The Swedish judicial system
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The Swedish judicial system
The judicial system

The judicial system is normally taken to comprise the agencies responsible for ensuring the rule of law and legal security. The courts form the backbone of this system. Agencies for crime prevention and investigation, i.e., the Swedish Police Authority, the Swedish Security Service, the Swedish Crime Victim Compensation and Support Authority, the Swedish Prosecution Authority, the Swedish Economic Crime Authority and the Swedish Prison and Probation Service, are also regarded as part of the judicial system. Other agencies, such as the National Board of Forensic Medicine and the Swedish Enforcement Authority, may also have tasks within or linked to the judicial system.

The aim of the judicial system is to ensure the rule of law and legal security for individuals. The ‘rule of law’ means that the administration of justice and other exercise of public authority must be predictable and consistent, and must be conducted to a high standard. ‘Legal security’ means that private individuals and other legal entities must be protected from criminal attacks on life, health, freedom, integrity and property. It is crucial that the judicial system, together with society as a whole, works to prevent and combat crime, and to support those who have been victims of crime. In addition, legal security requires an easily accessible procedure for resolving disputes that arise in society.

The role of the Ministry of Justice

Within the Government Offices, the Ministry of Justice has the primary responsibility for matters relating to the judicial system, including the budgets and administration of the government agencies. The Ministry of Justice is also responsible for core legislation in the fields of civil law, criminal law and procedural law.

The Ministry of Justice may not interfere with the way a government agency applies a law or takes a decision in a specific case in its exercise of public authority. In many other countries, it is common for an individual minister to have the power to intervene directly through a decision on an agency’s day-to-day operations. In Sweden, the Instrument of Government – one of our fundamental laws – prohibits this, and is commonly called ‘ministerial rule’.

Over and above the general regulations on financial governance and on the powers and obligations of agencies, the Government sets the terms for each agency’s activities. This is done in the agency’s instructions, in annual ‘appropriation directions’ and through special assignments. An agency’s instructions specify the agency’s main tasks and forms of management. The appropriation directions specify how much money the agency has at its disposal during the year.
Preventing crime is preferable
Society shows what is considered acceptable by means of legislation and by sentencing criminals to penal sanctions. However, the best way to increase legal security is to prevent crime. Crime prevention efforts include measures in several policy areas that require commitment on the part of agencies, business and non-profit organisations. Reducing crime and increasing security not only requires an efficient judicial system but also concerted efforts to combat alcohol and drug abuse, support to initiatives in schools and social services, control of financial flows and measures in housing and labour market policy.

Preventive work aimed at young people is particularly important. Public measures to prevent young people from becoming embroiled in criminal behaviour must be clear and taken at an early stage. However, parents have the main responsibility for ensuring that their children do not commit crimes. Providing families with support is an important part of crime prevention efforts.

Crime prevention work must be conducted at local level by those who are best acquainted with the problems in the neighbourhood. Police visibility throughout the country is a necessary part of this strategy. The Government’s expert agency, the Swedish National Council for Crime Prevention (Brå), is tasked with supporting local crime prevention efforts so that local actors, such as the police, schools and social services, can work on preventing crime and insecurity in accordance with prevailing circumstances.

Sweden also participates in a European crime prevention network. The network is intended to contribute to and develop crime prevention efforts in the EU and support crime prevention measures at local and national level.
The mission of the Police

The mission of the Police is to reduce crime and increase people’s security. The duties of the police are primarily regulated in the Police Act, where it states that the Swedish Police Authority is to prevent and detect crime, maintain public order and safety, and investigate crime. The Swedish Police Authority also has many other duties specified in special provisions. Examples of such duties are judicial assistance to other agencies and various licensing issues, such as firearms licences.

Organisation of the Police

On 1 January 2015, the National Police Board and the 21 police authorities were merged into a single unified agency, while the Swedish Security Service became an independent agency. Accordingly, the Swedish Police now consists of only two agencies – the Swedish Police Authority and the Swedish Security Service. This is the largest reorganisation in the government sector in many years and the largest change of the Swedish Police since it was nationalised in 1965. The aim of the reform is to deal with organisational obstacles within the Swedish Police and, through this, create better opportunities for the Swedish Police to prevent, take measures against and investigate crime.

