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Ministry of Health and Social Affairs

Committee on the Rights of the
Child
Office of the High Commissioner
for Human Rights
United Nations
CH-1211 Geneva 10
Switzerland

**Written replies by the Government of Sweden to the list of issues
(CRC/C/SWE/Q/5) in relation to the fifth report of Sweden to the Committee
on the Rights of the Child**

PART I

Issue 1.

In March 2013, an Inquiry was set up to analyse how, in particularly important areas, the application of laws and other regulations comply with the Convention. If clear deviations are found regarding the application of the law in relation to the Convention, the Inquiry is to propose ways to supplement and clarify the legislation.

The Inquiry is also to include a thorough, up-to-date analysis of the pros and cons of incorporating the Convention on the Rights of the Child, based in part on an international comparison. This represents important input for the Government in continued efforts to adapt Swedish legislation in relation to the Convention.

The Government has announced that it will begin work to incorporate the UNCRC into Swedish law.

Issue 2.

In Sweden, the task of implementing the rights of the child is considered to be a public sector responsibility, including regional and local level. As municipalities are largely self-governed, the Government does not decide on and account for the resources local and regional actors allocate to implementing children's rights at local level. However, the Government has taken several initiatives in boosting the dissemination of knowledge and monitoring of work to promote children's rights, at local and regional levels.

At national level, the Government's budget for activities specifically aimed at strengthening the rights of the child amounted to some SEK 33 million (about EUR 3.6 million) in 2014. This includes funding for a new action plan to protect children from human trafficking, exploitation and sexual abuse, as well as activities to support children in financially vulnerable situations. Further, activities funded under this budget item also include spreading and communicating the Government's strategy for the rights of the child and the development of the follow-up system for the child rights policy. Also included in this budget item is funding for coordinating the implementation of children's rights efforts in the Swedish Government and its agencies. *Barnkonventionssamordning (CRC Coordination)* at the Ministry of Health and Social Affairs is responsible for this.

The annual budget for the Office of the Children's Ombudsman amounts to about SEK 23 million (EUR 2.6). However, administrative appropriations to all government agencies administering and supervising the child rights policy are not included here. The implementation of children's rights involves the entire public sector. As the child rights policy is cross-sectoral, some activities are carried out within the budget appropriations of other areas and other ministries. It is therefore difficult to provide the requested information about the total amount of resources allocated to this task, although the concept of visualising children in budgeting and budgetary analysis is interesting with regard to the implementation of the convention.

International development aid

The Swedish International Development Agency (Sida) works on behalf of the Swedish Parliament and Government to implement Sweden's policy for global development (PGU) and is in charge of allocating international development aid accordingly. The PGU encompasses a human rights-based approach, ensuring that human rights, including children's rights, play a major role in determining how development aid is distributed internationally.

Sida continuously monitors and evaluates allocated aid through an intranet-based computer system, specifically designed to categorise aid-receiving entities in accordance with a human rights-based approach. Today, the system categorises children's rights under the subcategory of integration aid. Within the next few months, however, children's rights will be made a separate subcategory to ensure a more efficient and systematic evaluation of how allocated aid benefits children and the promotion of children's rights.

In a national critical survey conducted this year to distinguish the visibility of ‘children’ or ‘youth’ in Sweden’s allocated international aid, Sida scored high on visibility due to the fact that many of its international aid receivers have an explicit child or youth-based approach linked to their general objective.

Issue 3.

Health and education are examples of sectors that to a large extent are governed by local and regional actors, while regulated by legislation enacted by the Swedish Parliament and supervised by government agencies. In general, the Government regards the existing variety of local models for access of children to health or education services as expressions of promoting and realising the rights of the child through different models and opportunities in a democratic society. This variety is not in itself regarded as jeopardising the equal implementation of the rights of the child in Sweden.

However, some local authorities might have difficulty making ends meet due to varying financial circumstances. To level the economic playing field, resources have to be redistributed between different parts of Sweden. The Government is responsible for allocating general grants to local authorities. The Ministry of Finance is in charge of the existing equalisation system and provides government grants to support measures in municipalities and county councils facing particular difficulties.

Under the heading “Open Comparisons”, Swedish Association of Local Authorities and Regions (SALAR) has in recent years been attempting to increase access to comparable information on quality, results and costs within the areas of activity, such as health and education, for which municipalities, county councils and regions are responsible. The aim is to promote comparisons and contribute to greater openness concerning results and costs for activities run by municipalities and county councils. Such public performance reporting is one way of identifying and analysing inequalities, as comparisons serve to encourage better performance and offer examples of good practice. Similarly, the follow-up system Max18, accessible through the website of the Ombudsman for Children in Sweden, enable municipalities to monitor children's and young people's living conditions at local level from a child rights perspective.

Access to education

Most of the education budget is financed by local taxes. Recent years have seen many changes to the curriculum and the way Swedish schools

are organised but the basic premise of free education for all remains. All children aged from seven to 16 who live in Sweden are subject to the obligation to attend school and are unconditionally entitled to education.

Reports have shown that Swedish school results have been declining during the last decades. This development has been taken very seriously and an extensive series of reforms to improve knowledge in schools have been initiated in recent years. Through measures such as increasing the amount of teaching time, clearer evaluation of pupils' results and reinforcing teachers' expertise, role and status, the level of knowledge in schools is raised. The Government has stated it will focus on boosting learning outcomes and increasing equity in education. Special measures will target schools where the conditions are most challenging (see also issue 11).

Today, upper secondary school in Sweden is optional and free of charge and almost all students who finish compulsory school continue on to upper secondary school. Upper secondary education is considered vital for preparing pupils for future working life and/or higher-level studies. The Swedish Schools Inspectorate inspects schools in Sweden to monitor equivalence in education. Furthermore, pupils (or their guardians) may also file complaints against schools with the Swedish Schools Inspectorate if they are not satisfied with the education provided.

Access to health

The responsibility for health and medical care in Sweden is shared by central government, county councils and municipalities. The Health and Medical Services Act regulates the responsibilities of county councils and municipalities, and gives local governments more freedom to act in this area. The role of central government is to establish principles and guidelines, and to set the political agenda for health and medical care. It does this through laws and ordinances or by reaching agreements with the Swedish Association of Local Authorities and Regions (SALAR), which represents the county councils and municipalities.

Responsibility for providing health care is devolved to the county councils and, in some cases, municipal governments. Swedish policy states that every county council must provide residents with good-quality health and medical care, and work to promote good health for the entire population. County councils are also responsible for dental care for local residents up to the age of 20.

Swedish health and social services perform well in international comparisons¹. One important measure taken in order to identify and deal with shortcomings is the establishment of a new supervisory agency, the Health and Social Care Inspectorate, in 2013 (on other measures, see also issue 12).

Issue 4.

Anti-discrimination legislation

Effective and comprehensive anti-discrimination legislation is a prerequisite for efforts to combat discrimination. The Swedish Discrimination Act (2008:567) contains a prohibition against discrimination on the grounds of age. This protection initially covered the areas of working life (in a broad sense) and education, but was extended on 1 January 2013 (Govt Bill 2011/12:159). Age discrimination is now not only prohibited in working life and education but also in the areas of goods and services, housing, public meetings, public events, health and medical care, social services, social insurance, unemployment insurance, state financial aid for studies and public employment. Some exemptions to the prohibition exist, such as the application of laws including age requirements.

