

Fampo - A Norwegian Human Rights Organisation

Fampo, Folkeaksjonen mot maktmisbruk, politistat og overgrep (which means People's action against abuse of power, police state and a culture of violations), is a politically independent Norwegian human rights organisation. Fampo was founded in September 1997 when several people recognised the lack of an organisation that went into concrete cases and represented people being subject to coercive hospitalisation or mistreatment in psychiatry. Later on it has been incorporated into Fampo's statutes that the organisation also works for freedom of speech in Norway - and Fampo struggle's against corruption and abuse of power in sundry sectors of the Norwegian society.

In mainstream media, Norway is portrayed as a stable democracy with free speech and respect for human rights. That is outrageously far from the truth. Corruption and harassment against citizens flourish in Norway.

Censorship and travesty of justice - The Bygdeposten trial

A good starting point for one who wants to know about abuse of power in Norway, is to study the events leading to, and following, the dismissal of the editor of the local newspaper *Bygdeposten* (Buskerud county). This grave case includes the dismissal of an editor who published documentation of corruption in Norway, and the abuse of the Norwegian court system to endorse the dismissal.

During some months in 2000 Bygdeposten published several articles, editorials and letters from the readers, all about abuse of power in Norway. The articles were based on documentation from Fampo. The article "Tvangsinnlagt uten grunn" (Coercively hospitalised without reason) was about a Norwegian woman who had been brought from her home to a local mental asylum three times without any requested legal papers existing. In the article "Den siste sovjet-staten" (The last Soviet Republic) Editor Irene Mjøseng wrote about the demand, furthered by the police office in Sunnmøre, that Kåre Torvholm and Oddmar Remøy should be subject to mental observation. Torvholm (1941 - 2000) was central in the exposure of economical criminality in Norway's fishing industry. Fampo's chairman Dag Hiåsen, living in the area which Bygdeposten covers represented Oddmar Remøy in this case.

Oddmar Remøy and Kåre Torvholm were charged with threatening and acting threatening towards, the sheriff in Herøy municipality. In the article "Vil ha justismord" (Wants judicial murder), published in Bygdeposten 27.04.00, Mjøseng could point at an article in the newspaper *Fiskaren* ("The Fisherman") where it was revealed that the prosecuting authority used a journalist as their witness in the charge against Torvholm. This journalist later admitted (in a taped conversation) that he was not present in the actual room, nor did he overhear the conversation that the prosecuting authority had pointed to in *Fiskaren*. This means that Torvholm was charged on false accounts.

During the period in which Bygdeposten wrote about serious abuse of power, the local radio station, *Radio Modum*, supplemented the newspaper's coverage with its program series *Det skjulte Norge* (The hidden Norway). In one of the programs a tape was played that revealed how Kåre Torvholm was met when he called Prime Minister Kjell Magne Bondevik's office to tell about threats against his family. First the conversation was abrupt. When he called back, he was told that he had phoned "Oslo Renovation". Torvholm did not continue this

conversation, and when he called back, the same woman presented herself as Secretary Inger Andersen at the Prime Minister's office.

On September 06. 2000 Radio Modum sent their second program in the series "Det skjulte Norge". The following day Mjøseng commented the content of that program, in an editorial. The next day Mjøseng was called by Bygdeposten's chairman. He told that he had received negative reactions on Mjøseng's editorial. When asked about who's negative reactions that was, Chairman Bjørn Larssen could not answer that, only tell that the negative reactions came from external sources. Mjøseng got the clear impression that the chairman instructed her not to publish any more articles or editorials of the same character. She found that such an instruction was contradictory to the guidelines which an editor shall follow. She commented the chairman's attempt to control what she published, in an editorial on September 12.

