observing the illegal drug-trade in the city. There have also been complaints of ill-treatment during routine encounters with police.

The allegations include that police have kicked and beaten detainees; hit people on the head with truncheons; applied metal handcuffs very tightly around the wrists of detainees in such a way so as to cause severe pain; and forced detainees to the ground, handcuffing them behind their backs and then have exerted force by pushing their knees into the detainees' backs. Police have also frequently used a particularly excruciating, dangerous and degrading form of restraint known as the leg-lock (see below, page 9).

In many cases of alleged ill-treatment by police, neither disciplinary nor criminal proceedings have been initiated or, when they have, they have not resulted in any sanctions being taken against the alleged perpetrators. Amnesty International believes that a key reason for this is the inadequacy of the police complaints system². Many people have reportedly declined to file complaints with these bodies because

¹The International Covenant on Civil and Political Rights (ICCPR), ratified by Denmark in 1972, guarantees that all persons deprived of their liberty shall be treated with respect for the inherent dignity of the human person. According to the United Nations (UN) Code of Conduct for Law Enforcement Officials, law enforcement officials have a duty "to ensure the full protection of the health of the persons in their custody" and may use force only when "strictly necessary and to the extent required for the performance of their duty". Torture and other cruel, inhuman or degrading treatment and punishment are forbidden by several treaties ratified by Denmark, according to which, no exceptional circumstances whatsoever may be invoked as a justification.

²Complaints may be lodged with regional police complaints boards, *Lokalnavn*. These boards are only empowered to dismiss the complaint or order an investigation. The investigations are almost always carried out by police; in most cases this involves officers from the same district police force against which the complaint is being made. The results are sent to the regional Chief Constable who decides whether or not to institute proceedings against the officer. Cases involving serious injury or death or clear criminal conduct on the part of the police are referred to the Prosecutor. In several cases the police and the complainant have produced conflicting evidence; this has reportedly resulted in a decision not to institute proceedings.

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of a growing lack of confidence in the independence and integrity of the complaints system. The system is currently being reviewed by a commission.

Indeed, many of the cases highlighted in this report might never even have been brought to light were it not for the fact that they were captured on film and videotape by journalists and others present at the scene when the incidents occurred.

Amnesty International is calling on the Danish authorities to overhaul the police complaints system and to establish an independent commission of inquiry to examine the use of force and restraint by police.

Amnesty International is concerned that the failure to conduct full, independent and impartial investigations into allegations of ill-treatment by police, the failure to institute disciplinary or criminal proceedings against alleged perpetrators, and the failure to bring alleged perpetrators to justice has contributed to the development of a climate of fear and distrust of police among some sectors of Danish society. Further, these failures may be helping to create an impression among some police officers that they can act with impunity and may be sending a signal that police ill-treatment of criminal suspects and others is acceptable.

Amnesty International is also calling on the government to immediately end the use of the leg-lock, which it considers constitutes cruel, inhuman or degrading treatment or punishment.

Delegates from Amnesty International's International Secretariat met and discussed these concerns and recommendations with the Danish Minister of Justice in May 1994. The Minister stated that the Danish Government had decided that police should no longer be involved in the investigation of complaints against the police. The report of a commission mandated to recommend a new police complaints system is due in September 1994. The Minister of Justice also agreed to review and comment on Amnesty International's report.

18 - 19 MAY 1993 DEMONSTRATION

In what has been described as the most violent incident in Denmark since the Second World War, police in riot gear and plain clothes shot directly into a crowd during a violent demonstration in Copenhagen on the night of 18-19 May 1993. In three rounds of shooting a total of 113 shots were reportedly fired. The protest followed the "Yes" vote in the second Danish referendum on the Maastricht Treaty. Eleven people, most of whom were reportedly bystanders, were treated in hospital for bullet wounds to the stomach, neck, back, arms and legs.³ Three other people were reportedly treated privately for gunshot wounds. Fortunately, none of the injured died.

