

XIII. DENMARK – FUTURE-PROOF PROVISIONS IN THE FIGHT AGAINST CYBERBULLYING

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1. Regulatory issues of hate speech

In Denmark, hate speech¹ is prohibited by law and is officially defined as public statements that threaten, insult or degrade a group based on characteristics such as nationality, ethnicity, religion or sexual orientation.

Anyone who threatens anyone with the commission of a crime in such a way that it is capable of instilling serious fear in the threatened person – regarding his life and physical integrity – shall be punished with a fine or imprisonment of up to 2 years.² The Danish Penal Code therefore defines as a conceptual element in connection with hate crimes that it must be capable of inducing serious fear in the person threatened.

In connection with the commission of a hate crime, it is important to emphasize that the law specifically lists the social groups or characteristics in connection with which the crime may be committed:

- (a) so-called race, skin color;
- (b) descent or national or ethnic origin;
- (c) faith;
- (d) sexual orientation.

The Criminal Code contains special provisions in the case of hate crimes committed in public, when it states that statements made in public that are also

¹ Criminal Code (Straffeloven) Available: <https://www.retsinformation.dk/eli/lta/2021/1851>

² Criminal Code § 266.

aimed at inciting acts of violence or vandalism are punishable, as well as³ anyone who makes a statement publicly or with the intention of spreading it more widely, in which a group of people is threatened, insulted or humiliated because of his so-called race, skin color, national or ethnic origin, religion or sexual orientation, shall be punished by a fine or imprisonment of up to 2 years.⁴ Another qualifying circumstance appears in the regulations, which has an impact on judicial practice. This provision states that it must be considered a particularly aggravating circumstance at the time of sentencing if the hate speech is of a propaganda nature.

The provision was introduced into the Criminal Code in 1939, but the provision on sexual orientation was not introduced until 1987. The concept of hate speech is therefore not specifically included in the Criminal Code, but must be interpreted as a collective term for the above types of crimes.⁵ (Direct) discrimination, hate speech and hate crimes can be seen as three sides of the same thing in the sense that each crime is motivated by prejudice against a particular group. However, the concepts raise different kinds of legal issues, so it is important to distinguish between the concepts.⁶

Denmark has detailed statistics on hate crimes, compiled by the police and publicly available. Based on the data, it can be established that in the period between 2016 and 2020, 2,273 crimes were registered that correspond to the concept of hate crime,⁷ but these were not further broken down, so it cannot be determined exactly how many of these crimes specifically involved hate speech.

Year	Number of cases
2020	635
2019	469
2018	449
2017	446
2016	274

Table 7. Number of hate crimes in Denmark 2016-2020⁸

3 Criminal Code § 266 a.

4 Criminal Code § 266 b.

5 Garly-Nour, 2011, p. 19.

6 Dilou Jacobsen-Kierkegaard, 2008, pp. 99–100.

7 ODIHR Hate Crime Reporting; available at: <https://hatecrime.osce.org/denmark>

8 The table is edited by the author. Source: ODIHR Hate Crime Reporting; available at: <https://hatecrime.osce.org/denmark>

In Denmark, hate speech regulations were tightened between 2016 and 2020, as the government aimed to protect social cohesion and reduce online harassment, as well as racial or religious discrimination. The new regulations placed greater emphasis on defining hate speech and addressing the consequences of such expressions.

Key Changes in Regulation:

- (a) 2016 Enhancements: The first significant change involved broadening the criminal liability for hate speech. Existing laws increasingly targeted online platforms, placing greater responsibility on social media providers to remove hate-inciting content.⁹
- (b) 2018 Reforms: The regulatory framework further expanded with new rules aimed at curbing hate speech based on race, religion, and gender. Increased oversight of online platforms and expedited judicial processes were also included among the measures.¹⁰
- (c) 2020 Amendments: In 2020, additional amendments strengthened sanctions on hate speech. Measures to protect victims also expanded, and new protocols were introduced for handling police reports related to hate speech incidents.¹¹

Statistics showed that the number of hate speech-related crimes initially increased, especially following the 2018 reforms. This rise can be partially attributed to the new regulations and increased reporting options, which allowed victims to approach authorities more easily and safely. The increase in cases indicated that people were more aware of reporting hate-motivated expressions, and the police became better equipped to address these incidents.¹²

Following the 2020 enhancements, however, a slight decrease in case numbers was observed, suggesting that the changes in legislation were exerting a greater deterrent effect. The stricter legal sanctions on hate speech and

9 Columbia Global Freedom of Expression. (2016). *Something's Rotten in Denmark: Criminalizing Blasphemy and Hate Speech Law*. Retrieved Available: <https://globalfreedomofexpression.columbia.edu/updates/2016/02/somethings-rotten-denmark-criminalizing-blasphemy-hate-speech-law/>

10 Council of Europe. (2018). *6th ECRI Report on Denmark*. Available: <https://rm.coe.int/6th-ecri-report-on-denmark/1680a6d5e4>

11 United Nations Office of the High Commissioner for Human Rights. (2021). *Experts of the Committee on the Elimination of Racial Discrimination Ask Denmark about Hate Speech and Hate Crime*. Available: from <https://www.ohchr.org/en/press-releases/2021/11/experts-committee-elimination-racial-discrimination-ask-denmark-about>

12 Danish Institute for Human Rights. (2017). *Hate Speech in the Public Online Debate*. Available: from https://www.humanrights.dk/files/media/migrated/hate_speech_in_the_public_online_debate_eng_2017.pdf

preventive measures gradually contributed to reducing the number of related crimes.¹³

Overall, the tightening of Denmark's hate speech regulations initially led to an increase in crime reports due to higher reporting, but eventually showed a declining trend as stricter sanctions took effect.

However, based on police statistics, it can be determined in what cases and how many times the so-called hate crimes were committed in 2020. The most typical cases are:

- (a) Racist and xenophobic motivation;
- (b) Anti-Semitic background;
- (c) Anti-Muslim hate speech;
- (d) Anti-Christian hate speech;
- (e) Other hate crimes based on religion or belief;
- (f) Anti-LGBT hate speech.

