

**Sweden's response to the note verbale CU 2013/183/DO/JS (and CU 2013/258/DO/JS) regarding the resolution of the Commission on Crime Prevention and Criminal Justice, entitled "Taking action against gender-related killings of women and girls"**

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**1. National legislation**

**1.2 Criminal law**

A person who intentionally takes the life of another shall be sentenced for *murder* or *manslaughter*. These penal provisions are gender and age neutral and thus relate to killing of both women and men, as well as of children. There is no specific crime that focuses on killing of women or girls. Also *assault* and *gross assault* are gender and age neutral.

Repeated assault and other violations of a closely related person may under certain circumstances constitute the crime *gross violation of integrity* (e.g. of a child) or - if the offense is committed by a man against a woman with whom he is or has been married or cohabiting - *gross violation of a woman's integrity*. The scale of punishment for these special offenses is more severe than for the separate offenses.

In assessing the penal value for a crime it shall be given special consideration as aggravating circumstances if the accused exploited another person's vulnerable position or that person's special difficulties in protecting himself or herself, or if the crime was likely to harm the security and trust of a child in its relation to a closely related person.

**1.2 Other legislation regarding the investigations on lethal violence against women in Sweden**

The law on investigations of deaths of children (2007:606) due to crime is amended to also include women and men who die from crime committed by a current or former family member. The new law on investigations of some deaths came into force 1 January 2012. So far it is too early to draw conclusions from the changes in the law. The Government has commissioned the Government's Survey Support to conduct an evaluation of the investigations including an analysis of to what extent the investigations provide material for measures to prevent harm. The evaluation is to be reported 2015.

**1.3 The National Board of Health and Welfare conduct in relation to investigations on lethal violence against women in Sweden**

When an adult has died as a result of lethal violence the municipality and other relevant authorities (inter alia the Police, the Social Services and the Health Services) have an obligation to provide information to the National Board of Health and Welfare in these matters.

The National Board of Health and Welfare is responsible for collecting documentation from relevant authorities whom the deceased have been in contact with to collect investigation material, medical records or acts of the social services. The National Board of Health and Welfare goes through all the documentation contained in the case in order

to get an overall and comprehensive picture of what relevant authorities has done in each case and also get an idea of what could have been done to prevent the death of the victim. The investigation should pay particular attention to the measures taken to prevent the crime.

The task force should also, where appropriate, propose measures that could have been taken to prevent crime and highlight the issues of the audit that can contribute to long-term development of crime prevention.

After each investigation feedback is provided to the appropriate authorities in order to increase knowledge on how to respond to similar cases in the future.

## **2. Investigation and prosecution of gender-related killing of women and girls**

### **2.1 The Swedish Prosecution Authority's resources and activities concerning violence in close relationships**

The Swedish Prosecution Authority's operational plan contains a number of monitored objectives for activities to combat violence and sexual offences in close relationships, and violence and sexual offences against children. The Authority's operational plan also contains a mandate for the heads of the local public prosecution offices to implement the working procedures drawn up in the project on the development of methods in activities concerning violent and sexual offences in close relationships and against children.

### **2.2 Special expertise in the local public prosecution offices**

Almost every local public prosecution office in the country has specialists with deeper knowledge on violence in close relationships. Expertise is maintained through experience gained in operational activities, training and regular network meetings. The specialists on violence in close relationships ensure that competence with respect to legal regulations, practice, methods and evidence is maintained among prosecutors of violent offences in close relationships within the office or, where relevant, specific team. Regular training programmes are held for police authorities concerning initial response, the preservation of evidence, and contact with victims.

### **2.3 Resources available at central level within the prosecution authority**

#### **2.3.1 Handbooks**

The Swedish Prosecution Authority has produced a number of legal handbooks used by prosecutors in day-to-day operational activities concerning violence in close relationships such as "Handbook on non-contact orders", "Handbook on violation of integrity offences", "Handbook on handling matters concerning abuse of children", "Handbook on honour-related violence", "Legal memorandums on various issues concerning the

application of legislation on sexual offences”, “Handbook on contact with victims”, “Various practice reviews concerning sexual offences” and “Handbook on forensic aspects”.

### ***2.3.2 Training***

The Swedish Prosecution Authority’s ordinary basic training includes training for operational prosecutors on processing of offences in close relationships, honour-related violence and offences against children. Within the sphere of further training, a new basic training programme on violence in close relationships is being developed, building on a previous programme. Courses in further training on offences against children are already available. Specialist training on violence in close relationships is offered by the National Centre for Knowledge on Men’s Violence Against Women, under the aegis of Uppsala University. A completed, approved course gives 7.5 higher education credits.

### ***2.3.3 Websites***

The Prosecution Development Centre in Gothenburg’s page on the Swedish Prosecution Authority intranet ‘Rånet’ provides a comprehensive compilation of information concerning violence in close relationships. Where appropriate, links are provided to other government agencies’ websites on the subject of violence in close relationships.

The Swedish Prosecution Authority’s public website, [www.aklagare.se](http://www.aklagare.se), offers visitors a selection of the Authority’s legal handbooks and legal memorandums concerning violence in close relationships.

### ***2.3.4 Projects***

The Prosecution Development Centre in Gothenburg has undertaken a project on the development of methods in activities concerning violent and sexual offences in close relationships and against children. The project builds on a review project in the department in which success factors and particular difficulties in activities concerning violence in close relationships and against children were identified. The project was concluded on 31 March 2012 with a report and a memorandum. The aim of the project is to shorten processing times and improve the quality of the preservation of evidence. The legal memorandum will specify a ‘best practice approach’ to handling cases of violence in close relationships and against children. A wide range of aids for operational prosecutors in the form of general directives, definitions, templates for various petitions to courts, guidelines, checklists, etc. have been produced as methodological support for the prosecutors of violent offences in close relationships in the test offices involved in the project.

The Prosecution Development Centre Gothenburg has undertaken a project reviewing prosecutors’ processing of non-contact order cases. The review project concluded in October 2013 with a report and decisions on measures based on the observations made. In 2014, a project will be undertaken involving producing guidelines for assessing risk and proportionality, developing and updating the handbook on non-contact orders ahead

of upcoming legislative changes, organising a seminar for prosecutors and developing uniform routines for non-contact order cases.

### ***2.3.5 Cooperation***

The Prosecution Development Centre Gothenburg works with other agencies within the judicial system on various issues. The National Police Board is a particularly important partner on combating violence in close relationships.

As part of a national cooperation project on violence against women, the Prosecution Development Centre Gothenburg represents the Swedish Prosecution Authority in a group for experience exchange, knowledge dissemination and cooperation on special projects concerning violence in close relationships. The group includes representatives of the Ombudsman for Children in Sweden, the Swedish National Council for Crime Prevention, the Crime Victim Compensation and Support Authority, the Swedish National Courts Administration and the National Police Board.