In the years leading up to this incident, a disturbing pattern of excessive use of force by Copenhagen police during demonstrations had emerged. This was particularly so in Nørrebro, an area of the city where many buildings had been "squatted" by young people. The combination of frequent and sometimes violent protests in the area and what was perceived as over-zealous policing had resulted in growing levels of tension between the police and youths. In the run-up to the 18-19 May incidents, police had twice fired warning shots during demonstrations in Copenhagen.

At about 10pm on 18 May 1993, after the results of the referendum had been announced, about a hundred people set up barricades around part of Nørrebro, creating what they called an "EC Free Zone". Soon after, a handful of youths began smashing bank windows and vandalizing stores along the main street in Nørrebro.

By midnight about 200 youths, journalists and bystanders were present in St Hans Square. As a police chain approached the square they were met by demonstrators throwing cobblestones, rocks, pieces of glass, iron rods and other materials from construction sites in or near the square.⁴ The police, who had little or no tear-gas left, tried to disperse the crowd by advancing. Some officers responded by throwing

³The police obtained a warrant which forced doctors to reveal the identities of their patients who had been shot. Many of those shot reported to Amnesty International that police came into their hospital rooms to take their clothes and question them while they were still under the effects of anaesthesia or pain-killers. Most refused to give statements. Nine of the injured were arrested. The Danish Medical Association launched a protest; as a result regulations have been clarified so as to ensure that people who seek medical care need not fear that their doctors will be compelled to reveal their identities to police.

⁴It was reported that there were four tons of loose cobblestones at the square, which was in the process of being rebuilt.

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stones back at demonstrators.

A little later, the leader of the Uro patrol unit and the leader of a uniformed police unit ordered the police to fire warning shots. In the two volleys that followed, 92 shots were fired by 29 police officers on a street called Fælledvej: some were aimed into the air, some were aimed a little above head height; and some were fired directly into the crowd.⁵ It is believed that all those who were wounded by bullets were shot during this incident.

According to the police, the shots had little if any effect; many, including police, explained that they mistook the shots for firecrackers. Demonstrators continued to throw stones. However, with the aid of fresh supplies of tear-gas, police forced some of the remaining demonstrators onto another street off the square, Guldbergsgade. There, some demonstrators reportedly continued to throw stones at police. Some police also threw stones back at demonstrators.

About 10 minutes after the shooting on Fælledvej, police again drew their weapons and reportedly fired 21 more shots. None is believed to have hit anyone.

A total of 47 people were arrested, including nine of those treated for bullet wounds. Some were charged only on the basis of their presence in the area. Charges were later dropped against several, including six of those who had been shot. At subsequent trials, nine people were sentenced to up to three months' imprisonment; two were fined for minor offences, one of which was unrelated to this incident; and 15 people were acquitted. The prosecution believes the sentences were too lenient and has appealed the convictions and the acquittals.

The day after the shootings, the Prime Minister and the Commissioner of Copenhagen Police gave their full support to the police. At a press conference the same day, the Prime Minister said that according to his information, "a number of police officers were lying on the ground in a very dangerous situation...it was a question of life and death [and] the police had no alternative but to shoot". This version was later maintained by two reports into the events issued by the Commissioner of Copenhagen Police.

However, videos of the incidents show uniformed and plainclothes police officers aiming their guns and shooting directly into the crowds. No officers can be seen lying wounded in the streets between the police chain and the rock-throwing demonstrators or directly behind the police chain. Eye-witnesses also testified that they had seen no wounded police officers lying in front of or directly behind the chain at the time of the shooting.

Amnesty International does not in any way condone violence aimed at police or property, nor does the organization oppose the lawful use of reasonable force by law enforcement officials. The organization is concerned that in shooting into the crowd, the police risked killing people present, rather than bringing suspected law-breakers to justice in a court of law.