On 1 January 2015, amendments to the Discrimination Act (2008:567) will enter into force concerning inadequate accessibility for people with disabilities as a new form of discrimination. Inadequate accessibility means that a person with a disability is disadvantaged through a failure to take accessibility measures to put people with disabilities in a situation comparable to that of people without such disabilities. Only reasonable measures are required due to accessibility requirements in laws or other statutes and taking into account the financial and practical conditions, the duration and extent of the relationship or the contact between the entity and the individual, and other circumstances of importance. The prohibition of discrimination through inadequate accessibility should apply to several areas of society, such as working life, education, goods and services, health and medical care, social services, social insurance, and state financial aid for studies.

The Government has appointed an Inquiry Chair to propose how anti-discrimination efforts should be organised and made more effective (ToR 2014:10). The aim is to ensure that people subjected to

¹ See, for instance, the report Social Justice in the EU – A Cross-national Comparison Social Inclusion Monitor Europe (SIM Europe) – Index Report, Social Inclusion Monitor EU, Bertelsman Foundation, September 2014.

discrimination can exercise their rights. The Inquiry Chair has been instructed to examine cooperation between the Equality Ombudsman and the Swedish Schools Inspectorate and assess the need for change.

In 2012 the Government appointed an inquiry to review the provisions in the Discrimination Act on active measures and propose how to design and clarify requirements concerning active measures so as to make them a more effective instrument for preventing discrimination and achieving equal rights and opportunities. The inquiry's proposals were presented in June 2014. They include the introduction of a regulated working method for systematic work on active measures in working life and in the educational sector. The proposals are being processed by the Government Offices.

The health of homosexual and bisexual young people

The Swedish Agency for Youth and Civil Society, formerly the Swedish National Board for Youth Affairs, has been mandated to undertake a detailed study of the health of homosexual and bisexual young people and also young transgender individuals. The report showed that many LGBT young people experienced being disregarded, discrimination, bullying, intimidation and violence. The Agency has therefore been further commissioned to provide training courses for staff working in leisure activities for young people to strengthen their ability to create open and unprejudiced environments for LGBT youth.

Further, the Agency is tasked with implementing measures against degrading treatment and intimidation on the internet and other interactive media. It is a strategic agency for young LGBT people and is responsible for the creation of an open and inclusive school environment for young LGBT people, including the development of support materials for use in schools. The project also includes developing a plan for training teachers and other school staff. The agency also provides government funding for a wide range of organisations, such as those working to prevent and combat discrimination and LGBT organisations.

Combating intolerant attitudes

So far in 2014, Living History Forum has conducted a study on the attitudes of upper secondary school students towards Roma, Muslims, Jews, non-European refugees and homosexuals. The findings of this study will be available later this year. Against the background of findings from 2010 (already reported to the committee) suggesting that about 20 per cent of the students in the study have intolerant attitudes towards these groups, Living History Forum has continued to produce teacher

and student material and organise conferences and exhibitions to raise awareness of and change attitudes towards minority groups.

Issue 5.

The Aliens Act (2005:716) states that children should be heard if it is not inappropriate. Hence, the main rule is that all children should be given the opportunity to express their views in a personal interview.

Exceptions can be made, for example, in situations when a hearing is deemed unsuitable and not in the best interest of the child. Such a decision should be made on a case-by-case basis. According to the legislative history (a source of law in Sweden) to the Aliens Act (Govt Bill 1996/97:25 p. 298), the child may be too young to be heard or it could be improper for reasons of the child's psychological health. The child's vulnerable situation and whether the child would be put under pressure may also be taken into consideration (Govt Bill 1996/97:25 p. 262 f.). The Migration Board's Guidelines emphasise that it is a right of the child and not an obligation. The child should never be forced to speak. The Guidelines also state that psychological studies have shown that even small children can explain what they have experienced if they are interviewed in a proper manner and that they are competent tellers from the age of four. No minimum age has been established in the legislation or in the guidelines.

Issue 6.

The Government is taking several measures to reduce coercion of children in compulsory psychiatric care, including:

- Obligation to provide simple contact routes between the children and the supervisory authority. The authority is also obliged to talk to children during inspections. There is no regulation regarding how often these inspections should take place.
- National information material is being developed to inform children in compulsory care about their rights. The National Board of Health and Welfare is responsible for developing and spreading this material.
- Ministry Publication Series 2014:28 proposes a new provision whereby coercion of children may take place only if it is in the child's best interests. Here it is also proposed that the usage of belts be limited to 2 hours.

Issue 7.

Solitary confinement

The findings of the Ombudsman for Children in Sweden regarding misuse of solitary confinement is based on an examination of cases of seclusion in special homes over a six-month period in 2008. Against this background, the Government in 2009 instructed the Swedish National Board of Institutional Care (SiS), the agency that runs special youth homes, to carry out a review of the application of seclusion and to report on planned and implemented measures. The Government has also instructed SiS to clearly describe the use of special powers, including seclusion, in its annual report so that their use can be monitored over time.

Swedish legislation states that young people in special homes may be placed in seclusion in a special isolation room if they use violence or are under the influence of drugs to such an extent that they endanger the order of the home. Seclusion may only be used if it is proportionate to the objective of the measure. If less restrictive measures are adequate, they must be used. Further, seclusion may never be used as a punishment. The decision to isolate must be based on current behaviour. When the grounds for seclusion cease, for example when the young person has calmed down, it must be concluded. This decision may be appealed in a court of law.

Children in care receive legal representation when the decision to take the child into care without consent is made, i.e. legal representation for the child concerned when a decision is made to take into care in accordance with the Care of Young Persons Act (1990:52). Children also receive legal representation when a decision is made to take the child into care in accordance with the Care of Young Persons (Special Provisions) Act (1998:603).

Measures regarding the use of seclusion

SiS reporting shows that several measures have been taken regarding the use of seclusion, including the introduction of peer review of decisions regarding the special powers. Training on the application of the law and on relevant documentation has also been implemented. SiS reporting of the use of seclusion shows that both the frequency and average period of seclusion have been reduced. The total number of young people in solitary confinement amounted to 908 in 2009 and 720 in 2013. The average period in solitary confinement was 2 hours and 40 minutes in 2009 and 1 hour and 29 minutes in 2013. Most cases of solitary confinement, 96 per cent, were shorter than six hours.

In connection with the regulatory reform implemented in 2010, the Government instructed the monitoring agency, the National Board of Health and Welfare², to monitor the special youth homes. The Board's monitoring report shows that it found 14 decisions with flawed reasoning and documentation concerning these special powers. According to the Board, these results indicate that SiS fulfils children's and young people's rights to a greater extent.

The trend towards using seclusion to a lesser extent is also confirmed by the Board's inspection report (National Board of Health and Welfare 2011), which shows that the amount of time young people stay in seclusion is now comparatively short and has more than halved since 2008. The Board also stated that the number of young people placed in seclusion also decreased between 2008 and 2009.

In 2012, the Government decided to appoint an inquiry to conduct a revision of the Care of Young Persons Act (1990:52). One task involves a revision of the special powers given to SiS by law, including seclusion. The starting point for the Government is that the special powers should be used with good judgement and restrictedly, as well with respect for the child's rights and needs. It is extremely important that the special powers are motivated and in accordance with current legislation and guidelines. It is also essential that the young person be informed of his or her rights, for example on how to appeal a decision on seclusion. The inquiry is also responsible for processing the proposals from SiS and will present the results of the full revision to the Government in June 2015.

