

Crime, punishment, and counselling
A study of the local judicial and social work application
of prostitution policy in Sweden

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*“I wanna see what You see
Come and rearrange me
Let Your love be my kaleidoscope”*

Urban Rescue – Kaleidoscope (2016)

Abstract

Title: “Crime, punishment, and counselling – a study of the local judicial and social work application of prostitution policy in Sweden”

Author: Narola Olsson

Key words: prostitution policy, the Swedish Sex Purchase Act, buying sex, implementation, law in action, social work, counselling, Sweden, stigma, policy analysis, WPR analysis, social construction

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This thesis explores the social construction of a purchase of a sexual service within the implementation of prostitution policy in Sweden and seeks to contribute to the current knowledge about how a purchase of a sexual service is regulated based on how the law and social work are locally implemented.

The thesis consists of four papers based on two empirical studies, including legal documents concerning the enforcement of the Swedish Sex Purchase Act (Chapter 6 Section 11 of the Criminal Code), and interviews with professionals within social services providing counselling to individuals with the experience of purchasing sexual services. The first paper provides a descriptive analysis of how the Sex Purchase Act is implemented. The second paper examines how a purchase of sexual services is established as a criminal offence and the construction of the buyer and the seller during the legal process. The third paper examines the legal process of a case concerning the purchase of a sexual service and how stigma and social normative notions potentially influence the legal process. The fourth paper examines the construction of a purchase of a sexual service as a social problem and how this is addressed through the work of social services in Sweden.

The results show that a purchase of a sexual service is socially constructed as a criminal offence and as a social problem through the implementation of Sweden’s prostitution policy. This construction represents a purchase of a sexual service as a problem concerning gender equality, as a problem with a symbolic victim and as a problem of morality. All three representations construct the purchase of a sexual service as a problem that can be addressed

through punishment and counselling with Sweden's prostitution policy. Hence, experiences of buying and selling sexual services that fall within the current problem definition are addressed in the current criminal justice and social work practices. However, experiences outside the current problem definition are often left unproblematic. A potential consequence of this is that individuals with the experience of buying sexual services are positioned further away from the punishment and counselling used to implement Sweden's prostitution policy.

List of Papers

The thesis is based on the following papers, referred to in the text by their Roman numerals.

- I. Olsson, N. (2020). The implementation of Sweden's prostitution law at the local level. *Journal of Social Work*. First Published 12 March 2020.
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- II. Olsson, N. (forthcoming). *An ideal witness – Implementing Swedish prostitution law with no plaintiff*. Submitted and under review.
- III. Olsson, N. (2021). Brott och Skam – stigmas betydelse vid rättsfall om köp av sexuell tjänst. In A. de Cabo Y Moreda, C. Holmström & J. Kuosmanen (Eds.), *Sex mot ersättning – säljare, köpare, makt och moral*. (p. 93–120) Studentlitteratur: Lund.
- IV. Olsson, N. (forthcoming). *Men buying sex – a (new) field for social work in Sweden*. Submitted for publication.

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The images made in a kaleidoscope, like the one on the cover, can be a beautiful metaphor for life – we twist and turn it around and there seems to be something new from every angle. And with every twist and turn we find new images. Images where the beauty is in the eyes of the beholder. Perhaps the kaleidoscope can also serve as a metaphor for the subject matter of this thesis, sex in return for payment. We twist and turn it around and every time, from every new angle, from every new perspective there is something to discover. Discoveries that are controversial, contentious, and decisive, but also compelling, important, and thought-provoking. Images formed into meaning in the eyes of the beholder. Writing this thesis has also been a bit of twisting and turning, with some more exciting and enjoyable than others, but always with the help and support of many.

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Narola Olsson

Gothenburg, January 2021

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1. Introduction

The buying and selling of sexual services have attracted attention throughout history in several countries; attention in terms of its existence and visibility in society. The regulation of sex in return for payment is an old phenomenon closely connected to the state and to public policy (Brooks-Gordon, 2006; de Cabo Y Moreda, 2018; Jahnsen & Wagenaar, 2018; Elias, et al., 1998; Svanström, 2000). However, during recent decades the attention on how sex in return for payment can be regulated by the state has increased, and the regulation of sex in return for payment has become a powerful subject on the political agenda, in Sweden as well as internationally (Jahnsen & Wagenaar, 2018; Skilbrei & Holmström, 2013).

With the increased political interest in public policy regulating sex in return for payment, prostitution policy has developed as an academic field to become an important topic within research about sex in return for payment (Jahnsen & Wagenaar, 2018; Matthew, 2008; Skilbrei & Holmström, 2013; Wagenaar, Amesberger & Altink, 2017). Different public policy approaches, termed prostitution policy models, have developed. They are often based on the country's national legislation as the main tool to regulate sex in return for payment (Wagenaar, 2018). An often-used typology within research about prostitution policy models, is the regulation of sex in return for payment through criminalisation, legalisation, or decriminalisation (Skilbrei & Holmström, 2013). As different countries adopt different aspects of the typology, prostitution policy research has almost become synonymous with the study of these different models (Wagenaar, 2018).¹ Research has therefore often focused on comparing and evaluating models, adding to the notion of a “best practice” for public policy to regulate sex in return for payment (Skilbrei & Holmström, 2013). Furthermore, research have also focused on how prostitution policy regulates and shapes sex in return for payment and the individuals involved, while at the same time being influenced and shaped by wider societal events and developments (Wagenaar, 2018). However, there is still a lack of empirical studies on how prostitution policy is implemented, and their effects and outcomes (Holmström & Skilbrei, 2017a; Wagenaar & Altink, 2012; Wagenaar, 2018). Few studies have analysed what Wagenaar (2018:2) calls “the more mundane aspects of prostitution policy” such as the process and dynamics of agenda setting or selection of policy instruments.

¹ The prostitution policy typology is further described in section “3.1.1 Previous research about prostitution policy”.

It is within this research field this thesis is positioned, and particularly the study of the implementation of prostitution policy.

Sweden's current approach to regulate sex in return for payment has gained particular attention (Jahnsen & Wagenaar, 2018; Skilbrei & Holmström, 2013). When Sweden introduced the Act (SFS 1998:408) prohibiting the purchase of a sexual service in 1999, it was the first country in the world to criminalise the purchase of sexual services but not the selling of sexual services. Since then, several countries have followed the Swedish approach, implementing the same legislation (Månsson, 2018).² Prostitution policy in Sweden has the clear aim of reducing the demand for sexual services by criminalising the purchase of a sexual service. The public policy also recognises the need to provide support and assistance to help individuals to stop buying and/or selling sexual services and to change societal norms about sex in return for payment. In this way, both criminal justice work and social work are used to reduce the demand for sexual services and to abolish sex in return for payment in society (Ministry of Health and Social Affairs, 2018; Swedish Government Bill, 1997; Swedish Government Official Report, 2010). The case of prostitution policy in Sweden will be used in this thesis. Because of the specific problem formulation of sex in return for payment, prostitution policy in Sweden has a main focus on the regulation of a purchase of a sexual service, although other aspects of sex in return for payment are also regulated. The focus of this thesis is public policies regulating the purchase of a sexual service. The specifically identified public policy initiatives are the law (SFS 2005:90) prohibiting the purchase of a sexual service and the counselling provided by KAST³ (an acronym in Swedish translated into "buyers of sexual services"), which is the only social work initiative directed towards individuals with the experience of purchasing sexual services in Sweden (Isaksson, Rangmar & Forsberg, 2020). Furthermore, the identified public policy initiatives will be studied in terms of how they are implemented focusing on the judicial work to enforce the law (SFS 2005:90) and the social work provided by KAST. Hence, the implementation of prostitution policy in Sweden refers specifically to the local work of judicial and social agencies targeting individuals with the experience of buying sexual services. By using the case of prostitution policy in Sweden, the purpose of this thesis is to contribute to current knowledge about how a purchase of sexual services is regulated, particularly to contribute to

² South Korea, 2003, South Africa, 2007, Norway, 2009, Canada, 2014, Ireland, 2014, Northern Ireland, 2014, France 2016 and Israel, 2020.

³ In Swedish; "Köpare av sexuella tjänster". The Swedish acronym is be used throughout this thesis.

the lack of empirical studies about how the law and social work are locally implemented (Holmström & Skilbrei, 2017a).

1.1 Aim and research questions

The overall aim of the thesis is to explore how a purchase of a sexual service is constructed as a problem by local criminal justice and social work, when prostitution policy is implemented in Sweden. A special interest is the enforcement of the law (SFS 2005:90) prohibiting the purchase of a sexual service and the counselling that is offered by social services directed to individuals with the experience of buying sexual services. The research questions of this thesis are:

- What kind of problem(s) is a purchase of sex constructed to be through the local enforcement of the Swedish legislation (SFS 2005:90) prohibiting the purchase of a sexual service? (Paper I)
- How are individuals with the experience of buying and selling sexual services constructed during the legal process of a case concerning a purchase of a sexual service and what are the legal consequences in terms of their legal statuses and its potential influence on the penal value? (Paper II)
- How does the stigma that accompanies sex in return for payment as a social phenomenon influence the legal process of a case concerning a purchase of a sexual service in terms of how the judicial authorities and the defendant contend with the stigma and its potential influence on the rule of law? (Paper III)
- What help and support do the professionals at social services provide to individuals with the experience of purchasing sexual services, how do they describe their work, what reflections are made according to the local police and in what way does their work reflect the national prostitution policy strategy? (Paper IV)

1.2 Outline of the thesis

The thesis includes four papers I-IV. Papers I, II and III are based on legal documents and paper IV is based on qualitative interviews. Besides this the thesis also include a frame with 9 chapters. *Chapter 1* includes an introductory background to the thesis together with its aim and research questions as well as the outline of the thesis and a note regarding the terminology used.

Chapter 2 provides an historical background of some of the main public policy initiatives regulating the buying and selling of sexual services in Sweden, leading up to the current public policy aiming to reduce the demand for sexual services. The chapter begins with the first national law regulating prostitution in the mid-1800s, illustrating how sex in return for payment has been constructed as a problem for Swedish society in different ways. Based on the aim of this thesis, the work to enforce the law (SFS 2005:90) prohibiting the purchase of a sexual service and the social work directed towards individuals with the experience of purchasing sexual services is presented. This section serves as a background to the current construction of a purchase of a sexual service as a criminal offence and as a social problem. Although this construction of a purchase of a sexual service is still present, it has continuously been discussed in terms of how criminal justice and social work can and should be implemented. Some of the main points from this discussion is presented lastly in the chapter.

Chapter 3 includes a presentation of prostitution policy as the academic field this thesis is positioned within. Sweden's public policy aiming to reduce the demand for sexual services by criminalising the purchase of a sexual service is used to discuss how prostitution policy and problem constructions are related when public policy is formulated and implemented. Previous research about prostitution policy as an academic field is also presented. Furthermore, as the act of purchasing a sexual service is examined in this thesis, a focus is put on individuals with the experience of buying sexual services constructing the target group for the public policy initiatives studied in this thesis. Because Swedish government reports and research often represent the buyer as a male buyer, much of the previous research about the buyer as a subject of regulation concerns men with the experience of buying sexual services. Therefore, the chapter ends with some previous research about men purchasing sexual services.

Chapter 4 presents Carol Bacchi's (2009) "what's the problem represented to be?" (WPR) policy analysis and how it has been used in this thesis. The WPR analysis departs

from an understanding that problems are constructed within the policy process, rather than existing outside the policy as an objective problem waiting to be solved (Bacchi, 2009). For example, a purchase of a sexual service is constructed as a problem within prostitution policy, and with the example of the law (SFS 2005:90) prohibiting the purchase of a sexual service, the act to purchase a sexual service is constructed as a criminal offence “within” or because of the legislation. In this way, the WPR analysis seeks to analyse how problems (problematizations) are constructed and represented within public policy.

In *Chapter 5* the two empirical studies of the thesis are presented together with the overall trustworthiness of the thesis, including ethical considerations. Two empirical studies, including legal documents and qualitative interviews, were conducted to explore the local application of the law and social work. *Chapter 6* includes the results from the two empirical studies. These are presented as the main results of the four papers of this thesis, including three articles (I, II, IV) and one book chapter (III). The main results can be summarised as two problematizations constructing a purchase of a sexual service as a criminal offence and as a social problem. In *Chapter 7*, the two problematizations are further discussed in terms of how they represent a purchase of a sexual service as; 1) a problem concerning gender equality, 2) a problem with a symbolic victim and 3) a problem of morality. The representations are discussed concerning their potential consequences for individuals involved in buying and selling sexual services and the work to locally enforce the law and provide social work. *Chapter 8* include a summary of the main conclusions of the thesis, discussing the wider reach of the law and social work to reduce the demand for sexual services in Sweden. Lastly, *Chapter 9* is a summary of the thesis in Swedish.

1.3 Terminology

To define and describe sex in return for payment and individuals who are involved in buying and selling sexual services is a difficult task and I am aware of the contentious nature of my chosen subject matter. Because of this, I want to be mindful of the terminology used to describe the experiences of buying and selling sexual services, as well as the experiences of the professionals working with the involved individuals.

Therefore, whenever individuals with the experience of buying and selling sexual services are mentioned, I have chosen to refer to them by their relevant experience addressed in this thesis, i.e., to purchase/buy and to sell sexual services or as “buyers” and “sellers”. This terminology is used in Swedish by the professionals working at KAST and in legal

documents concerning the purchase of sexual services and have therefore been chosen for this thesis. Based on the formulation of the legislation⁴, the criminal offence is defined as “the purchase of sexual services” and further specified as “obtaining casual sexual relations in return for payment”. I have therefore chosen to use the terminology “sex in return for payment” to refer to the interaction between the buyer and the seller, and “the purchase of a sexual service” to refer to the act which is criminalised. However, when describing certain historical events (mainly in Chapter 2) or referencing public policy regulating the buying and selling of sexual services the term “prostitution” will be used.

Furthermore, prostitution policy in Sweden includes public policy regulating the buying and selling of sexual services, and includes the law (SFS 2005:90) and the work of KAST and aims to reduce the demand for sexual services. Hence, “prostitution policy in Sweden” is used interchangeably with “public policy aiming to reduce the demand for sexual services” and with “public policy regulating the buying and selling of sexual services”. Similarly, the law (SFS 2005:90) prohibiting the purchase of a sexual service (Chapter 6 Section 11 of the Criminal Code) is used interchangeably with “the Sex Purchase Act”.

⁴ “A person who, in cases other than those previously referred to in this Chapter, obtains casual sexual relations in return for a payment, is guilty of purchase of sexual services and is sentenced to a fine or imprisonment for at most one year.” Swedish Penal Code, Chapter 6, Section 11. Official translation provided by the Government Offices of Sweden. Retrieved from: <https://www.government.se/490f81/contentassets/7a2dcae0787e465e9a2431554b5eab03/the-swedish-criminal-code.pdf>

2. The case of Sweden: Regulating the buying and selling of sexual services

2.1 Historical constructions of prostitution as a social problem

The first law regulating prostitution in Sweden was introduced in 1847 and was implemented by local municipalities, first and foremost in the big cities. Prostitution was primarily defined by a medical discourse and a functionalist approach based on men's need for sex. The law concerned measures to stop the spread of sexually transmitted diseases by implementing regular medical examinations for women selling sexual services (Svanström, 2000). By defining prostitution as a medical problem for society, in terms of the spread of sexually transmitted diseases, and as a natural function of male sexuality, the concern for society was to control individuals who could spread sexually transmitted diseases to men purchasing sexual services. The target group of the regulation was thus the women who sold sexual services, represented as health risks to society.

The introduction of the Vagrancy Act⁵ in 1885 was used to add to the representation of women selling sexual services as a problem for society that needed to be regulated. Through the Act an even greater emphasis was put on the female seller, as she came to be described as a vagrant, "a fallen woman". Rather than organising the regulatory measures based on the female seller as a health risk, the entire life situation of the woman was now taken into consideration and she was understood to be a threat to social stability. In this way, prostitution was constructed as an issue related to poverty, deviant behaviour, and social disorder. For example, in government reports on vagrancy from this time, it is the social situation of women selling sexual services that is described as the problem that needs to be regulated, not just her health status. The emphasis of the Vagrancy Act regulating the seller goes hand in hand with the general understanding of a social problem at the time, defining the female seller's social situation as due to her individual flaws and shortcomings. In 1918, the previous law from 1847 was abolished after years of protest from "Svenska Federationen"⁶, an organisation criticising the regulation system and its implementation for being directed towards female sellers, without considering the responsibility of male buyers. With the introduction of the Lex Veneris Act in 1918, the regulation ended. However, the Vagrancy Act was still in place and women selling sexual services continued to be

⁵ In Swedish; "Lösdriverilagen", 1885.

⁶ The Swedish branch of the British, Continental and General Federation. The Swedish branch was founded in 1878 (Svanström, 2000).

represented as a problem for society and targeted through the implementation of the Act (Månsson, 2017; Svanström, 2000).

The new century marks a new period of an increased medicalisation of society, and in a Swedish Government Official Report from 1929 prostitution was mentioned for the first time as a matter of social hygiene. Furthermore, the government report dealt with the female sellers' connection to the working life, representing an ambivalent stance where women selling sexual services should be monitored as vagrants. However, the two Swedish Government bills on the subject, one in 1930 and one in 1931, were both rejected. The following two Swedish Government Official Reports from 1939 and 1949 focused instead on psychopathology, representing women who sold sexual services as vulnerable and suffering from psychiatric problems and struggling with various vices. Laws on sterilisation from 1939 and psychiatric treatment from 1929 were used in particular to regulate and "treat" women with the experience of selling sexual services (Svanström, 2006).

From the 1950s, the psychopathology perspective was gradually replaced, by the representation of the female seller as antisocial and having issues adjusting to society. Studies conducted (Jonsson, 1938; Swedish Government Official Report, 1949) with women who had been convicted and "treated" according to the Vagrancy Act concluded that women with the experience of selling sexual services were not helped by the punishment but were rather in need of correction. As such, prostitution was constructed more in terms of a social problem, a hidden issue that had been forgotten and needed to be addressed through social welfare policies (Inghe & Inghe, 1967/1970; Månsson, 2017). During this time, parliamentary debate mentioned, for the first time, male demand rather than female supply. This argument was not completely novel; it had been put forth by women's organisations in the late 1800s, but 1958 was the first time the state initiated such a discussion, which also opened the way for new possibilities in terms of how prostitution could be regulated. However, the parliamentary discussions did not lead to any further government reports regarding male demand for sexual services (Svanström, 2006). Instead, a final Swedish Government Official Report in 1962 was issued on vagrancy, emphasising the antisocial characteristics of women selling sexual services. In 1964, the Vagrancy Act was replaced by a law on antisocial behaviour. Although prostitution was a recurring topic within different Swedish Government Official Reports, established as a problem in society, it never received enough recognition as a societal problem to attract attention and political will for change (Månsson, 2017).

The 1970s constitutes an important time in the development of Swedish public policy regulating prostitution and the role of social work. Based on the construction of prostitution as a social problem and the antisocial lifestyle of the female seller, local social work efforts were implemented to help women with the experience of selling sexual services. However, gradually the construction of the problem of prostitution was further influenced by new ideas and attitudes about sexual liberation and commercialisation present in public and political debates (Dodillet, 2009; Erikson, 2011; Holmström & Skilbrei, 2017b; Månsson, 2018). This was highlighted by the strong criticism aimed at the Swedish Government Official Report (1976) about sexual offences and for its proposal to soften penalties for a range of sexual offences. At the heart of the criticism was the role of sexuality in a capitalistic and patriarchal society, shifting the focus on prostitution as an individual social problem to an emphasis on its structural dimensions and symbolic value. The question was no longer about sexual liberation, but what kind of sexuality should be promoted by the government. With the strong criticism aimed at the government report came calls for the government to conduct new investigations and to further investigate prostitution as a problem for society. Through the local social work efforts helping individuals to stop selling sexual services the situation of the seller, mainly represented by the life-situation of female sellers, was identified as making the seller vulnerable and at risk of being exploited, which further emphasised the structural elements of the problem that needed to be further investigated (Erikson, 2011; Månsson, 2018). However, the Swedish Government Official Report (1981), entitled “Prostitution in Sweden”, concluded that a sole focus on the seller’s social situation would overlook the underlying issue of prostitution, namely the social situation of men, and their sexual demands, needs and attitudes. As prostitution was increasingly constructed as a structural social problem there was also an increase in interest regarding the social situation of the buyer (Dodillet, 2009; Månsson, 2018; Skilbrei & Holmström, 2013). Several research projects (see for example Borg et al., 1981; Persson, 1981; Månsson & Linders, 1984) were conducted exploring the life of men buying sexual services and their motives. Despite the societal changes of the 1970s and the increased interest in men purchasing sexual services, prostitution continued to be first and foremost constructed as a heterosexual phenomenon with a male buyer and a female seller.