Following the shootings, Amnesty International urged the government to initiate a thorough, independent and impartial investigation to determine, among other things, whether the actions of the police conformed with Danish law and international standards. It also urged the authorities to make the results of the inquiry public.⁶

Alexander Borgstrøm

One of the victims of the shooting on Fælledvej was 31-year-old Alexander Borgstrøm. He had walked to

⁵According to Danish Police regulations, "warning shots are to be fired directly into the air". Regulation (*Kundgørelse*) II, nr 38, 9 July 1980.

⁶In its detailed report, POLICE ILL-TREATMENT IN DENMARK, AI INDEX: EUR 18/01/94, Amnesty International urges the authorities to answer publicly a number of questions relating to each of the 113 shots fired by police, and each rock thrown by police.

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St Hans Square to see what all the commotion was about. Minutes later, as he was running from the sound of gunfire, his jaw and bottom teeth were shattered by a police bullet. The bullet stopped in his neck, just a few millimetres from his carotid artery; had it hit this artery, he most likely would have been killed. His injuries required extensive surgery.

After his treatment, the doctor told him he was under arrest and was not allowed to receive visitors. On 20 May police came to question him but he refused to speak without his lawyer present. The following day he was taken to prison, where he remained in isolation⁷ until his release on 22 May on the orders of the court. All charges against him were dropped in January 1994. He has filed a claim seeking compensation for his injuries. The police officer who shot Alexander Borgstrøm stated that he fired only "warning shots" and cannot understand how the shots hit anyone.

"Anders"⁸

"Anders" was ill-treated by police following his arrest, which reportedly occurred shortly after the shooting on Fælledvej; he later admitted he had been throwing stones before he was arrested.

Video footage shows that he was grabbed by two plainclothes police officers and forcefully brought to the ground. The officers held him by his legs and while he was lying on his back, dragged him down the street for about 25 metres. The video shows he was dragged over pieces of broken glass and loose cobblestones. While being dragged, a third plainclothes police officer ran up and struck "Anders" over the head with a truncheon. The police then stopped and rolled "Anders" onto his stomach. While handcuffing "Anders" behind his back, a police officer placed his knee on "Anders'" back. While doing so, an officer stated "Do you remember Benjamin, that could just as well be you", apparently referring to another victim of police ill-treatment, Benjamin Schou, who sustained permanent brain damage while in police custody, (see page 12).

It is alleged that once the handcuffs were secured, "Anders" was brought to his feet and led down the

⁷He was given a pair of scissors to keep in his cell, to cut the wires holding his jaw together, in the event of an emergency.

⁸The true name of this person has been withheld in judicial proceedings.

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street. He was then placed in the leg-lock position⁹. At the trial, one of the arresting officers admitted that he had hit "Anders" with his truncheon on the back and arms.

In the course of his overall investigation into the events of 18-19 May 1993, the Director of Public Prosecutions (DPP) has sought a full account from the police of this incident. Answers to his inquiries, which were put to the police in November 1993, had not been given by the end of April 1994.

POLICE OPERATION IN CHRISTIANIA

Hundreds of people claim they were unjustifiably searched, detained or arrested during an intensive 15-month anti-hashish operation conducted by police in 1992 and 1993 in an area of Copenhagen commonly known as the "Free City" (*Fristaden*), Christiania. Many also allege that they were ill-treated by police.

Christiania was settled by "squatters" who set up an alternative "city within a city" after the military abandoned the barracks in eastern-central Copenhagen in 1971. The community has been the source of much controversy since then, particularly about the public sale and consumption of hashish, which is illegal in Denmark.

In September 1992 the Copenhagen police created a special squad, the "Christiania Group", whose aim was to curb the sale of hashish in the area. From then until 22 December 1993 the Christiania Group and other police units vigorously patrolled the area in and around Christiania. Membership in the Christiania Group was voluntary; it grew in numbers from about 30 to 70 officers; included in the unit were members of the controversial Uro patrol.

The patrols, who reportedly worked up to 20 hours a day, 7 days a week, stopped, searched or arrested people on more than 10,000 occasions during the operation. In all cases, people's pockets were searched; some had their shoes, socks or underwear searched as well. People were found to be in possession of small amounts of hashish in less than one-third of the cases. It is questionable whether in many cases police conformed to the legal requirement that there be reasonable suspicion in order to detain a person or to make a search.