Type of crime	Number of cases in 2020
Racist and xenophobic motivation	360
Anti-Semitic background	79
Anti-Muslim hate speech	87
Anti-Christian hate speech	25
Other hate crimes based on religion or belief	3
Anti-LGBT hate speech	79

Table 8. Number of hate speech crimes in Denmark in 2020¹⁴

In 2020, the Danish Ministry of Justice published a report on the victimization survey between 2005 and 2019. The survey included questions about hate crimes and found, among other things, that 4,300 to 5,800 people were victims of racist violence each year, and 1,500 to 2,500 people were victims of violence because of their sexual orientation. Additionally, in 2019, almost six percent of victims of violence responded that the perpetrator may have been motivated by their gender identity.¹⁵

13 OSCE Hate Crime Reporting. (2021). *Denmark: Hate Crime Data*. Available: from <https://hatecrime.osce.org/denmark>

14 The table is edited by the author. Source: ODIHR Hate Crime Reporting; available at: <https://hatecrime.osce.org/denmark>

15 Exposure to violence and other forms of crime. Victim surveys 2005-2020. (2020) Ministry of Justice Research Office, National Police, University of Copenhagen, Crime Prevention Council [Online]. Available: <https://www.justitsministeriet.dk/>

Of course, a distinction must be made between crimes committed offline and online, and the previously mentioned report of the Danish Ministry of Justice contains a comprehensive survey in this regard as well, so we can get an answer to the question of how the number of hate speech-related crimes is developing in Denmark and what kind of crimes they are. They happen for a reason and which age groups and social groups are most at risk.

During the victim surveys that have been taking place since 2008, they tried to shed light on the extent to which the violence can be classified as a hate crime, e.g. a crime motivated by hatred of a group to which the victim belongs or is believed to belong. The question therefore arises to what extent the violence is motivated by either racism or the victim's (presumed) sexual orientation, according to the victim. As of 2019, the extent to which the violence is motivated by the victim's (presumed) gender identity will also be measured. And from 2020, an additional question will be the extent to which violence is motivated by the victim's religious beliefs. Hate crimes can take other forms, such as politically motivated violence, but these forms were not asked about in the survey.¹⁶ In 2020, 21% of violent incidents involving victims were clearly hate crimes motivated by one or more of the above-mentioned forms of (perceived) group affiliation, corresponding to an estimated number of between 8,300 and 15,100 people.¹⁷

2008 and 2020, eight percent of the victims stated that, in their opinion, the incident was motivated by racism. This means that 4,600-6,000 people between the ages of 16 and 74 are exposed to racially motivated violence each year. The calculations are currently based on few observations, so the results should be treated with considerable caution.¹⁸ In the case of racially motivated violence, a statistically significantly higher proportion of men fell victim than women, and the 25-74 age group is more at risk than the 16-24 year olds.

Violent crimes that are believed to be motivated by the victim's sexual orientation or gender identity are less common than crimes motivated by racism. In the case of four percent of the victims of violence in the period between 2008 and 2020, it can be proven that the act of violence was definitely motivated by the victim's (presumed) sexual orientation or gender identity. This means that between 1,900 and 2,900 people between the ages of 16 and 74 are subjected to violence because of their sexual orientation or gender identity every year. There

wp-content/uploads/2021/12/Udsathed-for-vold-og-andre-former-for-kriminalitet.-Offerundersogelserne-2005-2020-WT.pdf (hereinafter: Victim surveys 2005-2020).

¹⁶ Victim surveys 2005-2020. p. 78.

¹⁷ Victim surveys 2005-2020. p. 79.

¹⁸ Victim surveys 2005-2020. p. 79.

is no statistically significant difference between the number of women and men who believe that the violent episode was definitely motivated by the sexual orientation of the victim.¹⁹

Regarding violence due to religious beliefs, it can be stated that almost 11 percent of victims are involved. The calculations here are based solely on a one-year study and very few observations, and are therefore subject to considerable uncertainty.²⁰

The Department of Justice survey indicates that the alleged religious beliefs of the victim are more often behind it than racism, but it is very important to note that in previous years victim surveys, religion was not asked as a possible motive.

A Department of Justice survey concluded that the willingness of victims of hate crimes to report is neither lower nor higher than the willingness of victims of other types of violence to report (34%).²¹

Of course, hate speech also appears online, and the Danish Ministry of Justice also examined this in its report. Of those who answered that they had been exposed to crimes committed online in 2020, just over a tenth had been exposed to hate speech. The most widespread type of hate speech is racist, followed by discriminatory statements regarding sexual orientation or gender identity, while the smallest category is discriminatory statements related to religion.

In the entire group of victims of crimes committed on the Internet, women and men report their involvement in approximately the same proportion. Among the victims of crimes committed on the Internet, 40-74 year olds are statistically significantly less exposed to hate speech on the Internet than younger age groups,²² which may also be due to the fact that this age group uses the Internet and its various platforms significantly less.

1.1. The relationship between freedom of expression and hate speech

In the context of hate speech, it is worth briefly reviewing where the boundaries of freedom of speech and expression of opinion are drawn in the Danish regulations, since a violation of these boundaries can already lead to committing the act of hate speech. Freedom of expression is not absolute in Denmark either, so it is a crime to make defamatory or invasive statements, and the disclosure or use of confidential information is prohibited. This is subject to the provisions of

¹⁹ Victim surveys 2005-2020. p. 79.

²⁰ Victim surveys 2005-2020. p. 80.

²¹ Victim surveys 2005-2020. p. 80.

²² Victim surveys 2005-2020. p. 142.

the Danish Penal Code, the Danish Public Administration Act and the Danish Trade Secrets Act, and the employee may be subject to special confidentiality obligations based on an agreement (e.g. in the employment contract), so there are several laws in force that set the limits of freedom of speech. Article 77 of the Danish constitution²³ states in general the freedom of expression, which everyone has the right to verbally and in writing, but with liability in court.

Legislation	Restrictive provision
Constitution	Freedom of speech can be exercised while taking responsibility before the court (Article 77)
Penal Code	Defamation (§ 267) and defamation (§ 269)
Public Administration Act ²⁴	Limitation of the right to inspect documents (§ 30)
Trade Secrets Act ²⁵	Unlawful acquisition of trade secrets (§ 4), protection of trade secrets (§ 6)

Table 9. Legal restrictions on freedom of speech in Denmark²⁶

It is widely agreed in Danish legal theory that Article 77 of the constitution protects the so-called ‘formal freedom of speech’ (formel ytringsfrihed), which means that it cannot be required that one’s speech be published or otherwise disseminated submit it for official review.²⁷ However, there is a difference of opinion regarding whether § 77 covers the so-called to ‘material freedom of speech’ (materiel ytringsfrihed), the right not to be punished for one’s own speech. It is agreed that the phrase ‘under the jurisdiction of a court’ gives legislators some power to limit free speech, but conversely, several court decisions suggest that some substantive freedom of speech exists.²⁸ The debate is about whether or not there are limits to material freedom of speech.²⁹

In connection with hate speech, it is worth mentioning two cases that ended in court proceedings in Denmark. Freedom of speech advocate Lars Hedegaard was prosecuted in December 2009 for comments he made criticizing Islam. He was first acquitted in the District Court in January 2011, then convicted on appeal to the Supreme Court in May 2011, and finally acquitted in April 2012 by the Danish Supreme Court, which ruled that it could not be proven that he made

²³ Danish Constitution (LOV nr 169 af 05/06/1953 – Danmarks Riges Grundlov) Article 77.