Lack of access to basic hygiene

In 2013, the Ombudsman reported that young people placed in police cells and remand prisons in some cases lacked access to basic hygiene. These findings are primarily based on interviews with young people suspected of crime.

It should be underlined here that the internal Regulation of the Police clearly state that persons between 15 and 18 years of age may only be placed in a cell when it is absolutely necessary. There is also a specific regulation that sets the standards for arrest facilities, for instance including temperature, cleaning and personal hygiene.

The Parliamentary Ombudsmen regularly inspect public authorities, including the police authorities. An inspection is followed by a report from the ombudsman to the agency's management listing shortcomings observed during the inspection, and the measures needed to remedy them. A special division – the National Preventive Mechanism (NPM) –

² On 1 June 2013, a new government agency, the Health and Social Care, was set up to take over the supervisory activities of the National Board of Health and Welfare

has the task of monitoring ensure that individuals deprived of their liberty are not subjected to cruel, inhumane or other degrading treatment or punishment. A complaint to the Parliamentary Ombudsmen can be filed by anybody who feels that he or she or someone else has been treated wrongly or unjustly by a public authority or an official employed by the civil service or local government.

According to the Swedish Prison and Probation Service, remand prison hygiene regulations state that an inmate must be given bedding, towels and basic hygiene products. Clothing is also to be provided at the request of inmates. In addition, bedding, towels and clothing must be changed regularly and inmates must have daily access to sanitation. Concerning children, a checklist has been drawn up to ensure children receive the best care during their time in remand prison.

The Swedish Prison and Probation Service has been instructed by the Government to examine ways of improving the overall situation for young clients.

Issue 8.

The social services in each municipality are responsible for ensuring that children and young people grow up safe and secure. If a child's parents or guardians are unable to assume proper responsibility, the public sector must provide the protection and support the child needs. Swedish social services are responsible for assessing whether or not a child's needs are being met and for maintaining contact with children and their families.

It is mandatory for professionals engaged in certain types of childrelated work to report if they, in their professional capacity, suspect child maltreatment. Among others, this applies to professionals working at certain government agencies, social services, schools and pre-schools, healthcare services and correctional care. In addition, it is recommended that everybody who suspects that a child is being maltreated report this to the social services. The aim of this recommendation is to increase the number of maltreated children that come to the attention of the social services and receive help.

To strengthen the work of the responsible bodies to protect children from domestic violence and address situations of abuse and neglect, the Government is carrying out a long-term initiative to support the municipalities' skills development work in social care of children and young people until 2016. Upon receiving a report of suspected child maltreatment, the local social services are required to immediately assess whether or not the child needs emergency protection. If an assessment is necessary, it must be commenced immediately. Children have the right to have their opinion heard regarding issues that directly affect them. The best interests of the child should be given special consideration in

assessment of children in need and their families and be decisive when social services make a decision about any form of intervention.

Protection and support provided by the Swedish social services to children and young people should preferably be on a voluntary basis and implemented in cooperation with the child and his or her guardians. It is common for the social services to offer community-based care, such as a volunteer contact person or contact family. Alternatively, they may decide that a child would benefit most from out-of-home care, such as emergency housing, a foster home or a residential care home.

New legislation has resulted in several procedural changes for the social services, i. e. procedures must be in place for preventing, detecting and combating risks posed to children's safety and wellbeing, and when suspected child abuse and neglect is reported to the social services they must immediately assess whether or not the child needs emergency protection.

The National Board of Health and Welfare has been tasked with developing knowledge support and, where relevant, updating existing knowledge support for social services, particularly regarding meetings with those who have an obligation to report, feedback on submitted reports and assessment of children's statements. Similarly, the National Agency for Education has been tasked with creating and distributing knowledge support to staff at preschools, schools, leisure time centres and other educational activities as guidance on how to interpret and apply the reporting obligation.

Also, the National Board of Health and Welfare and the Ombudsman for Children have been tasked with improving the availability of social services for children and young people. The Board is to draw up and distribute information that is tailored to children, young people and parents and that clarifies what social services are required to offer children and young people who need support or protection. The task also includes encouraging municipalities to make their social services clear and visible to children – put simply, to make their information accessible to children and young people.

Child Abuse

In their work on children at risk of child abuse and neglect, social services are required to collaborate with healthcare professionals, schools and the police. Collaboration between local agencies is also required within the remit of proactive work, in which healthcare services and schools play a central role.

The National Board of Health and Welfare provides recommendations and knowledge support relevant to the social services. It has a number of ongoing commissions that relate to support and assistance for crime

victims, including children. New national regulations and general guidelines will enter into force in October 2014.

The large increase in child abuse reported to the police in the 2000s is considered to be due to changes in the reporting behaviour of primarily parents, pre-school and school staff and also the social services. There is no indication that it reflects a corresponding factual rise in abuse of children.

The number of cleared-up offences (meaning that the case has resulted in a court prosecution or that a summary sanction order or a waiver of prosecution has been issued by the prosecutor) in relation to the number of reported offences has remained fairly stable. Since the number of reported offences has increased, this means that the actual number of cleared-up offences has risen as well. In 2005, 119 cases of abuse of children aged 0–6 were cleared up, and in 2013 the corresponding number was 330. About 90 per cent of those cases resulted in a court prosecution (106 in 2005 and 307 in 2013).

In 2012 the Government appointed a national coordinator to combat domestic violence. The coordinator's tasks included bringing together and supporting the relevant authorities, municipalities, county councils and organisations to increase the effectiveness, quality and sustainability of the measures to combat domestic violence. Among other things, the coordinator was instructed to consider ways of improving protection and support to victims of crime. An important target group was children growing up in families where violence occurs. The coordinator's final report, including more than 50 proposals, was presented on 27 June 2014 and is currently being circulated for comment to the parties concerned.

Issue 9.

In December 2013 the Government established the hotline 116000, the single EU hotline number for missing children. The hotline is operated by SOS Alarm, integrated into the national alarm system and available 24/7 throughout country. The other EU hotline number 116 111 for supporting children is operated by an NGO, BRIS (Children's Rights in Society).

The new government took office in early October 2014. Its future intentions regarding resources to helplines services are not yet possible to elaborate on.

Issue 10.

Decisions on prison placement of a sentenced person are based on several criteria. The most important criteria are the security level of the prison and what activities the prison offers. The principle of closeness

cannot be considered abolished but remains as a factor that can be taken into consideration when deciding where a sentenced person is to be incarcerated.

For the past 10 years, every jail and prison has had specially trained staff. Their assignment is to strengthen and clarify the child's perspective, to spread knowledge about the issue and make sure that the authority takes the child's perspective into account in every matter.

When a sentenced person arrives at a prison, a member of staff always asks if they have any children and if they have custody of any child. This is done to ensure that the staff is aware of the situation and that the circumstance is taken into consideration in the sentence and release planning.

Children of incarcerated parents are able to maintain relationships with their parents in several ways, including visits, home leave, phone calls and letters. Inmates with children can apply for extended contact opportunities. The Swedish Prison and Probation service is currently looking into whether the internet could be used for this purpose.

All prisons have one or two specially designed visiting rooms that are equipped for children's visits and offer toys, books and TV games. Twenty-one prisons also have 'flats' consisting of two or three rooms and a small kitchen. These are mainly for longer visits by children and most of them are open for overnight visits in the company of both the incarcerated parent and the other parent. For the child, the flat offers a more homely atmosphere and the opportunity to forget the prison environment.