The Swedish Police Authority

The Swedish Police Authority is one of the largest government agencies in Sweden, with more than 28,500 employees. The Authority is organised in seven police regions, a number of national departments and an office. The seven police regions have overall responsibility for police activities within a certain geographical area. This responsibility includes investigative activities, crime prevention activities and service. Each region is led by a regional police commissioner. The head of the Swedish Police Authority is the National Police Commissioner, who is appointed by the Government. The National Police Commissioner has the sole responsibility for the Authority’s activities.

The National Forensics Centre (NFC) is an expert body that carries out laboratory analyses of evidence from crime scenes for the judicial authorities. The National Forensics Centre was previously called the National Laboratory of Forensic Science, but is now a national department within the Swedish Police Authority.

The Swedish Security Service

The Swedish Security Service is tasked with the protection of Sweden’s democratic systems, citi-
The Swedish Judicial System

Citizens’ rights and freedoms, and national security. It is to prevent, detect and investigate offences against national security and terrorism. Other tasks assigned to the Swedish Security Service include protecting the central government.

Working for the Police

Police work involves extremely varied tasks in a multitude of environments. Many of the daily activities are conducted close to citizens in local police districts, but there are also many different areas of expertise, such as dog handlers, tactical response units and the Marine Police.

Joining the Swedish Police is a very popular career choice, which is particularly evident in the admittance rates to police training. Only between 5 and 10 per cent of applicants to the police training programme can be offered a place. The programme includes four terms of full-time study and a one-term trainee programme with the Swedish Police Authority before the candidate is eligible to apply for employment as a police officer. The programme is currently offered at three locations in Sweden: Stockholm, Växjö and Umeå. Distance study is also possible.

After the trainee programme, most start off by working in a local police district and with emergency response.

Crime prevention

One of the most important tasks of the Swedish Police is to prevent crime. Much of the Swedish Police’s crime prevention work is done in cooperation with other actors, such as municipalities, companies and organisations. Crime prevention work may involve both short-term and long-term measures. This may entail anything from a police presence at a football match in order to prevent violence to police cooperation with the social services to reduce youth crime.

Police officers in the local community focus on crime prevention work. They work visibly in close collaboration with people living and working in the area. A great deal of police crime prevention work is directed at young people so as to prevent them at an early stage from turning to crime.

Crime investigation

When the Swedish Police find out that a crime has been committed it must – with certain exceptions – be investigated. The Police then try to determine who can be suspected of the offence and if there is enough evidence to initiate proceedings.
The investigation is called a preliminary investigation and is led by a prosecutor or the Police. The Police determine what has happened and who may be involved. The Police also collect any information from forensic doctors or technicians. Forensic evidence in the form of DNA, for example, could solve the crime.

Skills of different kinds may be needed to investigate a crime. The investigators can get reinforcement from experts at National Operations Department.

**Special events**

Events sometimes occur that are particularly extensive or serious and go beyond day-to-day work. The Swedish Police call such situations 'special events'. A special event could be a major accident or the imminent risk of a major accident happening. It could also be certain large-scale public meetings, sabotage or bomb threats, extensive interruption of vital public services or tracing missing persons.

When a special event occurs, the Police can take charge of such matters as cordonning off, evacuation, searching, registration and investigation.

**Protection of persons under threat**

The Swedish Police are responsible for protecting persons under threat. The local police can offer protective measures for most people who need them. This is called local personal security protection. Crime victim coordinators provide support and protection to victims of crime.

The Swedish Police decide how great a level of protection is needed and the safety precautions that should be used in individual cases. Some examples of what the Police can offer are advice, guard services and various technical aids. The Police cooperate with other agencies and organisations, such as the Swedish Tax Agency and the social services, for example regarding sheltered housing.

In exceptional cases, when other measures do not work, the person under threat can be included in the Swedish Police’s special witness protection programme.

