



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2013

Country: Sweden**National correspondent**

First Name - Last Name: **KÄLL Malin**
Job title: **Legal adviser**
Organisation: **Swedish National Courts Adm**
E-mail: **malin.kall@dom.se**
Phone Number : **+46 36 155654**

First Name - Last Name: **HAKANSSON Filip**
Job title:
Organisation: **Swedish Enforcement Authority**
E-mail: **filip.hakansson@kronofogden.se**
Phone Number :

First Name - Last Name: **ÖSTGREN Carolina**
Job title:
Organisation: **Ministry of Justice**
E-mail: **carolina.ostgren@regeringskansliet.se**
Phone Number :

First Name - Last Name: **LUNDBERG Karolin**
Job title: **Public Prosecutor**
Organisation: **Office of the Prosecutor General, Legal Department/ International Unit**
E-mail: **karolin.lundberg@aklagare.se**
Phone Number :

First Name - Last Name: **ESPELAND NYHLEN Pia**
Job title: **Legal adviser**
Organisation: **Swedish National Court Adm**
E-mail: **pia.espelandnyhlen@dom.se**
Phone Number : **+46 31 701 14 86**

1. Demographic and economic data

1. 1. General information

1. 1. 1. Inhabitants and economic information

1) Number of inhabitants (if possible on 1 January 2013)

9 555 893

2) Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €) - (If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP).

	Amount
State or federal level	209 462 351 800
Regional / federal entity level (total for all regions / federal entities)	NAP

3) Per capita GDP (in €)

43 867

4) Average gross annual salary (in €)

41 733

5) Exchange rate of national currency (non-Euro zone) to € on 1 January 2013

8,5688

A1. Please indicate the sources for questions 1 to 4 and give comments concerning the interpretation of the figures supplied if appropriate:

Statistics Sweden. The answer to question 4 excludes social expenses.

1. 1. 2. Budgetary data concerning judicial system

6) Annual approved public budget allocated to the functioning of all courts, in € (if possible without the budget of the public prosecution services and without the budget of legal aid):

TOTAL annual approved budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	<input checked="" type="checkbox"/> Yes	637 246 965
1. Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	446 449 529
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	15 379 625
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.		NA
4. Annual public budget allocated to court buildings (maintenance, operating costs)	<input checked="" type="checkbox"/> Yes	90 513 800
5. Annual public budget allocated to investments in new (court) buildings		NA
6. Annual public budget allocated to training and education	<input checked="" type="checkbox"/> Yes	7 706 415
7. Other (please specify):	<input checked="" type="checkbox"/> Yes	77 197 596

7) If you cannot separate the budget of the public prosecution services and the budget of legal aid from the budget allocated to all courts, please indicate it clearly. If "other", please specify:

Public Prosecution offices not included.

mail CN 23/01/14: legal aid is not included in the total

8) Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

- for criminal cases?
 for other than criminal cases?

If yes, are there exceptions to the rule to pay court a tax or fee? Please provide comments on those exceptions:

Administrative law cases are excluded as well as court cases about obtaining an order to pay when the person the claim is directed at objects to an order to pay already issued by the Enforcement Authority.

8.1) Please briefly present the methodology of calculation of courts fees?

The calculation method is based on the costs of the general lawyer's offices. The debitible time is set at 72,5 %. The cost components included are salary costs and subsidiary salary costs for lawyers, salary costs and subsidiary salary costs for counsels, court building costs as well as other costs. A conversion of all these costs is done with regard to changes in the cost level of each component. Consumer price index is used as a conversion factor. Consideration of the development of costs during the last three years is taken by using the average increase to convert last year's hourly standard.

8.2) Please indicate, if possible, the amount of court fees to commence an action for 3000€ debt recovery?

52 Euros.

9) Annual income of court taxes or fees received by the State (in €)

5 134 908

12) Annual approved public budget allocated to legal aid, in €. - If one or several data are not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. (Question modified)

If your system enables to be granted legal aid for cases which are non litigious or not brought to court, please specify:

	Amount (in €)
Total annual approved public budget allocated to legal aid (12.1 + 12.2)	236399146
12.1 Annual public budget allocated to legal aid for cases brought to court	NA
12.1.1 in criminal law cases	NA
12.1.2 in other than criminal law cases	NA
12.2 Annual public budget allocated to legal aid for non litigious cases or cases not brought to court (legal consultation, ADR, etc)	NA

Comment :

mail CN 9/1/14: différence par rapport au cycle précédent: The explanation to the differences between the two years is that more funds have been allocated for the purposes. Also the exchange rate have changed between the two years so the increase appears somewhat bigger in Euro than it has been in Swedish kronor.

13) Total annual approved public budget allocated to the public prosecution services (in €). Please indicate in the "comment" box below any useful information to explain the figures provided .

Amount 144 485 809

Comment :

The amount is included in the amount in question 15.1

mail CN 9/1/14: différence par rapport au cycle précédent: The explanation to the differences between the two years is that more funds have been allocated for the purposes. Also the exchange rate have changed between the two years so the increase appears somewhat bigger in Euro than it has been in Swedish kronor.

14) Authorities formally responsible for the budgets allocated to the courts (multiple

options possible) :

	Preparation of the total court budget	Adoption of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	Yes	No	No	Yes
Other ministry	Yes	No	No	Yes
Parliament	No	Yes	No	Yes
Supreme Court	No	No	No	No
High Judicial Council	NAP	NAP	NAP	NAP
Courts	No	No	No	No
Inspection body	No	No	No	Yes
Other	No	No	Yes	Yes

14.1) If any other Ministry and/or inspection body and/or other, please specify (considering question 14):

Other ministry: Ministry of Finance

Inspection body: Swedish National Audit office

Other: National Courts Administration

A.2 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter

- the characteristics of your budgetary system and the main reforms that have been implemented over the last two years

- if available, an organisation scheme with a description of the competencies of the different authorities responsible for the budget process

mail CN 23/01/2014: Q9: Q9: The change between the years is due to a misjudgment from our side about the budgeted amounts. It is not the outcome that has changed over the years, but the budgeted amounts.

Due to differences in nomenclature within different audit systems there is an inherent problem in comparing numbers. As a result, the figures presented in question 6 should be used with prudence. The figures are not approved budget but executed expenses

mail CN 9/1/14: explication sur différences par rapport au cycle précédent: The reason behind that last year's figure is much lower is primarily an underestimation of the budget need concerning the application fees. This was corrected in 2012. Hence the large difference.

Please indicate the sources for answering questions 6, 9, 12 and 13.

12,13: The Governments's Budget Bills and Amending Budget Bills for 2012

[1. 1. 3. Budgetary data concerning the whole justice system](#)

15) The following data would be useful for information

15.1) (Former question 10) Annual approved public budget allocated to the whole justice system, in € (this global budget does not include only the court system as defined under question 6, but also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.)

NA

4519656078

15.2) (Former question 11) Please indicate the budgetary elements that are included in the whole justice system. If "other", please specify in the "comment" box below.

Court (see question 6)	Yes
Legal aid (see question 12)	Yes
Public prosecution services (see question 13)	Yes
Prison system	Yes
Probation services	Yes
Council of the judiciary	NAP

Constitutional court	NAP
Judicial management body	Yes
State advocacy	NAP
Enforcement services	No
Notariat	NAP
Forensic services	Yes
Judicial protection of juveniles	Yes
Functioning of the Ministry of Justice	No
Refugees and asylum seekers services	No
Other	Yes

Comment :

The Swedish Police

The Swedish Security Service

The Swedish Economic Crime Authority

The Swedish National Council for Crime Prevention

The Swedish Gene Technology Advisory Board

The Crime Victim Compensation and Support Authority

Economic compensation for damages suffered due to crime

Economic costs for certain claim settlements

Economic contributions to local crime prevention

The Swedish Commission on Security and Integrity Protection

Judges Proposals Board

2. Access to justice

2. 1. Legal aid

2. 1. 1. Principles

16) Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	Yes	Yes
Legal advice	Yes	Yes

17) Does legal aid include the coverage of or the exemption from court fees?

- Yes
 No

If yes, please specify:

According to section 19 of the Legal Aid Act, the person who is granted legal aid does not have to pay court fees such as fee for application or proclamation.

18) Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

- Yes
 No

If yes, please specify:

According to section 19 of the Legal Aid Act, the individual with legal aid does not have to pay an application fee to the Swedish Enforcement Authority.

19) Can legal aid be granted for other costs (different from questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc ? If yes, please specify it in the "comment" box below).

Criminal cases	Other than criminal cases
Yes	Yes

Comment :

In criminal cases legal aid can be granted for travel expenses and subsistence for the accused person. He or she can also be granted legal aid for expenses for witnesses who are not called by the prosecutor.

In other than criminal cases the individual granted legal aid can have expenses covered for traveling and subsistence, evidence in court, investigation costs to a certain amount (approximately 1000* EUR) and for costs for a mediator appointed by the court.

*In the previous answer the given maximum amount for investigation costs was appr. "100" EUR. However this must have been an error in writing. The correct amount is appr. 1000 EUR (10 000 SEK).

20) Number of cases referred to the court for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please specify in the "comment" box below, when appropriate.

[This question concerns only the annual number of cases for which legal aid has been granted to those referring a case to a court. It does not concern legal advice provided for cases that are not brought before the court.]

	Number
Total	NA
in criminal cases	NA
other than criminal cases	NA

Comment :

20.1) Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Number of cases
NA

Comment :

21) In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

Please specify in the "comment" box below.

Accused individuals	Yes
Victims	Yes

Comment :

If a suspect under arrest or detained so requests, a public defence counsel shall be appointed for him. A public defence counsel shall also be appointed upon request for a person who is suspected of an offence in respect of which a less severe sentence than six months imprisonment is not prescribed. A public defence counsel shall also be appointed if a defence counsel is needed by the suspect in connection with the inquiry into the offence, if a defence counsel is needed in view of doubt concerning choice of sanction and there is reason to impose a sentence other than a fine or conditional sentence or such sanctions linked together, or if there are otherwise special reasons relating to the personal circumstances of the suspect or the subject of the case. If a suspected or accused person is under the age of 18 a public defence counsel shall be appointed, unless it is evident that the young person is without need of a counsel.

In certain cases, counsel for the aggrieved person can be appointed. Such counsel shall be appointed when there is a preliminary investigation concerning sexual crimes, if it is not obvious that there is no need for a counsel, - concerning crimes against life and health or liberty and peace, if the sentence can be imprisonment, or robbery if it with regard to the aggrieved persons relation to the suspect or other circumstances can be assumed that the person needs such counsel. A counsel can also be appointed when the investigation concerns other crimes that can lead to imprisonment, and it, with regard to the aggrieved persons personal or other circumstances can be assumed that the aggrieved person is in a specially strong need for such a counsel.

22) If yes, are individuals free to choose their lawyer within the framework of the legal aid system

Yes

No

23) Does your country have an income and assets evaluation for granting legal aid to the applicant ? If you have such a system but no data available, please indicate NA. If you do not have such a system, please indicate NAP.