During the last two decades of the 20th century, prostitution became an increasingly prominent topic on the political agenda in Sweden as well as internationally, and together with the rise of a criminal justice perspective, buying and selling sexual services was thought

about more in terms of a criminal offence (Dodillet, 2009; Månsson, 2018; Skilbrei & Holmström, 2013). In Sweden, two government reports (Swedish Government Official Report, 1981; 1995) discussed the criminalisation of prostitution, with the former advising against it and the latter arguing to criminalise both the buying and selling of sexual services. The arguments in favour of criminalising the purchase of sexual services were that it would be an important stand against men's power over women, and that it would promote a normative stance on the issue of gender equality. The arguments against criminalisation pointed to the difficulties of implementing such a law and that it would force prostitution underground, which would lead to further negative effects for the people involved. Although the government reports (Swedish Government Official Report, 1981; 1995) suggested different measures for regulating prostitution, the suggestion to use criminal justice policies to regulate prostitution had been introduced and became the dominant perspective used to construct prostitution as a problem for society (Dodillet, 2009; Erikson, 2011; Månsson, 2018; Skilbrei & Holmström, 2013). Through a criminal justice perspective the purchase of sexual services came to be represented as a severe manifestation of inequalities between the sexes. This inequality is partly manifested on an individual level between the buyer and the seller, representing the buyer as the responsible party in a purchase of a sexual service and therefore subject to punishment and through criminalisation defined as a perpetrator; whereas the seller is represented as the weaker party and considered a victim and therefore a subject for social help and assistance. However, the gender inequality is also manifested on a structural level between the sexes and therefore a concern to all of Swedish society (Erikson, 2011; Swedish Government Official Report 1981; 1995). By representing sex in return for payment as an expression of gender inequality, an emphasis was put on the importance of promoting a normative stance on issues concerning gender equality (Swedish Government Official Report, 1995). Furthermore, by acknowledging oppression and exploitation as elements of a purchase of a sexual service, the buyer's individual responsibility was emphasized (Ekberg, 2004; Wong, 2014). Consequently, prostitution was constructed as a social problem in terms of gender equality, with certain interest groups advocating for the criminalisation of a purchase of a sexual service.

Although prostitution was represented as a social problem, the suggested regulatory measures were more in line with a criminal justice perspective representing the purchase of a sexual service as a criminal offence (Dodillet, 2009). The partial criminalisation was further emphasised in political and public debates, departing from the structural dimensions of

prostitution as an expression based on inequalities concerning, gender, sexuality, and class, which had been put forth in the Swedish Government Official Reports (1981; 1995) and in a separate report (Borg, et al., 1981) from the experts of the original committee, which they presented after having left the committee. As men purchasing sexual services was, and still is, seen as an expression of these gender inequalities (Dodillet, 2009; Månsson, 2018; Skilbrei & Holmström, 2013), a Swedish Government Bill (1997) was presented proposing to criminalise the purchase of a sexual service, but not the selling of sexual services. “The Act on prohibiting the purchase of sexual services”⁷ (SFS1998:408) came into force on 1 January 1999, which consequently turned the act of purchasing a sexual service into a criminal offence.

2.2 Swedish public policy reducing the demand for sexual services

The overall aim of Swedish public policy regulating the buying and selling of sexual services is to influence the demand for sexual services, which is identified as the underlying problem as to why sex in return for payment exists (Swedish Government Official Report, 1995; 2010). Criminalising the purchase of a sexual service through the law (SFS 2005:90) prohibiting the purchase of a sexual service is part of public policy aiming to reduce the demand for sexual services. The law (SFS 2005:90) seeks to punish a person who purchases a sexual service and to have a deterrent effect on potential buyers. Furthermore, the law (SFS 2005:90) carries a normative ambition to change attitudes and values about sex in return for payment. However, the Swedish Government Bill (1997) preceding the law (SFS 2005:90) not only mentions the law being used to reduce the demand for sexual services but emphasises how criminal justice work and social work need to complement each other to reduce the demand for sexual services. And whilst social welfare and criminal justice policies are expected to complement each other, the two policy directives are implemented by different professionals with different professional cultures, traditions, and legislative frameworks (Skilbrei & Holmström, 2013). Thus, there is potential for tension in the work that the professionals are expected to carry out in accordance with the national policy.

Sex in return for payment with a male buyer and a female seller is described in the Swedish Government Bill (1997) preceding the law (SFS 2005:90) as the most common form of prostitution in Sweden, which puts an emphasis on men buying sexual services. The male

⁷ In Swedish: “Lagen om förbud mot köp av sexuella tjänster”, SFS 1998:408.

buyer is thus described in terms of men's superiority over women and the inequality between the buyer and the (female) seller. Along with a criminal justice perspective, the (male) buyer is consequently considered the stronger party and made responsible for the offence of purchasing a sexual service from a (female) seller (Dodillet, 2009; Ekberg, 2004; Eriksson, 2011; Florin, 2012; Matthews, 2008). As the buying and selling of sexual services is constructed as an expression of different power hierarchies in society, a purchase of a sexual service is not primarily defined as a criminal offence against the (female) seller in the Swedish Government Bills (1997; 2004), but as a criminal offence against public order, as a purchase of a sexual service is considered to be harmful to all Swedish society.

Because the law (SFS 2005:90) so clearly targets the buyer, most social work initiatives within Swedish public policy aiming to reduce the demand for sexual services have come to focus on individuals selling sexual services and helping them to stop selling sex. However, different campaigns⁸ run by the National Task Force against Prostitution and Human Trafficking⁹ have been conducted to spread public awareness and to change societal norms about trafficking and sex in return for payment. Some of these public awareness campaigns have specifically targeted individuals with the experience of buying sexual services or potential buyers, to encourage them to stop buying sexual services in Sweden and abroad. However, there is only one social work effort, KAST¹⁰ an acronym in Swedish which translates into "buyers of sexual services", which directly focuses on individuals with the experience of buying sexual services and provides counselling (Isaksson, Rangmar & Forsberg, 2020).

2.2.1 The Sex Purchase Act

"The Act on prohibiting the purchase of sexual services" (SFS 1998:408) came into force in 1999 and is commonly known as the Swedish Sex Purchase Act. In 2005, the Act was replaced by new legislation (SFS 2005:90) which incorporated it into the Swedish Criminal Code. Chapter 6, Section 11 states that: "*A person who, in cases other than those previously referred to in this Chapter, obtains casual sexual relations in return for a payment, is guilty of purchase of sexual services and is sentenced to a fine or imprisonment for at most one*

⁸ For example, the awareness campaign "Resekurage", encourages Swedish tourists to bring the courage of their convictions on holiday and to report cases of the sexual exploitation of children.

<https://www.nmtsverige.se/insatser-events/kampanjer/resekurage>

⁹ In Swedish; "Nationellt Metodstöd mot Prostitution och Människohandel".

¹⁰ In Swedish; "Köpare av sexuella tjänster". The Swedish acronym KAST is used throughout this thesis.

year.”¹¹ An attempt to purchase a sexual service is regulated in Chapter 23, Section 15 of the Swedish Criminal Code. The prohibition on purchasing a sexual service is subsidiary, meaning that it is only applicable if no other provision in Chapter 6, Sections 1 to 10 of the Swedish Criminal Code is applicable (Swedish Government Bill, 2004). For example, in cases when coercion is involved, the alleged crime will be prosecuted under another offence. Although the content and the main provision for the offence have not changed, two clarifications were made in 2005. “Casual sexual relations” was changed to “a casual sexual relation” to clarify that the prohibition includes a single purchase of a sexual service, thus emphasizing that every single casual sexual relation obtained in return for payment is punishable. A second paragraph¹² was also added to clarify that it is a criminal offence to obtain a casual sexual relation even if the payment is promised or given by another person, who in turn may be charged with complicity (Swedish Government Bill, 2004).

The conditions for a purchase of a sexual service to be considered a criminal offence have been discussed in several government bills and reports (see for example Swedish Government Bill, 1997; 2004; Swedish Government Official Report, 2016). The sexual relationship must be casual, emphasizing its temporary nature, and exist outside a stable and long-term relationship, such as a marriage. However, a buyer who regularly buys sexual services from the same seller is still considered to be purchasing a casual sexual service (Swedish Government Bill, 2004). Furthermore, a casual sexual relation is first and foremost referred to as sexual intercourse but may also include other sexual acts (Swedish Government Bill, 1997). Physical contact between the buyer and seller is required by the law (SFS 2005:90). Payment refers to money or items with monetary worth, with the examples of alcohol or narcotic drugs given in the government bills (Swedish Government Bill, 1997; 2004). The Supreme Court has only dealt with one case concerning the purchase of a sexual service (NJA 2007 p.527) which did not concern the substantive provision, but rather with sentencing. Hence, there is a lack of authoritative case law guiding the application of the provision (SFS 2005:90) (Wong, 2014).

¹¹ Official translation provided by the Government Offices of Sweden. Retrieved from: <https://www.government.se/490f81/contentassets/7a2dcae0787e465e9a2431554b5eab03/the-swedish-criminal-code.pdf>

¹² “The provision in the first paragraph also applies if the payment was promised or made by another person. SFS 2011:517”. Official translation provided by the Government Offices of Sweden. Retrieved from: <https://www.government.se/490f81/contentassets/7a2dcae0787e465e9a2431554b5eab03/the-swedish-criminal-code.pdf>

In 2011 the maximum sentence was changed from six months up to at most one year (SFS 2011:517) to provide the possibility of a more nuanced assessment of more serious cases (Swedish Government Bill, 2010). However, no one has yet been sentenced to imprisonment with a purchase of a sexual service as the sole offence.¹³ The more common criminal sanction is a day fine; that is, a fine based on the penal value of the offence and the income of the convicted person. The penal value is determined by the severity of the crime. Regarding the purchase of a sexual service, the Swedish Government Bill (1997) mentions that the penal value of a normal sex purchase should be lower than the penal value of sexual molestation of a child mentioned in the Swedish Criminal Code, Chapter 6 Section 10. Although the age of the seller determines the penal value, in terms of being a minor or not, a purchase of a sexual service is considered as an offence against society and therefore the personal situation of the adult seller should not be considered. The penal value is further based on how many times a sexual service has been purchased and whether the convicted person is a repeat offender (Swedish Government Bill, 1997). Precedent set by the Supreme Court (NJA 2001 p.527) sentenced a person to 50 day fines for a purchase of a sexual service, and in a case from the courts of appeal (RH 2002:16), an attempted offence was sentenced to 40 day fines.

The territorial scope of the law has been under constant revision since the Sex Purchase Act was first implemented (Swedish Government Official Report, 2016). The latest decision by the Swedish Government is that the need for double criminality¹⁴ stands (Records of Proceedings in the Chamber 2017/18:117) as the government recognises that a purchase of a sexual service is not universally considered as an offence. Therefore, the lack of a common international understanding of the purchase of a sexual service as a criminal offence speaks against the implementation of the Sex Purchase Act abroad (Swedish Government Bill, 2010).

2.2.1.1 The work of the police and the General Courts

To implement the law (SFS 2005:90) prohibiting the purchase of a sexual service, the Swedish Police Authority, the Swedish Prosecution Authority, and the Swedish General

¹³ Personal communication with the Swedish National Council for Crime Prevention, March 27, 2018.

¹⁴ A necessary condition for international extradition, outlined in many treaties. It requires the conduct of the prospective extradited person to constitute an offence in the jurisdictions of both the requesting state and the receiving state (<https://www.oxfordreference.com/view/10.1093/oi/authority.20110803095728554>).

Courts have been identified as important actors. The General Courts in Sweden consist of 48 district courts, 6 Courts of Appeal, and the Supreme Court, and there are 32 public prosecution offices. The police play a particularly significant role as it is often their work that identifies possible purchases of a sexual service, which can lead to a case with the Swedish Prosecution Authority or the Swedish General Courts (Swedish National Council for Crime Prevention, 2000; Swedish Government Official Report, 2010).

After a person has been caught by the police and there is clear evidence of a purchase of a sexual service, the suspected individual has the possibility to confess to the offence and a summary punishment can be issued via the Swedish Prosecution Authority. In such cases the local public prosecution office sends a form to the suspected individual, which the suspected individual can respond to by admitting to the offence and accept the punishment (Ministry of Justice, 2015). In cases where a summary punishment is not applicable or the suspect denies committing the crime, a criminal case is instead formally instituted as a summons application is submitted to a local district court. The defendant can plead guilty and receive a final judgement without a court hearing. If not, the case will proceed to a court hearing where the evidence is presented, and a final judgement is passed (Ministry of Justice, 2015).

According to the Swedish National Council of Crime Prevention, there have been 9 234 reports concerning a purchase of a sexual service from 1999 to 2019. During the same period (1999-2019), 3 594 individuals were convicted of purchasing a sexual service as the principal offence. About 30% (n=1050) of the convictions come from the district courts with the remaining 70% (n=2544) issued by local public prosecution offices.

2.2.2 Social work directed towards the demand side

As already mentioned, the Swedish national public policy aiming to reduce the demand for sexual services mentions the importance of social work and criminal justice working to complement each other to reduce the demand for sexual services. Despite this intention, social work directed towards individuals with the experience of buying sexual services has been given less attention and resources (Swedish Government Official Report, 2010; 2016). Instead, most social work efforts within national public policy have been directed towards individuals selling sexual services, and so far, the only social work initiative directed specifically towards individuals with the experience of buying sexual services is KAST. Although KAST was founded two years prior to when the Sex Purchase Act was first implemented in 1999 and the work is often mentioned in different official government reports

(see for example, Ministry of Health and Social Affairs, 2018; Stockholm County Administrative Board, 2015; Swedish Government Official Report, 2010), the demand for sexual services and the act of buying a sexual service is less clearly elaborated on and defined as a social problem in the different official government reports (ibid). In this way, KAST holds a unique position within the national public policy strategy to reduce the demand for sexual services as well as among social work efforts helping individuals involved in buying and selling sexual services (Månsson, 2018; Åkerman & Svedin, 2012a).

In 1997, KAST began as a local project in the city of Gothenburg founded with the main purpose of providing help and support to individuals with the experience of buying sexual services. KAST was initiated as a response to a research project by Sandell, Pettersson, Larsson and Kuosmanen (1996), where men who purchased sexual services were interviewed and expressed a need and interest to in talking to someone about their experiences and getting help to stop buying sexual services. Today there are six local offices¹⁵, but with talk of establishing more offices across the country (Isaksson, Rangmar & Forsberg, 2020).

2.2.2.1 The work of KAST

The primary and initial target group for KAST are individuals buying sexual services who are experiencing personal problems with their purchases and have sought help from KAST. The target population has grown over the years to include individuals who experience problems with their sexuality or describe themselves as sex addicts. KAST also offer family support. The clients at KAST are mostly men who have the experience of buying a sexual service from a woman, and are already in heterosexual relationships. They come from all kinds of backgrounds, represent different ages and different civil statuses (Isaksson, Rangmar & Forsberg, 2020; Åkerman & Svedin, 2012a). In a study from 2012, 249 individuals had been registered at the then three KAST offices during a one-year period (Åkerman & Svedin, 2012b).

The main work of KAST includes providing help and support through counselling (Isaksson, Rangmar & Forsberg, 2020). Some of the offices also work actively to reach potential buyers online. Most of the counselling sessions are held at the local KAST office, but some buyers opt for phone contact to remain anonymous (Åkerman & Svedin, 2012a). The sessions are adjusted according to the client's needs and wishes as there is no set

¹⁵ In Stockholm, Gothenburg, Malmö, Värmland (located in Karlstad, but named after the region it is working towards), Umeå and Västerås.

programme. Instead, the number of meetings and their content is decided in consultation with the client.

In a study when buyers were interviewed at the start and finish of their counselling at KAST, 28 (97%) of the respondents said the support they had received from KAST had helped them with their sex addiction and helped them with their relationships and improved their general mental health (Kjellgren & Svedin, 2012).

2.3 Sex in return for payment in the 21st century

Much has happened since Sweden was the first country in the world to criminalise the purchase of a sexual service, but not the selling of a sexual service. Perhaps the most significant change is the development of the internet and other technological platforms and arenas where sexual services can be bought and sold. This has not only added new meeting points for buyers and sellers, but it has also introduced other types of sexual services, such as posing and webcam sex. Another consequence of the internet is the increased accessibility it gives to arenas where sex in return for payment occurs. Rather than being confined to a certain geographical area in a city, the initial meeting between the buyer and the seller can now take place regardless of their geographical location. The accessibility of buying and selling sexual services has also highlighted the diversity of the people involved, in terms of age, sexuality, gender, socio-economic background, ethnicity and citizenship. All these factors influence and contribute to the understanding of who purchases and who sells sexual services, how they could be regulated and what help can be provided to them (Scaramuzzino, 2014; Swedish Police Authority, 2020; Stockholm County Administrative Board, 2015; Swedish Government Official Report, 1995; 2010).

In the wake of this development, sex in return of payment has become increasingly international and truly a global phenomenon. Today, the sexual service can be arranged in one country while the physical meeting between the buyer and seller taking place in another country. Geographical borders are also challenged as the server of an internet site can be registered in a country where sex in return for payment is not criminalised but directed to internet users in Sweden (Swedish Police Authority, 2020). There is also the movement of buyers and sellers across national borders, taking place voluntarily or by force. Furthermore, the introduction of the internet has created new scenarios of sex in return for payment. For example, the sexual service might take place between two individuals in one country, to be viewed and paid for in another country (Månsson, 2018). All this has gained attention in

terms of the territorial scope of national laws and the need for international laws to tackle the increase in trafficking for sexual purposes, but also in terms of whether a person's national laws are applicable abroad (Wong, 2014). The latter question has particularly been discussed in a Swedish context as it is estimated that up to 80% of all purchases of a sexual service by Swedish men are made abroad (Priebe & Svedin, 2012). The issue has been whether these buyers should be punished according to the Swedish national legislation when purchasing a sexual service in a country where it is not criminalised (Records of Proceedings in the Chamber 2017/18:117; Wong, 2014). The increase of individuals who are trafficked for sexual purposes has gained public and political attention in recent years, with migration and prostitution treated as two closely related policy issues (Heber, 2018; Swedish Police Authority, 2020; Wagenaar, 2018).

The link between trafficking and sex in return for payment has been debated in Sweden, with claims that the introduction of the law (SFS 2005:90) prohibiting the purchase of a sexual service hinders and deters traffickers from targeting Sweden (Swedish Government Official Report, 2010), while different empirical studies show an unclear link between the two (Skilbrei & Holmström, 2017a). Skilbrei and Holmström (2017a) further discuss how the link between sex in return for payment and trafficking for sexual purposes is a political and theoretical question, as well as an empirical one, with the need to further investigate how laws regulating trafficking and sex in return for payment are implemented, not just through the Sex Purchase Act. Here, the work of the police plays a crucial role in how the law is enforced. Cases concerning a purchase of a sexual service and trafficking for sexual purposes is to a large extent based on the work of the police, their priorities, and available resources (Stockholm County Administrative Board, 2015; Swedish Government Official Report, 2010). For example, more than a third (42%) of all convictions (n=3 594) since the Sex Purchase Act was implemented in 1999 were carried out during a five-year period between 2011 to 2015 (Swedish National Council for Crime prevention). This can partly be explained as a possible result of the SEK 70 million that the Swedish police received from 2004 to 2010 to fight prostitution-related crimes, leading to several large human trafficking cases when several buyers were convicted (Stockholm County Administrative Board, 2015). However, in a recent case¹⁶ from 2019 in Sweden, where a man who had bought a sexual service from a trafficked seller was convicted for negligent rape, shows how trafficking cases and client

¹⁶ Swedish Prosecution Authority. <https://www.aklagare.se/nyheter-press/pressmeddelanden/2019/juli/hovrattsdom-i-uppmarksammat-valdtaktsarendet-i-uppsala/>
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criminalisation can overlap in the legal process. The case is of importance in terms of how a purchase of a sexual service is defined as a criminal offence, and the legal consequences it has for the buyer concerning its penal value, and the legal rights of the seller as a plaintiff or as a witness.

Furthermore, the legal case and the application of the new law concerning consent regarding sexual offences (SFS 2018:618) challenges the notion of legal consent in cases concerning a purchase of a sexual service. Currently, the Swedish Government Bill (1997) and the Supreme Court case (NJA 2001 p. 527) elaborate on the importance of consent for a purchase of a sexual service, and although consent is implied for the offence to take place, it does not take away the burden of guilt of the buyer or put any responsibility on the seller (Wong, 2014). However, in the recent case when the man was convicted of negligent rape for purchasing a sexual service, Svea Court of appeal (B 5624–29) argued that the man knew that the woman he had bought a sexual service from had been trafficked to Sweden. Because she had been trafficked and the buyer knew of this, consent according to the law could not be obtained. Hence, the case challenges the construction of a purchase of a sexual service according to the law (SFS 2005:90) and what the offence should include. The case can also be understood as an example of how the female seller is firmly positioned as a victim of the male buyer's actions against her, which have come to be defined as an example of men's violence against women (Ministry of Health and Social Affairs, 2018; The Swedish Gender Equality Agency). Through the seller's position as a victim, the male buyer is constructed as a perpetrator within the legal process, suggesting the role of a legal victim in terms of a complainant or a plaintiff for the seller.