**Cooperation in the EU and internationally**

International police cooperation plays an increasingly important role in Swedish police activities. The Swedish Police are primarily active in the following four areas.
THE SWEDISH JUDICIAL SYSTEM
Cooperation with foreign police organisations
International operational police cooperation means that the Swedish Police cooperate with foreign police organisations regarding, e.g., criminal investigations, directly or through Europol, Schengen cooperation, Interpol or the Nordic police cooperation.

International strategic police cooperation
International strategic police cooperation means that the Swedish Police participate in and coordinate the work of the working groups and institutions, mainly within the EU, that have a bearing on police activities. This work creates better conditions for the police organisations in the Member States to jointly combat increasingly diverse and organised cross-border crime.

International development cooperation
International development cooperation means that the Swedish Police support foreign police organisations in their efforts to become more democratic and effective. The Swedish Police help create a police organisation in the partner country that respects and protects human rights, follows the rule of law, can be held accountable and gives highest priority to citizens’ needs. This work also helps develop the Swedish Police.

Peace support and conflict prevention
Peace support and conflict-prevention activities mean that Swedish police officers serve in peace and conflict prevention activities within the framework of the UN, the EU and the OSCE around the world.

Read more:
- Swedish Police website www.polisen.se
- Swedish Security Service website www.sakerhetspolisen.se
- Swedish National Police Academy website www.polishogskolan.se
Prosecutors
The role of the prosecutor

The prosecutor has a central role in the judicial system, which consists of three main tasks: to investigate crime, to decide whether or not to instigate legal proceedings and to represent the State in court.

When there is reason to assume that a crime has been committed, a preliminary investigation is initiated. If there are good grounds for suspecting someone of a crime, the prosecutor leads the preliminary investigation. If special circumstances exist, the prosecutor can lead a preliminary investigation even if there is no suspect. The investigation is conducted by the Swedish Police. The prosecutor constantly follows the investigation and takes decisions as to the measures and decisions that are necessary. In less complicated cases, or until a specific person can be suspected of a crime, the Swedish Police can lead the preliminary investigation. A preliminary investigation is discontinued if there are no grounds to continue investigating the suspected crime, for example if there is insufficient evidence. When a preliminary investigation has been completed, the prosecutor takes the decision on whether to institute proceedings.

Another important aspect of the prosecutor’s work is to represent the State in criminal proceedings in court. Through the decision to prosecute and the description of the crime, the prosecutor sets the framework for the criminal proceedings in court. Most prosecutors spend at least one or two days a week in court.

Organisation of the public prosecution service

The public prosecution service consists of the Swedish Prosecution Authority and the Swedish Economic Crime Authority.

The Swedish Prosecution Authority

The Swedish Prosecution Authority has some 1,300 employees, of whom about 900 are prosecutors. There are seven geographical public prosecution areas and a National Public Prosecution Department.

The prosecution areas consist of 32 general public prosecution offices, with a geographical field of operation approximately equivalent to a county. The Authority also has three international public prosecution offices, in Malmö, Göteborg and Stockholm.
The National Public Prosecution Department consists of the units with national responsibility for combating corruption, dealing with environment and working environment cases, and for security and terrorism cases. In addition, the Stockholm International Public Prosecution Office is also a part of the Department.

The Separate Public Prosecution Office (formerly the National Police-related Crimes Unit) is directly answerable to the Prosecutor-General and deals with suspected offences committed by police officers, prosecutors and judges.

The Swedish Prosecution Authority also has three development centres tasked with conducting methodological and legal development in various crime areas and taking care of legal follow-up and supervision.

Central functions for information, finance, human resources, IT, etc. are located at the head office of the Swedish Prosecution Authority. There is also a Legal Department for legal information, activities at the Supreme Court and central international issues, and a Supervision Department for legal supervision.

The Swedish Economic Crime Authority
The Swedish Economic Crime Authority is a special prosecution authority for combating economic crime, such as bookkeeping crime, tax crime and crime against the financial interests of the EU. The Authority also has coordination responsibility among agencies on measures against economic crime. The Authority is led by a Director-General and employs some 400 people, including more than 100 prosecutors. The Authority also employs police officers, forensic accountants and analysts. There are seven chambers for economic crime, a volume crime unit, three operational police units and three operational service units. One of the chambers for economic crime in Stockholm has national responsibility for dealing with matters concerning financial market abuse.