Children of incarcerated parents serving long sentences are also able to meet and have close contact with their parent during a two-week parenting and relationship programme organised in a special low security prison.

If a child whose parent is in a prison far from home shows signs of e.g. emotional illness or behavioural disorder that professionals (nursery staff, a psychologist or the social services, etc.) associate with the parent's absence, the parent may be moved to a prison closer to home if this is possible.

If social services find it appropriate, infants and young children may live in prison with the parent serving the sentence.

Issue 11.

The Swedish education system is based on the principle of inclusion. Most children and young people with disabilities consequently receive their education within the mainstream primary, secondary and upper secondary school. Only 1.5 per cent of all child and young people receive tuition in educational programmes for pupils with intellectual impairment or in special schools for children with certain disabilities, both of which are part of the regular education system.

According to the Education Act (2010:800) all children and young people, irrespective of their geographic residence and social and financial circumstances, shall have equal access to education in the national school system.

As mentioned earlier, the municipality of residence has a responsibility to ensure that all children living in the municipality receive the education they are entitled to. In compulsory school, the general rule is that the pupil's guardian can choose which of the municipality's schools the pupil will attend. One exception to this rule is if the desired location would mean significant organisational or financial difficulties for the municipality.

The guardian can also choose an independent school. An independent school can apply for additional funds from the municipality of residence for the education of a pupil with comprehensive support needs. The municipality may refuse to provide additional funds if it considers that it would face significant organisational or financial difficulties by doing so. In this case, the independent school may refuse to accept a pupil or to provide further education. However, the municipality is still responsible for ensuring that the pupil receives the education she or he is entitled to, for example at a school whose principal organiser is the municipality.

Special support to pupils

The Education Act states that the tuition provided is to take into consideration the varying needs of children and pupils. Children and pupils are to be given support and encouragement so that they may reach their full potential. Special support is to be given to pupils who need it to achieve the minimum knowledge requirements. Unless special reasons exist for not doing so, special support is to be provided within the learning group to which the pupil belongs. When the new Education Act was introduced in 2011, a right of appeal against decisions concerning special support was also introduced to the Board of Appeal for Education.

On 1 July 2014 the Education Act was changed to further enhance support for pupils. The Act now stipulates that if it may be anticipated that a pupil will not achieve the minimum knowledge requirements, the pupil shall promptly be given support in the form of additional adjustments in the context of the regular teaching. It has also been clarified that pupils who have difficulty achieving the knowledge requirements as a result of disability shall receive support that as far as possible counters the effect of the disability, and that the municipalities and head teachers shall allocate resources in accordance with pupils' abilities and needs.

The Swedish Government has also initiated several reforms aimed at raising school standards in general and ensuring that all children and pupils enjoy the support they need. This includes the introduction of grades at an earlier age, making it easier for schools to quickly identify pupils with special needs. Other initiatives have sought to support both municipalities and private providers by, for instance, making government funds available for early measures to encourage skills development in reading, writing and mathematics and measures to improve school health and welfare services. To enhance special support for pupils with disabilities, the Government has also reintroduced remedial teacher training programmes.

Violence against children with disabilities

As there is no continuous registration in Sweden of crime victims with disabilities, the statistics regarding this matter are lacking. Prevention of abuse and violence against persons with disabilities is, however, included in the overall prevention of abuse and violence. For instance, the Swedish police has recently conducted a national information campaign on domestic violence and invested in training in the treatment of victims of violence and abuse, including victims with disabilities. The work of the national coordinator to combat domestic violence is also of interest here (see issue 8).

The National Board of Health and Welfare has been tasked with informing state-run universities and other higher education institutions in Sweden about the possibility to become a national centre for knowledge on violence and other forms of child abuse, including against children with disabilities. The role of the national centres will be to gather and share knowledge on violence and other forms of abuse in a structured manner. The aim is to encourage multi-disciplinary knowledge development concerning violence and other forms of child abuse, and to encourage and support cooperation between authorities.

The National Board of Health and Welfare will present a report on this assignment by 16 March 2016.

On a general level, Chapter 5, Section 11 of the Social Services Act (2001:453) prescribes that social welfare committees (in the municipalities) must seek to ensure that victims of crime and their families receive help and support. The social welfare committees are responsible for ensuring that children who are victims of crime and their families receive the help and support they need. Under Section 1a of the Social Services Act, in matters relating to children who suffer neglect or mistreatment or who are at risk of neglect or mistreatment, social welfare committees are required to cooperate with social bodies, organisations and others concerned.

Issue 12.

Health disparities between children

In addition to free health and dental care for all children and young people until they turn 20, a number of measures have been taken to eliminate health disparities between children. The National Board of Health and Welfare and the Public Health Agency of Sweden have produced a joint report presenting measures taken by the Government to improve children's health care. For instance, these include projects to improve pupil health and support to families with children with disabilities.

Further, the Education Act that entered into force on 1 July 2011 places greater demands on schools to serve healthy and nutritious school meals. School meals in compulsory schools are free of charge.

In 2012, the Government presented a strategy for good quality and more equitable health care for 2012–2016. The strategy's main aim is to ensure that all population groups are treated equally when seeking help and care. Children and adolescents are specifically mentioned. Public performance reporting is one way of identifying and analysing inequalities in the health care system (see issue 3). By using this tool, most county councils have improved their performance in delivering equitable health care.

The equitable health care initiative also involves setting up inquiries and producing a number of reports. The Government, the National Board of Health and Welfare and the Swedish National Agency for Education are seeking to identify areas where improvements can be made. The inquiries will focus on one-parent families and their financial circumstances, children in distress and school health and welfare services.

Furthermore, pregnant women receive free maternity health care and free postnatal care. All families have free access to information and advice about breastfeeding, food, sleep and other children's health issues at a children's clinic.

Reducing self-harm among young people

The Government supports a project to develop and coordinate efforts to reduce the number of young people who self-harm. The aim is to prevent self-harming behaviours and provide more effective early treatment by creating a structure that better meets their care needs. The project focuses on three major areas: (1) providing and disseminating knowledge and increasing expertise in specialised psychiatric and primary care, (2) developing effective strategies for preventing self-harming behaviours, and (3) raising awareness of self-harm in other professions working with children and young people.

Children diagnosed with ADHD and/or ADD

In the Swedish health care system, diagnostic procedures and treatment may differ from area to area. However, according to the National Board of Health and Welfare, there are two main situations in which a child's behavioural or developmental disorders should be examined. One is if the child's problems are so severe that they cause difficulties in the child's everyday life. The other is when people in the child's immediate environment, especially the parents, worry and have questions about the child's development, the cause of the problems they perceive and how the child can be helped.

The examination includes several interviews with the child in question, and the child's parents and teachers. The focus is on the child's upbringing, behaviour and relationship to others. The child's school situation is analysed and the child's developmental level and cognitive ability are assessed. ADHD is diagnosed by the health care profession. A medical specialist can decide to prescribe medical treatment following an individual assessment of each patient.

According to the Swedish Medical Product Agency's recommendations, amphetamine and amphetamine-like psychostimulant drug treatments for children and adolescents with ADHD should only be used in cases where support and adaptation are insufficient and lack of concentration, hyperactivity or impulsivity severely impairs learning ability and social interaction. The drugs should always be combined with other support measures in preschool and school and to the parents.

