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**15th COLLOQUY ON INFORMATION TECHNOLOGY AND LAW IN EUROPE
“E-JUSTICE: INTEROPERABILITY OF SYSTEMS”**

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National Report of Sweden

Presented by:

**Mr Per-Anders SVENSSON
Legal Adviser
Ministry of Justice**

General comments

The Government's goals

The Swedish Government has adopted three main goals for the development of government on-line. These are that

1. all services that can be delivered electronically shall be delivered electronically, provided that it is technically feasible and economically defensible,
2. the citizen should be free to choose how to contact the public administration – by personal visits, by letter, by phone or on-line, and
3. the public services must be citizen-oriented and equally accessible to all.

In addition, the Government has emphasized that the existing right of access to official information should be enhanced by making information available on-line. Registers over official documents should, for example, be accessible over the Internet.

The Government has also underlined the need for a consolidation of public services in order to facilitate access. Citizens and enterprises should be able to use single access points in each situation, regardless of how the administrative responsibility is divided among agencies and other public authorities and service providers.

Information technology and the legal field

The digitalisation of basic civic information has virtually been completed in Sweden. Almost all public information is possible for the citizens to reach via Internet. The citizens are also free to contact the public administration via e-mail, and the authorities are obliged to answer questions from citizens. That principle is valid also for the authorities in the legal field.

Information technology in the courts

Within the Swedish Judiciary System there are various systems used for the management of court cases and other transactions. The most widely used system currently in service is MÅHS, which is a case management system which primarily supports the more administrative elements of case management. MÅHS is a system which is logically and physically located at the individual court and there is no real integration between different court systems. It is not possible to share information between different courts. MÅHS was developed to support the working methods and forms of organisation that were normal at the time the system was developed. The employees of the courts also have extensive personal IT support available. This consists of support for word processing, calculation, e-mail and information searching via Internet and in their own information data bases, for example the library system.

Electronic communication in court cases

In Sweden no general legislative rule preventing participants in a case, the courts or other authorities which handle cases from communicating electronically. But electronic communication is not yet commonly used in the courts. In many situations, electronic communication is impossible in practice, because of the demands for handwritten signatures, and the authorities, for example the courts, don't have the possibility to communicate pleas and other statements electronically, as this would conflict with the Swedish Personal Data Act. However, work is in progress to overcome the obstacles, and make direct communication between the authorities and the citizens possible, even in individual cases.

Legal registers

All Swedish legal registers have been transferred into data based systems. This concerns registers about demographic information as well as registers about business information and property information.

Projects in process

The development in general

In January 1997, the RIF Council, a council for the supply of information to the Justice Administration, was established. The members of the RIF Council include the National Courts Administration, the Chief State Prosecutor, the National Swedish Prisons and Probation Administration, the National Council for Crime Prevention, the Criminal Victims Compensation and Support Authority and the Board of Customs and the National Tax Administration. Through the work of the RIF Council, a forum has been created for the exchange of information resulting in a closer co-operation between the authorities involved. The work of the Council should be concentrated on two main aims. Firstly, information should only be registered once and verified directly from the source. Secondly, every authority concerned should have access to the required information at all times and in the requested format.

Most of the material in the judicial system is produced electronically. But when the material is distributed between the authorities or between the authorities and participants in a certain process, printed versions are used. The ideal is that information should be distributed electronically in a safe way through the whole judicial system. It should be possible to use information produced earlier in the later stages of the process, as this would save a lot of work.

Firstly, the security problems must be solved. A number of projects for creating secure and similar communication systems amongst the authorities in the juridical system are in progress. An other condition of distributing correct information is that the authorities must use the same words, definitions and codes to describe for example a specific crime. Working parties are currently striving to analyse and solve that kind of problems.

Examples of such working parties are the working party for developing report routines when crimes have been committed and the working party for developing the routines for when coercive measures are used.

The RIF Council has also initiated a project for using new video technology in the courts which will enable witnesses and others to be in a different location to that where the proceedings are being held.

Specific developments in courts

In the spring of 1999, the National Courts Administration decided not to develop the MÅHS system any further. Instead, a new IT-based operational support system for the courts (VERA) should be developed. The VERA system will be more modern, making use of the latest technology, while preserving the functionality of the old system. The new system is being built from within the courts, e.g. the courts are very much involved in the development process. The system will be designed in such a way that it provides the greatest possible value to the parties, legal representatives, witnesses, aggrieved parties, media, citizens etc. The work to develop the new operational support system is based on the courts' task to satisfy the demands of these external groups, demands which can be formulated on the basis of legislation.

Traditionally, all information which concerns a certain case has been managed in a physical file which is kept in the court. The parties have had access to certain parts of this information in the form of various documents. When the MÅHS system was introduced, this meant that certain information concerning the case became available via the system internally within the court. The intention is that the VERA-system will make the information concerning the case accessible outside the court as well. That means that the parties in a case should be able to have direct access to such information concerning the case that is to be found in the operational support system, which could be compared with the access a bank customer has to an Internet bank. The parties should be able to go directly into their case and see the relevant information.

The new system is intended to make possible the integration of information flow between the courts, for example when a case is appealed, so that anyone find information about the status of the case, e.g. which court is handling the case at the moment. Furthermore, this provides opportunities to recycle information about basic case details. It is also necessary for the judges to be able to search for similar decisions in other cases, a situation which must be deemed of benefit in attaining a uniform judicial application. The intention is therefore, that the courts should have access to information about other courts' cases even in other circumstances than when a case is being appealed.

Business sector

As said above, it's an aim for the Swedish Government that citizens and enterprises should be able to use single access points in each situation. That has been a reality for all information pertaining to the situation when a person wants to start a company. Since 1 March 2001 all such information is available at the same website. The website also contains a form to fill in, which is the only necessary form. The website also contains information about the authorities this form should be sent to in different situations. It is not yet possible to send the form electronically to the authorities, but work with that aim in mind is in progress.

Concerning the registers in the business sector, projects are in progress to create a system based on automatic control. The aims are that less human control should be used and data in applications and notifications instead should be monitored automatically.

The taxation administration

In Sweden, the income-tax return form, with all data such as income and private capital and also personal data, is available electronically. The form has to be printed out and signed and then sent to the local Tax Board Office. A very important reform, which will come into force 2 April 2002, is that most of the citizens will have the possibility to electronically confirm the data in the income-tax return form and send it electronically to the office.

Changes in the technical architecture

All legal information is available via one portal to the Public Legal Information System. Efforts have been made to mark up the legal information, e.g. acts and government bills in XML. These efforts have not yet succeeded. The main reason for this is problems within the production of the documents. The XML editors have proved to be too difficult to use and too expensive. The conversion from MSW Word to XML is not safe enough and requires manual handling, which is expensive and often leads to errors.

Sweden has therefore not done any big general changes in the technical architecture in the legal area.