In terms of the social work of providing help and assistance to buyers, there are primarily two significant developments affecting the work. In a report from 2015, the Stockholm County Administrative Board showed that an increasing number of the men who came to some of the local KAST offices had been referred by the police after they had been apprehended for buying a sexual service. While the police's referrals to KAST are described as helping to reach more potential clients (Stockholm County Administrative Board, 2015), it also adds to a further discussion about how local criminal justice work and local social work can complement each other. It also adds attention and further discussion about whether there is a distinction between a purchase of a sexual service as a criminal offence and a social problem, which can be exemplified by the decision of a local municipality to make a report of concern if the person who is convicted for purchasing a sexual service has children (Umeå

Municipality). In both cases the police have an increased influence and responsibility for the social work directed towards individuals with the experience of buying sexual services.

Lastly, the effects of Sweden's national public policy aiming to reduce the demand for sexual services are difficult to assess and remains a topic of discussion, not least the effects of the law (SFS 2005:90) to prohibit the purchase of a sexual service. Introducing the Sex Purchase Act (SFS 2005:90) has been only one of many changes over the past 20 years and it is difficult to assess whether the law has had any influence on the objective conditions of the problem, and if so how much influence (Holmström & Skilbrei, 2017a). For example, there are several methodological issues, such as finding clear definitions of what is included in the provision or how an individual's involvement should be counted, in terms of having the experience of buying a sexual service or how many times a person has bought a sexual service (Stockholm County Administrative Board, 2015). Holmström and Skilbrei (2017a) point to the importance of remembering that the reasons and opportunities for buying and selling sexual services are influenced by many different factors and these should also be understood as part of broader societal processes.

3. Prostitution policy

3.1 Prostitution policy and problem constructions

Prostitution policy can be defined as the state's response to how to deal with the buying and selling of sexual services (Skilbrei and Holmström, 2013). From a social constructionist perspective, prostitution policy constructs the buying and selling of sexual services as a set of different problems defined through the policy's strategy of how to regulate and deal with the said problems. The formulation of prostitution policy can therefore be linked to the construction of a social problem, which includes the process of problem-defining activities, with public claims constructing a social phenomenon as a problem for society. It is these kinds of problem-defining activities expressed by groups, organisations or institutions that raise awareness about a social phenomenon that can attract the attention of policymakers. However, for change to be made through public policy, the social phenomenon must be recognised as a problem and talked about in a range of important and significant arenas in society. It is not until the claims of the existence of a problem are officially recognised in these arenas, and efforts to remedy the problem are organised by government agencies and other influential institutions, that the problem has gained legitimacy as a social problem (Spector & Kitsuse, 1973).

When a social problem is officially recognised as a problem and regulated by public policy it must also relate to other social problems and compete for the same attention within complex institutionalised systems and other public arenas in society such as the media (Spector & Kitsuse, 1973). In this way, different problem-defining activities and their representatives continues to compete to gain public attention and the attention of policymakers. There can also be a kind of competition between different problem-defining activities and their representatives concerning the same social problem which may lead to "new generations" of claims being made (Hilgartner & Bosk, 1988; Loseke, 1999). These can be made within the public policy system or the stakeholders might see an opportunity to develop alternative public policies (Spector & Kitsuse, 1973). In this way, the definition and understanding of a social problem expressed in the original public policy can change in ways that were unintended or unforeseen (Blumer, 1971).

Loseke (1999) mentions two strategies used as problem-defining activities by its representatives to construct new and novel claims about a problem: piggybacking and domain expansion. The former, piggybacking refers to a new problem being constructed as a different

aspect of an already existing problem. For example, online sugar dating could be such a problem, which to some extent can be understood as an aspect of sex in return for payment and therefore an aspect to an already existing problem (Miller, 2011-2012; Månsson, 2018). The latter, domain expansion refers to a problem construction that is expanded to include more social problems (Loseke, 1999). The recent focus on the links between the buying and selling of sexual services and pornography can be understood as an example of domain expansion (Donevan, 2019). Therefore, by studying how different problem-defining activities and their representatives “interact” by competing for public attention and acknowledgement the process of constructing sex in return for payment as a set of problem regulated by prostitution policy must be understood as an ongoing circular process influencing the original formulation of a public policy and its implementation. Furthermore, this process relates to its wider context that is shaped and influenced by social structures and individual experiences. Hence, for a social problem to remain relevant in a constantly changing environment it must continuously be presented in a new, novel, and dramatic manner where facts are combined with emotional rhetoric (Hilgartner & Bosk, 1988; Loseke, 1999). Therefore, the policy challenge for sex in return for payment, as for other social problems, is to continue to gain public attention and for prostitution policy to remain an important subject for public policy.

3.1.1 Previous research about prostitution policy

The buying and selling of sexual services are closely connected to the state’s effort to prohibit, contain, or regulate it (Wagenaar, 2018). The case of Swedish prostitution policy clearly shows the historical and current efforts as an example of this, and yet it is not until the 21st century that the importance of prostitution policy has been given more attention within research about sex in return for payment (see for example, Matthews, 2008; Phoenix, 2009; Skilbrei & Holmström, 2013; Weitzer, 2012). With the increased international political interest in regulating the buying and selling of sexual services during the late 1900s, public policies began to develop and receive attention as a topic for research about sex in return for payment. Because national legislation came to be the main tool for many public policy initiatives, research about prostitution policy developed into the investigation and examination of what is known in research as different prostitution policy models or regimes. Although a country may implement different aspects of a certain prostitution policy model, the different models can be understood as different ways to construct prostitution as a problem for society regulated through different kinds of public policies, such as social

welfare policies, health policies or criminal justice policies (Jahnsen & Wagenaar, 2018; Matthews, 2008; Skilbrei & Holmström, 2013).

In the research, the development of prostitution policy has generated the use of a generic typology of three main policy models regulating sex in return for payment through criminalisation, legalisation, or decriminalisation. The first model uses the national Criminal Code as the buying and selling of sexual services is mainly constructed as a criminal justice problem. The criminalisation can be complete or partial, meaning the buying and/or the selling of sexual services is criminalised. The second model regulates sex in return for payment by focusing on the meeting between the buyer and the seller constructed as a legal contract. Therefore, different licensing systems are used to regulate the contract. Age and citizenship are often used as factors to determine who can participate in such contracts. The third model removes the possibility for legislation to regulate sex in return for payment. In this way, it has been argued that legalisation can only take place after decriminalisation, while others argue that decriminalisation only includes the regulation of sex in return for payment through social welfare and health policies (Jahnsen & Wagenaar, 2018; Outshoer, 2004; Phoenix, 2009; Skilbrei & Holmström, 2013).

Swedish prostitution policy with its aim to reduce the demand for sexual services by criminalising the purchase of a sexual service should be placed within the first policy model. However, Swedish prostitution policy is only a partial criminalisation, as the selling of sexual services is not criminalised. Furthermore, the regulation of buying and selling of sexual services is not exclusively regulated through the Swedish Criminal Code, as a person earning a living by selling sexual services can be deported according to Chapter 8, section 2 of the Aliens Act (SFS 2005:716). Sex in return for payment is also regulated through different social welfare policies directed towards individuals with the experience of buying and selling sexual services (Swedish Government Bill, 1997, 2004). Hence, like most national public policy strategies, Swedish prostitution policy cannot easily be limited to one of the prostitution policy models, but rather is influenced by different aspects of the different models (Wagenaar, 2018).

As a research subject, prostitution policy has grown and expanded over the past years (Jahnsen & Wagenaar, 2018), often with a focus on evaluating and comparing these different policy models to find a “best practice” in how states can best respond to the buying and selling of sexual services (Skilbrei & Holmström, 2013). And although studies about prostitution policy have almost become synonymous with the study of different policy

models, Wagennar (2018) lists four other areas that have gained attention in academic literature concerning the regulation of prostitution: 1) how sex in return for payment is influenced and shaped by societal factors such as economic and cultural transformations (see for example; Kempadoo, Sanghera & Pattanaik, 2012); 2) sex in return for payment as a discourse and how this influences and shapes national public policy (see for example, FitzGerald & McGarry, 2016; Burman, 2009; Harrington, 2012); 3) sex in return for payment as an international human rights issue and concern for international governance (see for example; Vuolajärvi, 2019; Hagstedt, Korsell & Skagerö, 2009); and 4) critical examinations of styles of regulating sex in return for payment (see for example; Jorgensen, 2018).

While all four approaches to studying prostitution policy contribute to the academic literature, the lack of empirical studies is a recurring criticism. At the same time, the absence of reliable data is a constant challenge to the study of prostitution policy. Conceptual issues as well as the practical challenges of locating suitable respondents in a highly mobile field contribute to the difficulties of gathering reliable data for empirical studies (Wagennar, 2018). Yet, one public policy initiative regulating the purchase of a sexual service which has been examined in several empirical studies are the “John schools” set up in North America and in the UK. The programme aims to educate buyers about the harmful and dangerous consequences of purchasing sexual services and is open to men who have been caught soliciting as a part of their conviction (Brunschot, 2003; Gurd & O’Brien, 2013; Sanders, 2009; Wortley, et al., 2002). Research shows mixed results in terms of the success of John schools. For example, some programmes determine “success” based on whether the participants re-offend after completing the programme (Sanders, 2009), while others determine “successes” based on the participants’ change in attitudes towards buying sexual services (Kennedy, et al., 2004). With the lack of clarity regarding the purpose of John schools, research (see for example Cook, 2015; Campbell & Storr, 2001; Fischer, et al., 2002; Majic, 2014) has instead pointed to how the different topics addressed during the programmes all contribute to what kind of a problem the act of buying a sexual service is in the different local contexts.

Following the challenge of the absence of reliable data, the primacy of the local context is another challenge for the study of prostitution policy. Although prostitution policy models are formulated on a national level, their implementation often takes place in a local context, influencing and shaping what kind of a problem the act of buying a sexual service is defined as, which may or may not be in line with the national problem formulation (Wagenaar, 2018).

The unclear purpose of some of the John schools meant that the participant's purchase of a sexual service was constructed and defined differently in different local contexts. For example, in one local community the buying and selling of sexual services was constructed as a territorial problem, "polluting" the nearby residential area (Cook, 2015).

Cook's (2015) study highlights the moral nature of prostitution policy and points to the social stigma that accompanies sex in return for payment. Not only does prostitution policy as a divisive topic cause polarised debates in many countries, but the consequences of social stigma may also put individuals involved in sex in return for payment in situations where their human rights and civil liberties are threatened (Rodríguez García & Gillis, 2018; Wagenaar, 2018; Wagenaar & Altink, 2012). Previous research shows that men buying sexual services are not merely made responsible for a criminal offence, but the act of purchasing a sexual service has become increasingly understood as deviant sexual behaviour (Serughetti, 2012). In this way, individuals who are involved in buying and/or selling sexual services are typically characterised as only participating in these activities due to coercion, ignorance, or psychological problems. These characterisations permeate not only research about men purchasing sexual services, but they also infiltrate the formulation of prostitution policy in many countries (Gurd & O'Brien, 2013). Hence, the challenges of prostitution policy concern policymakers as well as analysts. Policymakers must remain relevant to the local context, while at the same time consider national and transnational factors outside of their control. As prostitution policy is implemented within an organisational field, the implementation must be considered as being simultaneously active on multiple levels and in a social context where being involved in buying and selling sexual services is permeated by stigma and moral practices. This in turn calls for research to go beyond oversimplified explanations and solutions and instead consider the complexity of studying prostitution policy. Furthermore, the process and dynamics of agenda setting and the selection of policy instruments and prostitution policy implementation and its intended and/or unintended consequences are important aspects of prostitution policy that needs further investigation and critical examination (Wagenaar, 2018).

3.2 Prostitution policy and target groups

Just as prostitution policy constructs sex in return for payment as different problems, it also constructs and defines persons related to the problems (Spector & Kitsuse, 1973). With the current Swedish prostitution policy, it is the act of buying a sexual service that is the problem

addressed by the law (SFS 2005:90) prohibiting the purchase of a sexual service which constructs individuals with the experience of buying sexual services as the target group of the legislation. As the case of Swedish prostitution policy shows, this has not always been the case throughout history, as female sellers have often been the main subjects for historical prostitution policy interventions (Månsson, 2012; 2018; Svanström, 2000).

To clarify empirically verifiable boundaries between different potential target groups are important to constructing a clearly defined target group (Schneider & Ingram, 1993). Research about who is involved in sex in return for payment has mainly focused on the supply side and especially on women selling sexual services. However, in recent decades more attention has been given to individuals with the experience of buying sexual services and more research, internationally and in Sweden, has been carried out about the demand side (Brooks-Gordon, 2004; Månsson, 2018; Sanders, 2008; Serughetti, 2013; Elias, et al., 1998). The demand side has mainly been understood as men buying sexual services from women, with little attention given to women with the experience of buying sexual services, or men buying sexual services from men (Birch, 2015; de Cabo Y Moreda, 2018; Weitzer, 2009).

The process of defining a target group related to a public policy often rests on stereotypical conceptions about groups in society and their perceived shared characteristics, which are constructed to be socially meaningful and ascribed values, symbols, and images (Schneider & Ingram, 1993). With the male buyer at the centre of attention, Monto and McRee (2005) provide two conceptions about who the prototypical man buying sexual services from a female seller is. The first conception is “the every man perspective”, implying that men who buy sexual services are no different from men in general. The other conception is “the peculiar man perspective” implying that there are differences between men buying sexual services compared to men in general, differences that are often described as personal or social deficiencies. These two contradictory conceptions can be traced throughout most research about men buying sexual services from female sellers. The two conceptions of who the male buyer is can be said to exemplify how stereotypical conceptions about men and why men purchase sexual services construct these two contradictory target groups for prostitution policy targeting male buyers.

Furthermore, a target group of public policy can be constructed in a positive or negative light. The former describes the target group as deserving, honest and vulnerable and is given a lot of attention on the “agenda scene” with pressure put on the policymakers to implement beneficial policies for such groups. The negatively constructed target groups on the other

hand are described as undeserving, dishonest, and selfish, and here policies are designed to be punitive (Schneider & Ingram, 1993). The constructed distinction between the buyer and seller in terms of a perpetrator or a victim described in Swedish prostitution policy certainly fits into the categories of negatively and positively constructed target groups. In this way, there is a potential pressure put on policymakers to implement different types of policies to reduce the demand for sexual services targeting either one of the two groups. Therefore, studies of target groups put a focus on who public policy is designed to target, pointing towards how public policy determines politics and vice-versa. Prostitution policy should therefore be understood as political, constructing sex in return for payment as a set of different problems depending on which group that the policy is designed to target. In the following section previous research about one such group is presented, namely men with the experience of purchasing sexual services.

3.2.1 Previous research about men buying sexual services as a target group

Previous research about men buying sexual services has to a large extent focused on who the male buyer is, how often he buys sexual services, and what his reasons and motives for buying sexual services are (Atchison, et al., 1998; Nicola, et al., 2009).

Månsson (2018) presents research from six European countries¹⁷ regarding how many men have the experience of buying sexual services. The presentation shows a great variety between the countries, while at the same time the methodological challenges of comparing national surveys is discussed and problematised. For example, the legal status of the act of buying a sexual service varies from country to country. Various population surveys conducted in Sweden (Kuosmanen, 2011; Månsson, 1998; Priebe & Svedin, 2012; Stockholm County Administrative Board, 2015) estimate that between 8-13% of all men over 18 years have at some point in their life purchased a sexual service. The same studies (Kuosmanen, 2011; Månsson, 1998; Priebe & Svedin, 2012; Stockholm County Administrative Board, 2015) shows that both men and women have the experience of selling sexual services, which is further confirmed by several national and international studies (see for example Abellsson & Hulusjö, 2008; Kaestle, 2012; McNeal & Walker, 2016; Mossige, Ainsaar & Svedin, 2007; Pedersen & Hegna, 2003; Svensson, et al., 2013; Tikkanen, et al., 2011) showing that some adolescent boys and girls have the experience of sex in return for payment. However,

¹⁷ Denmark, Germany, the Netherlands, Spain, Sweden and Switzerland (Månsson, 2018: 85).

Atchison et al. (1998) concludes that the number of individuals who are responsible for most of the purchases of a sexual service is limited, and a report by the Stockholm County Administrative Board (2015) concluded that the number of individuals involved in purchasing sexual services in Sweden has remained consistent over the years and is low compared with other European countries. Once again it is important to note that there are methodological difficulties in studying the prevalence of men buying sexual services. Criticism has been advanced in terms of the lack of primary studies with significant sample sizes, the lack of different research methods, and the lack of research studying different arenas where sexual services are bought (Weitzer, 2005; 2009; Wilcox, et al., 2009).

Several studies have focused on why men purchase sexual services, exploring motives and desires often related to masculinity and sexuality (see for example, Berstein, 2001; Birch, 2015; Milrod & Monto, 2012; Milrod & Weitzer, 2012; Monto & McRee, 2005; di Nicola, et al., 2009). For example, in one such study Atchison et al. (1998) identify and explore six reasons why men purchase sexual services. The first two reasons concern the physical or social unattractiveness of the men, which was experienced as a hindrance to satisfying their sexual drive causing the men to buy sexual services. Thirdly, buying sexual services was explained as an individual psychopathological issue rooted in the early phases of sexual development of the men. The remaining three reasons related to the hegemonic perception of male sexuality, putting pressure on men to live up to expectations of a certain gender role or to avoid gender role responsibilities. Buying sex was also elaborated on as a way for the men to express male power over women. The authors conclude that ideas about male sexuality dominate perceptions of sex in return for payment.

In the Scandinavian context several studies have been conducted centred around similar research questions. In a summary of 14 qualitative studies¹⁸ from a 25-year period from the region, a typology of five images and fantasies men have about the female seller is presented: the whore fantasy, another kind of sex, images of sex as a consumer product, images of the kind-hearted comforter and fantasies of another kind of woman. Based on this typology, a hypothesis is presented arguing that the images and fantasises are connected to “dominant themes of sexual culture and gender relations in society” (Månsson, 2006: 86). For example, “the whore fantasy” is fed by contradictory feelings and fantasies about the female seller as

¹⁸ Borg et.al., 1981, Persson, 1981; Månsson and Linders, 1984; Varsa, 1986; Prieur and Taksdal, 1989; Andersson-Collins, 1990; Hydén 1990; Lantz 1994; Sandell et.al., 1996; Månsson, 1998; Nordvinter and Ström, 2000; Lyngbye, 2000; Smette, 2003; Lautrup, 2005.

being both attractive and repugnant. The author goes on to explain that due to social constructions of gender roles and the sex trade, male buyers relate to the female seller as an image of their forbidden and secret sexual desires, while at the same time labelling her as the “dirty whore”, as she has made herself publicly available.

Sullivan and Simon (1998) stress the importance of not looking for simplified explanations as to why men buy sexual services, but rather of seeing the many varied and complex reasons within an individual. In their study, they consider the effects of age, ethnicity, education, and military experience on men’s behaviour of buying sexual services. While Brooks-Gordon (2008) in her study of over 500 male kerb-crawlers in the UK, explore themes such as the age of the men, occupation, ethnicity, and sex purchasing behaviour and how these relate to one another. Wortley, Fischer, and Webster (2002) present a demographic profile of 336 John school¹⁹-participants in Toronto. They conclude that the men participating in the survey were, compared to the average adult male resident of Toronto, more likely to be middle-aged, less likely to have a post-secondary education, and to be foreign born. Furthermore, previous research shows that men buying sexual services is a diverse group in terms of age, marital status, occupation, ethnicity, etc. (see for example, Birch & Ireland, 2015; Joseph & Black, 2012; Ompad, et al., 2013; Sanders, 2008).

In a Swedish context, Sandell’s et al. (1996) in-depth interviews with 40 men provide a similar demographic profile of the typical buyer. In their analysis they discuss the complexity of describing men who purchase sexual services and that there is no “typical” buyer. Instead, they propose a typology of five categories based on the men’s sexual networks. The first group of men are described as living sexualised lives as they are in a stable relationship, while at the same time having multiple additional sexual relationships where purchasing sexual services is a regular part of their lives. The second group avoid close relationships, but engage in casual sexual relationships, of which some are paid for. The third group of men have stable relationships, but do not consider themselves sexually satisfied within these. Therefore, buying sexual services is used to satisfy their sexual need without any emotional attachment which could jeopardise their marriage and family situation. The fourth group consists of men who can be characterised as having low confidence and are longing for a stable relationship. The fifth group of men have their entire experience of sex from prostitution, and they often experience difficulties in relating to women.

¹⁹ An education programme developed as a part of a sentence for purchasing sexual services.