²⁴ Public Administration Act (Lov om obnøghed i forvaltningen – LOV nr 606 af 12/06/2013) § 30.

²⁵ The Law on Business Secrets.

²⁶ Edited by the author.

²⁷ Zahle, 2006, p. 536.

²⁸ Zahle, 2006, p. 539.

²⁹ Zahle, 2006, pp. 539–552. He.

the statements intentionally.³⁰ In another interesting case, Danish politician Jesper Langballe pleaded guilty and was convicted of hate speech based on a newspaper article he wrote in connection with Hedegaard's case about sexual violence in Muslim families.³¹

1.2. Findings

The Danish legislation prohibits hate speech, which is officially defined as public statements that threaten, insult or degrade a group based on characteristics such as nationality, ethnicity, religion or sexual orientation. Hate speech is usually motivated by racist and xenophobic motives, anti-Semitic background, anti-Muslim hate speech, anti-Christian hate speech, hate speech based on religion or belief, and anti-LGBT hate speech. The Criminal Code, the Public Administration Act and the Business Secrets Act also contain provisions regarding these acts. These laws also limit freedom of speech in the Danish legal system.

2. Regulation of cyberbullying

2.1. Cybercrime in general in Denmark

Cybercrime is a collective term for crimes committed with the help of computers and networks, most often the Internet.³² Crimes traditionally covered by this term include:

- (a) hacking;
- (b) industrial espionage;
- (c) distribution of information systems codes;
- (d) electronic counterfeiting;
- (e) data fraud;
- (f) electronic payment crimes;
- (g) computer crimes.

30 Pia Buhl Andersen (2012). Lars Hedegaard was acquitted in a trial over his remarks about Muslims [Online]. Available: www.politiken.dk

31 Jesper Langballe settles defamation over Muslim rape comments (2010) [Online]. Available: <https://www.icenews.is>

32 Feldtmann, 2019, p. 6.

There is no fixed definition of the term, but it can be divided into two categories:³³

- (a) Advanced cybercrime (or high-tech crime) – sophisticated attacks against computer hardware and software;
- (b) Cyber-enabled crime – Traditional crime (crimes against children, financial crimes and terrorism) has taken a new turn with the advent of the Internet.

Slightly simplified, the difference between the two categories is that the computer and network belonging to the first category is the target of the attack, while the computer or network belonging to the second category is the means of the attack.

2.2. Danish regulation of cyberbullying

One of the goals of this country chapter is to present Danish regulations in the field of cyberbullying. There are many different laws and regulations governing violence and threats as well as digital harassment in Denmark. These are the following:

- (a) Working Environment Act;³⁴
- (b) Various guidelines of the Danish Working Environment Protection Authority;
- (c) Criminal Code;
- (d) Personal Data Act;
- (e) the so-called the ‘respect package’ created by the Danish Ministry of Justice.

It can therefore be seen that internet harassment and cyberbullying are present in various segments of society and unfortunately affect several social strata. It can be related to crime, school bullying, workplace abuse, but it is also present in the lives of public administration workers, and it can also be important in terms of the protection of personal data. Despite the fact that cyber-threats and harassment in the online space do not basically look back on a significant past, this is offset by its almost unhindered progress due to the rapid development of the Internet and digital devices.

³³ INTERPOL website: <https://www.interpol.int/Crime-areas/Cybercrime/Cybercrime>

³⁴ Working Environment Act (Bekendtgørelse af lov om arbejdsmiljø) Available: <https://www.retsinformation.dk/eli/lta/1995/184>

The various Danish laws therefore contain scattered provisions regarding online bullying, but they nevertheless form a system and respond to various types of acts.

Legislation	Provision on cyberbullying
Working Environment Act	Separate chapter: rules on offensive acts, including harassment and sexual harassment § 22 – organization of work § 23 – unlawful acts
Criminal Code	§ 119 a) – harassment of employees in the public service § 264 d) – protection of privacy § 266 – threat § 266 b) – racism or discrimination clause § 267 – defamation
Personal Data Act	Management of personal data
Act on occupational accident insurance	§ 6 – the consequences of online harassment are also considered a workplace accident

Table 10. Indirect appearance of cyberbullying in Danish legislation³⁵

2.3. Cyberbullying in the workplace

According to Danish occupational health and safety legislation, digital bullying is an abusive act that can have the same health consequences as other abusive acts. Harassment is an umbrella term for bullying, sexual harassment and other forms of workplace wrongdoing, including when it occurs digitally.

The Act on the Working Environment makes a distinction between abusive acts being committed within the workplace or by an external person who is not part of the workplace. The Danish Working Environment Authority³⁶ also handles digital harassment based on who is perpetrating it.³⁷ Based on this, the following categories are distinguished in the guide they prepared:³⁸

- (a) Offensive acts within the workplace between employees or between employees and managers;
- (b) According to the Danish Working Environment Authority, abusive actions in the form of digital harassment by external parties such as parents,

³⁵ Edited by the author.

³⁶ Website of the Working Environment Authority (Arbejdstilsynet): <https://at.dk>

³⁷ Arbejdstilsynet (AT) guidance on workplace abuse. [Online]. Available: <https://at.dk/regler/at-vejledninger/kraenkende-handlinger-4-3-1/>

³⁸ Arbejdstilsynet (AT) guidance on workplace abuse. [Online]. Available: <https://at.dk/regler/at-vejledninger/kraenkende-handlinger-4-3-1/>

pupils, students, users, patients, customers or relatives are considered violence.

Whether digital bullying takes place within the workplace or is perpetrated by individuals outside the workplace, it is a workplace issue that the workplace has a duty to prevent and address – both during and outside of work hours.

