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2 - Reporting a crime and my rights during the investigation or trial

How do I report a crime?

You can report a crime to the police by calling 114 14 (+46 77 114 14 00 from outside Sweden) or by going to a police station. You can also report a crime via the internet in the case of burglary, payment card fraud, theft or loss (but not of your passport or national ID card). If you have a protected identity, you should not report a crime via the internet. In an emergency, or while a crime is happening, call SOS Alarm on 112. Link to [e-report](#)

How do I find out what's happening with the case?

When you have made a police report, your case will be assigned a number and you will also be given the contact details you need to obtain information on your case. Otherwise, you can ask the police what is happening in your case by contacting them by phone, via e-mail to your local police station or by visiting the closest police station to you. If you want to talk to the police officer who is responsible for your case, you can use the national phone number for the police, 114 14. The switchboard will connect you to the officer responsible for your case.

Am I entitled to legal aid (during the investigation or trial)? Under what conditions?

For some types of crime, victims are entitled to their own legal representation, known as 'counsel for the injured party' (målsägandebiträde). This applies particularly to sex crimes and domestic violence, but also to other offences where there is a special need. A representative can be appointed as soon as the (preliminary) investigation has been initiated, and the aid is free of charge to you. If you feel that you need a legal representative, you should discuss this as soon as possible with the public prosecutor (åklagare) or the police officer responsible for the preliminary investigation. You can also submit your request directly to the district court (tingsrätt). The district court will determine whether you are entitled to representation and appoint the counsel. You can suggest whom you wish to have. The counsel, who will usually be a lawyer, is there to safeguard your interests and provide support and assistance during the preliminary investigation and the trial. The counsel is bound to secrecy and can help you to plead your case and submit a claim for damages. This task ends after the court proceedings, and help in recovering damages or obtaining other compensation is not part of the role of the 'counsel for the injured party'.

If a guardian (usually a parent) is suspected of a crime against his or her child, the child may be assigned a special representative. The same is true where the person suspected of the crime is closely related to the guardian. The representative will safeguard the rights of the child during the preliminary investigation and the trial. A lawyer, assistant counsel in a law firm or another person may be appointed as special representative. There are also requirements for knowledge and experience and personal qualities that make this person especially suited to the task.

Legal protection is included in household insurance policies. This means, for example, that the insurance can reimburse your legal costs if your claim for damages is not dealt with in the criminal proceedings. The insurance will generally include a provision to the effect that you must pay a certain portion of the costs (the excess). Refer to your insurance company for more information.

You can obtain legal advice under the Swedish Legal Aid Act (Rättshjälpslagen) in all types of case. The advice might relate, for example, to a claim for damages where the public prosecutor does not help you or to negotiations

with the insurance company. You can contact a law firm which provides legal advice under the Legal Aid Act. You can consult a lawyer for up to two hours for a fixed fee. The fee is around SEK 1 600 per hour. Depending on your financial position, the fee may be lower.

If you do not have any legal protection insurance and your case cannot be settled via the legal advice given, you may obtain legal aid subject to an assessment of your needs. The State will then pay part of the cost of your legal representation. You can also get help with the costs of travel, accommodation and presenting evidence, and with other expenses. A lawyer, the court or the National Legal Aid Authority (Rättshjälpsmyndighet) can advise you on how to apply for legal aid.

Can I claim expenses (for taking part in the investigation/trial)? Under what conditions?

If you are summoned by the police or the public prosecutor, you are entitled to reimbursement of your expenses for coming in for questioning. These may be travel and accommodation costs, compensation for lost income or other financial losses. However, compensation for lost income is limited to a specific amount. Contact the police to request this type of reimbursement.

If you are summoned by the police or the public prosecutor, you are entitled to reimbursement of your expenses for coming in for questioning. The president of the court will sometimes ask whether you have any claim for compensation when your questioning is completed. Generally, however, the matter of payment is dealt with in the court's reception area after the trial. You can then request reimbursement and also find out how much you are to get. Payment will be made directly in the reception area. High costs may be subject to deferral; contact the court for more information.