In recent years, there have been fewer empirical studies about men buying sexual services in Sweden (see for example, Grönvall, Holmström & Platin, 2020; Scaramuzzino, 2014). Instead, several studies have focused on the seller and different experiences of selling sexual services (see for example, de Cabo Y Moreda, 2018; Fredlund, 2019; Hulusjö, 2013; Kuosmanen & Starke, 2015). However, with the introduction of the national public policy strategy to reduce the demand for sexual services and the law (SFS 2005:90) prohibiting the purchase of a sexual service, research about sex in return for payment has instead come to focus on the effects of Sweden's current prostitution policy and law (see for example, Danna, 2012; Holmström, 2015; Holmström & Skilbrei, 2017; Jakobsson & Kotsadam, 2011; Kuosmanen, 2011; Petterson & Tiby, 2003; Waltman, 2011).

4. “What’s the problem represented to be?” policy analysis

Carol Bacchi’s (2009) “what’s the problem represented to be?” (WPR) policy analysis departs from an understanding that problems are constructed within the policy process, rather than existing outside the policy as an objective problem waiting to be solved (Bacchi, 2009). A social constructivist perspective is therefore implied in the analysis, emphasising how reality is constructed in each context through social interactions. Furthermore, a social constructivist perspective puts a focus on how social interactions construct the act of buying and selling sexual services by attaching subjective opinions of meaning and significance to the phenomenon, constructing sex in return for payment as a problem (Hacking, 2000; Kitsuse & Spector, 1973). In this way, the demand for sexual services and the act of buying a sexual service is understood to be a problem constructed within prostitution policy in Sweden. This does not mean that everything around us, which could be defined as “reality” is socially constructed in the sense that it has been invented or “thought up” by social interactions. From my point of view, there are individuals who buy and sell sexual services, which I understand to be an objective reality. However, the meaning of buying and/or selling sexual services is a constructed reality. In this sense I do not wish to undermine or question anyone’s experience of buying or selling sexual services or claim that it is merely a socially constructed idea. Instead, the notion of social constructivism leads me to understand the experience of buying and selling sexual services as interpreted and given meaning by those involved and by society in several different ways.

By examining suggested solutions produced in public policy, and by asking: “What’s the problem represented to be?”, Bacchi (2009) seeks to understand how problems are constructed and what kind of problem they represent. In this way the WPR analysis treats public policy as part of producing and constructing problems. In other words, governments are understood to not merely react to “problems” existing in society and outside of public policy, but to be playing an active role in producing and constructing problems through the public policy process. In terms of analysing prostitution policy in Sweden, the WPR analysis then departs from the descriptions of how sex in return for payment is defined within public policy; a definition which is based on the policy’s knowledge about the subject matter, which produces problematizations about a purchase of a sexual service through the solutions provided in public policy (Bacchi, 2009). However, there is no specific policy document defining Sweden’s chosen problem formulation and strategy to regulate the buying and selling of sexual services. Instead, different government reports and bills (see for example

Swedish Government Bills, 1997; 2004 and Swedish Government Official Reports, 1981, 1995, 2010) have played important roles in constructing and defining what kind of problem buying and selling of sexual services is and how public policy should deal with this problem. The recurring problem formulation of a purchase of a sexual service in these Swedish government reports and bills rests on the understanding that the underlying problem of sex in return for payment is the demand for sexual services. In other words, within this problem formulation buying sexual services is constructed as the cause of the problem, prompting solutions to deal with the purchases of sexual services. As a purchase of a sexual service is constructed negatively, policymakers have opted for punitive measures to deal with the problem, hence the use of the law (SFS 2005:90) prohibiting the purchase of a sexual service defining purchases of sexual services as a criminal offence. The definition of the act of buying sexual services as a social problem is primarily elaborated on in different Swedish Government Official Reports (1995; 2010), but the strategy or action plan to regulate the purchase of a sexual service as a social problem is formulated and organised at a municipal level integrated with social services (Skilbrei & Holmström, 2013). Hence, the purchase of a sexual service is constructed as a harmful problem, producing problematizations of the purchase of a sexual service as a criminal offence and as a social problem through prostitution policy in Sweden. The WPR analysis does not seek to “verify” these problematizations by exposing supposed manipulations or misrepresentations of the problem, but rather to examine how a given public policy produces certain problematizations. Furthermore, as most policies are complex and include a range of different actions and problematization, the WPR analysis not only seeks to examine how these problematizations are produced, but also what effects they have (Bacchi, 2009). Before the use of the WPR analysis in this thesis is described and elaborated on, the approach to using WPR analysis for public policy is presented.

4.1 Six interrelated questions for Bacchi’s policy analysis

The overall goal of identifying, reconstructing and interrogating problematizations is achieved through the six questions that outline the “what’s the problem represented to be?” (WPR) policy analysis (Bacchi, 2009). Although they are formulated as six separate questions they do overlap in content and purpose.

“What is the problem represented to be?” policy analysis:

1. What’s the “problem” represented to be in a specific policy?
2. What presuppositions or assumptions underlie this representation of the “problem”?
3. How has this representation of the “problem” come about?
4. What is left unproblematic in this problem representation? Where are the silences?
Can the problem be thought about differently?
5. What effects are produced by this representation of the “problem”?
6. How/where has this representation of the “problem” been produced, disseminated and defended? How could it be questioned, disrupted and replaced? (Bacchi, 2009:2)

The WPR analysis begins with identifying the representation of the problem within public policy (Question 1). In this way, the analysis begins by “working backwards” from the stated solutions in the public policy to reveal what representations of the problem can be found within the solutions. Once the problem representations have been identified, the analysis seeks to identify what underpins the problem representation, basically how the problem is constructed as a problem (Question 2). By examining suppositions and assumptions about the problem, which refer to the kind of background knowledge needed to build a foundation for the construction of a problem, the conceptual premises underpinning the problem representation are identified. The key to the analysis is not why a certain problem representation happens, but rather how it is possible for the representation to happen (Question 3). Therefore, the background knowledge does not refer to assumptions or beliefs held by policymakers, but the assumptions within the construction of the problem. The intent is to challenge any idea of an origin, and instead point to the many possible alternatives of development for a problem representation. Identifying powerful interest groups and examining key decisions that led to the construction of the problem in a certain direction are important element of the analysis. In this way, the analysis also seeks to show how susceptible problem representations could change. The attention now turns to what is left unproblematic and “silent” (Questions 4-5). In other words, what is left out by the remaining dominant representation within a public policy. The analysis therefore examines the limits within the problem representation and whether the definition can be said to constrain the policy, as the possibility for alternative problem representations is not available. Attention is therefore drawn to tensions and contradictions within the problem representation. The last question of the analysis (Question 6), asks how certain problem representations reach their

target audience and achieved legitimacy. This is explored by elaborating on which individuals or groups have access to certain powerful discourses, and how discourses, speakers and audiences interact to become institutionalised and established. The role of the media is also explored and how it enables certain problem representations to be disseminated. However, the focus is not merely on the means by which a problem representation is established, but also on possible resistance and what could challenge established problem representations (Bacchi, 2009; Bacchi & Goodwin, 2016).

4.2 Three interrelated WPR analysis questions used for this thesis

As previously mentioned, this thesis is positioned in the research field of prostitution policy and the implementation of prostitution policy in Sweden. Bacchi's (2009) "what's the problem represented to be?" (WPR) policy analysis is used to study how prostitution policy in Sweden is implemented, particularly local work to enforce the law (SFS 2005:90) prohibiting the purchase of a sexual service and the work of KAST providing psychosocial counselling and help to individuals with the experience of purchasing sexual services. Hence, the problematizations that are in focus for the analysis are not the problematizations produced within prostitution policy in Sweden, but the problematizations that are produced through criminal justice work and the social work directed at regulating the purchase of sexual services. This methodological decision has been made as there is a lack of empirical studies about the implementation of prostitution policy (Jahnsen & Wagenaar, 2018; Wagenaar & Altink (2012), a lack of empirical studies about prostitution policy in Sweden (Holmström & Skilbrei, 2017a) and due to the authors own interest in the practical everyday work of implementing prostitution policy.

Public policy analysis can be said to be an enquiry into critical investigation of decisions and actions (Dunn, 2017), and the focus of this thesis is the decisions and actions of professionals enforcing the law and providing psychosocial help and counselling. Hence, the decisions and actions are a part of the local implementation of prostitution policy in Sweden. However, it is not the decisions and actions of individual professionals that are examined and analysed but the problematizations that they produce. In other words, this thesis attempts to examine and analyse how a purchase of a sexual service as a criminal offence produces problematizations representing what kind of problem the crime to purchase a sexual service is represented to be through the decisions and actions of the professionals enforcing the Swedish Sex Purchase Act. Or, how a purchase of a sexual service as a social problem

produces problematisations representing what kind of a social problem buying sex is represented to be through the decisions and actions of the professionals working at KAST. The representations of a purchase of a sexual service as a criminal offence and a social problem are discussed in terms of their potential consequences for the local implementation of prostitution policy in Sweden and the individuals it targets.

Three of the questions guiding the WPR analysis have been chosen to discuss the main results of this thesis; Questions 1, 4, and 5.

- What's the "problem" represented to be in a specific policy?
- What is left unproblematic in this problem representation? Where are the silences? Can the problem be thought about differently?
- What effects are produced by this representation of the "problem"? (Bacchi, 2009:2)

The three questions have been chosen as they concern the process of identify representations, critically examining them as well as problematizing their potential effects and consequences. Within the WPR analysis, the consequences of public policy are understood as having potential implications for different social groups, and not as measurable "outcomes" (Bacchi, 2009; Bacchi & Goodwin, 2016). Therefore, the focus of the concluding analysis and discussion in Chapter 7 is the potential consequences for different social groups, identified as individuals with the experience of buying and selling sexual services. The law (SFS 2005:90) and the work at KAST are both directed towards individuals with the experience of buying sexual services, however the concluding analysis and discussion includes the potential consequences of the implementation for individuals with the experience of selling sexual services as they too are impacted by the work. Because of the intention expressed in the Swedish Government Bill (1997) preceding the law (SFS 2005:90) prohibiting the purchase of a sexual service, for social work and criminal justice work to complement each other to reduce the demand for sexual services, the potential implications for the work to implement prostitution policy in Sweden are also analysed and discussed.

There are three effects or consequences the WPR analysis considers: discursive effects, subjectification effects and lived effects. The first one, discursive effects refer to the limits of a problem representation in terms of what can be thought and said about the problem. Subjectification effects refer to how subjects are implicated in problem representations and how they are produced as specific kinds of subjects. This may include who is responsible for

the “problem” or how the policy positions groups against each other, for example unemployed versus employed. As such, these subjects should be understood as characteristics, behaviours, and dispositions that are adopted and developed in relation to people that are affected by a public policy. Subjectification also includes how people take up different understandings or social constructs as their own. In this way, public policy is involved in constructing and shaping what people become, illustrating the productive power of public policy. Lastly, the lived effects refer to the material impact of a problem representation, i.e., how it affects people’s lives (Bacchi, 2009; Bacchi & Goodwin, 2016). Based on the empirical material of the thesis it is important to consider its limitations in this aspect. The two empirical studies of the thesis (presented in Chapter 5) include legal documents concerning a purchase of a sexual service and qualitative interviews with professionals within social services about their work directed towards individuals purchasing sexual services. Hence, the empirical material is limited in so far as it does not provide any accounts from persons with the experience of buying or selling sexual services regarding any consequences of the implementation of prostitution policy in Sweden. Instead, the consequences addressed in the discussion should be understood as potential consequences for individuals with the experience of buying and selling sexual services relating to the work to enforce the law and to provide social work.

Assessing what kind of consequences accompany a public policy is an important element of the WPR analysis. The case made here is that a problem representation has an uneven impact on different groups and that the core of the analysis is not just to examine the consequences, but to establish what aspects of the problem representation are potentially harmful to which groups and how the representation can be rethought (Bacchi, 2009; Bacchi & Goodwin, 2016). Regarding prostitution policy in Sweden, this is not to say that the different public policy initiatives to reduce the demand for sexual services do not benefit some social groups, but the area of interest for this thesis is problematising and discussing the potential consequences of the local implementation of the law and social work for the social groups such work targets. This has been of further interest and importance as there are few empirically based studies about prostitution policy in Sweden and the contentious nature of the “success” of the approach to reduce the demand for sexual services through the criminalisation of a purchase of a sexual service (Holmström & Skilbrei, 2017a). Therefore, the hope is that the analysis and discussion of how prostitution policy is locally implemented

in Sweden and its potential consequences will contribute to studies about the implementation of prostitution policy and to studies about the individuals such public policies target.

5. The two empirical studies of the thesis

In the earliest stages of the thesis the idea to conduct empirical studies about the implementation of Swedish prostitution policy was explored. Based on an interest in studying public policy related to the purchase of sexual services the work at KAST as the main social work initiative directed towards individuals with the experience of buying sexual services was identified as an interesting option to study. Because of the role of the Sex Purchase Act within Swedish prostitution policy, the enforcement of the law was also considered as an interesting option. Two small initial studies were conducted gathering empirical material concerning KAST and the Sex Purchase Act during 2016. The empirical material consisted of an interview with two professionals at a local KAST office and legal documents concerning the purchase of a sexual service from one district court from a one-year period.

The small initial study provided further interesting avenues to explore and study, for example the link between social work and criminal justice work. As Swedish prostitution policy aims to reduce the demand for sexual services, to study this aim from both a social work perspective and criminal justice work perspective became important. Hence, just as the Swedish Government bill (1997) expressed the importance for social work and criminal justice work to complement each other, the exploration of both areas has contributed to an understanding of the complexity of what problem a purchase of a sexual service is and the complexity of regulating such a problem. Furthermore, although Swedish government reports and bills stress the importance of social work and criminal justice to reduce the demand for sexual service, social work efforts have gained less attention and resources (Swedish Government Report, 2010), which has also been an interesting area to examine further and what consequences this has for the implementation of Swedish prostitution policy and its formulation of the problem of a purchase of a sexual service. This thesis was also written at the Department of Social Work, putting an extra emphasis and interest on social work directed towards individuals with the experience of purchasing sexual services. Hence, the small initial study can be said to have the character of a pilot study inspiring further research questions and providing important knowledge about how to formulate a purpose for the thesis.

Based on this, it was decided to study social work and criminal justice initiatives within Swedish prostitution policy targeting individuals purchasing sexual services. The work to enforce the law (SFS 2005:90) prohibiting the purchase of a sexual service and the work at KAST were identified as the two main initiatives for the thesis to focus on. It was further

decided to study the local implementation of the law and social work and to try to be as close as possible to the everyday work of professionals enforcing the law and implementing social work. To be able to capture this everyday work, the idea to combine written legal and social work documents and interviews with professionals was explored. Concerning the enforcement of the law, key authorities such as the Swedish Police Authority, the Swedish Prosecution Authority and the Swedish General courts were contacted in 2016. However, getting access to the professionals has been a challenge and several attempts to set up interviews have failed. Only one interview was conducted with a local police unit. Hence, the intention to study the everyday work of professionals enforcing the law (SFS 2005:90) prohibiting the purchase of a sexual service had to change. Rather than studying how the law is enforced, the purpose changed to focus on the consequences of how the law is enforced.

With this new direction, it became important to also consider the experiences of individuals who had purchased a sexual service and been the subject of an enforcement of the law and/or a client of social work. Because such interviews were likely to include sensitive personal information and potential information about a convicted individual, they had to be approved by the Swedish Ethical Review Authority. Furthermore, due to the stigma that surrounds sex in return for payment it was also important to consider the wellbeing of potential interviewees and to ensure that any participation in a study would not add any further stigma. Hence, a decision was made to make an application for ethical review including different potential studies to be conducted for the thesis. Therefore, the application concerned interviews with professionals implementing Swedish prostitution policy and individuals with the experience of purchasing sexual services as submitted to the regional ethical review board in Gothenburg. The approved application (case number 816-17, 2018-01-18) included comments about how the empirical material had to be stored but was other than that accepted.

At the same time as the application for ethical review was processed, the gathering of the legal documents began and was completed. And although the interviews with professionals from the judicial authorities were difficult to arrange, the gathering of the legal documents went without any problem. The empirical material of the legal documents proved to be far greater than first anticipated, with about 1500 cases and over 2000 pages in total. Due to the quantity and quality of the legal documents together with the timeframe of the thesis, a decision was made not to pursue interviews with individuals with the experience of purchasing sexual services. Studying the consequences of how the law and social work are

implemented without the experience of the individuals it concerns must be understood as a limitation. No doubt the experiences of individuals who have purchased a sexual service and/or have been convicted and been clients at KAST would have added to the thesis. However, this has led the results being able to focus more closely on the consequences related to the enforcement of the law and the work at KAST. The current studies with the interviews with professionals at KAST and examination of the legal documents provide information about the “results” of how the police, the local public prosecution offices, the general courts, and professionals at KAST work to enforce the law and provide social work. For example, the evidence mentioned in the court records can be considered as the “result” of the work of the police who gathered the evidence, but also the “result” of the court hearing and what evidence the court decided to consider for its final judgement. These types of “results” have consequences for the work of enforcing the law and providing social work, while at the same time they also have consequences for the individual with the experience of purchasing sexual services in terms a final judgement or the help received at KAST. However, herein lie an important distinction between how these kinds of “results” have been obtained. The legal documents provide deliberated written decisions by the different professionals, whereas the “results” of the professionals at KAST are provided in an interview situation. The professionals at KAST were obviously prepared for the interview and knew about the purpose of the thesis and the interview, but to orally describe and reflect on one’s work must be considered to be something different from writing a formal legal document about how a certain decision (i.e., final judgement) from one’s work was made. At the same time, the interviews provided the opportunity for follow-up questions to clarify or to pursue new aspects of the work, which was not possible with the legal documents. The interviews with the professionals working at KAST were the last of the two empirical studies conducted and include six interviews with a total of 10 professionals representing five local KAST offices. Hence, the two empirical studies have developed as a result of some planned decisions and due to some unforeseen events.

The methodological considerations for the empirical studies will be presented in the next section, and although they are two separate studies, they contribute to the initial interest of studying how Swedish prostitution policy is implemented. However, it is important to remember the limitations of these studies in terms of providing knowledge about sex in return for payment in Sweden. Firstly, as already mentioned, individuals with the experience of purchasing sexual services have not been heard and instead it is the professional’s thoughts

and reflections about their clients that are put forth in the interviews. Individuals with the experience of selling sexual services have also not been heard in these two studies, although their role and situation is often mentioned. The experiences of individuals buying and selling sexual services would have contributed to these studies, but due to the timeframe of my doctoral studies they have not been included and should be seen as an important limitation of the studies. Furthermore, the descriptions of individuals with the experience of buying and selling sexual services that are included in the empirical material only refer to individuals who have been subject to the enforcement of the law (SFS 2005:90) prohibiting the purchase of a sexual service or the work of KAST. The two empirical studies are therefore limited to the specific implementation of the law during the period 2011 to 2015 and to the work described by professionals working at KAST in 2019.

5.1 Legal documents

It is the Swedish Prosecution Authority and the General Courts that deal with the prosecution of a criminal case concerning the purchase of a sexual service according to Chapter 6 Section 11 of Criminal Code and an attempt to purchase a sexual service according to Chapter 23 section 15 of the Criminal Code. Therefore, all District courts (n=48), all Courts of Appeal (n=6) and public prosecution offices (n=36²⁰) were contacted. Court records and summary punishment records concerning a purchase and an attempt to purchase a sexual service according to the legislation (SFS 2005:90) were requested. All local courts and public prosecution offices responded to the request and provided these records after they had been cleared. According to the principle of public access, based on Sweden's Freedom of the Press Act, all official documents, including court proceedings, court records and final judgements, are made public to Swedish citizens. As an official document they are accessible provided they are not classified, which is based on the Public Access to Information and Secrecy Act (SFS 2009:400). It is the responsibility of the authority storing the official document to evaluate each document before it is made public. The secrecy provision is defined in terms of protecting information about personal and economic circumstances (SFS 2009:400).

The data represents 24 district courts, 4 Courts of Appeal and all 7 public prosecution areas, as well as the National Prosecution Department. The material includes all in all

²⁰ Including three international prosecution offices and the separate Public Prosecution Office.

(n=1513), 338 defendants from the district courts, 41 defendants from the Courts of Appeal and 1134 convictions with a summary punishment. As the local district courts only store records regarding crimes against a person for five years, the data refers to 2011-2015. Although this only covers five years since the Sex Purchase Act was first introduced in 1999, the period constitutes the peak years in terms of how many individuals have been convicted for purchasing a sexual service. The increase in convictions during this period is likely to be a result of the SEK 70 million that the Swedish Police Authority received from 2004 to 2010 to fight prostitution-related crimes as well as the increase in human trafficking cases where multiple buyers were apprehended (Stockholm County Administrative Board, 2015).

Out of all convictions from 1999-2019 (n=3 594), 43% of them were from 2011-2015 (n=1 549) (Swedish National Council for Crime prevention), and (n=1410) 91% of them are found in this material. The missing cases are most likely due to filing errors at the courts, ethical considerations or if the case included an offence more serious than a purchase of a sexual service. Each legal record is registered based on the most serious offence of the conviction. For example, if a person is convicted for murder and purchasing a sexual service, that case would not appear in this material.