According to the guide, offensive work-related acts can include:

- (a) Preservation and withholding of necessary information;
- (b) hurtful comments;
- (c) unjustified withdrawal or reduction of duties and responsibilities;
- (d) defamation or exclusion from the professional community;
- (e) attacks or criticisms affecting the privacy of employees;
- (f) shouting;
- (g) physical attacks or threats thereof;
- (h) hostility;
- (i) offensive written messages, text messages, images and videos, including on social media;
- (j) abusive phone calls;
- (k) scoff;
- (l) workplace exploitation.

Under workplace legislation, work at all stages must be designed, organized and carried out in such a way that it is completely safe in the short and long term in relation to offending acts. This means that abuses must not harm the safety or health of employees in the short or long term, and the employer must take effective measures to ensure that the physical or mental health of employees does not deteriorate.³⁹

The guide also analyzes in detail the root causes of online or offline bullying at work. Research shows that there are many reasons for acts of aggression or harassment. According to the Danish analysts, the working conditions of the individual as well as the organizational and management methods contribute to the occurrence of abuses. The same applies to interactions between employees and between employees and managers. These can be, for example:

- (a) Inadequate organization of work, e.g. too high, unclear or contradictory expectations for employees;
- (b) inadequate information and communication;

³⁹ § 22 of the Working Environment Act.

- (c) discrimination;
- (d) lack of constructive problem solving and conflict management;
- (e) workplace management of changes in work (such changes may result in illegal acts if they are not accompanied by adequate information);
- (f) unclear values and behavioral norms in the workplace.

The law on workplace accident insurance,⁴⁰ digital harassment is also considered a workplace accident. The law defines an accident at work as a mental or physical injury caused by an event or impact occurring suddenly or within five days.⁴¹ Violent acts committed by external persons outside the workplace in connection with work are also classified as workplace accidents. This also applies to threats and harassment that are carried out digitally, e.g. on social media sites or by e-mail, within and outside of working hours, if they can be linked to work. An offensive act in the form of digital harassment, which occurs between employees or between managers and employees within the workplace, if it causes personal injury, is also considered an occupational accident. Such workplace accidents must be reported and registered in the same way as other workplace accidents. Most workplaces have an accident registration and reporting system that can be used and applied where appropriate.

2.4. Cyberbullying rules in the Danish Criminal Code

The Criminal Code sets various limits on the freedom of expression and these provisions apply to the online space as well, without specifically naming cyberbullying and cyberbullying. Cybercrime, on the other hand, already has a separate status in the Danish criminal code. The presentation of the following provisions of the criminal code is important because they are mostly related to the topic of cyberbullying:

- (a) § 119 a) – harassment of public service employees;
- (b) § 264 – protection of privacy;
- (c) Section 266 – threat;
- (d) § 266 b) – racism or discrimination clause;
- (e) § 267 – defamation.

⁴⁰ Act on workplace accident insurance (Bekendtgørelse af lov om arbejdsskadesikring – LBK nr 376 af 31/03/2020).

⁴¹ § 6 of the Workplace Accident Insurance Act.

2.4.1. Harassment of civil servants

Pursuant to § 119 of the Criminal Code, harassment of persons working in the public service is a crime and is punishable by up to eight years of imprisonment since the tightening in 2019.

According to the law, a person who, by means of force or threats, obstructs someone who is responsible for a public service activity with the aim of preventing or obstructing such person from performing a lawful act of service, or forcing him to perform an act of service.

The announcement issued by the Danish Attorney General on the matter clarifies the concept of public service and includes persons employed in public administration (i.e. state, regional and local government institutions) as well as other persons acting in the scope of public service duties, including, for example, politicians. In addition, depending on the circumstances, employees of private companies who, based on an agreement, perform tasks on behalf of the public sector may also belong to this group.⁴²

2.4.2. Privacy protection

A fine or imprisonment of up to six months is punishable by a fine or imprisonment of up to six months for anyone who publishes a call, picture, or other recording of another person's private life without their authorization. The crime can also be committed online. The international dimension of the Internet affects the degree of application of national law. The 9a. §, the penal code received a future-proof provision stating when there is Danish criminal authority in relation to violations of the law when text, audio or visual material is made generally available via the Internet. § 9 limits the application of the principle of effect, so when publishing materials on the Internet, the laws of all countries do not have to be followed, but they fall under Danish jurisdiction.⁴³

2.4.3. Threat

Based on the provisions of the Criminal Code, the prospect of a serious disadvantage that is capable of inducing serious fear in the person threatened, especially if the threat is directed against life and physical integrity, is punishable

⁴² Announcement of the Chief Prosecutor: Harassment, threats and violence against public employees (Section 119, 119a and 121) (§ 119, § 119 a og § 121) – CIR1H 10246, 19.12.2019] Available: <https://www.retsinformation.dk/eli/retsinfo/2019/10246>

⁴³ Jensen, 2010.

by a fine or imprisonment of up to 2 years. According to the provision, the threat must be capable of creating serious fear for the life, health or well-being of the person at risk or others. Whether a threat is suitable for instilling fear always depends on the specific assessment of the given case. Several points may be relevant here, e.g. the tone of voice between the parties. It is very important that the threat itself must be capable of causing serious fear.

2.4.4. Discrimination Clause

It can also be done online, the so-called a crime described in the racism or discrimination clause, according to which a person makes a statement publicly or with the intention of spreading it more widely, in which a group of people is discriminated against on the basis of race, so-called color, national or ethnic origin, religious or offends because of his sexual orientation, is punishable by a fine or imprisonment of up to 2 years. When imposing a penalty, it should be considered a particularly aggravating circumstance if the offense involves propaganda.