Please provide in the "comment" box below any information to explain the figures provided.

	amount of annual income (if possible for one person) in €	amount of assets in €
for criminal cases	NAP	NAP
for other than criminal cases?	28 000 EUR	NA

Comment :

The amount for other than criminal cases applies to the total of the applicants economic conditions. The income and asset evaluation figure is regulated in section 6 in The Swedish Legal Aid Act. The change of the figure since the previous evaluation is due to currency fluctuations.

In criminal cases there are no income and assets evaluation for granting legal aid. However if the accused is sentenced the court can order that the accused shall repay some or all the costs of the public defence counsel. How much of the costs that the person can be ordered the repay is depended on the persons economic conditions.

24) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

- Yes
 No

If yes, please explain the exact criteria for denying legal aid:

Legal aid can be granted only if it is reasonable with regard to the kind and importance of the matter, the value of the matter and other circumstances that the state contributes to the costs.

25) In other than criminal cases, is the decision to grant or refuse legal aid taken by:

- the court?
 an authority external to the court?
 a mixed authority (court and external bodies)?

26) Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

- Yes
 No

If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

The benefits according to the Swedish Legal Aid Act are subsidiary to the private insurance system. The vast majority of residents have a home insurance which cover legal assistance. An individual who owns an insurance which cover legal expenses shall always use the insurance. If the individual does not have such an insurance but he or she should have had one with regard to his or her insurance coverage in general or economic and personal conditions, legal aid can be granted only if there are special reasons with regard to the kind and importance of the matter for the claimant.

27) Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared, in:

criminal cases?	Yes
other than criminal cases?	Yes

B.1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your legal aid system and the main reforms that have been implemented over the last two years

No main reforms have been implemented regarding the legal aid system over the last two years.

Please indicate the sources for answering questions 20 and 23:

Question 23: The source of the income and asset evaluation figure for granting legal aid for other than criminal cases is section 6 in The Swedish Legal Aid Act.

2. 2. Users of the courts and victims

2. 2. 1. Rights of the users and victims

28) Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may

have free of charge access to the following:

The websites mentioned could appear in particular on the internet website of the CEPEJ. Please specify in the "comment" box below what documents and information the addresses for "other documents" include:

legal texts (e.g. codes, laws, regulations, etc.)? Internet address(es):	<input checked="" type="checkbox"/> Yes	http://www.lagrummet.se/
case-law of the higher court/s? Internet address(es):	<input checked="" type="checkbox"/> Yes	http://www.lagrummet.se/
other documents (e.g. downloadable forms, online registration)? Internet address(es):	<input checked="" type="checkbox"/> Yes	http://www.domstol.se/Ladda-ner--bestall/Blanketter/

Comment :

This page includes for instance form for joint application for divorce, joint application for dissolution of registered partnership, application for the Legal Aid and forms for application for summons.

29) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

- Yes
 No
 Yes only in some specific situations

If yes only in some specific situations, please specify:

The court shall in civil cases establish a time schedule for the proceedings, unless unnecessary due to the particulars of the case or other special reasons.

30) Is there a public and free-of-charge specific information system to inform and to help victims of crime?

- Yes
 No

If yes, please specify:

www.brottsoffermyndigheten.se

31) Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons. If "other vulnerable person" and/or "other special arrangements", please specify it in the "comment" box below.

[This question does not concern the police investigation phase of the procedure and does not concern compensation mechanisms for victims of criminal offences, which are addressed under questions 32 to 34.]

	Information mechanism	Special arrangements in court hearings	Other
Victims of sexual violence/rape	No	Yes	No
Victims of terrorism	No	Yes	No
Children (witnesses or victims)	No	Yes	No
Victims of domestic violence	No	Yes	No
Ethnic minorities	No	Yes	No
Disabled persons	No	Yes	No
Juvenile offenders	No	Yes	No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	No	Yes	No

Comment :

"Others" may for example include a person who is so afraid so he or she doesn't openly tell the truth because of the presence of a party or audience.

31.1) Is it possible for minors to be a party to a judicial proceedings :

- Yes

No

If yes, please specify which procedure can be concerned (civil, criminal, administrative/normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.) :

Minors over 15 years can be a defendant in a criminal procedure. The main rule is that public defence shall be appointed. In a civil procedure and a administrative procedure a minor is represented by its guardian or a legal representative. In a LVU case (a case about a minor forcibly need care outside his own home) a minor over 15 years has the right to represent himself. In a civil case about a minors income from his own work a minor over 16 years can represent himself.

32) Does your country allocate compensation for victims of crime?

Yes

No

If yes, for which kind of offences

The compensation is not dependent on a specific type of crime.

33) If yes, does this compensation consist in:

a public fund?

damages to be paid by the responsible person (decided by a court decision)?

a private fund?

34) Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

There are no comprehensive studies on this subject.

35) Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

Yes

No

If yes, please specify:

Comment Q35- When a private claim is based upon an offence subject to public prosecution, the prosecutor, upon request of the aggrieved person, shall also prepare and present the aggrieved person's action in conjunction with the prosecution, provided that no major inconvenience will result and that the claim is not manifestly devoid of merit.

During the inquiry of an offence, if the investigation leader or the prosecutor finds that a private claim may be based upon the offence, he or she shall if possible, notify the aggrieved person in sufficient time prior to the institution of the prosecution.

36) Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case?

Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

NAP (the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed).

If necessary, please specify:

It is possible to request a retrial of a prosecutor's ruling concerning, for example, a discontinued preliminary investigation or a decision not to bring charges. If a request for a retrial is received by a public prosecution office, first of all the prosecutor who made the ruling shall decide whether or not any new circumstances have come to light in the matter. If new circumstances are cited, the prosecutor reconsiders his/hers decision. If not, the case will be reviewed by the Director of Public Prosecution. The decision of the Director of Public Prosecution can in its turn be reviewed by the Prosecutor-General.

2. 2. 2. Confidence of citizens in their justice system

37) Is there a system for compensating users in the following circumstances:

- excessive length of proceedings?
- non execution of court decisions?
- wrongful arrest?
- wrongful condemnation?

Where appropriate, please give details on the compensation procedure, the number of cases, the result of the procedures and the existing mechanism for calculating the compensation (e.g. the amount per day for unjustified detentions or convictions):

Financial compensation for a wrongful arrest/wrongful condemnation can be received for suffering, loss of income and expenses. Suffering is normally compensated with approximately 85-115 € per day, but the amount can - depending on the circumstances in the case - be lower or (in some extraordinary cases) much higher. Compensation can be awarded by the Chancellor of Justice or decided by court.

Damages for excessive length of proceedings is awarded according to the case-law of the European Court of Human Rights.

38) Does your country have surveys aimed at legal professionals and court users to measure their trust and/or satisfaction with the services delivered by the judicial system? (multiple options possible)

- (Satisfaction) surveys aimed at judges
- (Satisfaction) surveys aimed at court staff
- (Satisfaction) surveys aimed at public prosecutors
- (Satisfaction) surveys aimed at lawyers
- (Satisfaction) surveys aimed at the parties
- (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)
- (Satisfaction) surveys aimed at victims

If possible, please specify their titles, object and websites where they can be consulted:
Every five years the Swedish Courts Administration carries out nationwide surveys on confidence among users.

Every two years the Swedish Courts Administration carries out studies on the work situation among court employees.

39) If possible, please specify:

	Surveys at a regular interval (for example annual)	Occasional surveys
Surveys at national level	No	Yes
Surveys at court level	No	Yes

40) Is there a national or local procedure for making complaints about the functioning of the judicial system (for example the handling of a case by a judge or the duration of a proceeding)?

- Yes
- No

41) Please specify which authority is responsible for dealing with such complaints and inform whether

there is or not a time limit to respond and/or a time limit for dealing with the complaint (multiple options possible). Please give information concerning the efficiency of this complaint procedure in the "comment" box below.

	Time limit to respond (e.g. to acknowledge receipt of the complaint, to provide information on the follow-up to be given to the complainant, etc.)	Time limit for dealing with the complaint
Court concerned	Yes	No
Higher court	No	No
Ministry of Justice	No	No
High Council of the Judiciary	No	No
Other external bodies (e.g. Ombudsman)	No	No

Comment :

Measures to prevent delays

An application for a Declaration of Priority can be made in all types of cases in court. If the handling of the case in question has been unreasonably delayed the chief judge shall declare the case to have priority. When deciding whether the handling of the case has been unreasonably delayed the chief judge shall especially consider the complexity of the case, how the parties have been acting during the process, how the court has handled the case and the importance of the matter for the applicant.

Certain specific remedies

Specifically with respect to the conduct of proceedings before the court, chapter 49, section 7 of the Swedish code of judicial procedure provides that a party who is of the opinion that the processing of the case has been unnecessarily delayed by decision of a district court may file an interlocutory appeal against the decision. If the court of appeal finds that the appeal is meritorious it may quash the disputed decision.

Where criminal proceedings have exceeded a reasonable time, this may cause the sentence imposed to be more lenient. Thus, chapter 29 section 5 and chapter 30 section 4 of the Swedish penal code provides that courts in criminal cases shall, both in its choice of sanction and in its determination of the appropriate punishment, take into account whether an unusually long time has elapsed since the commission of the offence. Similarly, in tax cases, the Tax Authority and the administrative courts may reduce or remit a tax surcharge when the taxpayer has not had his or her case determined within a reasonable time (chapter 5, section 14.3 of the taxation act).

Supervisory remedies

The Parliamentary Ombudsmen and the Chancellor of Justice exercise control, inter alia, over the conduct of proceedings before public authorities, including the courts. Where appropriate the Ombudsmen and the Chancellor of Justice may criticise an authority's delay in deciding a matter before it. However, the Ombudsmen and the Chancellor of Justice have no power to directly order a public authority to conclude proceedings within a certain time-period.

Court presidents and other senior judges responsible for divisions or sections within a court are responsible for ensuring that cases are determined within a reasonable time. The manner in which they exercise this control function is regularly reviewed by the Parliamentary Ombudsmen.

A public official who intentionally or through carelessness disregards the duties of his office, e.g. by omitting to render a decision in a matter that is pending before him, may be held criminally or administratively responsible and subjected to criminal or disciplinary sanctions (chapter 20, section 1 of the Swedish penal code and section 14 of the Public Employment Act).

Compensatory remedy

An individual may be entitled to compensation for loss, injury or damage caused by the excessive length of proceedings. Pursuant to chapter 3 section 2 of the 1972 Tort Liability Act the state shall be held liable to pay compensation for personal injury, loss of or damage to property and financial loss where such loss, injury or damage has been caused by a wrongful act or omission done in the course of, or in connection with, the exercise of public authority in carrying out functions for the performance of which the state is responsible.

On the basis of rather recent developments in the case-law of the Swedish Supreme Court, it must be concluded that Swedish law provides a remedy in the form of compensation for pecuniary and non-pecuniary damage in respect of any violation of the European Convention on Human Rights, including violations on account of excessive length of all types of proceedings under Article 6 § 1 of the Convention.