The recommendations also emphasise the importance of the patient and his or her family remaining in close contact with the doctor in charge during the treatment period and the child paying regular visits to the health care clinic for assessment.

An updated treatment recommendation for children with ADHD is being prepared by the National Board of Health and Welfare and will be published.

Issue 13

a. Ensuring the best interest of the child in the asylum procedure

The Aliens Act states that in cases involving a child, particular attention must be given to what is required with regard to the child's health and development and the best interests of the child in general. According to the Ordinance (2007:996) containing instructions for the Migration Board, prior to decisions or other actions that may involve children, the Board is required to analyse the consequences for the children.

The Migration Board is obliged to consider the child's situation in all actions involving a child. The Migration Board uses a method called the Child Impact Assessment to determine the best interest of the child.

The Swedish Migration Board staff possesses the required skills to process asylum applications from children and provides specialised training in interviewing children and in child development.

b. Child specific forms of persecution

Child specific forms of persecution are assessed under the general grounds for protection in the Aliens Act. In the preparatory works it is emphasised that any risk of persecution or other circumstances that may constitute a need for protection in cases involving children, as well as adults, must be thoroughly investigated. It is stressed that children must be regarded as individuals who may have specific grounds for asylum (Govt Bill 1988/89:86 p. 80-81, Govt Bill 1996/97:25 p. 250 and Govt Bill 2009/10:31 p. 103).

The Migration Board guidelines state that severe violations of child rights, such as the right to education, the right to health, etc. may also serve as grounds for asylum.

There are currently no plans to amend the Aliens Act in this regard.

c. Children placed in out-of-home care

A special regulation in the Aliens Act allows for a temporary permit to be granted for children who have been placed in society's care. Such a permit would also include the child's parent/guardian. However, a temporary permit should not be granted if the purpose of the care can be fulfilled in the country of origin. Before making a decision, the Migration Board must obtain the opinion of the Social Welfare Committee. The opinion of the Social Welfare Committee should be of

importance when making the decision (Govt Bill. 1996/97:25 p. 268). That a child is in society's care is also a circumstance that may be considered when assessing whether a residence permit should be granted due to particularly distressing circumstances (Govt Bill. 2013/14:216 p. 20).

If a child in the care of social services is to be returned to the country of origin, the authorities involved should cooperate to organise a return that complies with the best interest of the child. According to the preparatory works, the Social Welfare Committee can cooperate with the relevant national authorities and authorities and organisations in the country of origin to organise the return of the child (Govt Bill 1996/97:25 p. 269). To facilitate national cooperation, the National Board of Health and Welfare published information in 2013 to clarify the rules and responsibilities of the authorities involved.

There are currently no plans to change the relevant legislation.

Issue 14.

Information of rights

Sweden has recently amended the rules regarding information to suspects (including children) to ensure that Swedish legislation complies with Directive (2012/13/EU) of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings.

Access to a lawyer

According to Swedish law, a lawyer must be assigned if the suspect is under the age of 18. The only exception to this is if it is obvious that there is no need for a lawyer. Sweden would also like to draw attention to Directive (2013/48/EU) of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 27 November 2016 at the latest. The Government has appointed an inquiry to investigate whether any amendments are necessary to comply with the Directive. The inquiry is to submit its report no later than 1 December 2014.

Admissibility of evidence

Swedish courts apply the principle of free submission and assessment of evidence. The most important reason for this principle is the interest of having courts deliver fair and materially correct judgments. Information

obtained in violation of a suspect's rights would indeed have very low evidential value, if any. The effectiveness of rights of the defendant is provided for by other means forming part of a large and complex set of rules (for example, criminalisation and disciplinary action for illegitimate investigative measures as well as supervision by the Parliamentary Ombudsman) that exist to ensure effective rights of a suspect or accused.

Issue 15.

Supporting unaccompanied and asylum seeking children

Unaccompanied children are looked after by municipalities and covered by the rules of the Social Services Act (2001:453). The social services have a special responsibility for children. Chapter 5, Sections 1–3 of the Social Services Act contain special provisions on the social welfare committee's responsibilities for children and young people. When measures concern children, the best interests of the child are always to be given special consideration. The responsibility applies equally for all children resident in the municipality, regardless of whether they have residence permits or not. In other words, the Social Services Act applies to all children, regardless of the child's nationality and residence status, and regardless of whether the child is in Sweden on a short visit or in transit. The social services are responsible for ensuring that the child's basic needs are met.

The Migration Board provides asylum-seekers in need of financial assistance with a daily cash allowance to cover expenses such as clothing and personal hygiene. Financial assistance is also provided for certain other expenses, such as prescriptions, spectacles, winter clothing or items for infant care.

Health and medical care for asylum seekers is provided by county councils under the Health and Medical Care for Asylum Seekers and Others Act (2008:344). According to this Act, asylum seeking children are to be offered the same health and medical care, and the same dental care, as children resident in Sweden.

Guardian ad litem

Because children who arrive in Sweden without parents or other guardians may have a guardian somewhere else, e.g. in their home country, new guardians cannot be appointed. Instead, a guardian ad litem is appointed.

According to the Act on Guardians Ad Litem for Unaccompanied Children (2005:429), minors arriving unaccompanied to Sweden, or who have become unaccompanied after arriving, and who are applying for a

residence permit in Sweden, are to be appointed a guardian ad litem to take the place of the child's guardian. The guardian ad litem is to protect the child's rights in both legal and financial terms, and is responsible for the care of the child. The guardian ad litem is also to apply for a residence permit for the child, unless this is manifestly unnecessary. The chief guardian of the municipality where the child is staying is the authority that appoints a guardian ad litem following an application by the Migration Board and the social welfare committee. The chief guardian may also raise the issue on his or her own initiative. The principle should be that no child must be without a representative during his or her time in Sweden.

The system for the appointment of guardians for unaccompanied minors is laid down in the Act on Guardians Ad Litem for Unaccompanied Children (2005:429). The Act states that "A guardian ad litem shall be appointed as soon as possible". This means that a guardian ad litem should be appointed without due delay. At the same time, it is of great importance that the person appointed is suitable for the task. According to the Act, the chief guardian is to attach particular importance to the vulnerable situation of the child. To enhance efficiency, the procedure is that after the asylum application has been registered, the Application Unit will assign a municipality that will have responsibility for the child. The Unit will also inform the municipality that it needs to appoint a guardian ad litem for the child. The municipality must take responsibility for the child within 24 to 48 hours.

Disappearance of unaccompanied minors

In recent years, the number of unaccompanied minors applying for asylum in Sweden has increased. In 2011–2013, approximately 9 817 unaccompanied minors applied for asylum in Sweden. During this period, a total of 798 unaccompanied minors have disappeared. Some of them are no longer missing, since their whereabouts have subsequently been established. However, the whereabouts of 168 minors are still unknown, as are the whereabouts of a further 276 who today are adults.

The disappearance of unaccompanied minors is of great concern and efforts are being made to come to address this challenge. The Government has adopted an action plan to protect children against sexual exploitation. The action plan was recently updated to include other forms of exploitation of children. Within the scope of the action plan, relevant authorities have been commissioned to coordinate their efforts and reduce the risk of abuse and trafficking of children. The Migration Board was instructed to report on the measures being taken to detect children in the asylum process who are victims of trafficking or at

risk of becoming victims of trafficking, and on how it cooperates with the other authorities involved.