All court records include a final judgement in cases where purchasing or attempting to purchase a sexual service was the principal offence. This means that the data includes cases in which the defendant was acquitted, the prosecution was dropped, or the appeal was not granted. Furthermore, the court records include the initial summons application, which gives an account of the alleged crime and information about the defendant. From the main hearing, a summary of the prosecution is presented together with statements from the defendant and other witnesses. Lastly, the final judgement is presented, and a possible criminal penalty is given. Depending on the complexity of the prosecuted offence the court records vary in length, from a few pages to 100 pages. A summary punishment is on the other hand often no longer than one page and includes a brief description of where the offence took place, the defendant's confession and the fine.

5.2 Interviews with professionals at KAST

To describe the work at KAST and psychological help and support provided to their clients, qualitative interviews were conducted with professionals representing five local KAST offices. All interviews were conducted during the autumn of 2019. Firstly, three KAST offices known to the author were contacted and asked to participate in the study, and later

through snowball sampling four additional contacts were obtained leading to two newly started KAST offices in Värmland and in Umeå. Upon contacting each local KAST office an information letter about the study was sent and additional contact was made before all five offices agreed to participate in the study. Hence, at the time all KAST offices with active clients in Sweden participated in the study²¹.

In total, six qualitative semi-structured interviews (see Appendix 1.) were conducted by the author with 10 professionals representing five local KAST offices²². It was the local offices that decided how many of their staff would participate and where the interview would be conducted. For example, some respondents suggested themselves that they be interviewed together with a colleague or separately, hoping to be able to add more information in this way. Four interviews were conducted with one respondent and two interviews were conducted with two and four respondents. All interviews but one were face-to-face at the local KAST office. A room was provided by the respondents and the interviews were conducted without any interruptions. One interview was conducted via telephone for practical reasons.

As the format of the interviews differed, they each posed different possibilities and challenges. In the face-to-face interviews the clear advantage was to see body language and be able to pick up other subtle hints to allow a better flow in the interview. However, as the only telephone interview was conducted with one professional the interviewer was able to give full attention to that person, compared to the two face-to-face interviews conducted with two and four professionals. The challenge here was clearly to give equal attention to all professionals and facilitate a natural flow in the conversations. Furthermore, it is possible that group pressure and the interpersonal dynamics within the group was a hindrance during the interview. The interviews lasted from 53 minutes to 1 hour and 30 minutes and contained the respondents' descriptions and reflections about their clients and their work. All interviews were all recorded with the consent of the respondents. The interviews have been transcribed in their original language (Swedish) and the text has been made as readable as the spoken language allows without interfering with the content.

²¹ Since the interviews were conducted yet one more KAST office has opened in Västerås.

²² In Stockholm, Gothenburg, Malmö, Värmland (located in Karlstad, but named after the region it is working towards) and Umeå.

5.3 Method of analysis

The data from the court records and the summary punishment records have been used for papers I, II and III. Based on the purpose of each paper different parts of the empirical material have been used and the data has been organised and analysed differently. The data from the interviews with the professionals working at KAST were used in paper IV. Each paper's method of analysis is presented in the following section.

In paper I the empirical material includes court records of 338 defendants from the district courts and 1134 summary punishment records from the Swedish Prosecution Authority. The data has been categorised and organised using Statistical Package for Social Sciences (IMB SPSS Statistics 23) to create quantitative data. Three main categories were identified from all legal records: information about the defendant, about the prosecuted offence and about the final judgement. The first main category has been used to describe the defendant in terms of gender, age, when the offence happened, registered contact address based on city in Sweden, and citizenship. Any sensitive personal data was removed from the material and was not used to describe the defendant. The second main category included information about the prosecuted offence and generated several variables. However, as the summary punishment records are less informative compared to the court records, the two sets of data provided different information about the offence. For example, the city where the offence took place was always stated in both the court records and in the summary punishment records. However, the court records gave more detailed descriptions of where in the city the offence took place, sometimes even describing in detail the room where the buyer was apprehended. Hence, more information could be organised and processed based on the court records. The information about the offence included, for example, when the offence took place in terms of date and time of the day, what type of sexual service was purchased and the price and who were called as witnesses and their statements. Furthermore, this category included information about the charges, the defendant's statement, and information about when the case was registered and formally closed. The third main category included information about the final judgement and particularly the evidence used during the court cases and the court's interpretation of these, together with the final judgement. Again, the summary punishment records provide much less information compared to the court records as they only state the buyer's confession and final judgement. The complexity of the offence or in cases where the defendant denied the charges also meant that some court records provided more information compared to when the defendant confessed. Statistical Package for the

Social Sciences (IBM SPSS Statistics 23) have been used to categorise and organise the data in order to conduct a descriptive analysis including frequencies described in counts and percentages, as well as analyses of the relationship between different variables through cross-tabulations. To deepen the analysis and to identify national and regional similarities and differences, the three largest cities in Sweden were chosen for the analysis for paper I, as they had all been allocated resources to implement the Sex Purchase Act when it was first enforced in 1999 (Swedish National Council for Crime Prevention, 2000).

In paper II the court records from the district court have been used (n=338). The data have been organised qualitatively providing descriptions of the legal process and particularly the evidence used for the final judgement. The data were organised into three main categories reflecting the three main stages of the offence. The first category includes the initial stage of the offence, referring to what the legislation describes as “obtaining” a casual sexual relation, which has been described in terms of how the buyer and seller first contacted each other, how the agreement of sex in return for payment was arrived at, where the buyer and seller physically met, and who they were. The second category deals with the legal definition of “a casual sexual relation”, this includes a description of the relationship between the buyer and the seller and establishing whether they engaged in sexual relations. The third category covers whether the casual sexual relation had been agreed upon “in return for payment”. Descriptions of the agreement include evidence of payment. Through a content analysis, (Hsieh & Shannon, 2005) each provision has been examined and analysed using the conditions and provisions of the offence discussed in Swedish government reports and bills. The data are described using quotations and examples taken directly from the court records. Furthermore, Christie’s (1986) theory about the ideal victim has been used to discuss the roles of the buyer and the seller in establishing a purchase of a sexual service as a case of criminal offence.

In paper III the empirical material includes 380 cases from the Swedish General Courts, including the case from the Supreme Court (NJA 2001 p.527) together with 1134 summary punishment records from the Swedish Prosecution Authority. The legal records have been categorised and summarised according to four main parts of the legal process including the work of the police, the use of summary punishments, the use of an attempted purchase of a sexual service, and cases that have been dealt with by the Courts of Appeal. The content (Hsieh & Shannon, 2005) of each part of the legal process has been analysed in terms of the actions of the different parties involved in a legal case concerning the purchase of a sexual

service, such as the buyer, the police and the General Courts. Their actions have been analysed according to the aim of the study with the use of previous studies about norms about sexuality and sex in return for payment as well as Goffman's (2020) theory about stigma.

The data from the interviews with the professionals at KAST have been used for paper IV. Five interviews were conducted face-to-face and one interview was a telephone interview. The data were categorised by finding recurring themes in each interview resulting in three main themes that have been examined by content analysis (Hsieh & Shannon, 2005). The themes from the different interviews were then compared and categorised into similarities and differences. Based on the purpose of this study, three main themes were identified from all six interviews. The themes include the professionals' thoughts and reflections about: 1) what motivates their clients to seek help; 2) what defines buying sex as a social problem for their clients; and 3) how their work is organised in relation to criminal justice work targeting their clients. The first two themes have been presented in terms of different "groups of clients" based on the respondents' descriptions, whereas the last theme has been presented in terms of the similarities and differences between the five local KAST offices. The themes have then been examined and analysed by content analysis (Hsieh & Shannon, 2005) using the theoretical concepts of pastoral power (Foucault, 1982; Holmes, 2002) and isomorphism (Hasenfeld, 2010:103).

5.4 Establishing trustworthiness and ethical considerations

The Swedish Research Council's guidelines on "*Good research practice*" (2017) have guided the work to establish the trustworthiness of the thesis and to discuss a good standard practice for ethical research. In the following section, it is the trustworthiness of the frame and the two studies that is considered. The specific considerations important for each article and the book chapter are further discussed in each paper.

The ethics of the use of public documents has been given careful consideration. I have chosen to seek out the records and rely on the confidentiality assessment made by the authorities. However, the fact that the records were not made and stored for the purpose of research and that consent had not been given by anyone mentioned in the records made it important to carefully consider the use of the content particularly, as a purchase of sex is not only a criminal offence in Sweden, but also stigmatised (Grönvall, Holmström & Plantin, 2020; Sandell, et al., 1996; Holmström, 2015). Still, one of the reasons the records are kept and made in the first place is to uphold a standard of transparency and accountability; in short

to assure the rule of law (Ministry of Justice, 2015). Thus, although the records were not made for the purpose of research, the fact that they are open to the public and for research, serves an important purpose. This obviously does not justify any kind of research based on the records, but rather highlights the importance of a level of transparency and accountability which is needed to conduct ethically sound research projects. For example, I always shared the purpose of the research project and how I intended to use the records when I contacted the local courts and the Swedish Prosecution Authority (Swedish Research Council, 2017). Upon receiving the court records and the summary punishment records all sensitive personal data was deleted, and the original records received from the courts and the public prosecution offices were destroyed. The data was then electronically stored on a secure USB drive kept at the Department of Social Work at the University of Gothenburg (Swedish Research Council, 2017). To anonymise the data, the date of the final judgement and the case number were deleted, leaving only the name of the court or the local public prosecution office and the year the person was convicted. Regarding information about the individual prosecuted for buying a sexual service, only the person's year of birth and the post-code of the registered contact address were kept. No personal information about a defendant has been used and instead, the findings have been used to provide a general analysis. However, if a case is described in more detail it is only the local district court or the local public prosecution office which is referenced (Israel, 2015; Swedish Research Council, 2017).

Prior to conducting the second empirical study an application for ethical review was submitted and approved by the Swedish Ethical Review Authority (case number 816-17). The approved application has been used as a guide for the work as a number of ethical considerations have been made part of process of conducting second study. Working with individuals with the experience of buying sex is a sensitive topic, mainly for the clients, but also for the professional. For example, some of the professionals at KAST described how their work could be met with scepticism by other professionals and the public, and how the subject matter of sex in return for payment and the act of buying sexual services is a sensitive and contentious topic. Therefore, it has been important to protect any personal information about the individuals seeking help at KAST as well as the professionals. The professionals were, upon our initial contact, informed in writing about the study and its purpose. All of them had additional questions before agreeing to participate. Before each interview, the study and its purpose were again presented, and written consent was obtained before the interviews were conducted. Each interview was recorded with the consent of the respondents. Any

personal information about the respondents or their clients together with the original recordings have been deleted. The transcripts have been electronically stored on a secure USB drive kept at the Department of Social Work at the University of Gothenburg (Swedish Research Council, 2017). To further protect the respondents and their clients, the quotations used cannot be linked to a local KAST office. Hence, the differences between the local offices have been identified and analysed, but not linked to a specific local office. As there are only a few professionals working with KAST in Sweden, it is likely they themselves will be able to trace the quotations to the local offices.

The trustworthiness of the two studies has been further examined by gathering all appropriate empirical material, in terms of all court records and summary punishment records from 2011 to 2015 and allowing all local KAST offices to be represented by at least one professional. All local courts (n=54) and local public prosecution offices (n=36) responded to the request and collected all relevant records based on the set requirements. Out of all convictions between 2011 and 2015, 91% are found in the empirical material of this study. Although I have not been able to gather all court records and summary punishment records from 2011 to 2015, this does not interfere with the general trustworthiness of the findings as the purpose of the project is not to draw statistical conclusions about this specific period in history (Swedish Research Council, 2017). Likewise, all local KAST offices (n=5) responded to the request to participate in the study and although all local KAST offices with active clients participated in the study, each local office is not equally represented, in the sense that some local offices are represented by all their staff, while others are only represented by one or more of their staff. However, as the individual respondents have not been asked to represent their workplace, but just their own thoughts and reflections about their work and clients, representation as such has not been required. Hence, the two studies have been able to maintain a sound degree of validity.

It is important to note that all legal documents and the interviews are written and have been conducted in Swedish and translated by the author to English. Lastly, a final note on the terminology to describe the individual with the experience of buying sexual services in the two studies. Regarding the interviews with the professionals, the legal status of the buyer is irrelevant, and the person is therefore most often described as a person with the experience of buying sexual services or as a client at KAST. Regarding the legal documents, the buyer is referred to as the defendant, and if the final judgement includes a criminal penalty the defendant is described as convicted. It is important to note that not all buyers described in the

material were convicted. Furthermore, the use of terminology and classifications has been adjusted for each paper. For example, the law (SFS 2005:90) prohibiting the purchase of a sexual service is referred to as the Sex Purchase Act or the Swedish prostitution law in the different papers. An example of a language barrier has been to use the correct terminology to describe the interaction between the police and a person buying sex. These interactions have been described in terms of being caught by the police, apprehended by the police or arrested. The use of different terminology should also be understood as the author's progression within the subject matter of sex in return for payment and public policy. An example of a language barrier has been to use the correct terminology to describe the interaction between the police and a person buying sexual services. These interactions have been described in terms of being caught by the police, apprehended by the police or arrested. The use of different terminology should also be understood as the author's progression within the subject matter of sex in return for payment and public policy.

6. Results

This thesis is based on four papers, three articles and one book chapter. In this chapter a summary of each paper's main results is presented. The full articles and book chapter have been reprinted with the permission from the publisher.

6.1 Paper I

Olsson, N. (2020). The implementation of Sweden's prostitution law at the local level. *Journal of Social Work*. First Published 12 March 2020.

<https://doi.org/10.1177/1468017320911352>

Background: Academic interest in different national public policy models regulating the purchasing and selling of sexual services has grown and expanded over the past decades. Despite this growing interest, Wagenaar and Altink (2012) argue that in the case of prostitution policy, there has been a lack of empirical descriptions of the everyday reality emanating from the policy design and its implementation. In the case of the Nordic countries, Skilbrei and Holmström (2013) pointed to a knowledge gap and suggested more detailed and systematic descriptions of how laws regulating prostitution are implemented by the police. Likewise, in a report commissioned by the Swedish Government, the Stockholm County Administrative Board (2015) concluded that, despite the many reports and academic studies concerning prostitution, the current knowledge remains limited.

Aim: The aim of this study was to conduct an explorative analysis of the application of the everyday enforcement of the law (SFS 2005:90) prohibiting the purchase of sexual services. The enforcement of the law has been studied by describing arrests²³ that were made based on the suspicion of a purchase of a sexual service by the police, and were then prosecuted by local public prosecution offices and local district courts.

Empirical material: The empirical material used for this study included court records from the district court and summary punishments issued at local public prosecution offices from 2011 to 2015, all in all 1430 criminal cases representing 1472 individuals.

Results and discussion: The results show that the three largest cities in Sweden have been particularly targeted by the police, and their work appears to have become focused on a

²³ The term "arrest" has been used in this article to describe the temporary detention when a person has been apprehended by the police, questioned about the offence and charged with purchasing a sexual service. Hence, the meaning of being arrested in this article does not include being taken into custody.

specific arena of the prostitution market in each city. Because of this, there are regional differences in who was apprehended by the police. However, heterosexual prostitution, i.e., a man purchasing a sexual service from a woman, is still by far the most common form of prostitution in terms of who was apprehended by the police. The work of the police appears to be permeated by an idea of who was purchasing sexual services from whom and where this occurs. As certain norms and practices were established and reproduced through the enforcement of the law (SFS 2005:90) prohibiting the purchase of a sexual service, professionals within social work, particularly within initiatives targeting individuals buying sexual services, must consider how this potentially influences their work, in terms of who they meet, what kind of help and support they offer and what might fall outside the present norm. As previous research has shown that prostitution is a heterogeneous phenomenon and that certain arenas attract certain buyers and sellers, the issue of a potential gender norm in the application of the law (SFS 2005:90) begs the question of whether a broader enforcement of the legislation would lead to a greater diversity among individuals apprehended and convicted of purchasing a sexual service. It is also important to consider the work of the police in terms of its symbolic value, legitimising current gender norms concerning who purchases and/or sells sexual services. As a result of this application of the law (SFS 2005:90), groups and individuals involved in purchasing and selling sexual services outside this norm continue to be “hidden” and consequently not receiving the help and assistance they might need.

6.2 Paper II

Olsson, N. (forthcoming). *An ideal witness – Implementing Swedish prostitution law with no plaintiff*. Manuscript submitted and under review.

Background: Buying and selling sexual services have been regarded differently by Swedish society at various times in history. Historically, the seller has been the main subject of any regulation (Svanström, 2000), but with the rise of a criminal justice perspective, prostitution-related issues have come to focus on the buyer as a perpetrator, thus giving the role of a victim to the seller (Skilbrei & Holmström, 2013; Swedish Government Bill, 1997; 2004; Swedish Government Official Report, 1981; 1995). Despite this view expressed in Swedish Government reports and bills, the legislation prohibiting the purchase of sexual services (SFS 2005:90) does not recognise a plaintiff. Instead, buying a sexual service is a criminal offence

harmful to, and committed against, Swedish society (Swedish Government Bill, 2004; the Supreme Court, NJA 2001 p.527).

Aim: In this study, the application of the law (SFS 2005:90) and its legal consequences for the buyer and seller were examined and analysed. The aim has been to discuss the evidence used during the legal processing of a case concerning a purchase of a sexual service and how it affects the buyer's and the seller's legal statuses and in turn how these inform and influence the penal value.

Empirical material: The empirical material used for this study includes court records (n=338) from the district courts (n=24) from 2011 to 2015.

Results and discussion: The results showed that the evidence used during the legal process is usually limited and therefore, the buyer and the seller have key roles in terms of establishing what happened and whether a criminal offence has taken place. Although the seller is not permitted the role of a plaintiff, the study showed that the buyer and the seller must still contend with the seller's social situation and social status as a victim during the legal process. For the seller, this meant a new role as an ideal witness, with a symbolic value as a plaintiff but with limited procedural rights and protection. In response to the seller's role as an ideal witness, a new character of a perpetrator has developed, regarded by society as a morally questionable male perpetrator harming female sellers. At the same time, the buyer is not convicted for the harm done to the seller, but rather for his actions against societal norms. The role of the seller and the buyer further informs who the police monitor as a potential buyers, which reinforced and reproduced simplified and stereotypical ideas about who purchases sexual services. Hence, the study calls for further empirical studies about the legal and social consequences of criminalising the buyer in Sweden as well as in other countries implementing a similar legislation. Such studies would add important knowledge and experiences about the enforcement of prostitution law, partly for the individuals involved in buying and selling sexual services and their procedural rights during the legal process, but also in terms of how the act of purchasing a sexual service is defined and established as a criminal offence.

6.3 Paper III

Olsson, N. (2021). Brott och Skam – stigmas betydelse vid rättsfall om köp av sexuell tjänst. In A. de Cabo Y Moreda, C. Holmström, & J. Kuosmanen (Eds). *Sex mot ersättning – säljare, köpare, makt och moral*. (p. 93–120) Studentlitteratur, Lund. Originally written in Swedish and translated by author.

“Crime and Shame – the influence of stigma during the legal process in a legal case of a purchase of sex”

Background: Stigma plays a significant part in the experience of sex in return for payment, for both the seller and for the buyer. For individuals buying sexual services, the experience of stigma is often expressed in shame and guilt about purchasing sexual services as well as the fear of being exposed and the possible loss of social status (see for example, Della Giusta, Tommaso & Jewell 2017; Holmström 2015; Sandell, et al., 1996; Sanders 2008; Swedish Government Official Report, 2010). Swedish law (SFS 2005:90) prohibiting the purchase of a sexual service relates the shame associated with purchasing sexual services as a part of the purpose of the law is to influence societal norms about buying and selling sexual services (Swedish Government Bill, 1997). According to Goffman’s (2020) theoretical concept, being discredited refers to a person whose stigma is known and visible, whereas being discreditable refers to a person whose stigma is unknown and hidden. The theoretical concepts have been used in the study to explain the actions of the buyer as a defendant during the legal processing of a case of a purchase of a sexual service. The defendant can be considered discredited by being associated with and accused of purchasing a sexual service, while at the same time discreditable as the evidence of the offence is tried in the court hearings. In this way, the defendant is subject to the legal and social aspects of being accused of buying a sexual service during the legal process.

Aim: The aim of the study has been to explore and analyse how a purchase of a sexual service and the defendant are described and defined during the legal process, considering the influence of stigma and norms about sexuality and sex in return for payment. Furthermore, possible strategies of the defendant to manage and avoid stigma are discussed as well as the potential consequences for the rule of law.

Empirical material: The empirical material used for this study consists of 1514 legal records, 380 from the Swedish General courts and 1134 summary punishment records from the Swedish Prosecution Authority from 2011 to 2015.