41.1) Please indicate the number of complaints that are upheld and the amount of compensation given to users in 2012 for complaints about the functioning of the judicial system

Two (2) applications for a Declaration of Priority was made during 2012. - Other data concerning complaints NA due to lack of statistics concerning these kinds of complaints.

3. Organisation of the court system

3. 1. Functioning

3. 1. 1. Courts

42) Number of courts considered as legal entities (administrative structures) and geographic locations. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total number
42.1 First instance courts of general jurisdiction (legal entities)	60
42.2 First instance specialised Courts (legal entities)	12
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	95

43) Number (legal entities) of first instance specialised courts (or specific judicial order). If data is not available, please indicate NA.

If the situation is not applicable in your country, please indicate NAP.

	Number
Total (must be the same as the data given under question 42.2)	12
Commercial courts (excluded insolvency courts)	NAP
Insolvency courts	NAP
Labour courts	1
Family courts	NAP
Rent and tenancies courts	8
Enforcement of criminal sanctions courts	NAP
Fight against terrorism, organised crime and corruption	NAP
Internet related disputes	NAP
Administrative courts	NAP
Insurance and / or social welfare courts	NAP
Military courts	NAP
Other specialised 1st instance courts	3

Comment :
42.3

44) Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

If yes, please specify:

45) Number of first instance courts (geographic locations) competent for the following cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Number
a debt collection for small claims	48
a dismissal	48
a robbery	48

Please give the definition for small claims and indicate the monetary value of a small claim:

Simplified civil or small claims in Sweden called a civil case handled under Chapter 1. D § 3 of the Code, because the value of what is claimed in the case clearly does not exceed half of the base amount. The base amount is 44 000 SEK,

so if the value does not exceed 22 000 SEK it is a small claim.

Please indicate the sources for answering questions 42, 43 and 45:

www.domstol.se

3. 1. 2. Judges, court staff

46) Number of professional judges sitting in courts (if possible on 31 December 2012) (please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please provide in the "comment" box below any useful comment for interpreting the data above.

[Please make sure that public prosecutors and their staff are excluded from the following figures (they will be part of questions 55-60). If a distinction between staff attached to judges and staff attached to prosecutors cannot be made, please indicate it clearly.]

Please indicate the number of posts that are actually filled at the date of reference and not the theoretical budgetary posts.]

	Total	Males	Females	NAP
Total number of professional judges (1 + 2 + 3)	1123	600	523	
1. Number of first instance professional judges	766	428	338	
2. Number of second instance (court of appeal) professional judges	324	152	172	
3. Number of supreme court professional judges	33	20	13	

Comment :

47) Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total	Males	Females	NAP
Total number of court presidents (1 + 2 + 3)	72	46	26	
1. Number of first instance court presidents	60	38	22	
2. Number of second instance (court of appeal) court presidents	10	7	3	
3. Number of supreme court presidents	2	1	1	

48) Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December 2012).

Please provide in the "comment" box below any information to explain the answer under question 48.

Gross figure Yes 247
 If possible, in full-time equivalent Yes 46

Comment :

49) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December 2012) (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury):

If such non-professional judges exists in your country, please specify it in the "comment" box below:

Gross figure Yes 8600

Comment :

In Sweden lay judges participate in both general courts and general administrative courts in some of the cases. Lay judges does not participate in all cases. For the time being lay judges participate in both first and second instance but not in the

supreme courts.

50) Does your judicial system include trial by jury with the participation of citizens?

- Yes
 No

If yes, for which type of case(s)?

Only press libel/freedom of speech cases include trial by jury. There was only one trial of this kind for the year of reference, 2012. It was at the district court of Stockholm (case number nr B 10692-11, 14 september 2012).

51) Number of citizens who were involved in such juries for the year of reference:

9

52) Number of non-judge staff who are working in courts for judges (if possible on 31 December 2012) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled). If "other non-judge staff", please specify it in the "comment" box below.

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5) Yes (among which women) 5 173

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal NAP

2. Non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) such as registrars Yes (among which women) 3 500

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) Yes (among which women) 1 054

4. Technical staff Yes (among which women) 119

5. Other non-judge staff Yes (among which women) 500

Comment :

The Swedish National Courts Administration (SNCA) is a government agency of the government, which acts as a service organization to the courts in the country. Courts Administration has no authority over the courts judicial business of their verdict. SNCA's role is to be responsible for the overall coordination and joint issues by the courts. The work also involves giving support to the courts, rental and tenancy tribunals and Legal Aid. It can be about issues that staff development, training and information, development of regulations, instructions and guidance and to ensure that operations are conducted in an effective and accessible way for citizens. There are about 330 employees with diverse professional backgrounds.

53) If there are Rechtspfleger (or similar bodies) in your judicial system, please describe briefly their status and duties:

NAP

54) Have the courts delegated certain services, which fall within their powers, to private providers (e.g. IT services, training of staff, security, archives, cleaning)?

- Yes
 No

If yes, please specify:

Most courts have delegated for example cleaning services, some training of staff, security check in the courts and security services to private providers.

C1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your judicial system and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 46, 47, 48, 49 and 52

3. 1. 3. Public prosecutors and staff

55) Number of public prosecutors (if possible on 31 December 2012) (please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. Please provide in the "comment" box below any useful information for interpreting the data.

	Total	Males	Females	NAP
Total number of prosecutors (1 + 2 + 3)	1 013	324	691	
1. Number of prosecutors at first instance level				NAP
2. Number of prosecutors at second instance (court of appeal) level				NAP
3. Number of prosecutors at supreme court level	13	8	5	

Comment :

Cases in first and second instance are handled by the same prosecutors.

56) Number of heads of prosecution offices. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please provide in the "comment" box below any useful information for interpreting the data.

	Total	Males	Females	NAP
Total number of heads of prosecution offices (1 + 2 + 3)	46	26	20	
1. Number of heads of prosecution offices at first instance level				NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level				NAP
3. Number of heads of prosecution offices at supreme court level	7	5	2	

Comment :

No distinction is made between first and second instance prosecution offices. Cases in first and second instance are handled by the same prosecutors. [Mail from the NC sent on 10/04/2014: The reason to that the numbers might differ from previous years is that we have not included also the Prosecutor General and the Deputy Prosecutor General in the reported numbers before (even if they were authorized at the Supreme Court level even before).]

57) Do other persons have similar duties to public prosecutors?

- Yes
 No
 NA

Number (full-time equivalent)

58) If yes, please specify their title and function:

59) If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- Yes
 No

59.1) Do all prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

Yes

60) Number of staff (non-public prosecutors) attached to the public prosecution service (if possible on 31 December 2012) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

Number NA 421
Among which women NA 290

C2 You can indicate below:

- Any useful comments for interpreting the data mentioned in this chapter
- The characteristics of your judicial system and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 55, 56 and 60.

HR management system

[3. 1. 4. Management of the court budget](#)

61) Who is entrusted with responsibilities related to the budget within the court?

If "other", please specify it in the "comment" box below.

	Preparation of the budget	Arbitration and allocation	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	No	No	No	No
Court President	Yes	Yes	Yes	Yes
Court administrative director	Yes	Yes	Yes	Yes
Head of the court clerk office	No	No	No	No
Other	No	No	No	No

Comment :

[3. 1. 5. Use of Technologies in courts](#)

62) For direct assistance to the judge/court clerk, what are the computer facilities used within the courts?

Word processing	100% of courts
Electronic data base of caselaw	100% of courts
Electronic files	100% of courts
E-mail	100% of courts
Internet connection	100% of courts

63) For administration and management, what are the computer facilities used within the courts?

Case registration system	100% of courts
Court management information system	100% of courts
Financial information system	100% of courts
Videoconferencing	100% of courts

64) For the electronic communication and exchange of information between the courts and their environment, what are the computer facilities used by the courts ?

Si "autres moyens de communication électronique", veuillez le préciser dans la boîte de commentaires ci-dessous.

Electronic web forms	100% of courts
Website	100% of courts
Follow-up of cases online	0 % of courts
Electronic registers	100% of courts
Electronic processing of small claims	100% of courts
Electronic processing of undisputed debt recovery	100% of courts
Electronic submission of claims	100% of courts
Videoconferencing	100% of courts
Other electronic communication facilities	100% of courts

Comment :

Electronic submission of claims

It is possible to submit a claim (or appeal) electronically through email but it must also be submitted, signed in original by post or submitted directly to the court.

mail CN 9/1/14: Q 62 et 64: explication différences par rapport au cycle précédent: le main reason for the differences is probably that the questions have been interpreted in different ways. Concerning q 62 electronic files can be a lot of different things. In the interpretation we made we consider for instance pdf-files to be electronic files.

Also the differences in q 64 can be partly explained with different interpretations. For instance electronic submission of claims, we do not have a special system for this but claims can be sent in by e-mail. Concerning registers and webforms there may also have been a development since the last answers.

65) The use of videoconferencing in the courts (details on question 63).

Please indicate in the "comment" box below any clarification on the legal framework and the development of videoconferencing in your country.

65.1 In criminal cases, do courts or prosecution offices use videoconferencing for hearings in the presence of defendants or witnesses or victims?	Yes
65.2 Can such court hearing be held in the police station and/or in the prison?	Yes
65.3 Is there any specific legislation on the conditions for using videoconferencing in the courts / prosecution offices, especially in order to protect the rights of the defence?	Yes
65.4 Is videoconferencing used in other than criminal cases?	Yes

Comment :

The legal framework concerning the use of videoconferencing is documented in the code of judicial procedure and in the administrative court procedure act. The court decides if videoconferencing is to be used, weighing the importance of having a person present in the court against the reasons for the person participating via video. In deciding whether a hearing should be held in person or by videoconference the courts the wishes of the parties of the case are taken into special account. Concerning the hearing the rules are the same that apply to a hearing of a person present in the court.

C3 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your judicial system and the main reforms that have been implemented over the last two years

Electronic lawsuit As part of the process of implementing an electronic flow of information in criminal proceedings, prosecutors has since the spring of 2012 started to file lawsuits and written reports to the courts electronically. Secure email The courts handle personal data to a large extent. Many of the data processed is sensitive or protected by confidentiality. Sensitive information should not be sent through e-mail over open networks and information covered by professional secrecy may not be sent in this way. The courts must also have the appropriate tools, such as e-mail, which can save time, money and make that goal settled faster. The Swedish National Courts Administration has now launched an effort to lead the e-mail traffic to certain authorities to a secure network where all communication is encrypted. Messages with sensitive or confidential information may be sent by e-mail over the secure network. Swedish courts will have access to two ways to send secure e-mail, either via an encrypted public authority or by secure e-mail stored on the server.