To speed up the process and improve coordination when a child is missing, an emergency number for missing children was introduced in 2014 at the initiative of the Government. Within the context of this initiative, unaccompanied minors were given particular importance. The emergency number is available around the clock and can be used from any EU country.

Issue 16.

To further enable extraterritorial jurisdiction, the requirement of double criminality was removed on 1 July 2013 for purchase of a sexual act from a child and exploitation of a child for sexual posing.

The Extradition for Criminal Offences Act is currently being revised at the Ministry of Justice. This work includes evaluation of issues such as the requirements of double criminality and the minimal penalty. Regarding the removal of all limits on extradition, however, it must be remembered that Sweden is party to numerous conventions on extradition containing different mandatory grounds for refusal of an extradition request.

The Child Pornography Act is under constant consideration. However, no amendments to the Act have been planned.

Issue 17.

Sweden's new Act on criminal responsibility for genocide, crimes against humanity and war crimes entered into force on 1 July 2014. Under the Act a person shall be found guilty of a war crime that recruits to national armed forces or armed groups, or uses for direct participation in hostilities, a child who has not reached the age of fifteen, if the act is part of or otherwise connected with an armed conflict or occupation.

PART II

a. New bills or laws, and their respective regulations

Changes in the Swedish Social Services Act and the Care of Young Persons Act

A number of legislative changes to the Swedish Social Services Act and the Care of Young Persons (Special Provisions) Act entered into force on 1 January 2013 to strengthen support for and protection of children and young people. The children's rights perspective has been reinforced in that the best interests of the child shall be the determining factor in decisions and other measures that concern care or treatment interventions. Children must be given the opportunity to put forward their opinions on issues that concern them. If children do not express their opinions, their attitude must be ascertained as far as possible in another way (see also issue 8).

A new Patient Act

A new Patient Act will enter into force on 1 January 2015. The Act requires that patients and their family members be informed and otherwise adequately equipped to partner with their providers to ensure good health outcomes. The Patient Act also requires that the child's best interest be taken into account by the child's health care provider. The Patient Act states that when the patient is a child, his or her views on the matter should be taken into consideration and given due weight in accordance with the age and maturity of the child.

Health and medical care for people residing in Sweden without a permit

Since 1 July 2013, children residing in the country without a permit have been offered full health and medical care, including regular dental care.

Evaluation of the penal provisions on human trafficking and purchase of a sexual act from a child

In September 2014 an inquiry was tasked with evaluating the application of the penal provision on trafficking in human beings and to examine how law enforcement authorities investigate and handle human trafficking matters. Furthermore, the inquiry will review the scale of penalties for the penal provision purchase of a sexual act from a child. The inquiry is also required to evaluate the application of the provision stating that a perpetrator may be sentenced for sexual crimes against a child even though he or she did not realise, but had reasonable grounds for assuming, that the child had not reached a certain age. The inquiry's final report is due by March 2016.

Legislation on sexual crimes against children

Amendments have been made to the legislation on sexual crimes against children to further strengthen and enhance the protection of children towards sexual abuse. For example, the scope of the crime gross sexual abuse of a child has been broadened and the minimum penalty has been raised from imprisonment for six months to imprisonment for one year. Also, the period of limitation was extended for exploitation of a child for sexual posing; now it starts from the date the child reaches or would have reached the age of 18. The amendments entered into force on 1 July 2013.

Directive (2011/92/EU) on combating the sexual abuse and sexual exploitation of children and child pornography

Sweden has implemented the EU directive on combating the sexual abuse and sexual exploitation of children and child pornography. On 18 December 2013, a new act entered into force introducing a duty for those who are offered a position, an assignment or a traineeship in certain activities to, if requested to do so, present information about their criminal records if the work involves direct and regular contact with children. At the same time, the period of limitation was extended for purchase of a sexual act from a child and for sexual molestation committed against a child. The period of limitation now runs from the date the victim reaches, or would have reached, the age of 18.

Arbitrary conduct concerning a child

The criminal responsibility for arbitrary conduct concerning a child when the offender has joint custody of the child was extended on 1 July 2014. Also, wrongfully withholding a child is now subject to criminal liability and not only taking away the child, as was previously the case.

Coercion to marry

On 1 July 2014 a new criminal offence, coercion to marry, was introduced. It applies to a person who, by unlawful coercion or exploitation of another person's vulnerable situation, forces a person to enter into marriage or a marriage-like relationship. The new offence carries more severe penalties than unlawful coercion. Furthermore, attempt and preparation to commit coercion to marry have been made punishable and there is no requirement of double criminality. The provision on coercion to marry is supplemented with the new offence of luring a person to travel abroad with the purpose of forcing them to enter into marriage. As of 1 July 2014, it is no longer possible for children under the age of 18 to marry before a Swedish authority.

Changes to the Education Act

In accordance with the government bill concerning certain school law issues (2013/14:148), the Swedish Parliament decided in June 2014 that

changes be made to the Education Act to enhance the right to support for pupils with different needs, effective as of 1 July 2014, and to strengthen the right to mother tongue education for pupils belonging to national minorities, effective as of 1 July 2015.

Amendments to the Aliens Act regarding children

The Aliens Act has recently been amended to emphasise children's rights and enable more children to be covered by the rules and be granted residence permits. The provision regarding residence permit on the grounds of exceptionally distressing circumstances has been amended and now explicitly states that a child may be granted a residence permit if there are especially distressing circumstances. For the same reason, amendments have also been made to the rules on impediments to enforcements of refusals of entry and expulsions, in cases concerning children. The amendments entered into force on 1 July 2014.

A new ground for a residence permit has been introduced for aliens who are parents and guardians of, and live with, a child who is a Swedish resident. The purpose of this amendment was to clarify the rules and to guarantee the principle of the best interests of the child. The amendment entered into force on 1 August 2014.

Amendments to the Reception of Asylum-Seekers and Others Act (1994:137) regarding unaccompanied minors

The Reception of Asylum-Seekers and Others Act was amended in 2013 to widen the possibilities for the Migration Board to designate any municipality in Sweden to be responsible for providing accommodation to unaccompanied minors. Before the amendment, the Board was restricted to designate municipalities that had made a prior agreement with the Board, unless there were particular reasons for designating another municipality. The amendment makes for a faster procedure, which will benefit the child. The amendment entered into force on 1 January 2014.

Protection against discrimination on grounds of age

Protection against discrimination on grounds of age was extended from 1 January 2013 (Govt Bill 2011/12:159).

Inadequate accessibility for people with disabilities as a new form of discrimination

On 1 January 2015 changes to the Discrimination Act (2008:567) will enter into force regarding inadequate accessibility for people with disabilities as a new form of discrimination.

Mother tongue education

Regarding children belonging to minority groups, the Swedish Parliament decided in June 2014 that the right to receive mother tongue tuition in minority languages will be enhanced. The change will take effect on 1 July 2015.

b. New institutions (and their mandates) or institutional reforms

The Public Health Agency of Sweden

The Public Health Agency of Sweden is a new government agency with national responsibility for public health issues. The agency promotes good public health by building and disseminating knowledge to health care practitioners and others responsible for infectious disease control and public health.

National centre for knowledge about violence and other forms of child abuse

The National Board of Health and Welfare has been tasked with informing state-run universities and other higher education institutions in Sweden about the possibility to become a national centre for knowledge on violence and other forms of child abuse (see also issue 11).