The Prosecutor-General
The Prosecutor-General is the head of the Swedish Prosecution Authority and the highest-ranking public prosecutor in the country. The Prosecutor-General is also the highest-ranking prosecutor of the Swedish Economic Crime Authority’s prosecutors. He or she is the only public prosecutor entitled to institute proceedings in the Supreme Court.

Working for the public prosecution service
Employment as a prosecutor requires a Swedish Bachelor of Laws degree and Swedish court clerk merit rating obtained at a district or
administrative court. Swedish citizenship is also required. In the first years of employment all prosecutors must complete a basic training programme, consisting of both practical and theoretical training.

**International cooperation**

International cooperation is becoming increasingly important in the day-to-day work of prosecutors. Efficient cross-border cooperation has existed in the Nordic countries for many years and has also become established in the EU during the 2000s. Examples of EU measures that have contributed to this are the European arrest warrant and Eurojust.

The European arrest warrant regulates surrender procedures from Sweden to another EU country. The arrest warrant contains rules concerning the way prosecutors and courts handle and take decisions on matters concerning surrender. Surrender can be requested for two purposes: the first concerns a person who is to serve a sentence already imposed in the other country, and the second concerns a person who is to face legal proceedings there.

Eurojust is an EU body consisting of representatives, normally prosecutors, of all the Member States. Its task is to facilitate cooperation and coordination between Member States with regard to criminal investigations that primarily involve serious organised crime and two or more Member States.

**Read more:**

- Swedish Prosecution Authority
  www.aklagare.se
- Swedish Economic Crime Authority
  www.ekobrottsmyndigheten.se
- Eurojust
  www.eurojust.europa.eu
The courts
The task of the courts

Having one’s case heard by an impartial court is a fundamental right. The task of the courts is to decide in cases and matters efficiently and to a high standard.

The Instrument of Government specifies that the courts have independent status. This means that neither the Riksdag, the Government nor any government agency may determine how a court is to rule in an individual case.

The provisions on public access to official information in the Instrument of Government and the Freedom of the Press Act serve to guarantee that the public has insight into the administration of justice. This means that in general, the public has access to hearings and other meetings of the court and has the right to access documents pertaining to a specific case or matter. However, to protect individuals and the public, this insight may in some cases be restricted by secrecy.

The collective term for the court system is the ‘Swedish Courts’. The Swedish Courts consist of some 6,400 employees distributed among 80 or so different courts, authorities and boards. The Swedish Courts consist of the general courts, the general administrative courts, the regional rent and tenancy tribunals, the Legal Aid Authority and the Swedish National Courts Administration.

The organisation of the courts

There are three types of courts in Sweden:
- the general courts (district courts, courts of appeal and the Supreme Court)
- the administrative courts (administrative courts, administrative courts of appeal and the Supreme Administrative Court)
- special courts (e.g. Labour Court, Foreign Intelligence Court).

The general courts

District courts are the court of first instance among the general courts and deal with criminal and civil cases and various kinds of other matters. Criminal cases are cases in which charges have been brought against someone suspected of having committed a crime. Civil cases are cases where two parties are in contention, for example, over the contents of a purchase agreement, an inheritance or custody of a child. In addition to civil and criminal cases, district courts also take decisions on such matters as adoption, administrators, bankruptcy and special representatives.

There are 48 district courts across the country. They vary in size, from about ten to several hundred employees. There are land and environment courts at five district courts, which hear cases and matters that deal with e.g. environmental and water issues, property
registration, and planning and building matters. Decisions of the land and environment courts may be appealed to the Land and Environment Court of Appeal.

The next level is the court of appeal. There are six courts of appeal. In certain cases, a case can only be given a full review by a court of appeal after the court has granted leave to appeal.

The Supreme Court is the court of last resort. It consists of a minimum of 14 justices. The primary responsibility of the Supreme Court is to try cases that could be important to the development of law, i.e. to create precedents. A case can only be given a full review after the court has granted leave to appeal.