3. 2. Monitoring and evaluation

3. 2. 1. Performance and evaluation

66) Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

Yes

No

If yes, please indicate the name and the address of this institution:

The Swedish National Courts Administration, SE-551 81 Jönköping, Sweden

66.1) Does this institution publish statistics on the functioning of each court on the internet:

Yes

No, only in an intranet website

No

67) Are individual courts required to prepare an annual activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No, only in an intranet website

68) Do you have, within the courts, a regular monitoring system of court activities concerning:

The monitoring system aims to assess the day-to-day activity of the courts (namely, what the courts produce) thanks in particular to data collections and statistical analysis (see also questions 80 and 81).

number of incoming cases?

number of decisions delivered?

number of postponed cases?

length of proceedings (timeframes)?

other?

If other, please specify:

Statistics concerning review permits in a superior court (this is often required when you appeal to a superior court)

- Number of incoming cases where there is a demand for a review permit
- Number of cases that receives a review permit
- Time to examine if a review permit will be given

Statistics concerning hearings

- Number and duration of hearings in a case
- Number of cancelled hearings in a case

Statistics concerning parties

- Number and type of parties in a case (defendants, witnesses, parties injured, plaintiffs)

- Number of detained persons (in custody) in a criminal case
- Number of cases including minor offenders (< 18 years old)

Statistics concerning various types of decisions

- Number of times a judicial decision is changed in a superior court

Statistics concerning unit within court used to handle the case

Statistics concerning number of judges used to handle the case

69) Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

The evaluation system refers to the performance of the court systems with prospective concerns, using

indicators and targets. The evaluation may be of more qualitative nature (see questions 69-77). It does not refer to the evaluation of the overall (good) functioning of the court (see question 82).

- Yes
 No

If yes, please specify:

Filed and decided cases, backlog, age structure of cases.

70) Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 72)

- Yes
 No

71) Please select the 4 main performance and quality indicators that have been defined:

- incoming cases
 length of proceedings (timeframes)
 closed cases
 pending cases and backlogs
 productivity of judges and court staff
 percentage of cases that are processed by a single sitting judge
 enforcement of penal decisions
 satisfaction of court staff
 satisfaction of users (regarding the services delivered by the courts)
 judicial quality and organisational quality of the courts
 costs of the judicial procedures
 other:

If other, please specify:

72) Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

- Yes
 No

73) Who is responsible for setting the targets for each judge?

- executive power (for example the Ministry of Justice)?
 legislative power
 judicial power (for example a High Judicial Council, Higher Court)
 President of the court
 other

If other, please specify:

74) Are there performance targets defined at the level of the court (if no please skip to question 77)?

- Yes
 No

75) Who is responsible for setting the targets for the courts?:

- executive power (for example the ministry of Justice)?

- legislative power
- judicial power (for example a High Judicial Council, Higher Court)
- President of the court
- other

If other, please specify:

The Government sets the general targets for the courts every year. The detailed targets are set after a discussion between the court presidents and the National Courts Administration. The Supreme Court and the Supreme Administrative Court set their own targets.

76) Please specify the main targets applied to the courts:

Average length of proceedings for different types of cases.

77) Who is responsible for evaluating the performance of the courts (see questions 69 to 76)? (multiple options possible)

- High Council of judiciary
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other

If other, please specify :

78) Are quality standards determined for the whole judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

- Yes
- No

If yes, please specify:

79) Do you have specialised court staff that is entrusted with these quality standards?

- Yes
- No

80) Do you monitor backlogs and cases that are not processed within a reasonable timeframe for ?

- in civil law cases
- in criminal law cases
- in administrative law cases

81) Do you monitor waiting time during court procedures?

- Yes
- No

If yes, please specify:

82) Is there a system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan (plan of visits) agreed beforehand?

This question does not concern the specific evaluation of performance indicators.

Yes

No

Please specify the frequency of the evaluation:

83) Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

If yes, please give further details:

Statistics concerning the number of incoming cases, number of decisions by a prosecutor, length of investigations, percentage of cases charged/dropped, etc.

C.4 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your court monitoring and evaluation systems

4. Fair trial

4. 1. Principles

4. 1. 1. General principles

84) Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

NA

85) Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

NA

86) Number of cases regarding Article 6 of the European Convention of Human Rights on duration and non-execution. If data is not available, please indicate NA.

	Cases declared inadmissible by the Court	Friendly settlements	Judgements establishing a violation	Judgements establishing a non violation
Civil proceedings - Article 6§1 (duration)	NA	NA	NA	NA
Civil proceedings - Article 6§1 (non-execution)	NA	NA	NA	NA
Criminal proceedings - Article 6§1 (duration)	NA	NA	NA	NA

Please indicate the sources:

D.1 You can indicate below any useful comments for interpreting the data mentioned in this chapter

4. 2. Timeframes of proceedings

4. 2. 1. General information

87) Are there specific procedures for urgent matters as regards:

- civil cases?
- criminal cases?
- administrative cases?
- there is no specific procedure

If yes, please specify:

Accelerated procedures exist in civil cases as well as in criminal and administrative cases. For example, procedures of urgency can be used in administrative cases concerning the right to control and care for a child, in criminal cases when the defendant is under arrest or in detention and in civil cases when it is reasonable to suspect that the opposing party will evade payment of the debt.

88) Are there simplified procedures for:

- civil cases (small disputes)?
- criminal cases (small offences)?
- administrative cases?
- there is no simplified procedure

If yes, please specify:

In civil cases amenable to out of court settlement, the district court shall consist of a single legally qualified judge, if the value of the claim obviously does not exceed half of the base amount according to the National Insurance Act. In 2010, half of the base amount was about 2400€. In such small claims cases, the right to compensation for litigation costs is limited.

In criminal cases, simplified procedures can be used, inter alia in the following cases:

1. Summary penalty order: in the case of less serious crimes, the prosecutor may decide on a so-called summary penalty order instead of prosecuting. This means that the prosecutor, without a trial, decides that the suspect should pay a fine. A precondition for this is that the person suspected of the offence has confessed to it. Summary penalty orders are common in the case of traffic offences, e.g. speeding.
2. Judgment in simplified form: if the defendant has admitted the act and a penalty other than imprisonment, or closed juvenile care or of imprisonment for a term of no more than six months is imposed, the judgment may be rendered in simplified form. A judgment by an appellate court confirming the judgment of a lower court may also be rendered in simplified form (chapter 30, section 6 of the Swedish code of judicial procedure).
3. Without oral hearing: As a main rule, a criminal case shall be adjudicated after a main (oral) hearing. However, if there is no grounds to improve a criminal sanction other than a fine, if neither of the parties have asked for an oral hearing and if the matter can be satisfactorily investigated, the case may be adjudicated without a main hearing (chapter 45 section 10 a of the Swedish code of judicial procedure).

88.1) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- Yes
 No

89) Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

- Yes
 No

If yes, please specify:

For example agreements that a civil case should be decided upon by a single judge, timeframes for the parties (lawyers) in civil cases when to submit conclusions and written evidence.

4. 2. 2. Case flow management and timeframes of judicial proceedings

90) Comment:

The national correspondents are invited to pay special attention to the quality of the answers to questions 91 to 102 regarding case flow management and timeframes of judicial proceedings. The CEPEJ agreed that the subsequent data would be processed and published only if answers from a significant number of member states – taking into account the data presented in the previous report – are given, enabling a useful comparison between the systems.

91) First instance courts: number of other than criminal and criminal law cases. Number of other than criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note 1: cases mentioned in categories 3 to 5 (enforcement, land registry, business register) should be presented separately in the table. Cases mentioned in category 6 (administrative law) should also be separately mentioned for the countries which have specialised administrative courts or separate administrative law procedures or are able to distinguish in another way between administrative law cases and civil law cases.

Note 2: check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means: "(pending cases on 1 January 2012 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2012. Vertical consistency of data means that the sum of the individual case categories 1 to 7 should r

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)*	85228	197441	200774	81895
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	30917	65418	64651	31684
2. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	8505	22800	21937	9368
3. Non litigious enforcement cases	NAP	NAP	NAP	NAP
4. Non litigious land registry cases**	NAP	NAP	NAP	NAP
5. Non litigious business registry cases**	NAP	NAP	NAP	NAP
6. Administrative law cases	42654	103745	108724	37675
7. Other cases (e.g. insolvency registry cases)	3152	5478	5462	3168

92) If courts deal with "civil (and commercial) non-litigious cases", please indicate the case categories included:

Joint petitions for divorce and custody of children.

93) If "other cases", please indicate the case categories included:

Property cases, environmental cases, cases relating to the Planning and Building Act

94) Number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note: please check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means that: "(pending cases on 1 January 2012 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2012. Vertical consistency of data means that the sum of the categories 8 and 9 for criminal cases should reflect the total number of criminal cases.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	31583	89804	90866	30521
8. Severe criminal cases	NAP	NAP	NAP	NAP
9. Misdemeanour and / or minor criminal cases	NAP	NAP	NAP	NAP

95) To differentiate between misdemeanour / minor offenses and serious offenses and ensure the consistency of the responses between different systems, the CEPEJ invites to classify as misdemeanour / minor all offenses for which it is not possible to pronounce a sentence of deprivation of liberty. Conversely, should be classified as severe offenses all offenses punishable by a deprivation of liberty (arrest and detention, imprisonment). If you cannot make such a distinction, please indicate the categories of cases reported in the category "serious offenses" and cases reported in the category "minor offenses":

96) Comments on questions 90 to 95 (specific situation in your country e.g. NA-answers and the calculation of the total number of other than criminal law cases, differences in horizontal consistency etc.)

97) Second instance courts: total number of cases

Number of "other than criminal law" cases.

If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Jan. '12			Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)	14 214	41 573	43 999	11 788
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	927	2 818	2 807	938
2. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	NAP	NAP	NAP	NAP
3. Non litigious enforcement cases	NAP	NAP	NAP	NAP

4. Non litigious land registry cases	NAP	NAP	NAP	NAP
5. Non litigious business registry cases	NAP	NAP	NAP	NAP
6. Administrative law cases	11 784	25 452	28 060	9 176
7. Other cases (e.g. insolvency registry cases)	1 503	13 303	13 132	1 674

98) Number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	3202	9347	9237	3312
8. Severe criminal cases	NAP	NAP	NAP	NAP
9. Misdemeanour and/or minor criminal cases	NAP	NAP	NAP	NAP

Comment :

The category "Other" include environmental and property cases as well as other cases. In our evaluation for 2008 we did not include other cases.

The administrative law cases are handled by the administrative courts of appeal.

99) Highest instance courts: total number of cases

Number of "other than criminal law" cases:

If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)	3630	11369	11057	3942
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)	176	343	348	171
2. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)	NAP	NAP	NAP	NAP
3. Non litigious enforcement cases	NAP	NAP	NAP	NAP
4. Non litigious land registry cases**	NAP	NAP	NAP	NAP
5. Non litigious business registry cases	NAP	NAP	NAP	NAP
6. Administrative law cases	2410	7310	6900	2820
7. Other cases (e.g. insolvency registry cases)	1044	3716	3809	951

99.1) At the level of the Higher court, is there a procedure of manifest inadmissibility?

Yes. If yes, please indicate the number of cases closed by this procedure?