Results and discussion: The normative ambitions of the law (SFS 2005:90) prohibiting the purchase of a sexual service to reduce the demand for sexual services and the potential influence on the legal process of a case concerning the purchase of a sexual service have been discussed. For example, the normative nature of the evidence gathered for the suspicion of a purchase of a sexual service indicates how norms about who is involved in buying and selling sexual services inform the work of the police, potentially reinforcing the stigma associated with sex in return for payment for the buyers and the sellers. Another example is the buyer's option to accept a summary punishment. This decision by the apprehended buyer has been interpreted as a possible strategy to avoid a public hearing at the District Courts, thus protecting the buyer from additional shame and guilt if the purchase of a sexual service were to become publicly known. Whether stigma can be said to influence these kinds of actions made by the parties involved in the legal process to the extent that it threatens the rule of law cannot be verified based on the empirical material. Instead, this study should be seen as an exploratory study with the aim to of gathering new experiences and knowledge for future studies. Such studies could contribute to already existing knowledge about the complexity of a purchase of a sexual service and how social aspects such as stigma influence and shape the implementation of the criminalisation of buying sexual services.

6.4 Paper IV

Olsson, N. (forthcoming). *Men buying sex – a (new) field for social work in Sweden*.

Manuscript submitted for publication.

Background: In 1997, a social work project called KAST²⁴ was founded with the main aim of providing help and support to individuals with the experience of buying sexual services (Isaksson, Rangmar & Forsberg, 2020; Åkerman & Svedin, 2012a). As the Act (SFS 1998:408) prohibiting the purchase of a sexual service came into force two years later, the demand for sexual services was identified by Swedish government reports and bills (see for example Swedish Government Bill, 1997; the Swedish Government Official Report, 1995) as

²⁴ In Swedish “Köpare av sexuella tjänster”, translated into “Buyers of sexual services”. The Swedish acronym will be used throughout this article.

the main reason why sex in return for payment existed, which led to a new public policy strategy aimed at reducing the demand for sexual services. The Swedish Government Bill (1997) preceding the Act (SFS 1998:408) states the importance of social work and criminal justice in reducing the demand for sexual services. To reduce the demand for sexual services, the Act (SFS 1998:408) was introduced with the aim of punishing the purchaser of a sexual service whereas social work initiatives aimed at providing help and support to individuals involved in sex in return for payment to stop buying and selling sexual services. However, social work efforts have been given less attention and resources compared to the criminal justice work to enforce the legislation (Swedish Government Official Report, 2010). In fact, KAST is the only social work initiative directly targeting individuals with the experience of buying sexual services. Due to the unique role of KAST within Swedish public policy aiming to reduce the demand for sexual services, the work of KAST has been studied in terms of how a purchase of a sexual service is defined as a social problem and how professionals at KAST relate their work to that of the local police and the national aim of reducing the demand for sexual services.

Aim: The aim of this study is to explore the work of KAST, an agency within Swedish social services providing help and counselling to individuals with the experience of purchasing sexual services. The purpose is to examine the work at KAST based on description of professionals working at KAST.

Empirical material: During the autumn of 2019 six qualitative semi-structured interviews were conducted by the author with ten professionals working at all existing KAST offices²⁵ with active clients at the time²⁶.

Results and discussion: The results showed that professionals working at KAST described and reflected on how the act of buying sexual services is an individual psychosocial problem, affecting the entire lives of their clients. All local KAST offices operate with the same defined purpose and working method, in terms of providing counselling to help the clients to stop buying sexual services. The study showed, based on descriptions of professionals at KAST, that pastoral power is used to help and support the clients to stop buying sexual services, which is a carefully managed and guided process during the counselling sessions. Furthermore, although the professionals described their work as aligned with the aim of Swedish prostitution policy and the expressed need of their clients, the work

²⁵ Local KAST offices in Stockholm, Gothenburg, Malmö, Värmland and Umeå.

²⁶ Since the interviews were conducted yet one more KAST office has opened.

to expand and develop KAST poses certain challenges. As some local KAST offices have begun to mimic each other's work, particularly strengthening the connection with the local police, the challenge for each local office is to remain relevant to the local context and to individuals with the experience of buying sexual services. There is also a challenge for KAST to remain relevant and independent to maintain the legitimacy of social work within Swedish prostitution policy.

7. Concluding analysis and discussion

The overall aim of this thesis was to explore how a purchase of a sexual service is constructed as a problem by local criminal justice and social work when implementing prostitution policy in Sweden, specifically the enforcement of the law (SFS 2005:90) prohibiting the purchase of a sexual service and the counselling that is offered by social services directed towards individuals with the experience of buying sexual services. Departing from a social constructivism perspective and Carol Bacchi's (2009) "what's the problem represented to be?" (WPR) policy analysis, the social construction of a purchase of a sexual service has been explored by identifying problem-defining activities and description by professionals working to implement prostitution policy in Sweden. However, the problem-defining activities identified are not done to raise awareness or public opinion about a social problem (Spector & Kitsuse, 1973), but refer to the actions and decisions made by professionals as they work to implement prostitution policy in Sweden. For example, in the police work to enforce the law (SFS 2005:90) prohibiting the purchase of a sexual service, different types of evidence are gathered to establish that a criminal offence has taken place and to ensure a conviction. Hence, the work of the police to gather evidence can be understood as an activity that defines what a purchase of a sexual service is. The evidence is then used by the local public prosecution office or the local district court to establish whether a criminal offence has taken place, thus constructing a purchase of a sexual service as a criminal offence (I-II).²⁷ Another example is the description and definitions provided by the professionals at KAST concerning how a purchase of a sexual service is constructed during the counselling sessions providing help and support to individuals with the experience of purchasing sexual services (IV). The two constructions of a purchase of a sexual service as a criminal offence and as a social problem produce representations of what kind of problem a purchase of a sexual service is. Furthermore, the act of purchasing a sexual service is constructed as a problem simultaneously operating at an individual level as well as at a societal level (Swedish Government Bill, 1997; 2004; Swedish Government Official Report, 2010). In terms of an individual level, the act of buying a sexual service highlights the oppression and exploitation in the encounter between the buyer and the seller, whereas the structural level emphasised the act of buying a sexual service as an offence against societal norms and morality. These inherent dynamics of the problem-formulation are traceable

²⁷ The thesis is based four papers, referred to in the text by their Roman numerals.

within the implementation of criminal justice and social work and serve therefore as an important backdrop to the discussion.

Based on the results of the papers (I-IV) three representations of what kind of a problem a purchase of a sexual service is have been identified and these have been organised into three themes. The first theme deals with the representation of a purchase of a sexual service as a problem concerning gender equality, the second theme deals with the representation of a purchase of a sexual service as a problem with a symbolic victim, and the third and last theme deals with the representation of a purchase of a sexual service as a problem of morality. Each theme will be discussed in terms of its potential consequences for individuals involved in buying and selling sexual services. In the second part of the chapter, the results from the papers (I-IV) are discussed in relation to the Sweden's public policy to reduce the demand for sexual services with criminal justice and social work to fulfil this aim.

7.1 A problem concerning gender equality

Previous Swedish government reports and bills represent the act of buying a sexual service as an expression of men doing harm to women, in terms of the frequent use of exemplifying sex in return for payment as men buying sexual services from women (see for example Ekberg, 2004; Swedish Government bill 1997; Swedish Government Official Report 2010). This kind of knowledge production and representation is further established through the implementation of the law (SFS 2005:90) prohibiting the purchase of a sexual service. Based on the results, all persons (n=1513) who were caught by the police for purchasing a sexual service were men, and all sellers were women, except in three cases. In two of those cases the sellers were men and in the third case the police described the seller as transsexual (I). Hence, gender and heterosexuality are two strong markers of who are targeted by the enforcement of the law (SFS 2005:90). A similar result is found based on the work of KAST; the professionals also described their clients as men who have the experience of or are thinking about buying sexual services from a woman (IV). Consequently, a purchase of a sexual service, whether a criminal offence or a social problem, is represented through the implementation of the law and social work as a gendered heterosexual problem. In this way, the implementation establishes a norm concerning who purchases a sexual service from whom, marginalising other experiences of purchasing and selling sexual services; for example, women purchasing sexual services or men selling sexual services to men. Furthermore, this supports and affirms the present norm within prostitution policy in Sweden, establishing sex in return for payment

as an experience of a man purchasing a sexual service from a woman (see for example Swedish Government Bill 1997 and Swedish Official Report 2010).

It is important to remember that while the enforcement of the law (SFS 2005:90) is mostly based on the work of the police (I-III), the work of KAST is in contrast, mostly initiated by someone with the experience of purchasing sexual services seeking help and support (IV). There is also the increase in referrals to KAST via the police. Furthermore, what platforms the local KAST offices use to market themselves must be considered as a possible bias in terms of whether the platforms themselves are marketed towards a specific buyer, for example men seeking to purchase a sexual service from a woman (IV). However, regardless of who initiated or how the initial contact between buyer and the law (SFS 2005:90) and/or KAST happened, the results point to the dominance of how a purchase of a sexual service is represented as a gendered heterosexual problem, as it informs the professionals to direct their work towards men who purchase sexual services from women, and as it indirectly encourages men who have the experience of purchasing a sexual service from a woman to seek help at KAST. The question is then whether the dominance of the gendered problem representation is so strong that it discards other representations, potentially limiting the enforcement of the law (SFS 2005:90) and who KAST can reach. In line with the WPR analysis it is therefore important to ask what is left untouched or unproblematic with a purchase of a sexual service represented as a man purchasing a sexual service from a woman. Hence, the substance of the question is not the representation, but rather what might fall outside of the representation and what consequences this brings (Bacchi, 2009).

Previous research, from Swedish studies as well as international studies show that sex in return for payment is a diverse phenomenon where men and women have the experience of buying and selling sexual services, and takes place within heterosexual and same sex interactions (see for example de Cabo Y Moreda, 2018; Elias, et al., 1998; Holmström 2015; Sanders, 2006). Furthermore, studies show that more men compared to women have the experience of selling and buying sexual services (see for example Kaestle, 2012; Kuosmanen, 2008; Mossige, Ainsaar & Svedin 2007; McNeal & Walker, 2016; Månsson, 1998; Priebe & Svedin, 2012). Yet, little attention has been given to sex in return for payment in same sex interactions in Sweden, in terms of who is targeted by the work of the police and who social services are directed towards (de Cabo Y Moreda, 2018; Holmström 2015; Siring, 2008; Stockholm County Administrative Board, 2015). However, it is of importance to consider several methodological issues with studies about the individual's experience of buying and

selling sexual services. For example, many of the studies ask whether a person has ever had the experience of purchasing a sexual service, but not how often or how many. It is also important to consider who is reached by national population surveys and what groups in society, since for example undocumented individuals or individuals in institutional care are not reached by such studies. Furthermore, this calls for the need for more specific studies, in terms of reaching certain social groups or specific arenas where sexual services are bought and sold, to explore who is involved in buying and selling sexual services and how often.

During the first ten years of the law (SFS 2005:90) no woman was apprehended on suspicion of purchasing a sexual service (Swedish National Council for Crime Prevention, 2000), and no woman has ever been convicted for a purchase of a sexual service (Swedish National Council of Crime Prevention) and only one of the local KAST offices mentioned a female client with the experience of purchasing sexual services (IV). Hence, in terms of how the law (SFS 2005:90) is implemented and who the work at KAST is directed towards, there is a discrepancy between who is targeted i.e., who is convicted and who is helped by KAST, and who the potential target group is. This discrepancy should not be understood in terms of numbers, but rather by its consequences as it reduces the complexity of sex in return for payment as a social phenomenon, for example, how the law (SFS 2005:90) is locally enforced targeting more traditional arenas where men purchase sexual services from women (I). The question is then whether a broader enforcement, in terms of targeting other arenas for sex in return for payment would lead to a greater diversity among individuals apprehended and convicted. Similarly, KAST need to consider how a potential gender and heterosexual bias influences their work in terms of how they reach potential clients and who they meet as their clients.

A broader implementation of Swedish public policy targeting individuals with the experience of purchasing sexual services could further inform knowledge production and nationally initiated projects by the Swedish Gender Equality Agency, particularly the work concerning sex in return for payment and human trafficking carried out by the National Task Force against Prostitution and Trafficking. Currently, sex in return for payment and human trafficking are considered as a part on the national strategy to eliminate men's violence against women (Ministry of Health and Social Affairs, 2016; 2018) and, although the strategy emphasises violence against other groups in society, it is dominated by a gendered understanding of sex in return for payment and human trafficking, by repeatedly representing sex in return for payment as men buying sexual services from women. Again, the issue is not

the representation, but rather its dominance and potential hindrance of alternative representations that could problematise the current norm.

The dominance of the gendered representation also asks questions about future knowledge production about sex in return for payment and particularly individuals with the experience of purchasing sexual services. Much of the current research about individuals with the experience of purchasing sexual services is dominated by men's experiences purchasing sexual services from women; to a large extent overlooking other individuals and their experiences (Atchison, et al., 1998; Birch, 2015; de Cabo Y Moreda, 2018; Sanders, 2008; Weitzer, 2009). Current research also focuses, to a large extent, on experiences describing and defining a purchase of a sexual service as a negative and harmful activity (Gurd & O'Brien, 2013; Sanders, 2008; Serughetti, 2012), which is further established in the Swedish Government Bill (1997) preceding the law (SFS 2005:90). Once again, the substance of the question is not what kind of knowledge is produced as a result of a gendered and heterosexual definition of sex in return for payment, but rather whether this kind of knowledge overlooks other experiences. This other experience could potentially add knowledge, which could inform future policymaking decisions, but also the local implementation of prostitution policy which could directly inform professionals in their everyday decisions and actions concerning how to carry out their work.

7.1.1 Expanding the dominant gender perspective

Another way of framing the WPR question of "what is left unproblematic?", is to consider how a problem can retain its dominance and influence. As Loseke (1999) showed, piggybacking and domain expansion are two strategies for a social problem to keep its status. The development of the internet and online services is an interesting example of how sex in return for payment has expanded in recent decades (Scaramuzzino, 2014; Swedish Police Authority, 2020; Stockholm County Administrative Board, 2015; Swedish Government Official Report, 2010), first and foremost, in terms of an actual domain expansion by providing new platforms and forums for sex in return for payment as well as new ways of carrying out a sexual service, not requiring physical contact between the buyer and the seller. The question here is whether this should be understood as a domain expansion of the problem formulation of sex in return for payment and what a casual sexual relation is according to the law (SFS 2005:90).

The results show that all individuals apprehended and convicted in cases concerning the involvement of the internet are men with the experience of buying a sexual service from a woman (I). In this way, the dominant representation of a purchase of a sexual service as a gendered problem remains intact and a domain expansion has not taken place in this regard. However, none of the cases in the empirical material included an online-based casual sexual relation for payment (I-III); instead it was only the initial contact between the buyer and seller that had taken place online. However, during the interviews with the professionals working at KAST some described how many of their clients paid for sexual services online (IV), but what these sexual services included is unclear from the empirical material. Hence, it is unclear based on the empirical material whether a domain expansion of the problem formulation of a purchase of a sexual services has taken place due to the development of the internet.

What the development of the internet has brought to the fore is the issue of physical contact between the buyer and the seller. The results showed the difficulties for the courts to interpret the requirement of physical contact (II), established in the Swedish Government Bill (1997), and whether the physical contact was sexual in nature. For example, several cases concerned payment for a massage and the courts had to judge whether the massage had been paid for as a sexual service. As the defendant often denied having paid for a sexual service, the courts sought evidence of whether the buyer and the seller had been naked, whether they had touched their own or each other's genitals and whether the buyer had been sexually aroused. The results show the difficulties for the courts to assess this kind of evidence and to interpret the provision concerning what makes a casual sexual relation a criminal offence, in terms of the requirements of sexual and physical contact (II). The difficulties in interpreting the provision make it possible for the problem formulation to expand, potentially causing further difficulties in interpreting what a legally defined casual sexual service is. Hence, the actual domain expansion, in terms of including new forms of sexual services on platforms/arenas that traditionally have not been targeted by the police or social services is not a problem, so much as a lack of clarity regarding what a casual sexual relation is according to the law, which is highlighted by the actual domain expansion (SFS 2005:90). Due to the difficulties this represents for the enforcement of the law (SFS 2005:90), there is the risk of different interpretations by the local courts and consequently different final judgements. Hence, there is a need for authoritative case law guiding the application of the law (SFS 2005:90) (Stockholm County Administrative Board, 2015; Wong, 2014).

The dominant gender representation has led to problems being constructed in a similar way to what Loseke (1999) calls piggybacking, based on the notion of gender as the dominant factor defining these kinds of social problems and criminal offences. For example, the results show how the professionals working at KAST reflect on the links between excessive use of pornography and buying sexual services. The excessive use of pornography is further elaborated on as a potential pathway for some of the clients taking a further step, including paying for physical sexual service from a woman (IV). Exploring and defining the links between different social problems within a person's life is an important part of social work in being able to provide holistic help and support to the person. However, in this case of piggybacking, a purchase of a sexual service is further established as a gendered problem and as an individual problem, emphasising sex in return for payment as an addiction (IV). Hence, the purchase of a sexual service represented as a gendered social problem influences the counselling in so far as it puts an emphasis on the responsibility of the person buying sexual services, while at the same time being subject to structural notions about masculinity, manhood and how to relate to a woman as a man. Despite the dynamic between the individual and structural level in interaction within the social work provided to the clients at KAST, the structural element of the problem-formulation does not provide the buyer with the same kind of vulnerability and sense of exposure, as the seller is believed to be lotted into the same structure. In other words, the dominant representation of a purchase of a sexual service as a gendered problem is firmly established in terms of men's violence against women and thus an expression of gender inequality on a structural and individual level.

7.2 A problem with a symbolic victim

Historically, women with the experience of selling sexual services have held the position of being regarded as responsible for what kind of a problem sex in return for payment was represented to be. This led female sellers to be the subject of regulation and represented as morally deviant individuals (Svanström, 2000). However, with significant societal changes from the 1970s and onwards, Sweden's approach to regulating sex in return for payment changed. Rather than representing the female seller as responsible for sex in return for payment and as a morally questionable person, the focus turned instead to men purchasing sexual services. Through local social work projects, several research studies and the introduction of an increasingly strong criminal justice perspective, sex in return for payment came instead to be represented within public policy as men's demand for sexual services

(Dodillet, 2009; Månsson, 2018; Skilbrei & Holmström, 2013; Swedish Government Official Report, 1995). As the focus shifted from the female seller to the male buyer, the seller came to be represented as a victim, harmed by the buyer. Therefore, the protection of individuals with the experience of selling sexual services became just as important as punishing individuals with the experience of buying sexual services. Hence, only the purchase of a sexual service was criminalised and not the selling of a sexual service (Swedish Government bill, 1997). With the intention of protecting the seller from further stigma and exploitation, the results show how the implementation of the law (SFS 2005:90) and the work at KAST represent the seller as a symbolic victim in a supportive role in the construction of a purchase of a sexual service as a criminal offence (I-III) and as a social problem (IV).

7.2.1 A victimless crime?

Based on the previously mentioned problem formulation of a purchase of a sexual service as simultaneously operating on a structural level and an individual level, the objectives of Sweden's public policy to reduce the demand for sexual services is to protect public order and to protect individuals with the experience of selling sexual services (Swedish Government Bill, 1997). However, whilst the Swedish Government bills (1997; 2004) emphasise the harm done to individuals involved in sex in return for payment and to society, the law (SFS 2005:90) is formulated as a crime against Swedish society. At the heart of the matter is the issue of consent and its consequences for the buyer and the seller and how a purchase of a sexual service is established as a criminal offence (Florin, 2012; Wong, 2012). In the Swedish Government Bill (2004) preceding the law (SFS 2005:90) prohibiting the purchase of a sexual service, it was suggested that the law be placed in chapter 6 of the Swedish Criminal Code among other sexual offences against a person, where it was said to "belong". However, as the law (SFS 2005:90) recognises consent between the buyer and the seller as a part of the agreement of sex in return for payment, without taking away any responsibility of the buyer, the offence is not formulated as a crime against a person. Instead, it is emphasised that the offence carries a provision related to protecting public order and society's interests in relation to sexuality (Swedish Government Bill, 2004; Wong, 2014). Because of this, the seller is not recognised as a legally defined crime victim and is not given the role of a plaintiff during the legal process, and the buyer is convicted of a crime against public order rather than any of its consequences for the seller (Wong, 2014). The seller is therefore present during the legal process as a witness, although rarely during the public

hearing at the district courts. In this way, through the application of the law (SFS 2005:90), a purchase of a sexual service is represented as a crime against society, made concrete through the interaction between the buyer and the seller; in this sense, a crime without a legally defined crime victim. Yet, the results show that the seller's influence on how a purchase of a sexual service is established as an offence is more complex than just fulfilling the role of a witness (II).