Can I appeal if my case is closed before going to court?

If your case has been closed and you are dissatisfied with the decision, you can ask for the case to be examined by the public prosecutor. Contact the police, who will pass the matter on to the prosecutor at your request. If you are not happy with a decision taken by the public prosecutor, you can apply to the nearest more senior prosecutor for a retrial (överprövning).

Can I be involved in the trial?

Yes, you will usually need to be involved in the trial, as your evidence is important for the court to be able to decide on the case.

What is my official role in the justice system? For example, am I or can I choose to be a: victim, witness, civil party or private prosecutor?

Under Swedish law, you are defined as an injured party (målsägande) during the preliminary investigation and the trial. You cannot be a party to the case until the public prosecutor has initiated proceedings. You can be a party to the case:

- when a prosecutor has initiated proceedings;
- if you have a claim for damages, and/or
- if you assist in the prosecution.

You can assist in the prosecution at any time during the trial; you will then have almost the same procedural standing as the prosecutor and will be able to present your own evidence to the court, for example. But you do not need to prove anything concerning the crime.

You can bring individual charges on your own initiative or raise a specific charge if the prosecutor has dropped or withdrawn a general charge. Then you need to prove to the court that the crime took place.

What are my rights and obligations in this role?

If you are not a party to the case, you will be notified of the date and time of the trial. However, you will only be notified if you have requested this during the preliminary investigation. If you are a party to the case, you have the right to be present throughout the trial even if the proceedings are not public.

You may be summoned to appear in court if the prosecutor has requested that you be questioned or you have filed a claim for damages. You will receive a summons with the date and time when you are to appear and details of acceptable reasons not to appear in court. If you are ill or have some other acceptable reason not to appear, you must inform the court as soon as possible before the proceedings. The court will then tell you whether or not your presence is required. If you fail to appear without a valid reason, you risk a fine.

During the trial, you have the right to claim damages. You have this right only if you are an injured party. You will also be questioned by the prosecutor and the accused (or his/her lawyer). You will not be questioned under oath. If you are a party to the case, you or your counsel may question the accused, witnesses and experts. At the end of the trial, you will also have the opportunity to say something in conclusion.

If you are summoned by the police or the public prosecutor, you are entitled to reimbursement of your expenses for coming in for questioning. The types of costs that may be reimbursed are travel and accommodation and loss of income (up to SEK 700 per day).

Can I make a statement during the trial or give evidence? Under what conditions?

Yes, the prosecutor will probably want you to be questioned during the trial. However, an injured party cannot appear as a witness. That means that you will not speak under oath. If you are a party to the case, you have the right to give evidence during the trial.

What information will I receive during the trial?

If you are a party to the case, you are entitled to be informed in various ways of the legal proceedings and of what has happened in your case. In Swedish, this is called 'partsinsyn'. If you are an injured party but not a party to the case, you do not have the same right to be informed of the process.

During the preliminary investigation by the police, you will be asked whether you wish to be informed of the judgment in the case. If you were a party during the trial, the court will send the judgment to you. If you were not a party, the judgment will be sent to you if you have asked to see it.

Will I be able to access court files?

If you are a party to the case, you are entitled to be informed in various ways of the legal proceedings and of what is happening in your case. In Swedish, this is called 'partsinsyn' and is intended to meet a party's need for information to pursue his/her case in an action or trial. This could mean, for example, that you could have access to documents or other materials in a case on request or at the instigation of the court. The court also has a 'duty of communication', which means that it must ensure, on its own initiative, that a party is given access to documents or other investigation material submitted in the case by someone other than the party him/herself. The party may also comment on the material to the court.

If you are an injured party but not a party to the case, you do not have the same right to be informed of the process.

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