2.4.5. Defamation

Section 267 of the Danish Criminal Code provides for the crime of defamation, when it states that anyone who insults another's honor by word or deed in such a way as to reduce the victim's esteem as a citizen, shall be punished with a fine or imprisonment of up to 4 months. Not only in Denmark, but also in other countries, it is a clear trend that defamation is increasingly appearing in the online space as well. Overall, it can be said that, in the opinion of the Criminal Law Council, especially in the light of technological development, there is a risk that defamation will spread quickly and widely on the Internet, and consequently there is a greater risk of increasing harmful effects. The fact that defamation, as a clear starting point – and according to the proposal of the Criminal Law Council continues to be – is the subject of private prosecution, and because of this very rarely proceedings are initiated, in the opinion of the Council, cannot in itself mean that it is not sufficient grounds for criminal law defense.⁴⁴

According to the Criminal Law Council, it is not necessary for the individual defamation itself to be particularly serious, but as a whole it must be a

44 Report of the Criminal Law Council on Breach of the Peace and Honor, No. 1563. report. [Online]. Available at: <https://www.justitsministeriet.dk/sites/default/files/media/Pressemessagender/pdf/2017/bet1563.pdf>

defamatory statement that is capable of causing another person a particularly serious violation.⁴⁵

According to the interpretation of the Criminal Law Council, § 267 of the Criminal Code covers defamation with defamatory words or actions, as well as spreading false accusations. There is agreement in the legal literature that the wording of the provision is somewhat vague, but nevertheless covers both the making and dissemination of disparaging statements.⁴⁶

2.5. Protection of personal data and its relation to cyberbullying

The Personal Data Processing Act⁴⁷ is the main legislation governing when and how personal data can be processed. The most common breach of the Privacy Act occurs when images or videos are posted on social media, websites and blogs. The publication of images of recognizable persons on the Internet is considered electronic processing of personal data, but there are no special rules in the Personal Data Act regarding the publication of images on the Internet without consent. According to the Danish data protection agency, which supervises the law on personal data,⁴⁸ whether an image or video is infringing always depends on a specific assessment, since the infringement is usually realized by publishing them.

2.6. Prevalence of online bullying in Danish educational institutions

“I define bullying or victimization in the following general way: A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other students. It is a negative action when someone intentionally inflicts, or attempts to inflict, injury or discomfort upon another – basically what is implied in the definition of aggressive behavior.”⁴⁹

According to Danish national legislation, schools must formulate anti-bullying strategies to ensure that the educational environment promotes the child’s

45 Report of the Criminal Law Council on Breach of the Peace and Honor, No. 1563. report, p. 149.

46 Report of the Criminal Law Council on Breach of the Peace and Honor, No. 1563. report, p. 153.

47 Act on the processing of personal data (Lov om behandling af personal data – LOV nr 429 af 31/05/2000).

48 Website of the Danish Data Protection Agency: <https://www.datatilsynet.dk>

49 Olweus, D (1994) Bullying at school: basic facts and effects of a school based intervention program. *Journal of Child Psychology and Psychiatry* 35: pp. 1171–1190.

well-being and the achievement of the highest possible level of development and learning. Government policy includes a three-year assessment of the school environment, including the physical, mental and aesthetic aspects of that environment, a description and evaluation of its problems, and an action plan to address them.⁵⁰

The following quote from a student perhaps best illustrates what bullying means to a student, whether online or offline:

“The teacher showed us a sheet of paper and said we could spit on it, stamp it, crumple it – but not tear it. Then he asked us to try to straighten it again, but it was impossible to smooth out all the creases.”⁵¹

Danish research proves that there is a significant connection between bullying and subsequent crimes. Studies show that bullying is a risk factor for later crime. Therefore, limiting school and Internet bullying is an important crime prevention effort. According to the research, those young people who are most exposed to digital bullying are those for whom the following factors are true:

- (a) dissatisfaction;
- (b) social exclusion;
- (c) loneliness;
- (d) little self-confidence;
- (e) self-destructive behavior.

Analyzing the risk factors further, the researchers highlighted that in addition to the above factors, there are also risk-increasing characteristics. Statistics show that children living in poorer families and those raised in children’s homes are at greater risk than their peers. Another important finding is that the victims of offline bullying are generally exposed to a greater risk, so when preventing offline bullying, you must also be aware of the online dimension of bullying. A 2018 survey of 1,390 9th grade students found that 37% of youth who had been bullied online had also bullied others on digital media in the past year.

The research also revealed the reasons behind online bullying. Young people who commit online bullying indicated the following reasons:

50 Background paper on protecting children from bullying and cyberbullying, Expert Consultation on protecting children from bullying and cyberbullying, 2016. Firenze, p. 22. Available at: https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/expert_consultations/bullying_and_cyberbullying/background_paper_expert_consultation_9-10_may.pdf

51 Background paper on protecting children from bullying and cyberbullying, Expert Consultation on protecting children from bullying and cyberbullying, 2016. Florence, p. 1.

- (a) was angry with the victim (40%);
- (b) do not know the reason (15%);
- (c) the person he bullied also bullied someone else (14%);
- (d) the person he bullied did not fit into the community (9%);
- (e) thought it would make him popular (4%);
- (f) he was afraid that he too would be bullied (2%);
- (g) he was also bullied (9%);
- (h) other reason (9%).

This 2018 survey by the National Institute of Public Health provides an insightful overview of the prevalence of digital bullying among Danish students aged 11, 13, and 15. The statistics reveal several key trends:

- (a) **Prevalence of Victimization:** Younger students, particularly 11-year-olds, report the highest rates of online bullying, with 10-11% experiencing it. Among 13-year-olds, girls are more frequently bullied online (12%) compared to boys (8%). By age 15, online bullying decreases slightly, with 7-8% experiencing bullying.
- (b) **Perpetration of Bullying:** Across all age groups, boys are more likely to bully others online than girls. 11-year-old boys (7%) are more likely to bully others online compared to girls (4%). Among 13-year-olds, boys again have a higher bullying rate (10%) than girls (6%). This trend intensifies by age 15, where 11% of boys have bullied others online compared to 4% of girls.
- (c) **Trends by Age:** The likelihood of being bullied online seems to decrease slightly with age, but the rates of boys bullying others increase as they get older. This could indicate that older boys, particularly by age 15, may be more prone to engage in online bullying, while younger students, regardless of gender, are more vulnerable to being targeted.
- (d) **Gender Differences in Bullying Behavior:** Girls experience a slightly higher rate of victimization than boys at age 13, suggesting possible gender-based differences in the type or frequency of online bullying. Boys, however, consistently show higher rates of perpetration across all ages, which may highlight different social dynamics or behaviors among male and female students.

Overall, the survey highlights the persistence of digital bullying among young people, particularly the gendered and age-related differences in both experiencing and perpetrating online bullying. This data may suggest the need for targeted interventions, especially aimed at reducing boys' involvement in bullying

as perpetrators and providing support to younger students who are more frequently victimized.⁵²

It can therefore be seen that a significant part of the interviewed students have already been involved in school online or offline bullying on some site, and this will probably increase in the future with the unstoppable spread of the Internet, which will most likely be followed by legislation.