No

Number

271

100) Number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	394	1647	1737	304
8. Severe criminal cases	NAP	NAP	NAP	NAP
9. Misdemeanour and/or minor criminal cases	NAP	NAP	NAP	NAP

Comment :

Administrative law cases are handled by the Supreme Administrative Court, while all the other cases in the table are dealt with by the Supreme Court. [Mail from the NC sent on 10/04/2014: The total of criminal cases pending on 1 January 2012 has increased compared to 1 January 2011. During 2011 the resolved cases decreased at the same time as the incoming cases increased. The reason why the resolved cases decreased was partly due to the Supreme court's priority of cases which were leaved to appeal.]

101) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases received and processed by first instance courts. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 January 2012	Incoming cases	Resolved cases	Pending cases on 31 December 2012
Litigious divorce cases	5535	8972	8824	5683
Employment dismissal cases	NA	NA	NA	NA
Insolvency	NA	NA	NA	NA
Robbery cases	NAP	NAP	NAP	NAP
Intentional homicide	NAP	NAP	NAP	NAP

102) Average length of proceedings, in days (from the date the application for judicial review is lodged). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

[The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.]

	% of decisions subject to appeal	% pending cases more than 3 years	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)
Litigious divorce cases	NA	0,21	234	NA	NA	NA
Employment dismissal cases	NA	NA	NA	NA	NA	NA
Insolvency	NA	NA	NA	NA	NA	NA
Robbery cases	NAP	NAP	NAP	NAP	NAP	NAP
Intentional homicide	NAP	NAP	NAP	NAP	NAP	NAP

103) Where appropriate, please inform about the specific procedure as regards divorce cases (litigious and non-litigious):

If neither of the spouses live together with their own children and they have jointly applied for a divorce, the district court may issue a judgment as soon as possible. If the spouses wish, they can have a period for reconsideration before the judgment is made. The period for reconsideration is always at least six months and at most one year. If the spouses still want to get divorced when the six months have expired, they must give notice of this to the district court (so-called completion). This notification must be received by the district court after the six months have expired. If the notification for completion is not received by the district court within one year, the matter will be written off.

If the spouses have children living at home (their own, the wife's/husband's or common children), or if one of the spouses does not agree to get divorced, there will always be a period of reconsideration.

If the spouses have lived apart for more than two years they can have a divorce directly, even if they have children or if one of the spouses doesn't agree on getting divorced. In that event the husband or wife should enclose a certificate of separate living.

104) How is the length of proceedings calculated for the five case categories? Please give a description of the calculation method.

Average length of proceedings in divorce cases is calculated from the date when the application of summons is received by the court until the date of the judgment.

105) Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in the court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

other significant powers

If "other significant powers", please specify:

It is not compulsory for the prosecutor to propose a sentence to the judge but none the less this is often done by the prosecutor.

Other significant powers may include decision on coersive measures.

106) Does the public prosecutor also have a role in civil and/or administrative cases?

Yes

No

If yes, please specify:

106.1) Does the public prosecutor also have a role in insolvency cases?

Yes

No

If yes, please specify:

107) Case proceedings managed by the public prosecutor

Total number of 1st instance criminal cases.

If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Received by the public prosecutor	Cases discontinued by the public prosecutor (see 108 below)	Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases charged by the public prosecutor before the courts
Total number of 1st instance criminal cases	530 311	194 329	80 371	201 312

107.1) Among cases charged by the public prosecutor before the courts, how many were brought to court under a guilty plea procedure or similar ?

	Before the court case:	During the court case:
If possible, please distinguish the number of guilty plea procedure:	NAP	

108) Total cases which were discontinued by the public prosecutor. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Number
Total cases which were discontinued by the public prosecutor (1+2+3)	194 329
1. Discontinued by the public prosecutor because the offender could not be identified	NA
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	25 600
3. Discontinued by the public prosecutor for reasons of opportunity	46 866

109) Do the figures include traffic offence cases?

Yes

No

D.2 You can indicate below:

any useful comments for interpreting the data mentioned in this chapter

the characteristics of your system concerning timeframes of proceedings and the main reforms that have been implemented over the last two years

The Swedish Prosecuting authority has changed it's system for managing data and statistics. The new computer system provides us with more accurate figures than before as the searches can be more refined.

Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107 and 108.

The data management system in connection with the case management system.

5. Career of judges and public prosecutors

5. 1. Recruitment and promotion

5. 1. 1. Recruitment and promotion

110) How are judges recruited?

- Mainly through a competitive exam (for instance, following a university degree in law)
- Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
- A combination of both (competitive exam and working experience)
- Other

If "other", please specify:

Judges are appointed by the Government under an applications procedure. Judges are appointed essentially on the basis of ability and suitability for the profession. In making its choices the Government is assisted by the Judicial Council. The Council's main function is to make recommendations to the Government for the filling of appointments.

In Sweden judges are usually trained specifically for the profession. Thus, persons trained as judges make up the main base for recruitment of professional judges. Such training is however not an absolute condition. Anyone with a legal qualification, such as a prosecutor or a lawyer, may apply for a post as a judge.

In order to be accepted for training as a judge the prospective trainee must have both a bachelor of laws degree and a qualification as a court clerk, i.e. he or she must have worked for two years as a clerk at a district court or county administrative court. A person accepted for training as a judge is employed as a reporting clerk at a court of appeal, general or administrative, on six months probation. (The courts of appeal decide themselves who they employ as reporting clerks). If his or her performance over the probationary period is approved, the trainee is employed as a reporting clerk at the court of appeal on conditional tenure. After at least one year in that capacity, the trainee serves as an assistant judge at a district court or county administrative court for another two years. An assistant judge deals with the court's business in the same way as the regular judges.

In the final stage of training, the assistant judge returns to the general or administrative court of appeal to serve as a judge for at least a year. Once that period of service has been successfully completed, he or she is designated as an associated judge of the ordinary or administrative court of appeal, and the traineeship ends.

Associate judges who wish to be appointed as regular judges normally work outside the judiciary for a number of years after completing their training, in order to acquire varied experience and to improve their ability to compete for a post as a regular judge

110.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

- Yes
- No

If "yes", please specify:

There are no specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges. Judges are appointed essentially on the basis of ability and suitability for the profession (see question 110). However, it is possible to consider the interest of gender equality if the qualifications regarding ability and suitability for the profession are similar between the applicants.

111) Authority(ies) in charge: are judges initially/at the beginning of their carrier recruited and nominated by:

[This question strictly concerns the authority entrusted with the decision to recruit (not the authority formally responsible for the nomination if different from the former)].

- An authority made up of judges only?
- An authority made up of non-judges only?
- An authority made up of judges and non-judges?

Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

The Judicial Council.

112) Is the same authority competent for the promotion of judges?

- Yes
 No

If no, which authority is competent for the promotion of judges ?

112.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

- Yes
 No

If "yes", please specify:

There are no specific provisions for facilitating gender equality within the framework of the procedure for promoting judges. Judges are appointed and promoted essentially on the basis of ability and suitability for the profession (see question 110). However, it is possible to consider the interest of gender equality if the qualifications regarding ability and suitability for the profession are similar between the applicants.

113) Which procedures and criteria are used for promoting judges? Please specify.

Judges can normally only be promoted by applying for a position as a promoted judge, e.g. president of a district court, when such a position is vacant. Thus, the promotion is decided by the Government upon application. The Judicial Council gives a recommendation to the Government on who to promote.

114) Is there a system of qualitative individual assessment of the judges' activity?

- Yes
 No

If yes, please indicate the frequency

115) Is the status of prosecution services:

- Independent?
 Under the authority of the Minister of justice ?
 Other?

Please specify:

The Swedish Prosecution Service is independent from the courts and the Police. The government can issue general regulations to the authorities but, according to the Constitution, must not give directions in everyday matters. [Mail from the NC sent on 14/04/2014: The Public Prosecutor's Office is under the authority of the Minister of Justice, but its functional independency is guaranteed.]

116) How are public prosecutors recruited?

- Mainly through a competitive exam (for instance, following a university degree in law)
 Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
 A combination of both (competitive exam and working experience)
 Other

If "other", please specify:

To become a prosecutor you must have a Swedish Bachelor of Laws degree and have worked as a law clerk at a Swedish court for two years.

117) Authority(ies) in charge: are public prosecutors initially/at the beginning of their carrier recruited by:

[This question concerns the authority entrusted with the responsibility to recruit only (not the authority formally responsible for the nomination if different from the former).]

- An authority composed of public prosecutors only?
- An authority composed of non-public prosecutors only?
- An authority composed of public prosecutors and non-public prosecutors?

Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

Public prosecutors are always recruited by the prosecution services.

117.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

- Yes
- No

If "yes", please specify:
see 119.1

118) Is the same authority formally responsible for the promotion of public prosecutors?

- Yes
- No

If no, please specify which authority is competent for promoting public prosecutors:

119) Which procedures and criteria are used for promoting public prosecutors? Please specify:

Specialist prosecutors and Cheif prosecutors are appointed by the authority after a consultative proceeding in a special board. Promotions are decided after an individual evaluation of the qualifications and personal skills of the prosecutors applying for promotion.

119.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

- Yes
- No

If "yes", please specify:
There is a plan for equal treatment within the authority.

120) Is there a system of qualitative individual assessment of the public prosecutors' activity?

- Yes
- No

121) Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify in the "comment" box below

Yes. If yes, please indicate the compulsory retirement age	67
No	

Comment :

A person who has been appointed a permanent judge may be removed from office only if he or she has shown himself or herself through a criminal act or through gross or repeated neglect of his or her official duties to be manifestly unfit to hold the office or he or she has reached the applicable retirement age or is otherwise obliged by law to resign on grounds of protracted loss of working capacity.

121.1) Can a judge be transferred to another court without his consent:

- For disciplinary reasons
 For organisational reasons
 For other reasons. Please specify modalities and safeguards

Please specify modalities and safeguards

122) If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period? If the situation is not applicable in your country, please indicate NAP.

	Duration of the probation period (in years)
Yes	
No	
NAP	NAP

123) Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify in the "comment" box below:

Yes. If yes, please indicate the compulsory retirement age	67
No	

Comment :

Dismissal as a disciplinary sanction is a possibility.

124) Is there a probation period for public prosecutors? If yes, how long is this period? If the situation is not applicable in your country, please indicate NAP.

	Duration of the probation period (in years)
Yes	2,75
No	
NAP	

125) If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

NAP

126) If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

NAP

E.1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of the selection and nomination procedure of judges and public prosecutors and the

main reforms that have been implemented over the last two years

In 2008 The Appointments Proposals Board for the Swedish Judiciary (TFN) was replaced by a new authority called the Judicial Council. This was one part of an attempt to develop the recruitment of judges and to widen the recruitment base. Before 2011 the judges of the Supreme Court and the Supreme Administrative Court as well as the presidents of the Courts of appeal were appointed by the government without any application from the appointed. Since 2011 all positions are open to apply for when the positions are vacant.