The majority of complaints of ill-treatment during the operation received by Amnesty International form a

⁹See description on page 9.

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pattern. Most people allege that after being detained either on suspicion of possessing hashish or for insulting police officers, they were beaten or thrown to the ground, handcuffed and then put in the leg-lock position. As a result of being held in this position, many people said they suffered abrasions or swelling of the wrists and hands, and several report that they suffered numbness in their fingers or the entire hand for several months.

Many incidents of ill-treatment by police during the operation were recorded on video by Christiania's Documentary Group (created by a group of residents of Christiania to document the police operation) and have been widely publicized in the Danish media. The reports and videos were sent to the Minister of Justice and the Parliamentary Legal Affairs Committee.

On 22 December 1993 the Minister of Justice announced that policing of the area would be reduced to normal levels by the following spring. The same day the Christiania Group was disbanded. In January 1994 uniformed police began patrolling the area again, but less intensely. Since then, there have been few reported incidents of ill-treatment by police in the area.

Bent Lüchow Poulsen:

A 28-year-old resident of Christiania, Bent Lüchow Poulsen reports that he was stopped on at least 11 separate occasions by the police in or around Christiania during the spring of 1993. Then, on 28 September 1993 at approximately 4.30pm, police reportedly entered the Communal Kitchen, *Fælleskøkkenet*, where he was sitting with a friend. The following is an account by Bent Poulsen of what happened. A plainclothes police officer approached him and asked him to identify himself. Bent Poulsen, in turn, asked the officer to show him his badge. The officer refused. Bent Poulsen was detained on suspicion of possessing drugs. The officer then emptied the contents of Bent Poulsen's pockets onto the table and searched his body. When Bent Poulsen began to put his belongings back into his pockets, the police officer grabbed his arm. When Bent Poulsen refused to follow the officer's command to let go of his bank and credit cards, the officer twisted Bent Poulsen's arm behind his back and handcuffed him. In a scuffle the two fell to the ground. People looking on urged the officer to be careful, as Bent Poulsen suffers from a chronic back problem. The officer then lifted Bent Poulsen to his feet by the handcuffs, and tightened them; the handcuffs cut into Bent Poulsen's wrists. His hands became swollen and numb. While being escorted to a police van, Bent Poulsen asked the police officer to loosen the handcuffs as his wrists were bleeding. This request was ignored. He was released from the police station at approximately 10.30pm, after refusing to sign a document admitting that he had used violence against a police officer. No illegal substances were found in his possession. The following day he went to hospital. The doctor noted marks on his chest, a substantial cut on his left wrist, and marks on his right wrist. When interviewed 11 days later, Bent Poulsen complained of pains in his hand, upper arm, shoulder and neck, and that his wrists were numb in cold weather.

THE LEG-LOCK

The leg-lock position, used by Danish police during arrest and sometimes transportation, involves handcuffing a person behind the back, then bending both legs at the knee, wedging one foot against the opposite knee and placing the other foot up under the handcuffs. It is an extremely painful position and many victims have sustained injuries ranging from abrasions to the wrists to nerve damage resulting in pain, numbness and tingling in the shoulders, arms, hands or fingers, sometimes lasting for months. According to the information available to Amnesty International, this form of restraint is not used by

police in any other country in Western Europe.

In the opinion of police and forensic experts, the leg-lock position should not be used. According to a renowned Professor of Forensic Medicine:

"This method of restraint makes use of handcuffs for a purpose for which their design was not intended. The method of restraint "locks" the legs by forcing them into a position which is beyond their natural unassisted movement so that they cannot be unlocked without assistance. Inherent in this method of restraint is the continuous forced flexion of the legs and continuous traction applied to the handcuffs. Associated with this pressure on the handcuffs is indirect pressure on the shoulder joints and partial fixation of the muscles of the shoulder girdle which are accessory muscles of respiration. Additionally, lying a person face-down on the ground would inhibit respiratory movements produced by the diaphragm.