Swedish agency for participation

Swedish Agency for Participation is a governmental authority tasked to ensure that disability policy is mainstreamed in all sectors of society. Swedish disability policy is founded on human rights. The Agency's aim is to accelerate progress towards a society in which everyone can participate on equal terms, regardless of functional capacity.

c. Recently introduced policies, programmes and action plans and their scope and financing

Extended teaching for newly arrived pupils

It is important that students who are newly arrived in Sweden and may have gaps in their earlier schooling receive the help they need. As part of efforts to strengthen newly arrived pupils' academic performance, an extended Swedish programme is currently being tested. Newly arrived pupils can receive three hours of tuition in Swedish per week for their first two years in Sweden.

The PRIO mental ill health action plan

In May 2012 the Swedish Government passed a resolution on the PRIO mental ill health action plan. At the core of PRIO is an agreement between the Government and the Swedish Association of Local Authorities and Regions. PRIO has two identified target groups:

children and young people, and adults with complex or serious mental health problems. The two main action areas are: (1) knowledge support, skills development and quality work, and (2) approach, involvement and user influence.

Measures for Roma inclusion within education

Under the Government's strategy for Roma Inclusion 2012–2032, several measures have been taken to raise awareness of the Roma minority in schools and preschools and to improve the situation for Roma children. In 2012 the National Agency for Education was instructed to arrange for the preparation of an educational programme for mediators with Roma language and cultural skills to serve as a link between Roma individuals and the public sector. The Agency has also developed and disseminated a teaching aid supplement on Roma culture, language, religion and history, and contributed to the production of several teaching tools in all varieties of Romani Chib for children, young people and adults.

Commission against anti-Gypsyism

The Commission against anti-Gypsyism was appointed by the Government in March 2014 to complement and reinforce society's efforts to combat anti-Gypsyism and to bridge the trust gap between Roma and the rest of society. The Commission of nine people, Roma and non-Roma, has a two-year mandate and is led by Thomas Hammarberg, former Commissioner for Human Rights of the Council of Europe.

A strategy to promote equal rights and opportunities for LGBT people

In December 2013 the Government adopted a long-term strategy to promote equal rights and opportunities regardless of sexual orientation, gender identity or gender expression. The strategy focuses on six areas, one of which is the situation of young LGBT people.

A new Swedish Action Plan against Trafficking, Exploitation and Sexual Abuse of Children (2014–2015)

A new Action Plan against Trafficking, Exploitation and Sexual Abuse of Children for 2014 and 2015 was presented to Parliament in February 2014. The Government's objective is to ensure that no child becomes a victim of trafficking, exploitation or sexual abuse. The Action Plan also aims to improve the protection of children in particularly vulnerable situations.

A support function for local work

In 2014, the Government tasked the County Administrative Board of Jönköping with investigating how Swedish county councils could

support local and regional actors in the implementation of children's rights.

d. Recent ratifications of human rights instruments

Ratification of the Lanzarote Convention

In 2013 Sweden ratified the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention). The Convention entered into force for Sweden on 1 October 2013.

PART III

Issue 1.

Unfortunately, the requested budget information cannot be provided. As children's lives and life situations are directly or indirectly affected by almost every budget line in most sectors, it is very difficult to account for exactly what proportion of the budget is spent on children.

Issue 2.

a. Children involved in prostitution

The National Board of Health and Welfare was commissioned by the Government to monitor prostitution, including its extent and development. The Board's report published in 2007 included an overall assessment of the extent and characteristics of prostitution in Sweden. Since 2007, actions have been taken and more specific studies on prostitution have been published.

Consequently, there is a clear need for an overall reassessment of the extent of prostitution, its various manifestations and international impact. The Government has therefore instructed the Stockholm County Administrative Board to conduct such an assessment and to use children involved in prostitution as one of its starting points. The final report is due by 15 March 2015.

b. Trafficked children

Trafficked children is a particularly complex, criminal phenomenon. It can be suggested that trafficking in human beings (THB) and the many ways in which it manifests itself makes it particularly difficult to measure and assess. It is clear that statistical information solely relating to the criminal offence of THB does not provide a complete picture of the phenomenon. Additional information is required to enable an aggregated assessment. In Sweden, information on related criminality such as procuring, the purchase of sexual services and other types of crime that may be related to other forms of exploitation is therefore part of the analysis at national level. Furthermore, criminal intelligence is continuously collected. Information exchange also take place within the multidisciplinary National Task Force under the Stockholm County Administrative Board, including on trends experienced by all relevant actors. In addition, specific studies relating to THB, going beyond the phenomenon from the perspective of criminal law, are carried out to broaden understanding of THB.

For instance, a report based on questionnaires beyond the judiciary and including municipal social services (290 across Sweden) and other relevant actors concluded that 166 children could be suspected to be victims of trafficking in human beings or related offences in 2009–2011. Overall, the annual report of the National Rapporteur on THB presents a broad picture of THB, including the main elements from this flow of information and with particular attention to THB. The most recent report provided in English (for 2011) can be found on the website of the Swedish Police.³

The National Council for Crime Prevention (Brå) provides the overall, official crime statistics. Brå has chosen to use regular statistics of reported crimes when reporting to national mechanisms and not to do case studies. The aim of using regular and carefully controlled statistics is to be able to guarantee enough standardisation over time, quality, transparency, etc. Statistics on trafficking in human beings include two subcategories of children: one on sexual exploitation and one on other forms of exploitation. As of 2013, statistics are collected in relation to all particular forms of exploitation in THB. In the long run, this will lead to a better overall analysis.

Reported cases of trafficking in children for sexual exploitation

	2011	2012	2013
Number	10	9	11

Source: National Council for Crime Prevention

Reported cases of trafficking in children for other forms of exploitation

	2011	2012	2013
Number	20	13	10

Source: National Council for Crime Prevention

c. Children placed in detention

For the purpose of this reply, ‘apprehension’ is used to describe the measure taken by the Police to bring a child suspect to a police station for questioning, filing of a report or similar. ‘Arrested’ is used to describe a judicial decision that empowers the police to keep the apprehended child for further investigation. Finally, the term ‘detention’ is used to describe the judicial decision taken by a court at the request of a prosecutor to keep the arrested child in a remand prison. This judicial decision is always for a limited period of time, during which the detained child must be prosecuted or a new hearing before the court take place. The legal framework requires that a person between 15 and 18 years of

³ <http://polisen.se/en/Languages/Search-page/?searchquery=situation+report+trafficking&f=1&cs=d>

age can only be detained when there are extraordinary reasons for doing so.

As regards detention, the Prosecution Service has since 2010 been required by the Government to annually report on the number of children between 15 and 18 years of age who are detained following a decision by the court. The Prosecution Service must also report on adherence to the special time limits provided for by law on investigations and prosecution involving children. The following overall numbers have been reported in recent years:

Children placed in detention

	2011	2012	2013
Number	122	123	119

Source: The Swedish Prosecution Authority

Children placed in remand prison

However, it can be noted that on some occasions children may be placed in remand prison on grounds other than those described above. For instance, children who are to be placed in residential homes in accordance with the Care of Young Persons Act may at some point during this process spend some time in remand prison. The number of children who actually have spent time in remand prison thus exceeds the number of children placed there on suspicion of crime, as shown by statistics from the Swedish Prison and Probation Administration.