On September 13. Mjøseng was suspended from her position. On October 31. she was sacked. To the newspaper *Drammens Tidende* Bjørn Larssen told that they chose to sack Mjøseng in order to maintain her security; *she did herself say that she had expressed herself too much.*

Mjøseng sued the newspaper, as there was no due reason for the dismissal. In the trial, Bygdeposten put forward another explanation for Mjøseng's dismissal. According to Bygdeposten Mjøseng was unwilling to accept Bygdeposten's fundament as being the leading local newspaper in the area, and she was said to have expressed that at the board meeting on October 10. A report from the board meeting exposes that as a lie.

"The court agrees with the defendant that she has diverted from the newspaper's fundament, as this issue does not fit in with the newspaper's local newspaper concept", judge Hagelund at Drammen municipal court wrote. A moment's reflection should suffice to see that this is absurd. That a newspaper follows a concept meaning that it shall be leading on local news, does not ban certain issues from coverage. Besides, the articles about abuse of power had a local connection, through the organisation Fampo, registered with address Solumsmoen. The municipal court emphasised that Mjøseng had written the actual articles about abuse of power, even though the chairman had told her not to do so.

The case was brought to high court. Before the case was decided in high court, Fampo's chairman had crushed the municipal court's arguments, so that the high court had to refute all the municipal court's arguments. This did however not mean that the high court let Mjøseng win the case.

The high court wrote that it seemed that Mjøseng had been influenced by Hiåsen and/or Fampo to the extent that questions could be raised about her journalistic independence. The high court did not give any reason for this allegation, save that it was "obvious". In one of the "Det skjulte Norge" programs, Hiåsen warned Mjøseng, alleged to be influenced, about the consequences the exposures in Bygdeposten might have for her.

The Bygdeposten case documents use of judicial murder to prevent Fampo from getting its documentation published. In the report "Ytringsfrihetens pris i Det skjulte Norge" (The Price of Freedom of Speech in the Hidden Norway), Hiåsen documents that both courts withheld evidence provided by the plaintiff. By that both courts have violated Norwegian penal code.

Psychiatry in Norway

Compared to other Western European countries, there are far more coercive hospitalisations in Norway, relative to population numbers - more than 10.000 each year. An analysis done by the scientific entity SINTEF in 1996, shows that 45% of all hospitalisations in Norwegian psychiatry are coercive. In other European countries the number lies between 5% and 15%. The numbers from SINTEF were however not exact, but an estimation, as many hospitals do not report the number of coercive hospitalisations, and therefore no reliable statistics are available.

Several cases reveal that the legal protection is non-existent for people being coercively hospitalised and drugged in Norway. In other countries there exists a court that decides if the doctor's demand that a person shall be coercively hospitalised, shall be followed. In Norway, a patient can complain to a control commission first after being hospitalised. At that point, the patient may be drugged and have difficulties with presenting his/her case.

There exist many examples of an especially abominable kind of psychiatric abuse - the use of psychiatry to "treat" and present as mentally ill, people who have documented shady conditions. The most infamous example is the case of Arnold Juklerød. Juklerød was hospitalised at the mental asylum Gaustad in 1971, with the diagnosis "kverulant paranoia". According to psychiatrists Juklerød had "paranoid unchangeable false beliefs" that local authorities broke the law when a school was closed down, As Trond Skaftnesmo could document, and as the government admitted in 1995, Juklerød's "false beliefs" concurred with facts. Nevertheless, Juklerød kept the diagnosis till his demise in 1996.

Another person who has been coercively hospitalised is Synnøve Fjellbakk Taftø, who wrote the book *Skjoldmøysagaen*. The book describes fishy aspects of Norwegian diplomacy.

The Sunnmøre police's desire to have Kåre Torvholm and Oddmar Remøy mentally observed, is described above. In Remøy's case the argument for his alleged mental disease is quite alarming. This is what Bjørn Martin Aasen, municipal doctor and former Parliamentary Secretary in Gro Harlem Brundtland's government wrote to argue that Remøy was mentally sick: "He belongs to a civil network of both local, national and international character, that strives to disclose criminal things that happen in the public sector to get things onto a more productive track. In my opinion the preconditions in lph 3 [the law used in case of coercive hospitalisation] are fulfilled.

