Find an expert

Sweden

I. Lists and Registers of experts

In Sweden, there are no registers or records of experts, and there are no plans to introduce such records.

II. Expert's qualifications

Not applicable.

III. Remuneration of experts

Not available.

IV. Liability of experts

Not available.

V. Additional Information about expert Proceedings

1. Appointment of experts

a) Appointment by a court

It is unusual that the court appoints an expert on its own in a judicial proceeding.

b) Appointment by the parties

In Sweden, experts intervening in judicial proceedings are usually hired by a party in a trial, which means that the rules that apply to witnesses will apply also for the expert. (“expert witness”)

2. Procedure

The Swedish judicial tradition is based on the principle of free examination of evidence, meaning evidence submitted will not be dismissed merely on procedural grounds. Therefore, the merit of the testimony of an expert witness is based on the conclusions and testimony in each single case. The evidentiary value of the statement is assessed by the court, and the witness’ credibility and competence to draw the conclusions will be a matter for the parties to establish (through examination and cross examination).

The Swedish Code of Judicial Procedure and its rules of evidence are in general based on the principles of immediacy of evidence, concentration of the process and oral presentation.

A witness statement is of most value when there is reduced risks of misunderstandings, which is the case when appearing in persona: it is easier for the court to assess the reliability and credibility of the statement. In some respects, the rule also ensures the parties’ right to cross examination (preserve the principle of equality of arms).

A result of these principles is that the evidence is more or less always presented at the main hearing before the court. Evidentiary statements must therefore be directly and orally presented to the court. Written statements/affidavits/video examinations will normally not be accepted as a substitute for a statement in persona (with the exception of video recordings of juvenile statements).

Since 2008, testimonial statements out of the main hearing and the use of examination at the main hearing by telephone and by video conference are allowed to a larger extent: video conference – usually in a conference room at a court within the witness’s judicial district – is generally accepted as equal to an appearance in court.

In practice, the prohibition against affidavits is not applied to certificates issued by doctors and official or civil servants; however, it is always a matter of the case and the evidence available.

Judicial expertise is ruled by the Swedish Code of Judicial Procedure and is available under:

The Swedish Code of Judicial Procedure (1942:740)

The Swedish Code of Judicial Procedure (1998:000) (Chapter 40, page 215 s., not updated)

The information presented here was gathered during the Find an expert Project from contacts per country selected by the European expertise & experts Institute EEEI.

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