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Access to justice

Elderly women and men often need help with practical aspects of their daily lives. Swedish law gives elderly people the right to receive help and support from society. For example they can apply for social assistance, such as home-help services, from the municipalities. Social services and health care are imperative parts of Swedish welfare. Everyone who considers themselves in the need of service and care is entitled to apply for assistance under the Social Services Act. In primary care, a patient has the right to choose the health care provider she or he prefers.

A court may under certain conditions appoint an administrator or a special representative to help a person protecting her or his rights, administering her or his property or looking after her- or himself. The assignment of an administrator or of a special representative does not include all matters that are of a personal nature or that involve personal positions. Such matters may, for example, be medical care or treatment matters. Future proxy is an alternative to an administrator or a special representative and gives individuals the opportunity to appoint someone who can take care of their personal and economic affairs later in life, in case the person's own ability is decreasing.

The municipalities in Sweden are responsible for the elderly care, which is part of the social services. Decisions regarding social assistance under the Social Service Act are usually in writing and contains the grounds for the decision. A negative decision can be appealed to the administrative courts. Decisions regarding health care cannot be appealed but a woman or man who is dissatisfied with the health care can contact The Health and Social Care Inspectorate. The inspectorate is a government agency responsible for,

among other things, supervising services in the area of social services and health care.

It is also possible to contact the Patient Advisory Committee in order to get assistance to forward comments or complaints regarding treatment, patient fees, diagnosis or medication. If a patient suffer an injury while in the health care system, she or he can also claim financial compensation from Lön (Landstingens Ömsesidiga Försäkringsbolag). This is a nationwide Swedish insurance company that evaluates and give financial compensation to patients injured in health care and contributes to a reduction in the number of health care related injuries.

Those who lack the economic means to hire a legal representative in a civil case can apply for legal aid according to the Legal Aid Act (1996:1619). This is a financial support provided by the State to those who are unable to pay for legal representation or advice. Legal aid is available to all persons, regardless of age, who's annual income does not exceed SEK 260 000. The basic idea is that a person should contribute to the cost to the extent what he or she can afford. A legal aid fee is paid by the applicant. It varies from 2 to 40 percent of the costs depending on the applicant's income.

Discrimination on the ground of age is according to the Discrimination Act (2008:567) prohibited in different areas of the society such as working-life, healthcare, access to goods and services. Discrimination is also prohibited when a person in a public employment assist the public or has other types of contact with the public. The Equality Ombudsman is to supervise compliance with the Discrimination Act.

The Equality Ombudsman is a government agency that works to promote equal rights and opportunities and to combat discrimination. The Ombudsman shall among other things inform, educate, discuss and have other contacts with government agencies, enterprises, individuals and organizations.

A complaint to the Parliamentary Ombudsmen can also be made by a person who feels that she or he has been treated wrong or unjustly by a public authority or a public official. The Parliamentary Ombudsmen are appointed by the Swedish Riksdag (parliament) to ensure that public authorities and their staff comply with the laws and other statutes governing their actions. It is also possible to make a complaint to the Chancellor of

Justice that, among other tasks, supervises the government authorities and civil servants as well as courts on behalf of the Government. The decisions or protocols include statements by Parliamentary Ombudsmen that clarify whether the public authority concerned has acted in accordance with the law or not. If the public authority has acted incorrectly, the ombudsman will issue criticism that may be directed against the authority as well as an individual public official. The ombudsmen's decisions are not legally binding, which means that the public authority does not officially have to comply with the ombudsmen's criticism. In practice however, this is almost always the case. Public authorities benefit from the opinions issued by the ombudsmen, the opinions are often used to improve an authority's internal procedures and rules.