The control commissions are supposed to give the hospitalised persons legal protection. Reality is quite different. This can be exemplified with the statistics for the year 1997. That year 9.651 Norwegians were coercively hospitalised. The number of persons whose complaints about coercive hospitalisations the control commissions endorsed, was 49 - a smaller number than the number of control commissions.

Child care

Norwegian child care has shown itself to operate in a way detrimental to legal protection. Scientist Joar Tranøy has written a report about Norwegian child care departments and the methodology of the psychologists who are entitled to write official reports on whether parents are fit to raise their children - or if the parents shall be denied the right to take care of their

children. Tranøy scrutinised the reports in 37 cases where parents had contacted him, and found several methodological weaknesses.

Lack of criticism of sources: In 32 out of 37 cases sources had not been scrutinised; Allegations against parents were uncritically adopted. The conclusion in 18 of the cases referred to second hand information from the child care departments. In 16 reports psychologists made use of slander. Non-scrutinised information was being uncritically referred to as facts in 18 cases. Tranøy found decontextualisation in 28 of the 37 reports. Decontextualisation may imply that facts relevant to descriptions of persons are not mentioned. It may also mean that statements and actions are separated from their context, so that those who read the report may easily misinterpret the situation.

Tranøy also found citation errors in disfavour of biological parents - and biased statements. An example of a biased statement is the following remark from a report: *“Dad occupies the whole dining table with his hobby activities and it is quite untidy and somewhat dirty in the house”*. The psychologist observed this during quite short time (15 min, according to parents). According to neighbours the children often participated in the hobby activity, the building of a model plane. The psychologist did not examine this.

In his report, Tranøy describes general legal protection problems in the child care system. One can compare the report in child care cases with the task of a police investigator. Both shall find the truth. Should the accused be found guilty? Should the child be removed from its family?

The role of the police investigator is regulated by law. Child care cases are different. There are no rules for the collection of information. The child care worker decides personally if talks with parents or witnesses shall be taken by phone or face to face. Telephone is often used. What the child care worker/psychologist writes in the report is not read loudly to parents, and control questions may fail to be asked.

Child care cases often rely on “information” from anonymous sources. It may prove impossible to defend oneself against anonymous sources. You do not know who the source is, if the source is reliable, if the source possesses first hand information or just has heard some rumours. And you do not know about possible clash of interest between the source and the parents. In criminal cases this kind of use of anonymous sources is illegal. In a letter the Public Prosecutor has warned against the use of anonymous sources, and mentions that these are often driven by revenge, envy or malice.

The psychologists in the child care cases are often taken from lists made by the child care department, or they may have close connections to the child care department. Psychologists operating in several child care cases are often present at meetings with the child care department, without the parents being present, and thereby get one-sided information.

In criminal cases it is obvious that experts are appointed by the court. It would have resulted in harsh criticism if the police could appoint experts.

Another problem is the swift change of roles in child care cases. Sverre Kvilhaug has long experience as a lawyer in child care cases, and is a critic of the role of the experts in child care cases. Kvilhaug poses the question whether the demands for a fair trial are fulfilled:

“Article 6 in The Human Rights Convention entitles everyone to a fair trial. This is also the case in a child care case in county organs or in courts - when the issue is whether parents shall lose or regain the care for the children. In these cases psychologists have a special role. They are paid by the child care departments to influence the outcome. In this way they frequently change hats. The extent and economical importance for many psychologists makes it reasonable to ask if their reports and votes are influenced by their interest in getting new assignments from the child care departments. This question does not seem to have bothered county bureaucrats, courts or the department. In criminal cases such a change of hats would never have been accepted, nor even conceived”.

Kvilhaug continues:

“I shall illustrate the extent: In the year 2001, a psychologist in Norfjoreid informed that she had been an appointed expert paid by the child care department in about 40 cases. In about 50 cases she had been an expert member of two different committees. One year later she had had 11 assignment for the child care department and 5 for the county committee. Also, she had been an expert member of the county jury. Can one rely on that an expert, who is as economically dependent on the child care department as in this case, is able to give the private part in a child care case a fair treatment? Would not most people tend to believe that these psychologists will support the child care departments in near 100% of the cases, and is that not what we see that the experts actually do? Would anyone believe that an expert voting against the child care department will get new assignments from the child care departments?”