"This method of restraint compromises breathing and in doing so provides a setting in which sudden death may occur."¹⁰

"Continuous pressure applied to the handcuffs increases the risk of handcuff neuropathy... Such nerve damage may persist for a number of years after the event."

Amnesty International urges the Danish authorities to end immediately the use of the leg-lock by law enforcement agents. It is the opinion of Amnesty International that the use of the leg-lock constitutes cruel, inhuman or degrading treatment or punishment and violates international human rights standards with which Denmark is bound to comply.

Reinholdt Bjarne Johan Knudsen

A 43-year-old resident of Christiania, Reinholdt Knudsen was stopped by the police in Christiania several times in 1993. On 24 May 1993, for instance, he alleges that five or six plainclothes officers approached

¹⁰According to the expert, an American study using a method of restraint less severe than but similar to the Danish leg-lock clearly demonstrated the negative effect of this method of restraint on the ability to breathe, and has been reported as the primary cause of a series of deaths in the United States.

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him as he was standing outside a restaurant. Claiming that he had shouted at the police, they handcuffed him and led him out of Christiania. When they reached a bordering street, police forced him to the ground and put him into the leg-lock position. They searched his pockets but found no drugs. Reinholdt Knudsen reports that he was kept lying on the pavement in the leg-lock position for between five and 10 minutes. During this time, a video of the incident shows that several plainclothes officers were casually standing around him. When a police van arrived, he was lifted into the van and then placed again in the leg-lock position. He reported that he was taken out of this position on arrival at the police station. Reinholdt Knudsen was charged with insulting the police; he was fined 400 Danish Kroner (approximately £40).

Albert Hatchwell Nielsen

On 6 July 1993 Albert Nielsen, a 22-year-old resident of Christiania, witnessed the police arresting a woman. The arrest sparked off a scuffle. Albert Nielsen was present as people began to run away when police officers in riot gear approached. He had been playing a penny whistle throughout the day and is alleged, among other things, to have blown the whistle into a police officer's ear. One of the officers reportedly grabbed Albert Nielsen and accused him of inciting the crowd with his whistling. He was then led out of Christiania, laid face down in a street and placed in the leg-lock position.

After 10 minutes in the leg-lock, Albert Nielsen reports that his foot was removed from under the handcuffs by an officer. Albert Nielsen reports that he was then lifted by the handcuffs, thus placing the full weight of his body on his wrists which were compressed by the cuffs, and placed in a police van. He was released a few hours later on three charges of violating police regulations (for whistling on three occasions).

As a result of his treatment Albert Nielsen reported that he suffered numbness and tingling in his hands. He is a carpenter by trade. Seven months after the incident, he still complained of suffering from pins and needles in the first finger of each of his hands, and a reduction of sensation. A neurologist examined him in February 1994 and concluded that his symptoms were due to a compression injury of the wrist.

Mads Sjølund:

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On 10 September 1993 Mads Sjølund met a patrol of approximately 12 uniformed police officers in Christiania. He reportedly asked them what they were doing and suggested that they should be patrolling Vesterbro, an area known for its heavy drug trade. When he saw the police making a report over their radio, he began to run. He reportedly ran into a group of plainclothes police officers, who took hold of his arm. He objected and was then laid on the ground, which was muddy and wet from rain. A police officer allegedly placed his knee on Mads Sjølund's left hand, grinding it into the ground. It is also alleged that one of the officers put his knee on Mads Sjølund's neck. Mads Sjølund was then handcuffed behind the back and placed in the leg-lock position for approximately 35 minutes. When he was finally released from the leg-lock, Mads Sjølund reportedly requested that the handcuffs be loosened. This was refused. By the time he arrived at the police station, his wrists were so swollen that police had difficulty removing the handcuffs. A few hours later he was released after paying a fine for an unrelated matter. He went to hospital where his left hand was put in a splint. The doctor noted redness, swelling and bruising on both of Mads Sjølund's wrists. Eight months after the incident, Mads Sjølund reportedly still had scars on his wrists.