2.7. Remarks

Cyberbullying and crimes committed in the online space are carving out an ever-increasing share of Danish crime, so their regulation is becoming more and more important today. However, the Danish legislation does not name the situation of internet harassment or intimidation, but orders the provisions of the criminal code to be applied to crimes in the online space as well, i.e. for example the crime of defamation can be committed both online and offline and there is no difference between them in terms of punishment. Online bullying itself is present both in the world of work and in the school environment and outside of it, and predominantly affects the younger age group.

3. Regulation and practice related to prevention

3.1. Prevention in schools

Safer Internet use can support the effort to ensure that as few minors as possible are on the victim side or on the perpetrator side. For this purpose, the Safer Internet Center was established in Denmark.⁵³ The Safer Internet Center in Denmark, as a knowledge center and mediator of the latest developments in the field of the use of online technologies by children and young people, has established extensive cooperation with representatives of academic institutions, industry, government agencies and law enforcement agencies. The center has a network and an advisory board representing a wide range of stakeholders. The Center consists of three organizations:

⁵² Rasmussen–Kierkegaard–Vork Rosenwein–Holstein–Trab Damsgaard–Due, 2018, pp. 1–20. He.

⁵³ Safer Internet Center (Sikker Internet Center Danmark) website: <https://sikkertinternet.dk/english>

- (a) Media Council for Children and Youth:⁵⁴ an awareness-raising center whose main task is to provide information and educate on the safer and more positive use of online technologies;
- (b) Save the Children Denmark:⁵⁵ acts as a hotline where anyone can report online child abuse;
- (c) Center for Digital Youth Care:⁵⁶ a helpline that offers online counseling to all children and young people in Denmark.

In Denmark, there is therefore a complex system that helps both students and parents. The former in creating a safer internet use for them, while the latter in being able to protect their child. The Media Council for Children and Youth can provide parents, students and schools with a lot of resources, consisting of training and information materials as well as events and programs.

In Denmark, in addition to the above system, the National Complaints Board against Bullying was established to prevent and deal with online and offline bullying at school,⁵⁷ which provides assistance to institutions, students and parents alike. The Complaints Board evaluates the legal environment and established good practices in an annual report. Significant changes took place in the field of school bullying in 2017, when the so-called Anti-harassment Regulation, which introduced the following changes:

- a) All primary and secondary schools should have an anti-bullying strategy, including a digital anti-bullying strategy, which must be published;
- b) All primary and secondary schools, if they experience bullying or bullying-like incidents, must prepare and implement an action plan to combat bullying;
- c) The National Anti-Bullying Complaint Board was established, to which students and parents can complain in the event of inadequate or missing anti-bullying strategies and action plans of institutions;
- d) Mediation activities conducted by the Danish Education and Quality Agency (Styrelsen for Undervisning og Kvalitet, hereinafter: STUK) have been established, with the help of which mediation is offered for the purpose of reconciling the parties.⁵⁸

54 Website of the Media Council for Children and Youth: <https://www.medieraadet.dk>

55 Save the Children Denmark website: <https://redbarnet.dk>

56 Center for Digital Youth Care website: <https://cfdp.dk/cfdp-english/>

57 Den Nationale Klageinstans mod Mobning website: <https://dcum.dk/forside/nkmm>

58 National Appeals Council's assessment of anti-harassment provisions (2020) [Online]. Available at: <https://dcum.dk/media/3662/200831-evaluating-af-antimobbetbestlemelter-og-den-nationale-klageinstans-mod-mobning.pdf>

Regarding the system operating in Denmark, it is perhaps worth emphasizing that the fundamental goal is to restore peace between the parties, and for this purpose a special mediation procedure⁵⁹ was introduced, the procedure of which is also specifically regulated. The mediation process gives the parties an opportunity to talk together about what happened and see if they can agree on possible ways to work together for the student's well-being. The participants of the meeting are the persons involved in the conflict and their companions. Participation in mediation is voluntary for all parties. The student's well-being is the focus point of the mediation process, so the student's perspective also plays an important role in the meetings. The student's point of view is either brought to the meeting by a mediator, or in the case of young people, they are offered to participate in the meetings themselves. Mediation counselors lead the meetings and ask questions that help the parties clarify their own points of view and listen to others' points of view. Mediation consultants do not take a position during the mediation, and the solution is worked out by the parties.⁶⁰ The process of the mediation procedure consists of several steps:

- (a) Mediation decision: Danish Center for Educational Environment (Dansk Center for Undervisningsmiljø, hereinafter: DCUM) will judge the case. If the case is deemed suitable for mediation during the processing of the case, the institution and the complainants are offered mediation. From 2018 to the beginning of 2020, mediation was offered in a total of 24 cases, of which the parties said yes in 12 cases (9 have been conducted so far).
- (b) If both parties agree to the mediation, STUK will contact them and provide information about the mediation.
- (c) The first mediation meeting is held: At the meeting, the mediation advisors facilitate the discussion. The primary purpose of the first meeting is for the parties to discuss what happened and listen to each other's points of view. In some cases, the parties can start discussing common solutions at the first meeting. Two consultants from STUK evaluate the discussion and, based on this, develop a proposal for the next mediation meeting. STUK conducted mediation in 9 cases in 2018 and 2019, in 6 of which a mediation meeting was held.
- (d) A second mediation meeting will take place: The aim of the second mediation meeting is for the parties to examine possible ways of cooperation

59 Executive order on the processing of complaints related to harassment and the like addressed to the Danish Education Center (Bekendtgørelse om behandling af klager til Dansk Center for Undervisningsmiljø om mobning og sylke BEK nr 255 af 06/04/2018) § 7 Available at: <https://www.retsinformation.dk/eli/lta/2018/255>

60 Evaluation of the National Appeals Council regarding anti-harassment provisions, p. 88.

based on the well-being of the students, and based on this to develop joint agreements and solutions. According to STUK, a breakthrough can happen here, to which the first meeting also contributed.

- (e) A learning meeting can be held at the end of the process, the purpose of which is to make use of the experience from the case, to see what general lessons can be learned from it in the school and the municipality. They choose which focus areas they think STUK can help them with – it can be about conflict tools or more information about bullying, the investigation of bullying.⁶¹

In Denmark, mediation, specifically through the Victim-Offender Mediation (VOM) program, can be utilized at various stages of the criminal justice process. This program facilitates a constructive dialogue between the victim and the offender, aiming to address the aftermath of the crime. Participation is entirely voluntary for both parties.