The results show that although the seller is merely recognised as a witness during the legal processing of a purchase of a sexual service, the seller plays a significant role in raising suspicion about a potential purchase of a sexual service (I) as well as providing evidence to establish the offence (II). Overall, this provides the seller with a new role as an ideal witness, with the same experience and symbolic value as a plaintiff, but with no personal claims, such as victim of a crime compensation (II). And while the results raise important ethical questions of how the seller is "used" to gather evidence before and after a suspected purchase of a sexual service has taken place (II), the seller's lack of agency because of the way in which the law (SFS 2005:90) is enforced is left unproblematic. The enforcement of the law (SFS 2005:90) gives the seller enough agency to consent to sell sex in return for payment, while at the same time the seller's willingness to consent is questioned (Swedish Government Bill, 1997). In this way, the seller is deemed capable of consent, but if the consent concerns the "decision" to sell sexual services it is because of structural factors and circumstances intertwined with the personal decision (Träskman, 2009). It is as if the same structures that "force" a person into selling sexual services, also remove the person's procedural rights when selling sexual services becomes a part of a criminal case. In other words, the decision by the individual to sell sexual services harms themselves and others, and in this way the active choice by the individual to sell sexual services maintains an unjust and unequal interaction between the seller and the buyer, and also the structural gendered and heterosexual norms about sex in return for payment.

The issue of the seller's agency is important, and it has been argued that denying or minimising such agency may be counterproductive to the policy's own objectives (Florin, 2012). A potential solution to this, is to recognise the agreement between the buyer and the seller and to construct a purchase of a sexual service as work. This would recognise the seller's agency in deciding whether to sell sexual services or not and change prostitution policy in Sweden completely; a stance which has been promoted by sex worker organisations in Sweden (Fuckförbundet). Another potential solution is to recognise the seller as a plaintiff

during the legal process and by doing so strengthen the seller's position in relation to the defendant. For example, as a plaintiff the seller would be entitled to compensation as a legally defined victim of a crime from the convicted buyer. The issue of compensation has been discussed, with some arguing for it, while others have pointed to the fact that it would represent the offence as an individualised problem, rather than a problem caused by structural injustices and with structural implications (Westerstrand, 2011). However, based on the results a more pressing issue for the seller is her access to help and assistance during the legal process (II). As a witness, the seller is provided with witness support including humanitarian support and practical information about the legal process whereas as a plaintiff, a lawyer would be appointed to the seller as a special counsel for the injured party, and provided with legal counsel representing the seller's interests during the legal proceedings (Swedish Crime Victim Authority). However, as 80% (n=1134) of all the convictions in the empirical material was issued by a local public prosecution office, few legal cases concerning a purchase of a sexual service proceeded to the courts (III), which meant that most sellers did not access this kind of legal help and support. Instead, social services are meant to provide for the needs of the seller, but whether this includes help and support in a legal context in her role as an ideal witness is, based on the empirical material, unclear.

The issue of consent is additionally problematic in terms of its influence on how a purchase of a sexual service is established as a criminal offence and its consequences for the convicted buyer. In a recent legal case, a man was convicted of negligent rape when he paid for a sexual service from a person whom, the court argued, he had prior knowledge of and knew she had been trafficked for sexual purposes to Sweden. Because the seller had been trafficked for sexual purposes, Svea Court of Appeal (B 5624–29) argued that consent under the law could not have been obtained. In other words, the agency in terms of the decision to sell sexual services, of a person who has been trafficked to Sweden for sexual purposes is completely removed. Again, the issue is not whether the seller can make an informed decision to sell sexual services or not, but rather what the consequences are of removing this agency. In relation to how a purchase of a sexual service is established as a criminal offence, the complete removal of consent from the seller constructs a new offence; negligent rape. For the person buying sexual services this means a new criminal offence with a much higher penal value, with the potential for imprisonment up to four years (SFS 2018:618). As negligent rape is a crime against a person, the seller would have the role of a plaintiff during the legal process, which means the seller can claim compensation as a legally defined victim

of a crime from the convicted person and receive victim support during the legal process. However, although the consequences concerning consent under the law are clearly defined in terms of constructing two different kinds of criminal offences, a purchase of a sexual service or negligent rape, the consequences for the individuals involved raises ethical questions. Because the chief interest of the law (SFS 2005:90) prohibiting the purchase of a sexual service is not clearly stated (Träskman, 2009), two sellers in similar situations are either represented as the primary interest of the criminal offence, leading the buyer to be convicted for negligent rape; or as an important part of the primary interest to protect public order, leading the buyer to be convicted for a purchase of a sexual service. How these two situations of the sellers are distinguished and what the buyer's responsibility is in distinguishing between the two is still unclear. Concerning the case of the man convicted for negligent rape, Svea Court of appeal (B 5624–29) argued that because the man himself had stated that he suspected trafficking, the seller was in fact in a position of dependence, thus leading to the conviction. However, it remains unclear to what extent the buyer must make sure that the seller is not in a position of dependence under the law (SFS 2005:90).

7.2.2 A shameful social problem

As previously mentioned, buying sexual services as a social problem is represented as a gendered problem focusing on the individual responsibilities of the buyer to stop buying sexual services and acknowledge the negative consequences it brings. The professionals working at KAST describe buying sexual services as a psychosocial problem affecting the entire lives of the men. The result shows further that the clients at KAST seldom mention the situation of the seller as an example of “a negative consequence” of their purchases. Instead, the negative consequences that are mentioned are closer to the clients, in terms of affecting their life situations and close relationships with family (IV). The conversations that take place during the counselling sessions still include the situation of the seller, but with the ultimate goal of helping the clients to stop buying sexual services, it is up to the client with the guidance of the professional to define what kind of a problem a purchase of a sexual service is, thus representing it as a problem primarily affecting themselves and their families. This contrasts with the John schools, where the convicted buyers meet a person with the experience of selling sexual services with the educational purpose of informing the buyer about the negative consequences his purchase of a sexual service has caused the seller (see for example Brunshot, 2003; Gurd & O'Brien, 2013; Wortley, et al., 2002).

Herein lies an interesting conflict between different representations of the buyer and the public sympathies or lack of public sympathies it evokes. What the different representations of the buyer have in common is that they are all constructed on the basis of the seller as a symbolic victim. The seller is clearly present during the purchase of a sexual service as the party providing the casual sexual service, but for the clients at KAST the seller is not defined as a part of the problems they associate with buying sexual services (IV). Instead, despite the psychosocial problems the buyers identify as negative consequences of buying sexual services for their lives, the professionals working at KAST speak about the stigma surrounding a purchase of a sexual service and the shame and guilt many of their clients live with, representing individuals with the experience of buying sexual services in negative terms. In other words, despite the harm that a purchase of a sexual service causes the buyers, which is addressed during the counselling sessions at KAST, this does not evoke public sympathies based on the professionals' description of the shame and guilt many of their clients live with. This is further confirmed as many of the professionals spoke about the scepticism and questions they receive about the work they do to provide help and support to individuals with the experience of buying sexual services (IV). The representation closest to the clients at KAST is instead the same as for someone who has been convicted for purchasing a sexual service, the role of a perpetrator. Not a perpetrator in the legal sense, but rather as a perpetrator of a moral offence.

7.3 A problem of morality

Changing societal norms about sex in return for payment is an important part of Swedish public policy aiming to reduce the demand for sexual services. A clear intention with the law (SFS 2005:90) prohibiting the purchase of a sexual service was to send a strong message about Swedish society's attitudes and values about sex in return for payment (Swedish Government bill, 1997). By only criminalising the act of buying a sexual service, full responsibility was thus placed on the buyer as accountable for a criminal offence as well as "a moral offence", in terms of breaking norms and values by buying sexual services. Therefore, the normative ambitions and the social disapproval of engaging in sex in return for payment are just as important to the efforts to reduce the demand for sexual services. The results show that among the clients at KAST, the normative ambitions are often manifested as experiences of shame and guilt about purchasing sexual services and being caught by the police (IV), which is in line with previous studies about the stigma attached to experiences of buying and

selling sexual services (see for example Grönvall, Holmström & Plantin, 2020; Holmström 2015; Sanders 2008; Svanström 2000).

Based on the results from the interviews with professionals working at KAST, the stigma surrounding sex in return for payment is particularly expressed through the experience of the purchase of a sexual service being exposed and known to others (IV). To some extent this can be explained as a common reaction, as all laws concern morality. However, as the purchase of a sexual service is predominantly constructed negatively, as a criminal offence (I-III) and as a social problem (IV), and because of the stigma attached to sex in return for payment, the reaction should be understood as more serious than if another type of criminal offence were exposed and made publicly known.

The shame and guilt that the buyer experiences when his involvement in sex in return for payment is revealed can function as a motivation to seek help. However, the results show that the experiences of buying sexual services must be represented as negative consequences that the buyer is willing to change according to the methods used by KAST. Because of KAST's specific working method and purpose, an experience of buying a sexual service that is different to KAST's but accompanied by shame and guilt may hinder some of the buyers from seeking help. The clients who have been caught by the police and later referred to KAST can be said to represent this group of clients (IV). The issue is not the working method and purpose of KAST, but how to reach individuals with the experience of buying sexual services who also experience shame and guilt but are not aligned with the work of KAST. This is a particularly important as the clients of KAST only make up a small part of all individuals with the experience of buying sexual services and because the experience of shame and guilt is described as destructive (IV).

The destructive nature of the stigma surrounding the act of buying sexual services is described as sometimes being a matter of life and death for some of the clients at KAST (IV) and an issue which has to be addressed with most of KAST's clients. Although this is not a universal experience for individuals buying sexual services, the shame and guilt of the buyers are generally left as unproblematic in most public and political discussions. The dominant narrative of the buyer as a perpetrator, which is used and fuelled by the enforcement of the law (SFS 2005:90), justifies a representation of the buyer as an ideal perpetrator (Christie, 1986), where shame is used as a driver for change. As already mentioned, the shame and guilt experienced by the buyer can lead to a change of behaviour, but the negative side effects of the shame and guilt are left as unproblematic. This is of further importance as the stigma

surrounding sex in return for payment not only affects the individuals involved, but also their families. The professionals working at KAST described how their clients would express their worries for their families, and what would happen to their partner and children if their purchases became publicly known, for example among neighbours or at the children's school. Furthermore, some clients spoke of how they decided to move because of the social disapproval and shame their purchases of sexual services have brought on their partner and children. Today, some of the local KAST offices work together with the partners of the clients to provide help and support to deal with how their partner's purchase of sexual services has affected them (IV). Hence, the strong public social disapproval of engaging in sex in return for payment not only works preventively or to shame people into changing their behaviour, but it also has damaging effects as it increases the stigma surrounding sex in return for payment and places individuals involved in buying sexual services and their families in more vulnerable situations. This is an issue which to a large extent is left as unproblematic with the current implementation of Swedish public policy to reduce the demand for sex.

7.3.1 Buying a sexual service as a moral offence

Just as the shame and guilt associated with buying sexual services is present and addressed during the counselling sessions at KAST, the buyer must contend with and decide how to manage this during the legal process. Because the shame and guilt are often related to the purchase of a sexual service being exposed and known to others, a potential strategy for the buyer to protect himself from such experiences is to find different ways to continue to hide or limit the number of people who know about the purchase of sexual services. Throughout the legal process, from the work of the police to the final judgement at a General Court, there are a number of points when the suspected individual must consider how much is known about the alleged crime and whether to try to keep it hidden or confess. The results point to some of these points in the process and how the suspected individual manages and navigates how much is known about the suspected purchase of a sexual service to the police and the courts.

The legal processing of a case concerning the purchase of a sexual service begins with an apprehension of the suspected person, which the results show is a key point for the buyer to consider how much information and evidence the police have about the offence. And while a confession confirms the purchase of a sexual service and its attached stigma, a confession can also be understood as a strategy on behalf of the buyer to keep the purchase of a sexual

service away from a public court hearing. The extensive use of summary punishments, 80% (n=1134) of all convictions in the empirical material, could be an indication that it is used as a strategy to avoid a public court hearing (III). Likewise, among the cases that did proceed to the district court (n=338), 34% (n=114) of them were dealt with before a public hearing. The absence of a plaintiff to pursue the case could also be a reason why so many of the convictions are settled without a public court hearing (III). Hence, the stigma of publicly being known as having been convicted of a purchase of a sexual service appear to lead the buyers to avoid public court hearings. However, because the legal records in these cases, summary punishments and cases from the District Courts that are settled before a public hearing, contain hardly any information about the offence, there is a lack of transparency in terms of the work of the police in such documents (III). This is not to say that there is any misconduct among the police, and it is important to note that the convictions always rest on the confession of the buyer. However, because there are still difficulties in how some of the provision in the law should be interpreted (Stockholm County Administrative Board, 2015; Wong, 2014), transparency is of importance in the interest of ensuring the rule of law.

The importance of transparency and the lack of authoritative case law can be exemplified by how the implementation of the law (SFS 2005:90) uses “attempted offences” to address cases when the agreement of sex in return for payment was made, but not followed by a sexual service (II-III). In such cases, it is not primarily the buyer who must contend with the moral aspects of the offence, but rather the courts as they pass judgement on whether the buyer voluntarily cancelled the attempt to purchase a sexual service. The results show the difficulties for the courts in judging the sincerity of the buyer’s actions to voluntarily cancel their purchase of a sexual service, which is often based on the buyer’s ability to express remorse over attempting to purchase a sexual service (II-III). Despite the difficulties in interpreting and judging the buyer’s actions, the empirical material shows that 24% of the convictions from the District Courts and 17% of the summary punishments concerned an attempt to purchase a sexual service (III). Hence, these cases further emphasise the implications of representing a purchase of a sexual service as a moral offence and the effects it has on how a purchase of a sexual service is established as a criminal offence. With the recent court case concerning negligent rape for a purchase of a sexual service, it becomes even more important to clarify the provision concerning a purchase and attempt to purchase a sexual service and how the moral responsibility of the buyer is translated into legal obligations.

7.4 Social work as a complement or supplement to the law?

In the Swedish Government bill (1997) preceding the law (SFS 2005:90), the role of social work is described as an important part of the work to reduce sex in return for payment in Sweden. Local social work efforts within social services are mentioned, but also within health care and various non-government organisations. The social work described focuses mainly on providing help and support to female sellers, but also preventive work, for example at schools and youth clinics. The two paragraphs describing different social work efforts conclude that social work continues to be an important part of the work to provide help and to encourage sellers to change their destructive lifestyles. Furthermore, they conclude that the law (SFS 2005:90) should be understood as a complement to social work, and not a replacement. In other words, the contribution of criminal justice work and social work in reducing the demand for sexual services is understood as important and the two policy areas are meant to complement each other. What is left unproblematic, or rather unspecified is how the two complement each other and whether social work initiatives were intended to continue to be directed towards the sellers, and the law (SFS 2005:90) would be used to regulate the buyers.

The results show that local practices of implementation have been able to develop, in terms of how different arenas are targeted by the local police (I), how the local KAST offices recruit clients (IV) and to what extent the local police and local KAST office work together (IV). Based on the interviews with the professionals working at KAST, some of the local offices work together with the local police in terms of the police referring individuals who have been apprehended for purchasing a sexual service to them (IV). Based on the legal records, there is no mention of social services or any other type of social work assisting with the legal cases. The only mention of social services is when a social worker has been called as a witness (I). In other words, in the empirical studies there is little overlapping or cooperation between professionals representing social work and the judicial system (I-IV) that could suggest how the two would complement each other by working together. The local implementation has instead come to represent criminal justice and social work as two separate areas. In this way, social work focuses on providing counselling to help individuals to stop buying sexual services, while the work to enforce the law (SFS 2005:90) focuses on punishing individuals with the experience of buying sexual services. Hence, although the criminal justice work and social work do not overlap, which would allow the professionals to

actually work together, perhaps their separate work with different aims is the manner in which they complement each other in the overall work to reduce the demand for sexual services. This could also allow the local police and local KAST offices to remain relevant to the local context.

The idea of social work and criminal justice work operating independently of each other was mentioned during the interviews with some of the professionals at KAST. Their independence of each other was explained as important so that potential clients would not be confused about their purpose of the work, and that KAST is not a part of the enforcement of the law (SFS 2005:90) nor do the professionals at KAST have any obligation to report someone to the police. Although the local KAST office and the local police knew of each other and had regular meetings, it was described as a deliberate choice to emphasise their independence of each other (IV). However, just as the Stockholm County Administrative Board (2015) reported, the results (IV) also showed that some of the local KAST offices have begun to have a closer connection with the local police in terms of the police referring potential clients to KAST among individuals who have been apprehended for a purchase of a sexual service. This raises further questions about how the apprehended individual is referred to KAST and when the suggestion is put forth to the buyer. Is KAST presented as a suggestion with the option to say no, or is it understood as a part of the conviction? As previously mentioned, the professionals at KAST described how many of their clients described the experience of being caught by the police as difficult and filled with shame and guilt (III). Therefore, how, and when the buyer is approached during the apprehension may play an important role in how the offer to come in contact with KAST is perceived and accepted. While the professionals at KAST described the police's referrals as positive allowing them to reach more potential clients, what is left as unproblematic is the effect it has on individuals with the experience of purchasing a sexual service (IV). This was partly problematised during the interviews as some of the professionals noticed that some of the buyers referred from the police expressed little interest in KAST and consequently chose to leave the counselling before deciding to stop buying sexual services. In other words, the initial motivation of the buyer to seek help based on the negative consequences he himself has identified as a result of buying sexual services seems to be an important factor for the counselling to be successful in terms of providing help and support to stop buying sexual services. At the same time, the professionals at KAST also mentioned how some of the buyers who had been referred to them via the police and who were initially sceptical to

KAST would change their minds after a few sessions and see the need for counselling and the help and support they could get (IV).

Because the implementation of the work of KAST and the application of the law (SFS 2005:90) are likely to only reach a small proportion of all individuals with the experience of buying sexual services in Sweden (I, IV), there is a need to develop and expand the work. This was an opinion expressed by all the professionals working at the different local KAST offices. Several of the professionals saw the need to work more preventively, to identify and to help individuals with the experience of buying sexual services before their purchases had too many destructive consequences; for example, by developing sex education in schools to include topics related to relationships and identity (IV). As new methods and strategies are developed, the question is how social work and criminal justice work can continue to work together reducing the demand for sexual services, while at the same time keeping their independence in terms of pursuing the aims of their respective fields and maintaining their legitimacy as government agencies.

The enforcement of the law (SFS 2005:90) has thus far received more attention and resources (Swedish Government Official Report, 2010) compared to the work of KAST, suggesting that there is currently a kind of imbalance in terms of public awareness and public funding between the two. This imbalance is so far left as unproblematic since the enforcement of the law (SFS 2005:90) carries important symbolic meaning for the work to reduce the demand for sexual services in Sweden. Because the representation of the buyer as a perpetrator, produced through the application of the law (SFS 2005:90), is closer to the representations of a purchase of a sexual service as a gendered heterosexual problem, with a symbolic victim and as a moral offence, the enforcement of the law (SFS 2005:90) carries a stronger symbolic meaning compared to the work of KAST. This does not only have potential consequences for the work in terms of public attention and public funding, but it further establishes the current norm constructing the buyer as a perpetrator and the seller as a symbolic victim, directing the work to implement prostitution policy in Sweden towards the buyer to focus on punishment, rather than the kind of help provided by KAST. This also raises further questions concerning how social work and criminal justice work can complement each other with such different starting points. A potential solution to emphasise the importance of criminal justice work and social work targeting individuals with the experience of buying sexual services would be to provide KAST with more resources to be able to develop and expand their work.

With this disadvantage in mind, the question is whether the strong criminal justice perspective that introduced the criminalising of the client in the late 1990s continues to dominate the issue of how to regulate sex in return for payment. The question is also whether a strong criminal justice perspective will take on the trend of repurposing social problems as criminal offences to effectively deal with them, and what effects this will have on individuals involved in buying and selling sexual services. A recent example of this is how local social services have proposed that a parent of a minor who is convicted for buying a sexual service may not be a suitable parent²⁸ and that a report of concern should be established in such cases (Umeå Municipality). The question here is whether the conviction of a purchase of a sexual service alone should be interpreted as grounds for a report of concern, and what consequences this has for the construction of a purchase of a sexual service as a criminal offence and as social problem. Furthermore, the example highlights how criminal justice and social work should relate to each other in such cases. This is also an example of how the social and moral elements of a purchase of a sexual service has become more prominent, highlighting the “social punishment” that many of the clients at KAST described (IV).

One of the main goals of the recent Action Plan by the Ministry of Health and Social Affairs (2018) is to better coordinate the work and to increase the cooperation between different government agencies. The Action plan includes areas concerning criminal justice work and social work, with an emphasis placed on the importance of preventive work. This type of work aims to spread awareness of sex in return for payment and to identify individuals who buy and sell sexual services. The focus on preventing sex in return for payment could potentially be the way forward to allow social work and criminal justice work to complement each other and thus emphasise a (new) representation of the act of buying sexual services as a problem that can be changed if addressed early on in a person’s life.

