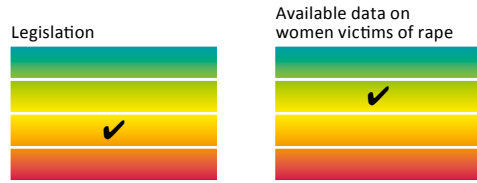


## NATIONAL ANALYSIS

# Sweden



Expert  
Wiveca Holst

### Legislation

The Swedish Penal Code defines rape in Chapter 6, Section 1, as such:

“A person who by assault or otherwise by violence or by threat of a criminal act forces another person to have sexual intercourse or to undertake or endure another sexual act that, having regard to the nature of the violation and the circumstances in general, is comparable to sexual intercourse, shall be sentenced for rape to imprisonment for at least two and at most six years.

This shall also apply if a person engages with another person in sexual intercourse or in a sexual act which under the first paragraph is comparable to sexual intercourse by improperly exploiting the fact that the person, due to unconsciousness, sleep, intoxication or other drug influence, illness, physical injury or mental disturbance, or otherwise in view of the circumstances in general, is in a helpless state.

If, in view of the circumstances associated with the crime, a crime provided for in the first or second paragraph is considered less aggravated, a sentence to imprisonment for at most four years shall be imposed for rape.

If a crime provided for in the first or second paragraph is considered gross, a sentence to imprisonment for at least four and at most ten years shall be imposed for gross rape. In assessing whether the crime is gross, special consideration shall be given to whether the violence or threat was of a particularly serious nature or whether more than one person assaulted the victim or in any other way took part in the assault or whether the perpetrator having regard to the method used or otherwise exhibited particular ruthlessness or brutality.”

### Additional comments

The issue of “consent” is not yet included in the legislation and there is an ongoing discussion in Swedish civil society. Based on an evaluation of the rape law, several lawyers, civil society and women’s organisations want to amend the law to include consent, as described in the Istanbul Convention.

### Available data on women victims of rape

According to the Swedish National Council for Crime Prevention, over the last decade the number of reported sexual offences has increased constantly, and the reports of rape have more than doubled. This is likely due to a combination of an actual increase together with a rising trend of reporting the crime. A large portion of the increase has occurred since 2005, when the new sexual offences legislation came into force, which meant that some actions that were previously classed as sexual exploitation are now classed as rape.

[www.bra.se/bra/bra-in-english/home/crime-and-statistics/rape-and-sex-offences.html](http://www.bra.se/bra/bra-in-english/home/crime-and-statistics/rape-and-sex-offences.html)



The official statistics just give data on how many women, girls, men and boys have been raped and how many perpetrators the police know about: what sex they are and how many have been convicted.

The figures for 2011 are:

6,120 rapes of women and girls - of these, nearly half (2,732) were under 18 and 3,388 were women over the age of 18 .

1,030 men were suspected of the crime of rape and 151 were convicted.

As few as 10-20% of all sexual offences are reported to the police. The Swedish Crime Survey (Nationella Trygghetsundersökningen, NTU) provides a better picture of the extent of criminality, with data on both victims as well as perpetrators — which is lacking in the criminal statistics. Of those who are suspected for sexual offences, the majority are men and only about 2% are women. The majority of the victims are women. In a third of reported rapes, the victim is younger than 15.

### Useful Contact

There is a national helpline for women that have been abused. It is free of charge and calls to the number do not appear on phone bills.  
+46 (0)20505050