The mediation process can be initiated at different points:

- (a) Pre-Trial Stage: Before formal charges are filed, mediation can be considered as an alternative approach to address the conflict arising from the offense.
- (b) During Prosecution: While the case is under prosecution, mediation may be pursued alongside the legal proceedings, providing an opportunity for reconciliation without interfering with the judicial process.
- (c) Post-Conviction: After a conviction, mediation can serve as a restorative measure, helping to repair the harm caused and potentially aiding in the offender's rehabilitation.

It's important to note that engaging in mediation does not replace the legal proceedings or any imposed penalties. Instead, it serves as a supplementary process that can offer emotional closure and mutual understanding for both the victim and the offender.⁶²

3.2. Findings

In the Danish system, great emphasis is placed on the prevention of cyberbullying and other forms of harassment and threats. Specific guidelines and

⁶¹ Assessment of the National Board of Appeals regarding anti-harassment provisions, pp. 89–90. He.

⁶² Danish National Police. (n.d.). *Victim-Offender Mediation (VOM) in Denmark*. Available: from <https://politi.dk/en/law-and-information/victimoffendermediation>.

training are available for employers and employees, while an extensive network helps students and their parents of educational institutions to find the right solution and, even if concrete prevention has not succeeded, at least the harmful consequences can be mitigated, even with the help of a mediation process.

4. Responsibility of service providers and institutions

4.1. Responsibility of service providers

An analysis and presentation of three of the Danish laws is necessary in order to make the regulation of the responsibility of Internet service providers transparent. The Act on e-commerce,⁶³ the Act on Network and Information Security of Digital Services⁶⁴ and the Network and Information Security Act⁶⁵ contain measures that are similar as the Hungarian legislation.

The law on e-commerce names the cases in which the service provider is exempted from liability:

- (a) if the transfer includes the automatic, intermediate and short-term storage of information, if this storage serves only to complete the transfer and if the storage does not last longer than can reasonably be expected;⁶⁶
- (b) the service provider that transmits the information provided by the user of the service on a communication network is not responsible for the automatic, intermediate and temporary storage of this information, or for the content of the information, if the storage is carried out solely for the purpose of later transmission;⁶⁷
- (c) the service provider is not responsible for the storage of the information or the content of the stored information, if the storage takes place at the request of the service provider providing the information.⁶⁸

63 The E-Commerce Act (E-handelsloven LOV nr 227 af 22/04/2002) Available at: <https://www.retsinformation.dk/eli/lta/2002/227>

64 Act on network and information security of digital services (Bekendtgørelse om net- og informationssikkerhed for visse digitale services, BEK nr 452 af 08/05/2018).

65 Network and Information Security Act (Lov om net- og informationssikkerhed, LOV nr 1567 af 15/12/2015.) Available: <https://www.retsinformation.dk/eli/lta/2015/1567>

66 § 14 of the Act on e-commerce.

67 § 15 of the Act on e-commerce.

68 § 16 of the Act on e-commerce.

The Act on Network and Information Security of Digital Services states that digital service providers identify and take appropriate and proportionate technical and organizational measures to manage risks related to the security of the networks and information systems they use in connection with the digital service.⁶⁹ Providers of digital services are also obliged to notify the Danish Business Authority and the Cybersecurity Center as soon as possible of any event that has significant consequences for the performance of their service.⁷⁰ This notification must be made on a special website organized for this purpose (virk.dk). If the operator does not have all the information for the purpose of the notification available at the time of the notification, the operator issues a partial notification. A partial notification must be followed by a full notification as soon as possible.

4.2. Responsibility of educational institutions

The Danish liability system has three levels. The first authority prescribed by law for many tasks is the municipality responsible for the educational institution.⁷¹ All responsible authorities of primary and secondary education have the following three tasks:

- (a) Preparing and publishing an anti-bullying strategy;
- (b) preparation, implementation of an action plan;
- (c) obligation to take action.

In practice, the authority to process and decide complaints falls on local government administrators, consultants and managers.⁷²

The next authority in the ‘chain of responsibility’ is the DCUM. DCUM is an institution established under the Education Environment Act, whose aim is to help ensure the development of a good teaching environment in Denmark. In relation to anti-harassment regulations, it performs three functions: it helps students, parents and institutions, it carries out development work, it supervises institutions and it also acts as an appeals authority.

The third authority is the STUK, which was given the opportunity to mediate with the entry into force of the relevant executive decree.

69 § 3 of the Act on Network and Information Security of Digital Services.

70 § 4 of the Act on Network and Information Security of Digital Services.

71 Executive order on the processing of complaints related to harassment and the like addressed to the Danish Education Center.

72 Evaluation of the National Appeals Council regarding anti-harassment provisions p. 6.

The primary distinction between DCUM and STUK lies in their roles and scopes within Denmark's educational framework:

- (a) DCUM: This is the Danish Centre for Educational Environment, focusing on promoting and enhancing the quality of learning environments across educational institutions. DCUM develops materials, guidelines, and tools to support schools and educators in creating positive and inclusive educational settings. For instance, they provide templates for developing value sets and anti-bullying strategies in schools.
- (b) STUK: This is the Danish Agency for Education and Quality, operating under the Ministry of Education. STUK is responsible for overseeing and ensuring the quality of education in Denmark. Its functions include developing curricula, conducting assessments, and implementing educational policies to maintain and improve educational standards nationwide.

In each educational institution, the institution's work related to bullying is contained in the anti-bullying strategy, which must be prepared. This should include how the institution deals with bullying when it occurs. If a student, the student's parents, or the school itself experiences bullying, the institution is obliged to immediately activate the action obligation contained in the strategy. This fast action obligation includes the preparation and implementation of a concrete action plan, the transitional measures necessary for the intervention, and information on the content of the action plan. If the student and parents are satisfied with the action plan, the cases can usually be handled properly at the local level, however,⁷³ based on the evaluation of the National Appeals Board, it can be seen that many students and parents find that the institution either does not live up to its obligation to act, or does, but not in a satisfactory way. Perhaps this is also why most parents turn directly to the National Anti-Bullying Complaints Board. DCUM always returns the complaint to the first instance and, in parallel, provides telephone guidance on legal provisions and obligations. If the students or parents do not agree with the municipality's decision, the institution acting in the first instance forwards the case to the National Anti-Harassment Appeals Board. At the National Anti-Bullying Complaint Board, parents, students and the educational institution are offered the possibility of mediation. When the National Bullying Appeals Board makes a decision, it can choose to uphold the local authority's original decision or change it.