5. 2. Training

5. 2. 1. Training

127) Training of judges

Initial training (e.g. attend a judicial school, traineeship in the court)	Optional
General in-service training	Optional
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	Optional
In-service training for management functions of the court (e.g. court president)	Optional
In-service training for the use of computer facilities in courts	Optional

128) Frequency of the in-service training of judges:

General in-service training	Annual / Regular (e.g. every 3 months)
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	Annual / Regular (e.g. every 3 months)
In-service training for management functions of the court (e.g. court president)	Annual / Regular (e.g. every 3 months)
In-service training for the use of computer facilities in courts	Annual / Regular (e.g. every 3 months)

129) Training of public prosecutors

Initial training	Compulsory
General in-service training	Compulsory
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Compulsory
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Compulsory
In-service training for the use of computer facilities in office	Compulsory

130) Frequency of the in-service training of public prosecutors

General in-service training	Annual / Regular (e.g. every 3 months)
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Occasional (e.g. at times)
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Occasional (e.g. at times)
In-service training for the use of computer facilities in office	Occasional (e.g. at times)

131) Do you have public training institutions for judges and / or prosecutors? If yes, please indicate the budget of such institution(s) in the "comment" box below.

If your judicial training institutions do not correspond to these criteria, please specify it:

	Initial training only	Continuous training only	Initial and continuous training	2012 budget of the institution, in €
One institution for judges	No	No	Yes	Yes
One institution for prosecutors	NAP	NAP	NAP	NAP

One single institution for both judges and prosecutors	No	No	No	No
--	----	----	----	----

Comment :
530 000 euro

131.1) If there is no initial training for judges and/or prosecutors in such institutions, please indicate briefly how these judges and/or prosecutors are recruited and trained ?

In order to become a prosecutor you need to apply for a position. The competent candidates then undergo tests as part of the recruitment process.

All newly employed prosecutors within the Swedish prosecution service have to undergo basic training for a total of 15 weeks, divided into four parts, during their first three years in the service. This basic training is compulsory. All public prosecutors must go through the basic training to become a public prosecutor. After the first three years in the service, the public prosecutors are offered continuous training. The continuous training is compulsory for specialized senior public prosecutors.

The training is offered by the Prosecution Authority and is not a public body. The total budget for the training of prosecutors was 3 317 967 euro in 2012

E.2 You can indicate below:

**any useful comments for interpreting the data mentioned in this chapter
comments regarding the attention given in the curricula to the European Convention on Human Rights and the case law of the Court
the characteristics of your training system for judges and public prosecutors and the main reforms that have been implemented over the last two years**

Human rights issues are included in the courses on general law, as the convention is part of general law in Sweden.

The Swedish Judicial Academy was established in 2009 and has developed continuously. It is a part of the Swedish courts administration and is now in charge of training all judicial staff. There is an initial training for judges comprised of four years traineeship including compulsory courses at the Academy. It is however possible to become a judge also without this initial training. After appointment the new judge has a large range of different courses to choose between to suit his or her needs.

All training within the prosecution service comprises lectures concerning ECHR and humanitarian law, e.g. ECHR article 6.

5. 3. Practice of the profession

5. 3. 1. Practice of the profession

132) Salaries of judges and public prosecutors.

	Gross annual salary, in €, on 31 December 2012	Net annual salary, in €, on 31 December 2012
First instance professional judge at the beginning of his/her career	54471	NA
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	94500	NA
Public prosecutor at the beginning of his/her career	53479	NA
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Public prosecutor General)	73378	NA

Comment :

The net annual salary is not stated as the level of income tax varies depending on the income and domicile.

133) Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	No	No
Special pension	No	No
Housing	No	No
Other financial benefit	No	No

134) If other financial benefit, please specify:**135) Can judges combine their work with any of the following other functions ?**

	With remuneration	Without remuneration
Teaching	Yes	No
Research and publication	Yes	No
Arbitrator	Yes	No
Consultant	No	No
Cultural function	Yes	Yes
Political function	Yes	Yes
Other function	No	No

136) If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

The issue of state workers "outside activities" (bisysslor) are regulated in two different forms.

1. in public law regime by statute with respect to so-called confidence harmful ancillary activities
2. agreements between the parties with respect to non-confidence harmful secondary employment.

Confidence Malicious outside activities regulated in the following provisions:

- Act (1994:260) on public employment (LOA)
- Employment Ordinance (1994:373).

There are special rules for work or tasks alongside your employment. "A secondary" means such jobs that are outside of the data in the main service, which can be termed as holding of employment or appointment or the exercise of business. An employee may not have a job, any office or engage in any activity that may undermine confidence in his or any other employee's impartiality in the work or which may harm the reputation. Judges and heads of agencies, directly to the Government, shall, on its own initiative to employers notify the kinds of ancillary activities they have (under 7 d § LOA). Other workers are at the employer's request, provide the information necessary for the employer to assess the employee's outside activities.

137) Can public prosecutors combine their work with any of the following other functions ?

	With remuneration	Without remuneration
Teaching	Yes	No
Research and publication	Yes	No
Arbitrator	No	No
Consultant	No	No
Cultural function	Yes	No
Political function	Yes	No
Other function	No	No

138) Please specify existing rules (e.g. authorisation to perform the whole or a part of these activities). If "other function", please specify:

According to internal guidelines (ÅMR 2011:4) prosecutors may combine their work with some other functions and for some of these functions (i.e. teaching and research) they need to be remunerated.

139) Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time)?

- Yes
 No

If yes, please specify the conditions and possibly the amounts:

5. 4. Disciplinary procedures

5. 4. 1. Disciplinary procedures

140) Who has been authorised to initiate disciplinary proceedings against judges (multiple options possible)?

- Citizens
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power
- Other
- This is not possible

If "executive power" and/or "other", please specify:

Parliamentary Ombudsmen
The Office of the Chancellor of Justice
(see below description)

141) Who has been authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power
- Other
- This is not possible

If "executive power" and/or "other", please specify:

the Chancellor of Justice
The Prosecution Authority and the Swedish Economic Crime Authority

142) Which authority has disciplinary power on judges? (multiple options possible):

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power
- Other

If "executive power" and/or "other", please specify:

The National Disciplinary Offence Board

143) Which authority has the disciplinary power on public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor

- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power
- Other

If "executive power" and/or "other", please specify:

144) Number of disciplinary proceedings initiated against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

	Judges	Public prosecutors
Total number (1+2+3+4)	2	0
1. Breach of professional ethics	0	0
2. Professional inadequacy	1	0
3. Criminal offence	1	0
4. Other	0	0

Comment :

Two cases for possible disciplinary action and/or notification to prosecution were pending in The National Disciplinary Offence Board during the year of reference. One of the cases was closed. The other was notified by the Board for prosecution by the Prosecution Authority.

145) Number of sanctions pronounced in 2012 against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

	Judges	Public prosecutors
Total number (total 1 to 9)	0	0
1. Reprimand	0	0
2. Suspension	0	0
3. Removal of cases	0	0
4. Fine	0	0
5. Temporary reduction of salary	0	0
6. Position downgrade	0	0
7. Transfer to another geographical (court) location	0	0
8. Resignation	0	0
9. Other	0	0

Comment :

The notification of the charges made by the The National Disciplinary Offence Board led to the prosecutor's office where an investigation started. The preliminary investigation was closed and notification thus led to no action or sanctions.

E.3 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning disciplinary procedures for judges and public prosecutors and the main reforms that have been implemented over the last two years

The Parliamentary Ombudsmen (JO) are directly accountable to the Swedish Riksdag and form one pillar of parliamentary control in Sweden. Parliamentary control is a collective term for the Riksdag's special powers to review and monitor the work of the Government and the public administration. The four Parliamentary Ombudsmen (JO) are

appointed directly by the Riksdag. The Ombudsmen are completely independent in their decisions and answer directly to Riksdag. Each autumn they submit an annual report to the Riksdag which contains an account of the work carried out during the previous working year with statistics and a selection of decisions. The main task of the Parliamentary Ombudsmen (JO) is to ensure compliance with the law. The Ombudsmen are specifically tasked with ensuring that public authorities and courts abide by the provisions of the Instrument of Government concerning impartiality and objectivity and that the public sector does not infringe on the basic freedoms and rights of the citizens. The ombudsmen's supervision includes ensuring that public authorities deal with their cases and in general carry out their tasks in accordance with existing legislation. The ombudsmen's enquiries are prompted both by complaints filed by the public or initiated by the ombudsmen themselves. Regularly inspections are made of various public authorities and courts in the country.

Chancellor of Justice (JK) is, according to the Swedish constitution, a government agency. The Chancellor is Government chief Mediator, in the same way as Ombudsman is Parliament chief Mediator. JK must uphold the integrity and freedom of expression and the rule of law in the public sector. JK is also of high quality and effectiveness of safeguarding the right. JK shall assist in the application of law is effective and of high quality. JK's main tasks are:

- Supervise the authorities and courts
- to represent the state in litigation in court
- settling claims against the state
- to be a prosecutor in the press and freedom of expression
- to be the government's legal advisers

JK also oversees the legal aid system and the Bar Association's disciplinary activities. In short one can say that JK is the state's top legal representative or "the state attorney."

The National Disciplinary Offence Board considers matters relating to disciplinary liability, prosecution, dismissal, suspension, and physical coercion with regard to state employees in higher positions. For example chief executives, judges, prosecutors and professors associated with this circuit. The purpose of a trial outside the agency where the employee works and have a higher position is that there should be suspected that colleagues take unauthorized view at trial. The Board's decision, like other decisions of employers, can be subject to a labor dispute.

Please indicate the sources for answering questions 144 and 145

The sources quoted response from the National Disciplinary Offence Board is coming from the board's report on activities in 2012. There has also been personal contacts with the administrator at the Board. For more information www.statensvarsnamnd.se

6. Lawyers

6. 1. Status of the profession and training

6. 1. 1. Status of the profession and training

146) Total number of lawyers practising in your country.

By the 31st of December 2012 there were 5 246 members of the Swedish Bar Association.

147) Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

- Yes
 No

148) Number of legal advisors who cannot represent their clients in court:

NA

149) Do lawyers have a monopoly on legal representation in (multiple options are possible):

- Civil cases?
 Criminal cases - Defendant?
 Criminal cases - Victim?
 Administrative cases?
 There is no monopoly

If there is no monopoly, please specify the organisations or persons that may represent a client before a court (for example a NGO, a family member, a trade union, etc) and for which types of cases:

Members of family, trade unions, NGO:s and others may represent a client before a court in both civil and criminal cases (both defendant and victim) as well as in administrative cases. A public defence counsel must, however, in principle be an advocate.

150) Is the lawyer profession organised through? (multiple options possible)

- a national bar?
 a regional bar?
 a local bar?

151) Is there a specific initial training and/or examination to enter the profession of lawyer?

- Yes
 No

If not, please indicate if there are other specific requirements as regards diplomas or university degrees :

152) Is there a mandatory general system for lawyers requiring in-service professional training?

- Yes
 No

153) Is the specialisation in some legal fields tied with specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
 No

If yes, please specify:

Please indicate the sources for answering questions 146 and 148:

The source for answering Q146 is the Registry of the Swedish Bar Association.