Criminal cases are normally instituted when a public prosecutor at a district court initiates prosecution proceedings against a suspect by submitting a summons application to the district court. Certain criminal cases can be settled by means of a written procedure. In most cases, however, a main hearing is held in the presence of the prosecutor, the defendant and, where relevant, the injured party. The defendant may be assisted by a defence counsel. In some cases the defendant may have the right to a public defence counsel. At the main hearing, the prosecutor presents his or her claims and the defendant has the opportunity to describe what he or she perceives to have happened. Other forms of evidence are also presented, such as testimony from witnesses.

If the defendant is convicted of a crime, the sanction may be a fine or imprisonment. Instead of imprisonment, the court may also prescribe a conditional sentence, probation or transfer the convicted person to care. Both conditional sentences and probation can be combined with fines or unpaid work, i.e. community service.

The general administrative courts
General administrative courts are the court of first instance among the general courts and deal with cases involving disputes between the community and individuals. These courts settle many different types of cases. Common types of cases are tax cases, social insurance cases, cases under the Social Services Act and cases concerning compulsory care. There are twelve administrative courts. Four of the administrative courts also house migration courts, which consider cases involving aliens and citizenship. These decisions may be appealed to Migration Court of Appeal, which is located at the Administrative Court of Appeal in Stockholm.

Administrative courts of appeal – of which there are four – are the next level. For most kinds of cases, leave to appeal is required for a full review by an administrative court of appeal.
The Supreme Administrative Court is the court of last resort. It consists of a minimum of 14 justices. Like the Supreme Court, the Supreme Administrative Court’s primary task is to create precedents. Leave to appeal is required for most kinds of cases.

Cases are normally instituted when an individual appeals a decision by a public authority to the administrative court. Proceedings at the court follow a written procedure, but it is also possible to hold oral hearings as a complement to the written material.

Regional rent and tenancy tribunals
Regional rent and tenancy tribunals are administrative authorities with court-like responsibilities. A regional rent tribunal examines certain tenancy disputes and tenant-ownership disputes, and mediates or serves as the arbitral tribunal in such disputes. The tribunals also provide general information on rent and tenancy legislation.

There are eight regional rent and tenancy tribunals. Decisions by regional rent tribunals may be appealed to the Svea Court of Appeal and decisions by regional tenancy tribunals to the court of appeal of the court district in which the tenancy tribunal is located.

The Swedish National Courts Administration

The Swedish National Courts Administration is a government agency responsible for overall coordination and common issues within the Swedish Courts. The work also involves providing service to the courts, the regional rent and tenancy tribunals and the Legal Aid Authority.

Courts in Europe

The Court of Justice of the European Union is located in Luxembourg. The Court has two main tasks: to settle disputes between Member States and EU institutions and to interpret EU law.

It consists of three judicial bodies: the Court of Justice, the General Court and the Civil Service Tribunal. Its primary task is to ensure a uniform interpretation and application of EU law.

The European Court of Human Rights (ECHR) is located in Strasbourg and is part of the Council of Europe, with 47 Member States. The ECHR can examine the obligations of the States to live up to their commitments under the European Convention on Human Rights. Rulings by the European Court of Human Rights are legally binding on the State concerned.
The European Court of Human Rights can receive complaints from individuals, non-governmental organisations or groups of individuals who feel their rights and freedoms have been violated.

Neither the Court of Justice of the European Union nor the European Court of Human Rights is superior to our Swedish courts and authorities. It is therefore not possible to appeal a judgment by a Swedish court to them. Nor can they reverse a judgment or decision reached by a national authority or court.

**Working as a judge**

Permanent judges are appointed by the Government following proposals by the Judges Proposals Board. A permanent judge cannot be dismissed other than in instances specifically set out in the Instrument of Government.

Candidates to the position of permanent judge must have a Bachelor of Laws degree. Many of those appointed as judge have undergone a special programme for training judges, including service at the court of appeal or administrative court of appeal and district court or administrative court. After successfully completing the service period, the candidate is appointed to the position of Associate Judge at a court of appeal or administrative court of appeal. In addition, those with experience from other qualified legal work can be appointed to the position of permanent judge.