73 Evaluation of the National Appeals Council regarding anti-harassment provisions p. 10.

4.3. Responsibility of workplaces

Under workplace legislation, work at all stages must be designed, organized and carried out in such a way that it is completely safe in the short and long term in relation to offending acts. This means that abuses must not harm the safety or health of employees in the short or long term, and the employer must take effective measures to ensure that the physical or mental health of employees does not deteriorate.⁷⁴ The work environment law therefore classifies the responsibility of the employer to protect its employees from online harassment, and they can also employ appropriate consultants and provide special training for employees. Pursuant to the law, if the employer does not have the necessary expertise to carry out safety and health protection training and consulting within the company, the employer must request external expert assistance in order to ensure that the working environment of the employees is always completely safe. The Minister of Employment can establish more detailed rules in this regard⁷⁵ and specifically define the forms and frameworks of using consultants.⁷⁶

4.4. Remarks

While preventing cyberbullying is key question, it is equally important to properly address online bullying that has already occurred. Part of this is, on the one hand, the responsibility of service providers for the content they provide, and on the other hand, the responsibility of educational institutions and workplaces is also of prime importance. In the Danish education system, there is a multi-level institutional system for parents, students and educational institutions to find appropriate solutions and deal with problems appropriately. It can be stated that the appropriate treatment can be considered a form of prevention in the long term, as it educates the actors involved in the cases, draws their attention to how parents can protect their children or how educational institutions should handle the situations that have arisen. The same is true for workplaces, as Danish legislation makes it the responsibility of employers to create a suitable and healthy working environment and, in parallel, to train employees. However, in the case of educational institutions and workplaces, it can be stated that the regulations of our country could still be expanded and improved, and it may be especially worthwhile to consider strengthening the dialogue between the stakeholders in the field of prevention and treatment.

⁷⁴ § 22 of the Working Environment Act.

⁷⁵ § 12 of the Working Environment Act.

⁷⁶ § 13 of the Working Environment Act.

Summary

Danish legislation prohibits hate speech, which is officially defined as public statements that threaten, insult or degrade a group based on characteristics such as nationality, ethnicity, religion or sexual orientation. Hate speech is usually motivated by racist and xenophobic motives, anti-Semitic background, anti-Muslim hate speech, anti-Christian hate speech, hate speech based on religion or belief, and anti-LGBT hate speech, and the Criminal Code, the Public Administration Act and the Business Secrets Act also contain provisions regarding these acts, which laws also represent the limits of freedom of speech in the Danish legal system.

Cyberbullying and crimes committed in the online space are taking an ever larger share of Danish crime, so their regulation is becoming more and more important today. However, the Danish legislation does not name the situation of internet harassment or intimidation, but orders the provisions of the criminal code to be applied to crimes in the online space as well, i.e. for example the crime of defamation can be committed both online and offline and there is no difference between them in terms of punishment. Online bullying itself is present in the world of work and in the school environment and predominantly affects the younger age group.

In the Danish system, great emphasis is placed on its prevention. Specific guidelines are available to employers and employees, while an extensive network helps students and their parents of educational institutions to find the right solution and, even if concrete prevention has not succeeded, at least the harmful consequences can be mitigated, for example by means of a mediation process, which is effective and all procedural form validating the aspect of the person concerned.

Preventing cyberbullying is very important, but it is equally important to properly address online bullying that has already occurred. Part of this is, on the one hand, the responsibility of service providers for the content they provide, and on the other hand, the responsibility of educational institutions and workplaces. In the Danish education system, a multi-level institutional system is available to parents, students and educational institutions to find appropriate solutions and deal with problems. It can be stated that the appropriate treatment can be considered a form of prevention in the long term, as it educates the actors involved in the cases, draws their attention to how parents can protect their children or how educational institutions should handle the situations that have arisen. The same is true for workplaces, as Danish legislation makes it the responsibility of employers to create a suitable and healthy working environment and, in parallel, to train employees.

Regulating cyberbullying and online crimes in Denmark, or anywhere, involves balancing freedom of speech, privacy, and the safety of individuals in the digital space. Here are a few regulatory ideas that could enhance protection against these types of crimes:

- (a) **Stricter Accountability Measures for Online Platforms:** Legislation could require social media platforms and digital communication services to take greater responsibility for moderating harmful content. This might involve mandatory reporting mechanisms for users, faster content removal protocols, and transparency about platform policies and enforcement practices.
- (b) **Mandatory Age Verification Systems:** To protect minors from cyberbullying and predatory behavior, regulations could require age verification mechanisms for users on platforms popular with younger audiences. These systems, while respecting privacy, would help shield children from inappropriate content and potential cyberbullying interactions.
- (c) **Increased Penalties and Criminalization:** Strengthening the criminal code to include severe penalties for cyberbullying, stalking, and other online crimes can deter individuals from engaging in these harmful behaviors. Denmark could look to establish specific cyber harassment laws that include fines, mandatory education, or community service programs focused on rehabilitation and awareness.
- (d) **Anonymous Reporting Systems:** Establishing anonymous reporting channels for victims of online bullying and harassment encourages individuals to come forward without fear of retaliation. Authorities could coordinate these reports to identify repeat offenders across platforms.
- (e) **Educational Initiatives and Public Awareness Campaigns:** Education plays a crucial role in preventing online crimes. Mandatory digital literacy education in schools and public awareness campaigns could promote responsible online behavior, helping users recognize and report abusive behavior while protecting their personal information.
- (f) **Specialized Cybercrime Units and Training:** Funding and training specialized law enforcement units to handle cyberbullying and online crimes can help address these issues more effectively. These units would need up-to-date resources and training to track, investigate, and prosecute cases within digital contexts.
- (g) **Cross-Border Legal Cooperation:** Cybercrimes often span borders, making cross-border cooperation essential. Strengthening collaboration between Danish law enforcement and international organizations (such as Europol) could improve Denmark's ability to prosecute offenders from outside the country.

- (h) Research and Data Collection: Gathering data on cyberbullying and online crime trends helps policymakers make informed decisions. Denmark could establish research bodies to monitor and analyze data trends, providing insights to guide future regulatory approaches.

By implementing a mix of preventative, educational, and punitive measures, Denmark could create a safer online environment, addressing the rise in cyberbullying and digital crimes effectively.

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