

**THE SWEDISH CODE OF JUDICIAL  
PROCEDURE**

**Ds 1998:000**

## PREFACE

The Swedish Code of Judicial Procedure was promulgated in 1942 (SFS 1942:740) and came into force on 1 January 1948.

A translation of the Swedish Code of Judicial Procedure as amended up to January 1, 1967 was published in 1968 as Volume 15 in The American Series of Foreign Penal Codes. The translation was made by Anders Bruzelius and Ruth Bader Ginsburg. An updated Revised Edition, edited by Anders Bruzelius and Krister Thelin, was published in 1979 as Volume 24 in the same series.

This version is a complete and comprehensive review and update of the above mentioned translations. It takes into account the amendments of the Code in force as of 1 Januari 1999 (SFS 1998:605). The work was undertaken by the lawyer and translator James Hurst ( English Law Translations)

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## THE SUSPECT AND HIS DEFENCE

### *Section 1*

The suspect has the right to conduct his own case. If the suspect is a minor, the court shall hear from the suspect's custodian when the character of the offence or other considerations so warrant; the custodian, furthermore, has the right to conduct the defence on behalf of the minor.

The surviving spouse, direct heir, father, mother, or sibling of a suspect who has died may appeal from a judgment to the extent that the judgment declares that the suspect committed the act. (SFS 1971:875)

### *Section 2*

The suspect is bound to attend in person the main hearing in the district court and the court of appeal. However, the suspect is not so bound if the case is one that can be disposed of even if he does not appear and his presence at the hearing may be presumed to be without importance to the inquiry.

At the main hearing in the Supreme Court, the suspect shall appear in person if the Court consider his presence necessary to the inquiry.

At a preparatory meeting or other hearing, the suspect shall appear in person if it may be assumed that his presence will promote the purpose of the session.

When the suspect is bound to appear in person, the court shall so order.