



RÄTTSMEDICINALVERKET

Information pursuant to the Swedish Act on Forensic Medical Certificates in Connection with Crime (SFS 2005:225)

What is a forensic medical certificate?

A forensic medical certificate is a doctor's certificate relating to injuries or other matters that may be significant to the investigation of a suspected crime. It may relate to the victim of a crime or to someone suspected of committing a crime. The purpose of the certificate is as documentation in a criminal inquiry or as evidence in a trial resulting from a crime. A medical certificate may, among other things, describe the injuries someone has sustained, as well as how and when the injuries may have been inflicted. Forensic medical certificates are therefore often an important basis for assessing whether or not a crime has been committed.

While forensic medical certificates are often based on a medical examination, they may also be based on documentation from earlier visits to a healthcare provider, such as medical records and photographs. The person to whom the certificate relates is normally required to consent to a medical examination and to the subsequent issuing of a forensic medical certificate (see below).

Must I agree to a medical examination?

If you are the victim of a crime, your consent is always required before a medical examination can take place. If you are suspected on reasonable grounds of committing a crime that may result in a prison sentence, your consent is not required for a medical examination if the police or prosecutor decide that a body search, which is also a medical examination, should be performed without your consent. If the police or prosecutor do not reach such a decision, then your consent is required.

Can a forensic medical certificate be issued without my consent?

Under certain circumstances, a doctor may issue a forensic medical certificate after you have been examined for that purpose or otherwise visited a healthcare provider for treatment. As a general rule, a forensic medical certificate cannot be issued without your consent but there are a few exceptions.



RÄTTSMEDICINALVERKET

If you are the victim of a crime, a forensic medical certificate may be issued without your consent:

- if a crime is suspected that carries a minimum sentence of one year's imprisonment (e.g. aggravated assault);
- if a crime is suspected that carries a minimum sentence of two year's imprisonment (e.g. • rape);
- if a crime is suspected that carries a minimum sentence of one year's imprisonment, if the criminal act encompasses the attempted transmission of a disease that presents a danger to public health (e.g. chlamydia or HIV);
- when there is a suspicion that certain crimes (e.g. assault, sexual offences or offences against the Swedish Act Prohibiting the Circumcision of Women (SFS 1982:316)) have been committed against someone under 18 years of age; or
- if you have previously given your consent to confidential information – for example, from your medical records – being disclosed to the police or prosecutor.

If you are the suspected of committing a crime, a forensic medical certificate may be issued without your consent:

- in conjunction with a body search (see above);
- if you have voluntarily undergone an examination – for example, in order to receive medical treatment – and you are suspected of:
 1. a crime that carries a minimum sentence of one year's imprisonment (e.g. aggravated assault);
 2. an attempted crime that carries a minimum sentence of two year's imprisonment (e.g. rape);
 3. an attempted crime that carries a minimum sentence of one year's imprisonment if the criminal act encompasses the attempted transmission of a disease that presents a danger to public health (e.g. chlamydia or HIV); or
 4. certain crimes (e.g. assault, sexual offences or offences against the Act Prohibiting the Circumcision of Women) have been committed against someone under 18 years of age.



Information regarding the processing of personal data

In conjunction with the examination you will be undergoing, the National Board of Forensic Medicine (*Rättsmedicinalverket*) will be processing personal data about you. The same applies if we issue a certified report that is based on documents rather than on an examination. This information sheet describes how we process your personal data

Personal data controller

The National Board of Forensic Medicine is the personal data controller with respect to the processing of your personal data, and is responsible for ensuring that the data is processed according to current law.

How we use your personal data

The National Board of Forensic Medicine may process personal data if doing so is necessary for the investigation of a crime as part of our forensic medical activities. If personal data of this nature is processed, they may also be supplemented by sensitive personal data if doing so is necessary for the purpose of that processing ([Chapter 3, Section 1, Clause 2 of the Act \(2020:421\) Regarding the Processing of Personal Data by the National Board of Forensic Medicine](#)).

To whom may your personal data be divulged?

After the National Board of Forensic Medicine has completed its investigation, the investigation will be reported to the Swedish Police Authority or the Swedish Prosecution Authority in the form of a certified report.

Your rights

You have the right, upon request, to obtain information as to whether personal data about you have been processed. You are also entitled to access such data. If the personal data that relate to you are incorrect or



RÄTTSMEDICINALVERKET

incomplete, you are entitled to request that they be corrected. You are also entitled to request the deletion or a limitation of the processing.

Your rights may be subject to limitation as a result of a law, regulation or other administrative provision, or as a result of the decision issued pursuant to the above instruments.

How long do we process your personal data?

Personal data are deleted or deregistered on a regular basis. The personal data collected by the National Board of Forensic Medicine are processed and kept on file for various periods depending on what they are to be used for and on obligations set out by law. Personal data, however, is never kept on file longer than what is necessary in light of the purposes for which they are being processed.

Contact us or the Swedish Data Protection Authority

If you have any questions, comments or complaints regarding our processing of personal data, you are welcome to contact the National Board of Forensic Medicine at rmv@rmv.se or send a letter to the National Board of Forensic Medicine at Rättsmedicinalverket, Box 206, 101 24 Stockholm.

The National Board of Forensic Medicine has appointed a data protection officer who can be contacted at dataskyddsbud@rmv.se

You may also contact or submit a complaint to the Swedish Data Protection Authority at datainspektionen@datainspektionen.se or write to the Swedish Data Protection Authority at Datainspektionen, Box 8114, 104 20 Stockholm.