

Bust card

Your legal rights in Denmark

This is a brief overview of the most important things to be aware of when participating in protests or political happenings in Denmark.

Before an arrest:

Important: Remain calm and insist on your right to remain silent!

It is illegal to possess the following items at a protest in Denmark:

- Weapons. Tools can also be illegal if the police decide that the tools could be used as weapons or for vandalism.
- Masks. Be careful, the police can decide that certain items could be used as masks.
- Narcotics, including cannabis.

During a protest it is illegal to:

- Not leave if the police dissolve the protest.
- Use a mask to cover your face - this also applies to diving goggles or scarves.
- Encourage others to commit vandalism or violence.

If you are stopped by the police, you are required to:

- Tell them your name.
- Tell them your date of birth - you are not required to provide the last 4 digits of your CPR number.
- Tell them your current legal address.
- Show them your passport or other valid travel ID (if you are not a Danish citizen).
- Nothing else!

You are free to go once you have provided them your information, unless they arrest you. Make sure to ask if you are arrested - if you do not, you will not be able to file a complaint later on!

Being polite to the police can often be useful, even if you are sticking to your rights. It is not illegal to lie to the police, but the police are far more experienced with this type of situation than you are.

According to the law, the police have the right to:

- Frisk you and search your backpack if they have a probable cause. They have to inform you of this cause unless you are in a stop and frisk zone. If they search your mouth or any intimate openings of your body, they must present this decision before a judge within 24 hours.
- Arrest you preventively, even if you have not done anything illegal, and detain you for up to 12 hours. The police may only use preventive arrests if you are considered a danger to the public order. You are entitled to have your arrest tried by a judge for free, which the police will typically not tell you.

If you are not a Danish citizen, you may face extra requirements like showing your passport. The exact requirements depend on your residence permit or visa.

If you are arrested:

- Do not panic - you are not alone.
- Switch off your phone, if you can.
- Ask them if you are allowed to leave. If you are not allowed to leave, ask why and when you are free to go. Remember to note the time.
- It is considered a punishable offense to run away from the police if they arrest you.
- You have the right to remain silent – use that right. The police collect information to use against you and your friends - they will not use what you are telling them to your advantage. Save your side of the story for court.
- You have the right to be examined by a doctor if you have been injured or if you need medicine.
- You are entitled to have relevant people informed of your arrest (e.g. family members or employer).
- You are not required to sign anything or to acknowledge guilt or absence of guilt – no matter what the police suggest.
- If you are charged with serious crimes, the police can legally take your fingerprints and DNA.
- The police may contact your parents if you are under 18. Someone from the social authorities should be present during any interrogation, but they are not there to take care of your interests. However, tell this person if you have been threatened or exposed to violence by the police.
- If you are under 15, the police are not allowed to lock you in, but they often do anyway.
- The police can hold you for 24 hours before putting you in front of a judge in a court hearing. For foreigners, this is 72 hours. You are entitled to a lawyer of your choice.

AFTER AN ARREST

## Court hearing

If the police want to take you into custody, you will be sent to a court hearing. At the court hearing, you will be present along with a prosecutor, a judge, and your lawyer. You will be assigned a random lawyer, but you can also pick a lawyer yourself. You always have the right to remain silent. It is often sensible to use that right as you are probably stressed and exhausted, and because you do not yet have a clear picture of your case. If you choose to talk, it will affect the outcome of the court case. You should be very careful, as a record of your statement is written down for later use. You can always give a statement later - it is not urgent. The court hearing ends with either

- 1) you are released
- 2) your arrest is extended for 3x24 hours or
- 3) you are detained in custody for up to 4 weeks at a time.

Custody detention is widely used in Denmark, especially in relation to protests resulting in violence towards the police or vandalism.

## How to file a complaint about the police

You can always file a complaint about the behavior of the police! You can complain about and seek compensation over an unwarranted frisking, a preventive arrest, or a normal arrest if the police drop the charges or lose the case in court. Be aware that the deadlines for complaining or seeking compensation are relatively short. If you pay a fine, it is an admittance of guilt.