

+ 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 of your choice.

You always have the right to remain silent. It is often sensible to use that right because you are probably stressed and exhausted and because you do not have a clear picture of your case yet. If you choose to talk, it will affect the outcome of the court case, but you

should be very careful as a record of what you say 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 for up to 4 weeks at a time.

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

Complaining about the police

You can complain and seek compensation over an unwarranted frisking, a precautionary 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.



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BUSTCARD

- YOUR LEGAL RIGHTS IN DENMARK

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This is a brief overview of the most important things that you should be aware of when participating in demonstrations or political happenings in Denmark.

+ BEFORE AN ARREST

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

- Weapons. Tools can also be illegal if the police assess that they can be used as weapons or for vandalism.
- Masks. Be careful; The police can assess that certain items can be used as masks.
- Narcotics including cannabis.

During a demonstration it is illegal to:

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

Important: Do not get pressured into giving up your right to remain silent!

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 at all!

It can often be worthwhile to be polite to the police, even if you are sticking to your rights. It's 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, for example, search your backpack if they have probable cause which they have to inform you about - this does not apply if you stay in a stop and frisk zone.
- Arrest you preventively even if you haven't done anything illegal and detain you for up to 12 hours. The police may only use preventive arrests if you are a danger to the public order and you are entitled to have your arrest tried by a judge for free, which the police typically do not inform you about.

+ DURING AN ARREST

If you are arrested:

- Do not panic - you are not alone.
- Switch off your mobile phone if you can.
- You are entitled to know why and when you were arrested.
- It is punishable 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 have need of medicine.
- You are entitled to have relevant persons informed that you have been arrested (eg family 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. A person from the social authorities should be present during any interrogation, but not 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 so.
- 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.