Most permanent judges are judges at a district court or administrative court, or judges of appeal at a court of appeal or administrative court of appeal. The head of a district court or administrative court is called Chief Judge, and the head of a court of appeal or administrative court of appeal is called President. The judges at the Supreme Court and Supreme Administrative Court are called justices.

**Lay judges**

Every district court, court of appeal, administrative court and administrative court of appeal has a number of lay judges. They are appointed by the municipal councils in the municipalities that are part of the judicial district of each district court, and by the county council assembly in the counties that are part of the judicial district of each administrative court, administrative court of appeal or court of appeal. A lay judge has the same responsibility for the court's decision as a legally qualified judge. The appointment is non-political, even though lay judges are appointed by the political parties. A lay judge is appointed for four years.
Legal aid

Those who lack the economic means to protect their rights are, in certain cases, entitled to legal aid. Legal aid is not restricted to matters dealt with before a court or by another public agency; it can also be given in connection with other legal matters.

To be granted legal aid, a number of criteria must be fulfilled. For example, the applicant’s annual income may not exceed SEK 260,000. It is preferable that use is made of any insurance for legal expenses that the applicant has. Legal aid is granted by the National Legal Aid Authority or the court in which the case is being processed.

The Legal Aid Authority is a national agency that takes decisions in matters concerning legal aid. The Authority is tasked with executing a court’s decision in legal aid matters and taking decisions concerning legal aid in matters not dealt with by a court.

Victims of crime

As a rule, victims of serious crime are entitled to free counsel and support services in connection with the preliminary investigation and trial. If it is suspected that a child is a victim of an offence by one of its custodians, the child may receive support from a special representative for children. There is also voluntary witness support at district courts and courts of appeal, consisting of people who offer support and help to victims of crime and witnesses at a trial.

A person who has been awarded damages in a judgment receives an offer from the Swedish Enforcement Authority to assist with collection of the debt. If the perpetrator is unable to pay, or if a perpetrator has not been found, and there is no insurance that can cover all the damages, the victim of crime may receive compensation from the State. This is called criminal injuries compensation and as a rule is limited to personal injuries and violations.

The Swedish Crime Victim Compensation and Support Authority is tasked with examining cases concerning criminal injuries compensation. The Authority also administers the Crime Victim Fund, which is built up through special fees collected from those convicted of crime. The resources of the Fund are distributed to different projects and activities directed at victims of crime and to research on victims of crime. The Crime Victim Compensation and Support Authority collects and disseminates information and research results for improving services to and treatment of victims of crime.
The Prison and Probation Service
Tasks of the Swedish Prison and Probation Service

The Swedish Prison and Probation Service is responsible for activities at the country’s correctional facilities, remand centres and probation service offices. The Service is to operate detention facilities and enforce sentences in a secure, humane and efficient manner, and work to reduce the number of repeat offences. The Swedish Prison and Probation Service is also responsible for transporting detainees and pre-sentence investigation reports in criminal cases.

Organisation of the Swedish Prison and Probation Service

The Swedish Prison and Probation Service is a government agency with some 9 000 employees throughout Sweden. It conducts activities throughout the country. The Service is led by a Director-General.

Remand centres

There are 31 remand centres in Sweden with approximately 2 000 places. People suspected of offences and who have been detained by a court while awaiting trial are held at remand centres.

The Act on Detention contains provisions on the treatment of detainees in remand centres. The provisions relate to certain basic rights, visits and other contact with the outside world, health and medical care, etc.

For detainees who abuse drugs there are specially trained outreach staff who offer interviews to increase motivation. If possible, detainees are to be offered some form of work or occupation during their time in remand.

Correctional facilities

There are 47 correctional institutions in Sweden. They are divided into different security levels. On average, approximately 4 000 people are held in Swedish prisons on any given day.

The most common offences for those sentenced to prison are drug-related. Almost equally common is violent crime. Those convicted of murder or manslaughter make up only a few per cent. Ninety-four per cent of all inmates are men, and 42 per cent have previously been in prison.