One example can serve to illustrate the way many psychologists act in child care cases. Jurist Herman Berge found the following pattern in the work of a central psychologist connected to FOSAP (Forum for Psychological Experts):

By examining the 33 decisions I found at Lovdata [official website] you find no decision where Poulsson has not concluded in favour of the assigning authority. You may safely conclude that Poulsson consequently concludes in favour of the child care department. In my opinion Poulsson's work has no scientific value, and is worthless, not to say detrimental, in child care cases”.

You can read more about child care in Norway at the internet pages belonging to <http://www.barnasrett.no>.

Economical criminality - the example of the fishing industry.

Due to Kåre Torvholm (1941 - 2000) and other people with the will to investigate, it is today known to most Norwegians that economical criminality has been (as it still is) rampant in Norway's fishing industry. Torvholm was a pioneer in exposing illegal fishing and theft of the fishermen's pensions. He was external mentor for Torstein L. Hansen when Hansen documented economical criminality in his post-graduate thesis at the University of Tromsø. The following are extracts from journalist Kjetil Haanes's article "Kåre Torvholm should have been alive to see this" in *Sunnmørsposten* July 17. 2001:

“The last year hardly a week has passed without disclosures of fishing-related cheating. The confidence is all time low, and the fishing industry is to blame. Many have had knowledge

about, and participated in, cheating in a lot of ways: fishing diaries and the amount, weight and species of the fish. Dock documents and export documents are falsified. This is documented in trial after trial.

Too long have the fishermen's spokesmen been silent about this culture. For a long time excuses like that with complicated laws, being 100% law obedient was not possible. And we have been told that fishermen from other nations, like Iceland and Russia, have acted far worse".

Haanes concludes as follows:

"They [former Fishing Ministers] cannot have been ignorant, at least not if they read some of the hundreds of faxes from the now deceased fish cheating discloser Kåre Torvholm from Moldtustranda.

And now I will explain the choice of title for this commentary. In the last days I have been phoned by many people declaring that "Kåre should have experienced this", as the scandals have been unfolded.

Several active fishermen have also contacted me and said: "You should have known how right Kåre was about the cheating". And a former politician occupied with fishing politics, and a critic of Torvholm, said: "He seems to have been right after all".

Warned journalists

History judges and the verdict may be merciless, especially for those who are exposed as playing with false cards. Some of these are now seeking to avoid attention. This includes persons who have been calling journalists, urging them to avoid contact with Kåre Torvholm. If they had contact with him, they would not be regarded as serious, and would experience difficulties in collecting information - it was said.

Kåre Torvholm wanted the truth to be known, so that people in positions could not misuse their power to gain benefits. He wanted justice and equal opportunities for all, and he was fond of the fishermen and coastal Norway.

By putting an end to cheating in fishing in Norway, one is also honouring Kåre Torvholm. Maybe time is ripe for both?"

One Member of Parliament, Marie Lovise Widnes (Socialist Electoral Alliance, the period 1989-93) did support Torvholm in his struggle against economical criminality. She has written the book "Fragler, finst dei" (Fraggles, do they exist), a book that describes Torvholm's work.

Politicians are informed.

All parliamentary parties in Norway are informed about the grave conditions Fampo can document. In September 2004 Erik Strand, board member of Fampo, sent an open letter to the members of the Committee of Justice in the parliament. In the letter Strand described the Bygdeposten trial, human rights violations in Norwegian psychiatry, and other conditions not worthy of a democracy. Then MP and today Minister of Justice, Knut Storberget (Labour

Party), confirmed in an e-mail that he had received and read the open letter. Strand also sent an open letter to the candidates in the 2005 parliamentary election; all the MPs are informed.