F1 Comments for interpreting the data mentioned in this chapter:

6. 2. Practising the profession

6. 2. 1. Practising the profession

154) Can court users establish easily what the lawyers' fees will be (i.e. do users have easy access to prior information on the foreseeable amount of fees, is the information transparent and accountable)?

Yes

No

155) Are lawyers' fees freely negotiated?

Yes

No

156) Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes laws provide rules

Yes standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

F2 Useful comments for interpreting the data mentioned in this chapter:

Regarding Q155: When legal aid has been granted, the normal hourly fee is fixed (as decided annually by the government or the authority designated by the government). Court appointed public defense counsels, counsels for the aggrieved party and legal aid counsels are not allowed to demand or receive further remuneration from their clients than the fee decided by the court in accordance with the relevant legislation. The hourly compensation may deviate from the standardized hourly fee mentioned above if it is warranted by reason of the skill and care exhibited by the counsel or other significant circumstances. Regarding Q156: Section 4.1 of the Code of Professional Conduct for Members of the Swedish Bar Association stipulates that fees charged by an Advocate must be reasonable. What is considered a reasonable fee is determined on a case by case basis by the Disciplinary Committee of the Swedish Bar Association. Facts to be reviewed are complexity of the case, length of proceeding, the preliminary investigation, number of physical evidence in the case, etc.

6. 3. Quality standards and disciplinary proceedings

6. 3. 1. Quality standards and disciplinary proceedings

157) Have quality standards been determined for lawyers?

Yes

No

If yes, what are the quality criteria used?

The Code of Professional Conduct sets certain ethical standards that the members of the Swedish Bar have to reach.

158) If yes, who is responsible for formulating these quality standards:

the bar association?

the Parliament?

other?

If "other", please specify:

159) Is it possible to file a complaint about :

the performance of lawyers?

the amount of fees?

Please specify:

A person or body who is not satisfied with the performance or conduct of a member of the Swedish Bar Association, may file a complaint with the association. The Disciplinary Committee of the Swedish Bar Association receives the complaint and makes a ruling after an exchange of statements between the parties. Eight members of the Disciplinary Committee are appointed by the Bar Association's General Assembly (advocates), three members are appointed by the Swedish Government (Public representatives).

A person who is not satisfied with the fee charged by a member of the Swedish Bar Association may contact the lawyer and discuss the matter. If an agreement on the fee cannot be reached, the matter may be settled by legal action in a court of law. Up until 2001, the Swedish Bar Association offered arbitration proceedings for disputes over legal fees between advocates and their clients. However, since 2001 the client is compelled to lodge a formal complaint with a civil court. Due to the implementation of Directive 2013/11/EU on alternative dispute resolution for consumer disputes, this will change in a short future and probably go back to the previous regime where the Bar Association offers arbitration proceedings.

A person who is not satisfied with the fees charged by a member of the Swedish Bar Association may contact the lawyer and discuss the matter. If an agreement on the fee cannot be reached, the matter may be settled by legal action in a court of law. Up until 2001, the Swedish Bar Association offered arbitration proceedings for disputes over legal fees between advocates and their clients. However, since 2001 the client is compelled to lodge a formal complaint with a civil court.

160) Which authority is responsible for disciplinary procedures?

the judge

the Ministry of justice

a professional authority

other

If other, please specify:

As mentioned above, the Disciplinary Committee, with the assistance of the secretariat of the Swedish Bar Association, treats the complaints issued with the Bar. The board of the Bar Association may instigate a disciplinary matter against a lawyer, referring it to the Disciplinary Committee. If a complaint against a lawyer is made by a person or body not concerned by the matter in question, the board decides whether to refer the matter to the Disciplinary Committee or to close the matter. A disbarred member may appeal to the Supreme Court. The Chancellor of Justice may appeal against a Disciplinary Committee decision to the Supreme Court. The Chancellor of Justice may also request that the committee should implement disciplinary measures against a negligent member.

161) Disciplinary proceedings initiated against lawyers. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	862
1. Breach of professional ethics	862

2. Professional inadequacy	NAP
3. Criminal offence	NAP
4. Other	NAP

Comment :

The number indicates cases initiated with the Disciplinary Committee in 2012. The number of cases finalized in 2012 was 552. In 2011 there were 497 initiated and 496 finalized cases.) All cases were in regards to breach of professional ethics. [Mail from the NC sent on 10/04/2014: There are currently no subgroups of disciplinary measures aimed at "professional inadequacy", "criminal offence" or "other." Consequently, there are no such subgroups of disciplinary penalty processes. However, an attorney who have been convicted for a crime in court can also get a disciplinary sanction if the criminal offence was committed within the law practice.]

162) Sanctions pronounced against lawyers.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

	Number
Total number of sanctions (1 + 2 + 3 + 4 + 5)	146
1.Reprimand	
2. Suspension	
3. Removal	
4. Fine	
5. Other (e.g. disbarment)	

Comment :

The number indicates sanctions pronounced in 2012 exclusively in cases on breach of professional ethics (se previous question). Finalized cases with no sanction indicates a finding of no breach of professional ethics. The sanctions that the Disciplinary Committee of the Swedish Bar Association have available when a lawyer has failed to comply with the rules of professional conduct are the following sorted by level of gravity: reprimand, warning, warning combined with a fine and disbarment. The Disciplinary Committee may also issue a statement. A statement is not formally considered a sanction. Fine is not used as a separate sanction.

In 2012 the number of actions taken were proportioned as follows:

- Statement: 21
 - Reprimand: 55
 - Warning: 10
 - Warnings + Fine: 8
 - Disbarment: 0
- Total: 94 (statements included)

F3 You can indicate below any useful comments for interpreting the data mentioned in this chapter:

7. Alternative Dispute Resolution

7. 1. Mediation and other forms of ADR

7. 1. 1. Mediation and other forms of ADR

163) Does the judicial system provide for judicial mediation procedures? If no skip to question 168

Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor can propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement).

- Yes
- No

163.1) In some fields, does the judicial system provide for mandatory mediation procedures?

If there are mandatory mediation procedures, please specify which fields are concerned in the "comment" box below.

- Before going to court
- Ordered by a judge in the course of a judicial proceeding

If there are mandatory mediation procedures, please specify which fields are concerned:

164) Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	Yes	Yes	No	Yes	No
Family law cases (ex. divorce)	Yes	Yes	No	Yes	No
Administrative cases	No	No	No	No	No
Employment dismissals	Yes	Yes	No	Yes	No
Criminal cases	No	No	Yes	No	No

165) Is there a possibility to receive legal aid for judicial mediation procedures?

- Yes
- No

If yes, please specify:

If a party is entitled to legal aid, the remuneration to the mediator is covered by the legal aid.

166) Number of accredited or registered mediators who practice judicial mediation:

NAP

167) Number of judicial mediation procedures.

Please indicate the source in the "comment" box below:

Total number of cases (total 1+2+3+4+5)	NA
1. civil cases	NA
2. family cases	NA
3. administrative cases	NA
4. employment dismissals cases	NA
5. criminal cases	NA

Comment :

168) Does the legal system provide for the following ADR :

If "other", please specify it in the "comment" box below:

Mediation other than judicial mediation?	Yes
Arbitration?	Yes
Conciliation?	Yes
Other alternative dispute resolution?	No

Comment :

G.1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning ADR and the main reforms that have been implemented over the last two years

In civil cases amenable to out-of-court settlements the court is obliged to work for a settlement, unless it is inappropriate in that specific case. Most often this is done through negotiations between the parties led by the judge. The judge can however also decide, if the parties agree to it, that they will try to resolve the dispute with the help of a private mediator. This is called special mediation. An important difference between special mediation and settlement negotiations in court is the cost. The parties do not need to pay for the time the judge spends on the settlement negotiations, but normally the parties have to pay for the work of the private mediator. Only if one of the parties has been granted legal aid does the state bear the cost for the mediator. Also in cases concerning children (custody of, residence and visitation) can a mediator be appointed. The state then bears the costs. Before a mediator is appointed the judge would normally, with the parties, lead a conversation aimed at reaching an agreement. The state and the municipalities can also arrange mediation between an offender and a victim concerning a crime that has been committed. The aim is to reduce the negative consequences of the crime. The offender and the victim does not pay anything for the mediation.

Please indicate the source for answering question 166:

Swedish National Courts Administration

8. Enforcement of court decisions

8. 1. Execution of decisions in civil matters

8. 1. 1. Functioning

169) Do you have enforcement agents in your judicial system?

- Yes
 No

170) Number of enforcement agents

2127

171) Are enforcement agents (multiple options are possible):

- judges?
 bailiffs practising as private professionals under the authority (control) of public authorities?
 bailiff working in a public institution?
 other enforcement agents?

Please specify their status and powers:

172) Is there a specific initial training or examination to become an enforcement agent?

- Yes
 No

173) Is the profession of enforcement agents organised by?

- a national body?
 a regional body?
 a local body?
 NAP (the profession is not organised)

174) Are enforcement fees easily established and transparent for the court users?

- Yes
 No

175) Are enforcement fees freely negotiated?

- Yes
 No

176) Do laws provide any rules on enforcement fees (including those freely negotiated)?

- Yes
 No

Please indicate the source for answering question 170:

Swedish Enforcement Authority Annual report 2012

8. 1. 2. Efficiency of enforcement services

177) Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

- Yes
 No

178) Which authority is responsible for supervising and monitoring enforcement agents?

- a professional body
 the judge
 the Ministry of justice
 the public prosecutor
 other

If other, please specify:

As the Enforcement Authority constitutes one independent State body, operative supervision and monitoring take place within its headquarters. The activities of the Enforcement Authority are carried out under the authority of the Ministry of Finance, but the Ministry is not allowed to intervene into the supervision and monitoring of the operative activities of enforcement agents. The Ministry annually evaluates the activities in terms of budget allocations. The judge does not have any supervising or monitoring function and acts only in case of an appeal against a decision of the Enforcement Authority, e.g. on seizure in a specific matter. Complaints may be filed to the Ombudsman of Justice in a specific matter and this may result in criticism against the Enforcement Authority.

179) Have quality standards been determined for enforcement agents?

- Yes
 No

If yes, what are the quality criteria used?

180) If yes, who is responsible for establishing these quality standards?

- a professional body
 the judge
 the Ministry of Justice
 other

If "other", please specify:

The Enforcement Authority following the guidelines of the Ministry of Finance.

181) Is there a specific mechanism for executing court decisions rendered against public authorities, including for supervising such execution?

- Yes
 No

if yes, please specify

182) Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- Yes
 No

If yes, please specify

Within the Enforcement Authority controllers monitor and evaluate the activities in terms of volume, time, quality, and money.

183) What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other

If "other", please specify:

In some few specific cases, length of time.

184) Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
- No

If yes, please specify:

185) Is there a system measuring the length of enforcement procedures:

- for civil cases?
- for administrative cases?