The Act on Imprisonment contains provisions on the enforcement of prison sentences, i.e. what applies during the time in prison.

An important starting point in the Act is that time spent at a correctional institution is to be
devised so as to facilitate the inmate’s return to the community and counteract the negative effects of imprisonment. As far as possible, the time that a person sentenced to prison spends at a correctional institution is to focus especially on measures intended to prevent recidivism. An individually designed enforcement plan is to be established for each inmate.

Those in prison are obliged to engage in some form of occupation. This occupation may consist of some form of work, training or treatment. The Swedish Prison and Probation Service has treatment programmes for alcohol and drug misusers, sex offenders and men using violence against their partners.

To better prepare former inmates to cope with life in society after release and to reduce the risk of recidivism, and also to facilitate the transition from prison life to a life of freedom, there are several possibilities available for gradual release from prison. These include electronic tagging towards the end of the prison sentence, staying at a treatment centre or a half-way house with special support and supervision.

**Non-custodial care**

Non-custodial care is provided at 34 Probation Service offices. The task of the Probation Service is to supervise those sentenced to sanctions other than prison, such as probation or contract treatment, and also to supervise those who have been released from prison on parole. The Probation Service is also responsible for the enforcement of community service and prison sentences that are to be enforced with electronic intensive supervision (electronic ankle tag) rather than prison. On average, the Probation Service supervises 12 000 convicted persons every day. Probation means that a convicted person is given a 3-year trial period. As a rule, the first year is under supervision. In the case of release on parole, the probation period is equivalent to the remainder of the prison sentence, but not less than one year. Those who are placed under supervision are assigned a probation officer who offers support and assistance to facilitate adjustment to society.

Contract care is primarily intended for established drug or alcohol abusers where there is a clear correlation between abuse and crime. Instead of prison, the court sentences the individual to probation with treatment at a treatment centre.

Community service is another alternative to prison and a supplement to probation or a conditional sentence. Community service means that the convicted person is to carry out unpaid work during his or her free time. The court
determines the number of hours the convicted person is to work, with a minimum of 40 hours and a maximum of 240 hours.

A person convicted to a maximum of six months in prison can, under certain circumstances, serve the sentence at home, fitted with an electronic ankle tag. The transmitter in the tag is connected to a computer, which checks that the convicted person is following an established timetable. If the client does not follow the timetable, the Probation Service is alerted. The convicted person is monitored 24 hours a day. The freedom of movement of clients is strictly regulated and the Probation Service regularly checks that they are free from drugs and alcohol. The Probation Service also takes care of supervision and control of those fitted with electronic ankle tags in connection with gradual release from prison.

The Probation Service also carries out presentence investigation reports. The Service meets and interviews persons charged with crimes and submits a statement about their individual circumstances to the court. The court then uses these statements to help determine a suitable sanction.

Transport

It is sometimes necessary for the Probation Service to transport convicted persons, for example between remand centres and prison, and between different prisons. Transport is also carried out to other countries, for example when a person sentenced to expulsion is to be deported to his or her country of origin. The Prison and Probation Service also undertakes transport for other agencies such as the Swedish Police in connection with refusal-of-entry in asylum cases. Some 80 000 transports are carried out each year, of which some 5 000 go to other countries.

Young people and penal care

Children under the age of 15 are not punishable under the law. A young person between the ages of 15 and 17 who commits an offence is usually sentenced to a fine or one of the special sanctions for young people: youth care, youth service or institutional youth care. People under the age of 18 are very rarely sentenced to prison, but this is possible if the young person committed a very serious offence shortly before he or she reached the age of 18.
The judicial system constantly developing
When society – and thus crime – changes, the judicial system must also change. Parts of this process of change take place within each of the judicial authorities, while others occur at a more general level and involve several or all authorities.

**A digitally joined-up judicial chain**

To meet the challenges facing the judicial system – and, ultimately, to increase security and reduce crime – criminal cases need to be managed more efficiently. To this end, a project is under way to ensure that the authorities in the judicial chain jointly and through the use of information technology develop a better exchange of information in the criminal justice process. Besides the efficiency gains, the project entails increased service to citizens and better data for knowledge, analysis and follow-up in the entire judicial chain. When a case can be followed electronically through the entire criminal trial procedure, information can be retrieved and analysed in ways that were previously impossible. This opens up new possibilities to introduce more knowledge-based law enforcement. The digitisation of information exchange in the judicial chain also allows stronger governance and more efficient resource use in the judicial system.