Odd Einar Dørum (Liberal Party), Minister of Justice until the 2005 election, is even more well-informed; Fampo was invited to a meeting with representatives from the Department of Justice in August 2004. At the time of this meeting, a debate had been going on for some time on the Liberal Party's internet debate forum.

In February 2004 Erik Strand posted a debate article on the Liberal Party's debate forum on the Internet, "Talerstolen". Strand commented that the Liberal Party's chief of staff, Runolv Stegane, had sent a letter with negative remarks about Fampo's chairman Hiåsen, to Hiåsen and with copy to the mayor in Sigdal. Stegane signed the letter as vice mayor in Sigdal. In his posting Strand wrote about some of the personal consequences for Hiåsen of his engagement for human rights in Norway, and the report *Ytringsfrihetens pris i Det skjulte Norge*. Stegane replied with several false allegations. According to Stegane, Hiåsen had served as a lawyer for Mjøseng (which he was denied to do), and had declined to show up in court (a lie). According to Stegane, *Ytringsfrihetens pris i Det skjulte Norge* was filled with stories about for example surveillance. - Hiåsen had used much imagination in writing these stories. The truth was that in the report Stegane had received, the word surveillance was not even used! Stegane ended his participation in the debate with the following remark about the Bygdeposten case: "This is a sad story which could have been avoided if she [Mjøseng] had not let herself brainwash by people acting like religious fanatics with a monopoly on the right lore. It is sad to observe that Erik Strand, cand. scient [university degree] (according to Hiåsen) falls into the same trap.

In an e-mail Thomas Hansen, editor of the Liberal Party's member magazine liberal.no expressed his disgust for Fampo's participation in the Internet debate this way: "If there is something that pollutes the Internet debate, then it's not spam, but madmen who are out to defame and poison the entire debate environment with their outrageously narrow and unimportant issues."

In an open letter to Liberal Party leader Lars Sponheim, Strand demanded that Sponheim distanced himself from the allegations Stegane had posted on his party's debate forum. Sponheim did not answer, but the Liberal Party's Secretary General, Terje Breivik, wrote an "answer" where he did not comment upon Stegane's allegations. Breivik only concluded that the party could not instruct Stegane in his task as a vice mayor, and that one could strive to get him out of office in the next election - an answer that had no relevance to Strand's open letter. In a posting at "Talerstolen", Sponheim's advisor Geir Olsen, denied that Stegane had posted false allegations.

The open letter may be read at <http://home.no.net/fampo/lettersponheim.html>.

In early August 2004, Strand posted an open letter to Dørum as a debate article on Talerstolen. In a reply later the same day Dørum's advisor Marit Meyer confirmed that the letter was received in the Department of Justice, and that Fampo soon would be invited to a meeting in the Department of Justice.

After some phone calls, Fampo received an e-mail with the following message: "Parliamentary Secretary Rita Sletner may meet you on August 31. at 13.00 - 14.00". When arriving at the meeting, Fampo was told that Sletner was not able to come, and that the meeting could not last for an hour. Representing Dørum was his advisors Marit Meyer and Kjersti M. Høgestøl.

A representative from the Police Department (part of the department of justice) was also present.

The meeting lasted less than 40 minutes, not giving room for explaining conditions both grave and complex. Nevertheless Fampo managed to present several grave conditions and give the department an issue of “Ytringsfrihetens pris i Det skjulte Norge”. Fampo used a tape cassette during the meeting, and the promise that Fampo would receive response from the Department of Justice, can be documented.

One year later Fampo had received no response from the Department of Justice. So then Strand posted a new debate article at Talerstolen, commenting this. A local Liberal Party chairman replied that taping a meeting without the knowledge did not show openness and honesty. A former board member of Young Liberals of Norway, expressed his doubt about the legality of this (it is legal). Then in a reply Marit Meyer wrote that she had been present at the meeting, and she was not aware of any tape cassette. Strand's questions about the promised response she did not answer, and no response ever came from the Department of Justice.