Children placed in remand prison 2013

Age	Male	Female
14	1	0
15	11	1
16	66	5
17	121	5
Total	199	11

Source: Swedish Prison and Probation Administration

Please note that Swedish law requires data on people placed in remand prison to be removed from the system after two years if the person has not been convicted. For this reason, there is no comparable data over time. As for data on nationality, this is not reliable because a person's nationality is not always clear at the time they are put in remand prison. Data on ethnicity is not recorded by the authority. The other data requested is not reliable in this context.

Children placed in Prison

Finally, the statistics show that no child under the age of 17 has been placed in prison during these years. Number, gender and nationality are presented below. The other requested data is not sufficiently reliable.

Children placed in prison 2011-2013

Year	Male	Female	Nationalities
2013	3	0	Sweden (1), Morocco (1), Somalia (1)
2012	5	0	Libya (1), Somalia (1), Algeria (2), Unknown (1)
2011	1	0	Denmark (1)

Source: Swedish Prison and Probation Administration

Apprehended and arrested children

At national level, the information reported from the 21 independent, regional police services provides an overall picture of the number of children apprehended and arrested on suspicion of having committed a crime.

Apprehended and arrested children

Year	Sex	Apprehensions	Arrests	Total	Unique individuals
2011	Man	2244	216	2460	2155
2011	Female	498	15	513	496
2011	Unknown	1	0	1	1
2011	Total	2743	231	2974	2652
2012	Man	1945	310	2255	1938
2012	Female	256	9	265	253
2012	Unknown	2	0	2	2
2012	Total	2203	319	2522	2193
2013	Man	1789	234	2023	1749
2013	Female	174	19	193	186
2013	Unknown	3	0	3	2
2013	Total	1966	253	2219	1937
2014	Man	1195	137	1332	1188
2014	Female	137	9	146	143
2014	Unknown	2	0	2	2
2014	Total	1334	146	1480	1333

2014 includes the period January - August

It is not possible to draw any clear conclusions about the number of apprehended or arrested children placed in a cell. The internal police regulations clearly state that persons aged between 15 and 18 may be placed in a cell only when it is absolutely necessary. It can therefore be concluded, albeit not confirmed, that an overwhelming majority of the children apprehended and arrested have not been placed in a cell.

Furthermore, these numbers only concern children suspected of crime and do not include some other forms of police interventions involving children, for instance when a child is intoxicated.

d. Children placed in solitary confinement

Children placed in solitary confinement (institutional care)

	2011	2012	2013
Number	600	691	720

Source: The Swedish National Board of Institutional Care

Disaggregated statistics are not available.

Children placed in solitary confinement in remand prison

	2011	2012	2013
Number	106	98	97

Source: The Swedish prosecution service

e. Unaccompanied asylum-seeking children having disappeared from reception centers

Absconded unaccompanied asylum-seeking minors

	2011	2012	2013
Total	160	315	323
Location still unknown (minors)	16	42	110
Location still unknown (adults today)	50	123	103

Source: Migration board

National origin (largest groups)

	2011	2012	2013
Afghanistan	43	103	70
Somalia	28	36	30
Iraq	12	4	6
Morocco	6	25	70

Source: Migration board

Sex

	2011	2012	2013
Male	138	280	291
Female	22	35	32

Source: Migration board

f. Children diagnosed with ADHD and treated with amphetamine and amphetamine-like psychostimulant drugs

In a report from the National Board of Health and Welfare, the use of drugs that stimulate the central nervous system to treat ADHD has been investigated. The report focuses on methylphenidate since the vast majority of children given amphetamine or amphetamine-like psychostimulant drugs when treated for ADHD are prescribed methylphenidate. In Sweden in 2013, 4.3 per cent of boys and 1.7 per cent of girls between 10 and 17 years of age were being treated with methylphenidate. Methylphenidate use varies throughout the country from between 1 per cent to 4 per cent of girls and 3 per cent to 7.5 per cent of boys aged between 10 and 17.

Children treated with methylphenidate in Sweden per 100 000 individuals

	2011	2012	2013
Boys			
5-9	1158	1227	1267
10-17	3340	3834	4310
Girls			
5-9	331	358	385
10-17	1275	1495	1677

Source: National drug register

Issue 3.

a) Separated from their parents

Statistics are not available.

c. Placed in institutions

Children placed in institutions

	2011	2012	2013
Total	10 254	12 564	14 646
Girls	3 072	3 427	3 681
Boys	7182	9137	10 965

Source: National board of health and welfare⁴

⁴ Please note that statistics on measures for children and young persons in 2013 is published in the report "Barn och unga – Insatser 2013 – Vissa insatser enligt socialtjänstlagen (SoL) och lagen med särskilda bestämmelser om vård av unga (LVU)" by the National Board of Health and Welfare. Although in Swedish, this report includes a summary, list of tables, explanation of symbols in English. It can be downloaded at: <http://www.socialstyrelsen.se/publikationer2014/2014-9-1>

d. Placed with foster families

Children placed with foster families

	2011	2012	2013
Total	17 343	18 421	19 164
Girls	8 485	8 969	9 163
Boys	8 858	9 452	10 001

Source: National board of health and welfare⁵

e. Adopted domestically or through inter-country adoptions.

The table below shows inter-country adoptions through national accredited bodies.

Inter-country adoptions through accredited bodies

	2011	2012	2013
Girls	216	199	305
Boys	322	267	11
Total	538	466	341

Source: Swedish Intercountry Adoptions Authority

The table below shows children born in Sweden subject of inquiries regarding adoption within Sweden, i.e. 'domestic adoptions'.

Children subjected of inquiries regarding domestic adoption

	2011	2012	2013
Adoption by step parent	260	249	305
Adoption by family home parent	11	14	11
Other	34	28	45

Source: Statistics Sweden

Issue 4.

a. Living with their families; and b. In institutions

Children with disabilities generally live with their families. Different forms of support are offered to ensure that families who have children with disabilities can enjoy the same conditions as other families.

Special services are specified by the Act concerning Support and Service for Persons with Certain Functional Impairments ("LSS", 1993:387). Responsibility for most of the special services lies with the

⁵ Please note that disaggregated statistics on socioeconomic background are not available. Statistics on age and geographical location (county) can be found in the report referred to above.

municipalities, while county councils are responsible for counselling and other forms of personal support.

One of the special services is a 'family home' or other special housing for children and young people. Around 1 100 children and young people with disabilities reside in a family home or special housing. This may be for a short period of time or on a more permanent basis. Special housing is a service that must be as similar as possible to a family home: a small number of children living in a house or apartment in the general community.

c. Attending regular primary schools

Statistics are not available.

d. Attending regular secondary schools

Statistics are not available.

e. Attending special schools

Children with disabilities attending compulsory school for pupils with learning disabilities

	2011/12	2012/13	2013/14
Total	10791	9643	9346
Girls	4157	3723	3633
Boys	6634	5920	5713

Source: Swedish National Agency for Education

Children with disabilities attending special school

	2011/12	2012/13	2013/14
Total	501	457	478
Girls	231	200	209
Boys	270	257	269

Source: Swedish National Agency for Education

f. Out of school

All children in Sweden have the right to education. School attendance is compulsory. This also applies to children with disabilities.

g. Abandoned by their families

The Government is unaware of any children with disabilities having been abandoned by their families.

Issue 5.

Updated statistics will be included in Sweden's report to the Committee in 2017.

Issue 6.

The Government has stated that the following are among its priorities for 2015: protecting children from violence and abuse, protecting children in socially and economically vulnerable situations, a strategic approach at national, regional, local and EU -levels, and taking into account children's own opinions.