



SEX WORK: THE SWEDISH MODEL

The partial criminalisation of sex work

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SEX WORK IN
SOUTH AFRICA



ASIJIKI | FACT SHEET 2015

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BACKGROUND ON THE SWEDISH MODEL

The Swedish model to regulate sex work was introduced in Sweden in 1999 and subsequently in Norway (2009), Iceland (2009) and Canada (2014). It does not criminalise the selling of sex but it does criminalise the buying of sex and other activities surrounding sex work, including running a brothel.

Historically, there have not been many sex workers in Sweden, and they have not constituted a very visible minority¹. The Swedish government adopted this law with the goal that it would deter those who would otherwise purchase sexual services and so reduce the number of people selling sex by reducing its financial appeal². The premise of this law is that sex work should not exist, even where there are people who are willing to do the work voluntarily. This Briefing discusses the Swedish model of sex work law reform and its impact on sex workers and society.

1 THE SWEDISH MODEL ASSUMES THAT SEX WORKERS ARE VICTIMS



“Sex workers were seen either as victims without agency who could not speak for themselves or as “immoral” women⁵.”

- The Swedish Model was passed without proper consultation with sex workers. When sex workers did raise concerns about the model, they were accused of either being non-representative or of having a “false consciousness”³ and their opinions were not taken seriously².
- The Swedish government committee of 1995 and 1997 stated “[n]o prostitution can be said to be of a voluntary nature,” illustrating the Swedish government’s belief that women had no agency when making decisions to participate in sex work and that women needed protection from men⁴. Sex workers were seen either as victims without agency who could not speak for themselves or as “immoral” women⁵.

2 THERE IS NO EVIDENCE THAT THE SWEDISH MODEL IS SUCCESSFUL

- The one major evaluation of the law carried out by the Swedish government was clearly biased, with the author stating at the outset that a “starting point of our work has been that the purchase of sexual services is to remain criminalized⁶”.
- Although the goal of the Swedish model was to decrease levels of sex work, there is little evidence to show any overall decrease. Although there was an observed decrease in street-based sex work from 1998 to 2008⁶, Swedish government researchers accepted that this coincided with the rise of Internet advertising, which made it easier to work indoors⁷. Sex workers themselves claim that many have simply moved to working indoors⁸.
- The increase in some types of indoor sex work is corroborated by the Swedish police, who reported an increase in the number of Thai massage parlours offering sexual services in both Stockholm and Sweden as a whole between 2009 and 2012⁹.

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“Under the Swedish model, increased vulnerability and stigma have worsened violence against sex workers.”

- The Swedish model is intended to make conditions worse for sex workers, as a means to discourage them from selling sex. The official state evaluation of the law acknowledges that sex workers oppose it and think it leads to increased stigma and police harassment, but goes on to remark, “For people who are still being exploited in prostitution, the above negative effects of the ban that they describe must be viewed as positive from the perspective that the purpose of the law is indeed to combat prostitution⁶”. Similarly, the head of Sweden’s anti-trafficking unit has been quoted as saying, “I think of course the law has negative consequences for women in prostitution but that’s also some of the effect that we want to achieve with the law... It shouldn’t be as easy as it was before to go out and sell sex¹⁰”.
- Under the Swedish model, increased vulnerability and stigma have worsened violence against sex workers^{11, 12, 13}. Sex workers often have to protect their clients from being prosecuted, which can mean working in out-of-the-way areas, pressured negotiations and allowing clients to remain anonymous, all of which has an impact on the negotiation of safer sex and makes sex workers more vulnerable to attack^{14, 15}.
- Sex workers report being harassed by the police, making them reluctant to report crimes against them³. Often clients are the only outsiders who will have contact with someone who is being trafficked or coerced into sex work^{16, 17}. Under the Swedish model, they will be reluctant to report suspected abuse for fear of being arrested.
- In order to avoid detection by the police, sex workers have become increasingly dependent on agents and managers to help them find clients, exactly the opposite of the intended effect of the law^{7, 8, 13}.
- Increased stigma against sex workers has resulted in them being refused services, including condom provision¹⁸. For example, the Stockholm Unit opposes providing condoms to sex workers, believing that condoms will attract sex workers¹⁹.
- Sex workers are still subject to non-criminal penalties, e.g. eviction from their homes and deportation^{20, 21}.
- The law has driven away “good” clients, forcing sex workers to offer lower prices, offer more risky sexual services or accept clients they would otherwise refuse (e.g. for being rough or disrespectful)²².



“Sex workers report being harassed by the police, making them reluctant to report crimes against them³.”

This Briefing was written by Jesse McGleughlin and Dr Dean Peters and plain-language edited by Giles Griffin

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