

3 - My rights after trial

Can I appeal against the ruling?

A party who is not satisfied with the judgment of the district court (tingsrätt) can bring it before the Court of Appeal (hovrätt). Details of how to do this are given in the judgment. In some cases, leave to appeal may be required for the Court of Appeal to take up the case. If the judgment is appealed, there will usually be a fresh trial in the Court of Appeal. In most cases, injured parties and witnesses do not need to be present during this trial. The evidence from the district court is played back instead. In a few cases, however, the Court of Appeal may reach a decision on the case without conducting any main hearing.

The judgment of the Court of Appeal can generally be appealed to the Supreme Court (Högsta domstolen). However, the Supreme Court will only hear a case if there is a question of principle (precedent) involved or where there are obvious grounds for a retrial, such as a gross error by the district court or the Court of Appeal. In practice, therefore, the Court of Appeal is usually the court of last instance.

What are my rights after sentencing?

If you are a party to the case, you have the right to receive a written copy of the judgment as soon as possible. If you are not a party to the case, you must contact the court to obtain details of the content of the judgment.

You are generally entitled to have documents translated. If necessary, the court may translate documents submitted to or sent out by the court. You may however need to contact the court and ask for this service. The translation will be free of charge to you.

You cannot be represented by a 'counsel for the injured party' (målsägandebiträde) at the expense of the public at this stage of the judicial process. The counsel's duty to assist you ends once the proceedings are over. You may however choose to take on a legal representative at your own expense. If you are entitled to legal aid, the State may cover part of your costs for legal representation.

If you need a support person at this stage, you can contact one of the non-profit organisations in this area, such as a victim support line or a women's helpline - Brottsofferjouren Sverige, Riksorganisationen för kvinnojourer och tjejjourer i Sverige (ROKS), Unizon, etc.

Am I entitled to support or protection after the trial? For how long?

Yes, you may be entitled to support or protection after the trial. There is no particular limit to the time you can receive support or protection from non-profit organisations or the social services. There are some time limits applicable to protected personal data. You can read more about this under 'Personal protection if I'm in danger' (My rights as the victim of a crime).

What information will I be given if the offender is sentenced?

The judgment will specify the sentence handed down and how long the convicted person is to remain in prison, for example. In the case of a crime against the person (crimes against a person's life, health, freedom or safety) you as the injured party will be asked by the Swedish Prison and Probation Service whether you wish to be informed:

- of the institution in which the convicted person has been placed in Sweden,
- if the convicted person is moved to another institution or transferred to another country,

- if the convicted person is anywhere outside the institution,
- if the convicted person or the Swedish Prison and Probation Service applies for a life sentence to be commuted,
- if the convicted person is released,
- if the convicted person escapes or is sprung from jail, or
- if the convicted person absconds after leave or other time spent outside the institution.

The Swedish Prison and Probation Service does not need to provide any notification if this could endanger the detainee's life or health.

Will I be told if the offender is released (including early or conditional release) or escapes from prison?

In the case of a crime against the person (crimes against a person's life, health, freedom or safety) you as the injured party will be asked by the Swedish Prison and Probation Service whether you wish to be informed:

- if the convicted person is released,
- if the convicted person escapes or is sprung from jail, or
- if the convicted person absconds after leave or other time spent outside the institution.

Will I be involved in release or parole decisions? For example, can I make a statement or lodge an appeal?

No, you have no such right.

■ Last update: 15/07/2025

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