OTHER CASES OF ILL-TREATMENT

Benjamin Christian Schou

Benjamin Schou is currently lying in a nursing home in a vegetative state from which he will not recover. His last moments of good health were at the Town Hall Square in Copenhagen on 31 December 1991, where he was enjoying the traditional New Year celebration. He was then 18 years old.

Shortly after 1992 began, Benjamin Schou was picked out of the crowd of revellers by police and arrested for allegedly having thrown a bottle at police. The three arresting officers, all in plain clothes, forced him onto his stomach on the pavement, causing abrasions to his forehead and eyelid, and handcuffed him behind his back.

A video recording of part of the arrest and restraint shows that two of the officers placed their knees on Benjamin Schou's back and legs. Eye-witnesses confirmed this. Despite this, the police deny putting their knees or their full weight on Benjamin Schou.

A few minutes later, Benjamin Schou was carried, still handcuffed, by the three police officers for about 25 metres; two of them each held one of his arms and allegedly lifted him by the chain of the handcuffs. Police alleged that when they moved him, Benjamin Schou walked a few steps, but because he was kicking and twisting his body, a third officer took hold of his left leg. This description contradicts what can be seen on the video and statements of witnesses, who said that after being restrained and before being moved Benjamin Schou looked lifeless when lying on the ground.

The three officers carried Benjamin Schou to the street, where they put him on his stomach behind a police vehicle. Police state that they then placed him in the leg-lock position, and allege that because he continued to resist they also lifted his arms until he calmed down. However, witnesses have stated that at this time they saw at least one officer with at least one of his knees on Benjamin Schou. Police deny this. Police say that when they lifted Benjamin Schou into the van - about eight minutes after his initial detention - his body was limp. In the van the police noticed that Benjamin Schou was not conscious or breathing, and that he had turned blue in the face. Although at least one ambulance had been present at the Town Hall Square, and the hospital was nearby, the police proceeded to the police station. On the way they called an ambulance to meet them there.

On arrival, the ambulance attendants determined that Benjamin Schou was unconscious and not breathing and that he had suffered a cardiac arrest. They started heart massage and called for a doctor. Benjamin Schou was resuscitated approximately 18 minutes after his arrest and began breathing a few minutes later. He was then taken to hospital. Medical experts have agreed that Benjamin Schou suffocated and as a result suffered a cardiac arrest. Owing to a lack of oxygen to his brain, he suffered severe and permanent brain damage.

Prior to his arrest Benjamin Schou was in good health, having no history of heart disease or other medical problems.

The incident was investigated by a division of the Copenhagen police. On 30 January 1992 a newspaper reported that the investigation had concluded that no violence had been used against Benjamin Schou.

The case was referred to the Regional Public Prosecutor, along with the video-tape which had been discovered in April 1992. The Regional Public Prosecutor confirmed the findings of the police investigation. In November 1992 the DPP decided not to bring criminal charges against any of the police officers involved. This decision was submitted for review to the Minister of Justice who, in August 1993, stated that he was in agreement with the decision.

In June 1993 the government decided to drop the charge against Benjamin Schou owing to his medical condition. Benjamin Schou's parents have filed a civil action against the Copenhagen police seeking compensation for the permanent injury sustained by their son. The civil case is still pending in the court.

"Mrs Andersen"¹¹

At about 8pm on 13 May 1993, 50-year-old "Mrs Andersen" was arrested at her home for failing to appear in court on a civil case. The case was about her daughter's car loan, which she had guaranteed.

"Mrs Andersen" says that she explained to the arresting officers that she had not appeared in court because she was bedridden at the time owing to a severe problem with her spine, which affected the

¹¹The true name of this person is withheld upon request.

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nerves in her leg. She told them that she was still suffering severe pain and undergoing treatment.