186) As regards a decision on debts collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits:

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more

If more, please specify

187) Number of disciplinary proceedings initiated against enforcement agents. If other, please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

Total number of initiated disciplinary proceedings (1+2+3+4)	<input checked="" type="checkbox"/> number:	5
1. for breach of professional ethics	<input checked="" type="checkbox"/> number:	4
2. for professional inadequacy	<input checked="" type="checkbox"/> number:	0
3. for criminal offence	<input checked="" type="checkbox"/> number:	1
4. Other	<input checked="" type="checkbox"/> number:	0

Comment :

188) Number of sanctions pronounced against enforcement agents.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings initiated and the number of sanctions exists, please indicate the reasons in the "comment" box below.

Total number of sanctions (1+2+3+4+5)	<input checked="" type="checkbox"/> number:	5
1. Reprimand	<input checked="" type="checkbox"/> number:	4
2. Suspension	<input checked="" type="checkbox"/> number:	0
3. Dismissal	<input checked="" type="checkbox"/> number:	0
4. Fine	<input checked="" type="checkbox"/> number:	0
5. Other	<input checked="" type="checkbox"/> number:	1

Comment :

One is forwarded to prosecutor.

H.1 You can indicate below:

any useful comments for interpreting the data mentioned in this chapter the characteristics of your enforcement system of decisions in civil matters and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 186, 187 and 188:

186: An objective for SEA.

8. 2. Execution of decisions in criminal matters

8. 2. 1. Functioning

189) Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
 Public prosecutor
 Prison and Probation Services
 Other authority

Please specify his/her functions and duties (initiative or monitoring functions). If "other authority", please specify:

The Swedish police is responsible for the recovery of fines. If the police is not successful in recovering a fine the claim is forwarded to the Swedish Enforcement Authority.

190) Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
 No

191) If yes, what is the recovery rate?

- 80-100%
 50-79%
 less than 50%
 cannot be estimated

Please indicate the source for answering this question:

Source: The Swedish National Police Board and the Swedish Enforcement Authority.

Of decided fines (by a criminal court) imposed in 2012, which has become final, 47% was fully paid through the work of the Swedish police. The remaining 53% was forwarded to the Swedish Enforcement Authority.

The recovery rate (through the work of the Swedish police) of fines decided by the public prosecutor and accepted by the suspect (summary imposition of a fine) during the same period is 79 %. The remaining 21 % was forwarded to the Swedish Enforcement Authority.

The recovery rate (through the work of the Swedish police) of fines decided by the police and accepted by the suspect (summary imposition of a fine) during the same period is 89 %. The remaining 11 % was forwarded to the Swedish Enforcement Authority.

The recovery rate of fines that was forwarded to the Swedish Enforcement Agency during the same period was 58 %.

H.2 You can indicate below:

**any useful comments for interpreting the data mentioned in this chapter
the characteristics of your enforcement system of decisions in criminal matters and the main reforms
that have been implemented over the last two years**

9. Notaries

9. 1. Statute

9. 1. 1. Functionning

192) Do you have notaries in your country? If no please skip to question 197.

- Yes
 No

193) Are notaries:

If other, please specify it in the "comment" box below.

private professionals (without control from public authorities)?	<input checked="" type="checkbox"/> number	195
private professionals under the authority (control) of public authorities?	<input type="checkbox"/> number	
public agents?	<input type="checkbox"/> number	
other?	<input type="checkbox"/> number	

Comment :

[Mail from the NC sent on 10/04/2014: The reason behind what looks like an increase is probably that the number of notaries includes both regular and deputy notaries. The total number of notaries are 195. Of these 124 are regular notaries and 71 are deputy notaries. The answer from last time which was 127 is probably just the regular notaries.]

194) Do notaries have duties (multiple options possible):

- within the framework of civil procedure?
 in the field of legal advice?
 to certify the authenticity of legal deeds and certificates?
 other?

If "other", please specify:

Being present as a witness when storage rooms are opened or closed or when seals are applied or broken, supervising draws and confirming that someone is authorised to do certain things or that someone has the expertise or the official position to represent someone else.

9. 1. 2. Supervision

195) Is there an authority entrusted with supervising and monitoring the notaries' activity?

- Yes
 No

196) Which authority is responsible for supervising and monitoring notaries:

- a professional body?
 the judge?
 the Ministry of justice?
 the public prosecutor?
 other?

If other, please specify:

The County Administrative Board has a limited supervision over notary publics, meaning that the County Administrative Board shall dismiss a notary public or deputy notary, if he becomes unsuitable or unable to fulfill this mission in a satisfactory manner.

I.1 You can indicate below:

**any useful comments for interpreting the data mentioned in this chapter
the characteristics of your system of notaries and the main reforms that have been implemented over
the last two years**

The number of notaries includes both regular and deputy notaries. As stated in question 193 the total number of notaries are 195. Of these 124 are regular notaries and 71 are deputy notaries.

Please indicate the sources for answering question 193:

The numbers of how many notaries there are in Sweden comes från The County Administrative Board in the different countys.

10. Court interpreters

10. 1. Court interpreters

10. 1. 1. Functionning

197) Is the title of court interpreters protected?

- Yes
 No

198) Is the function of court interpreters regulated by legal norms?

- Yes
 No

199) Number of accredited or registered court interpreters:

NAP

200) Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

- Yes
 No

If yes, please specify (e.g. having passed a specific exam):

201) Are the courts responsible for selecting court interpreters?

If no, please indicate in the "comment" box below which authority selects court interpreters.

- Yes for recruitment and/or appointment for a specific term of office
 Yes for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
 No .

Comment :

The interpreters can be recruited and/or appointed by the court, either for a long term of office (for instance, they can be registered on a list on which the judge can choose the interpreter for given proceedings) or on a case by case basis, according to the specific needs in a given proceeding.

J.1 You can indicate below any useful comments for interpreting the data mentioned in this chapter:

Comment to 198

The function of an interpreter used by the court is regulated only in the way that the law states that the court may use an interpreter if necessary. The law also states that the court may not use interpreters which are regarded as challengeable due to his or her relationship with the parties. The law also states that the interpreter shall take an interpreter oath.

Comment to 199

In Sweden it is the Legal, Financial and Administrative Services Agency (Kammarkollegiet) that authorizes interpreters. Today, there are 1018 certified interpreters who hold 1078 authorizations (some interpreters have been authorized in several languages). Not all of these interpreters are used by the courts but the courts always try to use an interpreter authorized by the Legal, Financial and Administrative Services Agency. It is not possible to calculate an exact figure on how many interpreters that are used in the Swedish courts.

Comment to 200

In 2012 there were no binding provisions regarding the quality of court interpretation within juridical proceedings. New rules about interpretation in criminal cases enters into force on the first of october 2013. These rules have their base in an EU-directive. One of these new rules are that the courts, if possible, shall use authorized interpreters.

Please indicate the sources for answering question 199:

The Swedish National Courts Administration

11. Judicial experts

11. 1. Judicial experts

11. 1. 1. Judicial experts

202) In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

- "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,
 "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,
 "law experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

203) Is the title of judicial experts protected?

- Yes
 No

204) Is the function of judicial experts regulated by legal norms?

- Yes
 No

205) Number of accredited or registered judicial experts (technical experts)

NAP

206) Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

- Yes
 No

If yes, please specify, in particular the given time to provide a technical report to the judge:

207) Are the courts responsible for selecting judicial experts?

If no, please specify in the "comments" box below which authority selects judicial experts?

- Yes for recruitment and/or appointment for a specific term of office
 Yes for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
 No .

Comment :

The government shall, for a three year period, appoint those who shall serve as financial experts under Chapter 1, Section 8, and Chapter 2, Section 4a in the Swedish Code of Judicial Procedure.

You can indicate below any useful comments for interpreting the data mentioned in this chapter:

Please indicate the sources for answering question 205:

12. Foreseen reforms

12. 1. Foreseen reforms

12. 1. 1. Foreseen reforms

208) Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. If possible, please observe the following categories:

1. (Comprehensive) reform plans

2. Budget

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

3.1 Access to justice and legal aid

4. High Judicial Council

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education, etc.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

6.1 Personal status

7. Enforcement of court decisions

8. Mediation and other ADR

9. Fight against crim

1. (Comprehensive) reform plans

A large ongoing project is the reorganization of the Swedish police force. The existing local police authorities and the National Police will be merged into a nationwide authority in order to achieve higher quality, less cost, increased flexibility and improved results in police actions.

An other large ongoing project is the information management project between law enforcement authorities. It entails amongst others the Police, the Prosecution authority, the Courts of Sweden and the Swedish Prisons and Probation Service and the Swedish Tax Agency.

2. Budget

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

From the 1st of July 2013 the jurisdiction of the Economic Crime Authority is nationwide. The expansion was considered by the Swedish government in 2012 and carried out during 2012/2013. Before the changes entered into force the Economic Crime Authority's mandate covered the three urban cities Stockholm, Gothenburg and Malmö while the Swedish Prosecution Authority covered the rest of the country.

On 1 October 2013 a new migration court was established in order to shorten the processing time of migration cases.

In a reform that entered into force on the 1 July 2013 changes was made in the procedural provisions regarding administrative courts. The aim was to contribute to a more modern and appropriate administrative judicial procedure.

3.1 Access to justice and legal aid

4. High Judicial Council

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education, etc.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

In October 2013 implementation of the directive of the European Parliament and of the Council on the right to interpretation and translation in criminal proceedings led to amendments in The Swedish code of judicial procedure and another act.

On 1 July 2012 a reformed and modernised legislation on the taking of bribes entered into force.

A new crime, intrusive photography, was introduced through an amendment to the Penal Code that entered into force on 1 July 2013. Criminal liability under the law requires that the photographing, or other forms of recording of images such as filming, is taking place without permission in the places covered by the legislation (indoors in a home or in a toilet, changing room or other similar space), and in secret to the person photographed. The reason for the new legislation is to protect the right to private life and personal integrity.

On the same date amendments to the legislation on sexual crimes was introduced in order to further strengthen the protection of sexual integrity and the right to sexual self-determination. At the same time amendments were made to the Penal Code in order to fulfil the commitments under the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Also on 1 July 2013 the criminal protection concerning gross violation of integrity and gross violation of a woman's

integrity was strengthened. On the same date the legislation on crimes of falsification was reformed and modernised in order to adapt it to the modern electronic environment.

In 2012 it became offense to store a firearm for another without permission as well as to fail to notify the import of a weapon to the Swedish customs.

There is an ongoing review of the Swedish rules regarding illegal weapons with the purpose of analyzing whether the introduction of harsher sentences would more effectively combat organized crime.

6.1 Personal status

7. Enforcement of court decisions

8. Mediation and other ADR

9. Fight against crime

There are a number of ongoing projects based on Swedish EU commitments including cross-border exchange of information on DNA, fingerprints and information on vehicles (the Prüm decision) and the possibility to give law enforcement authorities access to the Visa Information Systems (VIS) and EURODAC.

Another project has been set up to investigate the possibilities to increase the exchange of information between law enforcement authorities.

[Mail from NC : The application fees will be raised from the first of July 2014 (mail of 19/05/2014)]