

# Brottsoffer i rättskedjan

En rättsvetenskaplig studie av förhållandet mellan  
brottsoffers rättigheter och rättsväsendets skyldigheter

av

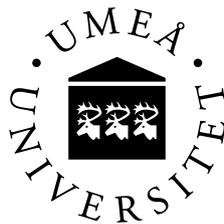
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Akademisk avhandling

som med vederbörligt tillstånd av Rektor för Umeå universitet, för  
avläggande av juris doktorsexamen framläggs till offentlig granskning i  
Hörsal C, Samhällsvetarhuset, fredagen den 27 september, kl. 13.00.

Avhandlingen kommer att försvaras på svenska.

Fakultetsopponent är professor Eva Tiby, Stockholms universitet.



Juridiska institutionen/Department of Law  
Umeå universitet/Umeå university  
Umeå 2013

**Organization**  
Umeå university  
Department of Law

**Document type**  
Doctoral thesis

**Date of publication**  
27 September 2013

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Therese Enarsson, Iustus Förlag AB, Box 1994, 751 49 Uppsala, 2013.

### **Title**

Brottsoffer i rättskedjan – En rättsvetenskaplig studie av förhållandet mellan brottsoffers rättigheter och rättsväsendets skyldigheter. Victims of crime in the judicial system - A legal study of the relationship between victims' rights and the responsibilities of actors in the judicial process.

### **Abstract**

In recent decades the Swedish legislature has increasingly focused on the treatment of victims of crime and the information they receive. Victimology research has also shown the importance of treating victims with respect and of keeping them informed of their rights and the progress of their case throughout the process. The requirements thus set have to be met by all judicial actors, which presuppose a level of cooperation among them. Cooperation therefore constitutes one way of meeting victims' needs. In the current study these three factors; information, good treatment and cooperation, are referred to as *victims' rights*.

Studies have shown that victims experience shortcomings in the legal process regarding information and treatment. The causes of these shortcomings can be multiple, but from a legal point of view, however, the issue raises the question of whether there may be potential legal difficulties involved in incorporating adequate information and good treatment of crime victims into the judicial process. The purpose of this thesis is to study and analyse victims' rights in the judicial process. As they are not without a legal context, these victims' rights are analysed in relation to other legislation, principles and requirements that govern the functions of the judicial system, such as the duty of the police, prosecutors and courts to act objectively, conduct their work independently, and run an efficient legal process. The main question is whether the incorporation of victims' rights conflicts with other rules and legal principles.

The study concludes, *inter alia*, that victims' rights concerning the treatment of victims and coordination of the work with victims is vaguely regulated and the intended meaning of the requirements are not clear, which may lead to problems when these requirements are incorporated into the justice system. Regarding information, treatment of victims and coordination and cooperation, little guidance is given about how to incorporate this at the local level. Informational requirements are expressed more clearly in the legislation, but how and to what extent information to victims should be given can still be a matter of interpretation on the part of the actors. The existence of local differences is therefore likely, which can affect the actual support that individual victims gain access to. The legislature could choose to further clarify and elaborate upon how victims' rights issues relate to other aspects of the judicial process, how priorities or balancing of interests should be handled as well as to reveal the underlying motives for such considerations. Such clarification could possibly increase the consistency of the incorporation of victims' rights, and transform abstract goals into concrete actions.

### **Keywords**

Victims' rights, victims of crime, criminal process, judicial process, justice system, police, prosecutor, courts, policy

**Language**  
Swedish

**ISBN**  
978-91-7678-856-1

**ISSN**  
1404-9198

**Number of pages**  
258 pp.