At the police station, after being told she was to be held in a cell overnight, "Mrs Andersen" asked to see a doctor. This was refused. She claims that when she tried to explain her problem, the head of shift shouted at her, forcibly removed her glasses and ordered her to empty her pockets.

Ignoring her requests for a doctor, two police officers grabbed her arms to take her to a cell. She sat down. A male officer allegedly twisted one arm behind her back, while a female officer took her other arm and bent a thumb back in the direction of her wrist, holding it there. In shock, "Mrs Andersen" then bit the male officer on the arm.

She alleges that after this two police officers held down her legs. A policeman then forcefully placed his knee in her ribs and she was punched repeatedly on the left side of her head in the area between her eye and ear. When the beatings stopped, "Mrs Andersen" states that she was ordered to stand up. However, due to her back problems, she could not get up without using her arms, which were still being held.

Four officers then carried her by her arms and legs and threw her into a cell. "Mrs Andersen" says that she landed on the floor with her legs up on the wall and was unable to move from this position.

About an hour later, after another request to see a doctor had been refused, a police officer helped her get up off the floor into a seated position. She states that she told this officer that she now also had pain in her right hand.

"Mrs Andersen" claims that she remained seated throughout the night and a light was left on continuously. On the morning of 14 May her glasses were returned to her and she was taken to court - without having been given any nourishment or drink or access to a doctor since her arrest.¹²

As a result of the ill-treatment, "Mrs Andersen" suffered swelling and bruising to the left side of her face and was unable to wear her glasses comfortably for approximately 10 days. She stated that the pressure put on her rib cage by one of the police officer's knees meant that she was unable to lie on her left side for approximately one month. She also stated that the twisting of her thumb caused swelling and bruising to such an extent that she could not turn a tap for several weeks; and that she suffered from nightmares. Her doctor, who examined and treated her, stated that her account of the ill-treatment she suffered was consistent with her complaints and injuries.

"Mrs Andersen" filed a complaint, seeking compensation for her alleged ill-treatment, with the police complaints board in October but, as of May 1994, she had not received a response.

Amnesty International is concerned that the alleged ill-treatment of "Mrs Andersen" by the police may have violated international human rights standards. Specifically the Danish police apparently failed to grant "Mrs Andersen" prompt access to a doctor, which she repeatedly requested, and to respect her rights to physical integrity and to be free from cruel, inhuman or degrading treatment or punishment.

Amnesty International is calling on the Danish authorities to initiate immediately an independent and impartial investigation into the cases of Benjamin Schou and "Mrs Andersen", and into other allegations of ill-treatment by police. They should make the results public. In the event that wrongdoing by the police is discovered, the authorities should bring the alleged perpetrators to justice and pay compensation to the victims for the injuries and ill-treatment suffered.

Amnesty International also urges the Danish authorities to initiate a comprehensive review of the rules, training and practice in relation to the right and access of detainees to a medical examination and to medical treatment, and to the use of force and restraint by police. They should ensure that any such rules,

¹²In its report of July 1991, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT) recommended that the Danish authorities expressly provide for "the possibility for an arrested person to have access to a doctor (including one of his own choosing)" and "make arrangements to ensure that, when the circumstances so require, persons kept under arrest at police stations... be given something appropriate to eat or drink". Apparently, as "Mrs Andersen's" case demonstrates, these recommendations had not been implemented by May 1993.

training, procedures and practices are in accordance with international human rights standards and that all possible steps are taken to ensure that incidents such as those alleged cannot occur in the future.