**Knowledge about the judicial system**

The Swedish National Council for Crime Prevention (Brå) works under a government mandate. Its target groups include decision-makers and employees within the judicial system. Brå conducts research and supplies the Government and government agencies with valuable statistics, evaluations of various reforms and other knowledge-based material that serve as background data in crime prevention efforts and the judicial system’s reactions to crime.
Who supervises the authorities?
Supervision of public authorities

It is very important that authorities comply with laws and ordinances to maintain confidence in the public administration, and ultimately in democracy. The possibility for citizens to appeal decisions by public authorities to an administrative court means that the court can examine how an authority has applied the rules. As a result of the judicial examination, a practice is also established for the authorities.

There is also reason to exercise supervision of the way authorities carry out their duties. This supervision is carried out by the Parliamentary Ombudsmen, the Chancellor of Justice and the central administrative authorities.

Correspondingly, the Chancellor of Justice is tasked by the Government with supervising those involved in public administration. The public can also turn to the Chancellor of Justice with complaints. In addition to this supervisory role, the Chancellor of Justice also examines claims for damages directed at the State.

Neither the Parliamentary Ombudsmen nor the Chancellor of Justice can review or modify the decisions of another public authority or court.

The central administrative authorities

The Swedish Police Authority, the Swedish Prosecution Authority and the Swedish Prison and Probation Service monitor that activities within the areas for which they are responsible are carried out in accordance with the instructions given by the Riksdag and the Government. They also examine the efficiency of operations and their compliance with the principles of the rule of law.
Overall budget

Judicial system’s share of total national budget
For 2015, the budget for the judicial system amounts to just over SEK 40 billion. The largest appropriation items are (SEK million):

1. Police organisation 21 080
2. Swedish Prison and Probation Service 7 835
3. Swedish Courts 5 346
4. Legal counsels, etc. 2 306
5. Swedish Prosecution Authority 1 306
6. Swedish Security Service 1 104
7. Swedish Economic Crime Authority 589
8. National Board of Forensic Medicine 379
9. Compensation for damages due to crime 122
10. Swedish National Council for Crime Prevention 90
11. Crime Victim Compensation and Support Authority 37
12. Costs for some claims adjustment, etc. 40
13. Fees to some international organisations 19
14. Swedish Commission on Security and Integrity Protection 18
15. Judges Proposals Board 8
16. Contribution to local crime prevention work 7
17. Swedish Gene Technology Advisory Board 5
Contact

- Swedish National Council for Crime Prevention
  www.bra.se
- Crime Victim Compensation and Support Authority
  www.brottsoffermyndigheten.se
- Swedish Economic Crime Authority
  www.ekobrotnysmyndigheten.se
- Ministry of Justice
  www.government.se/justice
- Office of the Chancellor of Justice
  www.jk.se
- Swedish Prison and Probation Service
  www.kriminalvarden.se
- Swedish Police
  www.polisen.se
- Parliamentary Ombudsmen (JO)
  www.jo.se
- Legal Aid Authority
  www.rattshjalp.se
- National Board of Forensic Medicine
  www.rmv.se
- The Swedish Courts
  www.domstol.se
- Swedish Commission on Security and Integrity Protection
  www.sakint.se
- Swedish Prosecution Authority
  www.aklagare.se
The Swedish judicial system

The judicial system is normally taken to comprise the agencies responsible for ensuring the rule of law and legal security. The courts form the backbone of this system. Agencies for crime prevention and investigation, i.e. the Swedish Police Authority, the Swedish Security Service, the Swedish Crime Victim Compensation and Support Authority, the Swedish Prosecution Authority, the Swedish Economic Crime Authority and the Swedish Prison and Probation Service, are also regarded as part of the judicial system.

This brochure provides a brief introduction to the various parts of the judicial system.