GENERAL RECOMMENDATIONS

In addition to the recommendations made about individual cases, Amnesty International calls on the Danish Government to implement the following measures:

1. Order an immediate end to the use of the leg-lock, which in Amnesty International's view constitutes cruel, inhuman and degrading treatment or punishment. Police officers and other officials should be instructed that use of the leg-lock is not acceptable and that criminal and/or disciplinary proceedings will be instituted against any police officer or official who uses the leg-lock.
2. Instruct the police and other law enforcement authorities that they should use no more than the minimum force necessary to restrain a person. Police should be instructed that, whenever possible, they should refrain from using their knees on bodies or limbs when restraining detainees as, in the past, this has led to injury and could even lead to death. The government should ensure that all police officers are instructed in the use of handcuffs in such a way as to avoid causing injury to detainees.
3. To take all necessary measures to ensure that the police are adequately equipped and trained to employ non-lethal methods of crowd control. The government should institute a public order training program for all police officers aiming to ensure that no more than reasonable force is used to control disturbances. The government should also review and clarify the role and use of plainclothes police during public disturbances.
4. Take immediate steps to ensure that all arrested persons are afforded food and drink; are provided with access to an independent doctor, upon request; have ready access to toilets; and that all detainees are treated with respect for their human dignity.
5. Establish an independent commission of inquiry to examine the use of force and restraint by police. Amnesty International suggests that, among other things, the commission should investigate and make recommendations for clarifying and improving:
 - the use of force and restraint by police and other authorities: all methods of restraint used and proposed, including the placing of knees on the backs or limbs of detainees, and equipment for these purposes, should be subjected to comprehensive medical testing so as to ensure their application does not constitute cruel, inhuman or degrading treatment. Police regulations and training should be reviewed and, where appropriate, amended accordingly.
 - the use of firearms by police and other authorities: all regulations and training on the use of firearms should be reviewed and amended so as to ensure clarity and conformity with relevant international standards and to protect, to the greatest extent possible, the lives, physical integrity and safety of the public. The commission should make recommendations for regular training of all police officers in the use of firearms.
 - methods of crowd control: among other things, past practices, regulations, and equipment available should be reviewed. Where necessary or appropriate all measures should be taken to ensure that no more than minimum force is used in the course of crowd control. The role and function of plainclothes officers in crowd control should be examined.

POLICE ILL-TREATMENT IN DENMARK: A Summary of Amnesty International's Concerns

Amnesty International also recommends:

- a) The commission's members, including the chair, counsel and technical experts, should consist of people of acknowledged independence and probity and be appointed from outside the Ministry of Justice and the police.
- b) The commission should be given jurisdiction to take evidence from people alleging that they have been ill-treated by police, and such people should be protected against harassment and intimidation and from criminal prosecution for the substance of any allegations made about specific instances of ill-treatment by police.
- c) The commission should be empowered to summons and take evidence from police officers as well as police administrators, and to subpoena relevant evidence and records.
- d) The commission should file interim reports to facilitate the prompt initiation of any appropriate criminal or disciplinary proceedings, identifying specific instances and individuals whenever possible. These reports should also facilitate prompt amendment of police regulations, laws, police training and procedures as appropriate.
- e) The commission should be given the authority to recommend that criminal prosecutions or disciplinary proceedings be brought against any police officer against whom there is substantive evidence that they have engaged in cruel, inhuman or degrading treatment.

6. To revise the procedures for investigating and acting upon complaints against the police (Amnesty International is aware that the government has begun a review of this process). The government should ensure that, in future, all bodies responsible for handling complaints against police practice and decisions are completely impartial and independent.

Amnesty International further recommends that:

- a) The complaints body should consist of people of acknowledged independence and probity, who are not members of the police force. This body should have at its disposal its own corps of independent investigators to look into complaints.
- b) The complaints body should be afforded all necessary powers and authority to conduct investigations into complaints against the police, including the power to summons witnesses and to subpoena evidence and documents.
- c) The body should, at a minimum, be given the power to: decide whether a case should be concluded or an apology issued; recommend to appropriate authorities that adequate compensation be paid to the victim; and recommend whether criminal or disciplinary proceedings should be brought against the alleged perpetrator.

In order to maintain the independence and impartiality of the police complaints process, it is strongly recommended that no police authorities should sit on this body. All possible steps should be taken to ensure the independence and impartiality of the investigation of complaints against police.

Amnesty International believes that if the recommendations included in this report are implemented with determination and speed, then reports of ill-treatment by Danish police will become a thing of the past.