²⁸ See for example; <https://www.vk.se/2019-02-20/domda-sexkopares-familjer-ska-granskas> or <https://www.aftonbladet.se/debatt/a/pL99PG/sexkopare-kan-vara-olampliga-foraldrar>

8. Summary

With the aim of prostitution policy in Sweden being to reduce the demand for sexual services, the discussion has further problematise how a purchase of a sexual service is constructed. Three main representations have been identified in the main results of the thesis, representing a purchase of a sexual service as a problem of gender equality, a problem with a symbolic victim and as a problem of morality. All three representations construct the purchase of a sexual service as a problem that can be addressed through punishment and counselling within prostitution policy in Sweden.

While these representations construct and allow the problem to be dealt with in public policy, the overall question has been to discuss the potential consequences this has for individuals with the experience of buying and selling sexual services. This “target group” needs to be divided into individuals who have the experience of buying and selling sexual services but have never and will never be directly punished by the law or receive counselling at KAST, and those who have had the experience of being caught by the police and prosecuted for the purchase of a sexual service and/or have received counselling at KAST. Previous research and the results clearly show that compared to all individuals with the experience of buying and selling sexual services in Sweden, there are only a few who are apprehended by the police and convicted and few who become clients at KAST. For these individuals who are “outside” of the implementation of the law, the question is whether the current representations of a purchase of a sexual service are relevant? Does the law (SFS 2005:90) have any further impact on these individuals’ lives in terms of influencing and changing their attitudes about sex in return for payment? Is the law deterring them from engaging in sex in return for payment, and if not why not? Depending upon the answers to these questions, which previous research shows are complex, prostitution policy in Sweden could be said to miss its aim of reducing the demand for sexual services by not being relevant. On the other hand, the subjective understanding of the irrelevance of prostitution policy in Sweden could also be interpreted as a continued need for prostitution policy to keep working to influence social norms about sex in return for payment to reduce the demand for sexual services in Sweden.

For the individuals who have been subjected to the implementation of prostitution policy in Sweden in terms of having been apprehended by the police, prosecuted by the courts and/or been clients at KAST, the question is what potential consequences the representations have on them in terms of how the criminal justice and social work is carried out. During the

legal process, the rule of law is always of importance in securing fair and just proceedings and ensuring that all are equal before the law. It is important to stress that the empirical material has not found any legal cases where the rule of law has been compromised or jeopardised. However, the empirical material confirms many of the already discussed issues and vulnerabilities of how the law (SFS 2005:90) is implemented, for example issues in relation to interpreting the provisions of the criminal offence. The question discussed here has been what consequences these issues and vulnerabilities inherent in the enforcement of the law have for the buyer and the seller as the perpetrator and symbolic victim of the criminal offence. The results from the empirical material cannot lay claims of any general conclusions but indicate that the difficulties for the courts in interpreting and establishing a purchase of a sexual service as a criminal offence with regard to certain aspects of the offence result in different interpretations of the law and thus different final judgements. As the social and legal notion of what kind of a problem a purchase of sexual services is continues to develop, expand, and change, it highlights the importance of the legislation in defining the criminal offence, to ensure the rule of law. Hence, the challenge for prostitution policy in Sweden is to remain relevant in relation to all the national and international, social, political, technological, and economic changes and developments that takes place in our society, that shape and influence the construction of a purchase of sexual service as a problem relevant to society.

9. Svensk sammanfattning

”Brott, straff och rådgivning – en studie av lokalt rättsligt och socialt arbete vid tillämpning av prostitutionspolicy i Sverige”

I avhandlingen studeras den lokala tillämpningen av den svenska ”sexköpslagen” (6 Kap. §11 i Brottsbalken) samt det kommunala sociala arbetet som riktar sig mot personer som har köpt sexuella tjänster. Avhandlingens fokus är det lokala arbetet som riktar sig mot personer som har köpt sexuella tjänster och två huvudområden inom svensk prostitutionspolicy har identifierats. Dels ”sexköpslagens” rättsliga tillämpning dels socialtjänstens arbete som bedrivs av KAST-mottagningarna (Köpare Av Sexuella Tjänster). Då både ”sexköpslagen” och de äldsta KAST-mottagningarna har funnits i över 20 år, har de båda en betydande roll inom svensk prostitutionspolicy.

Det övergripande syftet med avhandlingen är att studera hur ett köp av en sexuell tjänst konstrueras som ett problem genom den lokala tillämpningen av prostitutionspolicy i Sverige. Avhandlingen består av tre artiklar och ett bokkapitel, som är baserade på två empiriska studier. I den ena studien hämtas empirin från domslut (2011–2015) från 24 Tingsrätter och 3 Hovrätter. I materialet inkluderas domslut för 379 tilltalade samt 1 134 strafförelägganden och de rättsliga dokumenten avser totalt 1513 individer. Enligt Brottsförebygganderådet dömdes under 2011 till 2015, 1549 personer för köp av sexuell tjänst och 1410 (91%) av dessa återfinns i avhandlingens empiri. Den andra empiriska studien är baserad på sex kvalitativa intervjuer genomförda 2019 med 10 professionella som arbetade vid fem KAST-mottagningar.

Den första artikeln är en deskriptiv analys av tillämpningen av ”sexköpslagen”. Resultatet i den pekar bland annat på skillnader i det polisiära arbetet på olika orter. I den andra artikeln undersöks hur ett köp av en sexuell tjänst definieras som ett brott enligt lagen, samt hur köparens och säljarens roller skapas under den juridiska processen. I bokkapitlet utforskas den juridiska processen gällande köp av en sexuell tjänst, samt hur olika parter i processen förhåller sig till stigma och sociala normer som omger detta brott. Slutligen i den sista artikeln studeras konstruktionen av ett köp av en sexuell tjänst som ett socialt och psykologiskt problem samt hur KAST-mottagningarna förhåller sig till tillämpningen av ”sexköpslagen”. Vidare diskuteras hur KAST-mottagningarna förhåller sig till det övergripande målet att minska efterfrågan av sex mot ersättning.

I kappan analyseras artiklarnas och bokkapitlets sammantagna resultat med hjälp av Carol Bacchi's (2009) policyanalys med fokus på vilka problemkonstruktioner som framträder genom det lokala tillämpningsarbetet och vilka som lämnas utanför i den svenska prostitutionspolicyn.

Resultatet i avhandlingen visar att polisens lokala arbete främst återfanns i Sveriges tre största städer. Av samtliga individer (n=1472) i empirin som blivit åtalade vid en Tingsrätt eller Åklagarkammare återfanns 86% (n=1261) i någon av de tre städerna. Vidare framkom att det var skillnader i polisens arbete i de olika städerna. Polisen fokuserade sitt arbete mot olika arenor för sex mot ersättning, gatan respektive inomhusverksamheter. I alla delar av landet arbetade dock polisen så gott som uteslutande mot den heterosexuella formen för sex mot ersättning där män köper sexuella tjänster från en kvinna och där den samkönade handeln mellan män blev så gott som osynlig.

Polisens arbete har identifierats som avgörande för det lokala rättsliga arbetet med att tillämpa "sexköpslagen", inte enbart var och vem som blir lagförd av polisen, utan även vilken typ av bevisning som samlas in och används under en rättegång. Dessa bevis består till största delen av olika indicier om att ett sexköp har ägt rum. Med andra ord är den bevisning som används under en rättegång ofta begränsad och därför blir köparens och säljarens vittnesmål centrala i dessa mål. Eftersom ett köp av en sexuell tjänst är ett brott som riktar sig mot allmän ordning saknas ett juridiskt brottsoffer. Säljaren är inte en målsägande utan har rollen som ett vittne, dock med en symbolisk status likt en målsägande eller brottsoffer, men utan egna rättigheter till skadestånd eller rättslig hjälp. I resultaten framträder det vidare att köparen behöver dels förhålla sig till de rättsliga aspekterna vid köp av sexuella tjänster och dels till de sociala normer och moraliskt fördömande som i mångt och mycket är kopplad till frågor som berör säljarens utsatthet.

Brottets normativa dimensioner diskuteras i avhandlingen i förhållande till hur köpare under rättsprocessen kan tänkas navigera det stigmat som på olika sätt är förbundet med handlingen köp av sexuell tjänst. Resultaten visar ett högt antal strafföreläggande (80%) bland de dömda, vilket kan förstås som en strategi av köparen för att undvika att framträda i en offentlig huvudförhandling. Andra möjliga strategier som visar på att köp av en sexuell tjänst kan upplevas som stigmatiserande kan vara att den tilltalade trots erkänt brott anlitar en försvarsadvokat. Detta för att kunna använda advokatbyråns adress som den tilltalades kontaktadress samt för att advokaten kan närvara under rättegången trots att brott är erkänt.

Det stigma som omger ett köp av en sexuell tjänst återkom även under intervjuerna av de professionella från KAST-mottagningarna. Det framgick att flera av de som besöker KAST-mottagningarna har skam- och skuldkänslor i förhållande till sina köp av sexuella tjänster. Detta har även hindrat dem att tidigare söka hjälp, något som även har hindrat dem från att tidigare söka hjälp. Samtidigt kan skammen och skulden med sina negativa konsekvenser användas av de professionella som motivation till förändring. De professionella beskriver köp av sexuella tjänster som ett psykosocialt problem som påverkar, inte bara köparnas psykiska välmående utan även relationer i familjen och till vänner.

Samtliga mottagningar identifierar behovet av att utveckla sin verksamhet, såväl det preventiva arbetet som att utöka verksamheten. För vissa av mottagningarna har detta inneburit en tydligare koppling till den lokala polisen, där personer som blivit lagförda av polisen blir informerade om en lokal KAST-mottagning. Samarbetet med polisen beskrivs överlag som positivt och det rättsliga och sociala arbetet uppfattas vara viktigt för svensk prostitutionspolicy. Utmaningen för det sociala arbetet riktat mot personer som köper sexuella tjänster är dock att fortsätta värna om sina klienter och det sociala arbetets egenart och integritet, och samtidigt legitimera sig i förhållande till svensk prostitutionspolicy.

Sammanfattningsvis visar resultaten i avhandlingen att även om köp av sexuell tjänst handlar om ett mångfacetterat fenomen, skapar den lokala tillämpningen av det rättsliga och sociala arbetet specifika problemkonstruktioner. Dessa framställer vissa typer av erfarenheter av sex mot ersättning och handlar framförallt om mäns erfarenhet av att köpa sexuella tjänster av en kvinna. Erfarenheter som faller utanför den nuvarande problemkonstruktionen lämnas allt som oftast oproblematiserade, vilket innebär att köpare kan bli osynliga för det rättsliga arbetet och för det stöd som socialt arbete kan erbjuda.

Medan effekterna och konsekvenserna av svensk prostitutionspolicy fortsätter att diskuteras visar resultaten i denna avhandling att det viktigt att det rättsliga och sociala arbetet inom prostitutionspolicyn upprätthåller en mångfacetterad och aktuell problemkonstruktion av köp av sexuella tjänster. Den bör utvecklas i takt med olika sociala, politiska, ekonomiska och teknologiska förändringar, nationellt så väl som internationellt.

References

- Abelsson, J., & Hulusjö, A. (2008). *I sexualitetens gränstrakter en studie av ungdomar i Göteborg med omnejd som säljer och byter sexuella tjänster*. Göteborgs stad. Retrieved from: https://goteborg.se/wps/wcm/connect/f31b0aee-28cc-45f6-8d3c-c46973472e66/Mikaunga_som_saljer_sex.pdf?MOD=AJPERES
- Atchison, C., Fraser, L., & Lowman, J. (1998). Men who buy sex: preliminary findings of an exploratory study. In J. E. Elias, V. L. Bullough, V. Elias, & G. Brewer (Eds.) (1998). *Prostitution: On Whores, Hustlers, and Johns*. New York: Prometheus Books.
- Bacchi, C. (2009). *Analysing policy: What's the problem represented to be?* Pearson: Australia.
- Bacchi, C., & Goodwin, S. (2016). *Poststructural policy analysis: A guide to practice*. Palgrave Macmillan.
- Bernstein, E. (2001). The Meaning of the Purchase: Desire, Demand and the Commerce of Sex. *Ethnography*, 2(3), 389-420. <http://dx.doi.org/10.1177/14661380122230975>
- Birch, P. (2015). Why men buy sex: Examining Sex Workers Clients. <https://doi.org/10.4324/9781315817293>
- Birch, P., & Ireland, J. (2015). Men procuring sexual services from women: Everyman or peculiar man? *Journal of Forensic Practice*, 17(1), 13-20. <http://dx.doi.org/10.1108/JFP-03-2014-0007>
- Blumer, H. (1971). Social problems as Collective Behavior. *Social Problems*, 18(3), 298-306. <http://dx.doi.org/10.2307/799797>
- Borg, A., Elwien, F., Frühling, M., Grönwall, L., Liljeström, R., Månsson, S-A., Nelin, A., Olsson, H., & Sjöberg, T. (1981). *Prostitution: Beskrivning, analys, förslag till åtgärder* (Publica). Stockholm: LiberFörlag.
- Brooks-Gordon, B. (2006). *The price of sex: Prostitution, policy and society*. New York: Routledge.
- Brunschot, E. G. V. (2003). Community policing and "john schools". *The Canadian Review of Sociology and Anthropology*, 40(2), 215-232. <http://dx.doi.org/10.1111/j.1755-618X.2003.tb00244.x>
- Burman, M. (2009). Changes in the criminal legal discourse on men's violence against women in heterosexual relationships. *Scandinavian Studies in Law*, 54, 29-50.
- de Cabo Y Moreda, A. (2018). *Brott Eller Passion? Myndighetsdiskurser Om Manlig*

- Sexhandel Från 1930- till 2000-tal.* (Doctoral Thesis, University of Gothenburg).
<http://hdl.handle.net/2077/58113>
- Campbell, R., & Storr, M. (2001). Challenging the Kerb Crawler Rehabilitation Programme. *Feminist Review*, (67), 94-108. <http://dx.doi.org/10.1080/01417780122701>
- Christie, N. (1986). *The ideal victim*. In: Fattah, A E (ed) *From crime policy to victim policy. Reorienting the justice system*. (pp.17–30). London: Macmillan.
- Cook, I. (2015). Making links between sex work, gender and victimisation: The politics and pedagogies of John Schools. *Gender, Place & Culture*, 22(6), 817-832.
<http://dx.doi.org/10.1080/0966369X.2014.917277>
- Danna, D. (2012). Client-Only Criminalization in the City of Stockholm: A Local Research on the Application of the “Swedish Model” of Prostitution Policy. *Sexuality Research and Social Policy*, 9(1), 80–93. <http://dx.doi.org/10.1007/s13178-011-0072-z>
- Della Giusta, M., Di Tommaso, M.L., & Jewell, S.L. (2017). Stigma and Risky Behaviors among Male Clients of Sex Workers in the UK. *Feminist Economics*, 23(3), 23–48.
<http://dx.doi.org/10.1080/13545701.2016.1203453>
- Dodillet, S. (2009). *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet.* (Doctoral Thesis, University of Gothenburg). <http://hdl.handle.net/2077/19349>
- Donevan, M. (2019). Out of sight, out of mind – Insights into the Swedish Pornography Industry. Talita. Retrieved from: https://talita.se/assets/dokument/rapport_eng.pdf
- Dunn, W. (2017). *Public policy analysis: An integrated approach* (Sixth ed.).
<https://doi.org/10.4324/9781315181226>
- Ekberg, G. (2004). The Swedish law that prohibits the purchase of sexual services. Best practices for prevention of prostitution and trafficking in human beings. *Violence against Women*, 10(10), 1187–1218. <https://doi.org/10.1177/1077801204268647>
- Elias, J. E., Bullough, V. L., Elias, V., & Brewer, G. (Eds.) (1998). *Prostitution: On Whores, Hustlers, and Johns*. New York: Prometheus Books.
- Erikson, J. (2011). *Strider om mening en dynamisk frameanalys av den svenska sexköpslagen.* (Doctoral Thesis, Uppsala University). <http://uu.diva-portal.org/smash/get/diva2:451413/FULLTEXT01.pdf>
- Fischer, B., Wortley, S., Webster, C., & Kirst, M. (2002). The socio-legal dynamics and implications of `diversion': The case study of the Toronto `John School' diversion programme for prostitution offenders. *Criminology & Criminal Justice*, 2(4), 385-410.
<http://dx.doi.org/10.1177/17488958020020040201>

- Fitzgerald, S., & McGarry, K. (2016). Problematizing Prostitution in Law and Policy in the Republic of Ireland: A Case for Reframing. *Social & Legal Studies*, 25(3), 289-309. <http://dx.doi.org/10.1177/0964663915614886>
- Florin, O., (2012). A Particular Kind of Violence: Swedish Social Policy Puzzles of a Multipurpose Criminal Law. *Sexuality Research and Social Policy*, 9(3), pp.269–278. <http://dx.doi.org/10.1007/s13178-012-0086-1>
- Foucault, M. (1982). The Subject and Power. *Critical Inquiry*, 8(4), 777-795.
- Foucault, M. (1982). The Subject and Power. *Critical Inquiry*, 8(4), 777-795.
- Fredlund, C. (2019). *Adolescents Selling Sex and Sex as Self-Injury* (Doctoral Thesis, Linköping University Medical Dissertations, 1645). <http://liu.diva-portal.org/smash/get/diva2:1272828/FULLTEXT01.pdf>
- Giusta, M., Tommaso, D., & Strøm, M., (2009). Who is watching? The market for prostitution services. *Journal of Population Economics*, 22(2), pp.501–516. <https://doi.org/10.1007/s00148-007-0136-9>
- Goffman, E. (2020). *Stigma: Den stämplades roll och identitet*. Lund: Studentlitteratur.
- Grönvall, Y., Holmström, C., & Plantin, L. (2020). Doing trust work – the purchase of sex in a Swedish context. *Sexualities*. <https://doi.org/10.1177/1363460720936464>
- Gurd, A., & O’Brien, E. (2013). Californian “John Schools” and the social construction of prostitution. *Sexuality research and Social Policy*, 10(2), 149-158. <https://doi.org/10.1007/s13178-013-0117-6>
- Hacking, I. (2000). *Sociala konstruktioner av vad?* Stockholm: Thales.
- Hagstedt, J., Korsell, L., & Skagerö, A. (2009). In the Land of Prohibition? Clients and Trafficked Women in Sweden. In A. di Nicola, A. Cauduro, M. Lombardi, P., & Ruspini (2009). *Prostitution and Human Trafficking: Focus on Clients*. (pp. 163-202) New York, NY: Springer New York.
- Harrington, C. (2012). Prostitution Policy Models and Feminist Knowledge Politics in New Zealand and Sweden. *Sexuality Research and Social Policy*, 9(4), pp.337–349. <http://dx.doi.org/10.1007/s13178-012-0083-4>
- Hasenfeld, Y. (2010). *Human services as complex organizations* (2.nd ed.). Los Angeles: Sage.
- Heber, A. (2018). The hunt for an elusive crime – an analysis of Swedish measures to combat sex trafficking. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 19(1), 3–21. <https://doi.org/10.1080/14043858.2018.1459359>

- Hilgartner, S., & Bosk, C. (1988). The Rise and Fall of Social Problems: A Public Arenas Model. *American Journal of Sociology*, 94(1), 53-78.
- Holmes, D. (2002). Police and Pastoral Power: Governmentality and Correctional Forensic Psychiatric Nursing. *Nursing Inquiry*, 9(2), 84-92.
<http://dx.doi.org/10.1046/j.1440-1800.2002.00134.x>
- Holmström, C. (2015). *Förbud mot köp av sexuell tjänst i Sverige. En kunskapsöversikt om avsedda effekter och oavsedda konsekvenser*. RFSU Skriftserie.
- Holmström, C., & Skilbrei, M-L. (2017a). The Swedish Sex Purchase Act: Where Does it Stand? *Oslo Law Review*, 4(02), 82–104. <https://doi.org/10.18261/issn.2387-3299-2017-02-02>
- Holmström, C., & Skilbrei, M-L. (2017b). The Swedish Prostitution Policy in Context. In E. U. Savona, M. A. R. Kleiman, F. Calderoni (Eds.). *Dual Markets Comparative Approaches to Regulation*. (pp. 353-364). 1st ed. 2017.
- Hsieh, H., & Shannon, S. (2005). Three approaches to qualitative content analysis. *Qualitative Health Research* 15(9), 1277–1288. <https://doi-org.ezproxy.ub.gu.se/10.1177/1049732305276687>
- Hulusjö, A. (2013) *The multiplicities of prostitution experience narratives about power and resistance*. (Doctoral Thesis, Faculty of Health and Society, Malmö University).
<http://hdl.handle.net/2043/16013>
- Inghe, G., & Inghe, M-B. (1967/1970). *Den ofärdiga välfärden*. Stockholm: Tidens Förlag.
- Isaksson, M., Rangmar, J., & Forsberg, M. (2020). Psykosociala insatser till köpare av sexuella tjänster. En begränsad kartläggande litteraturoversikt. Göteborgsregionen: FoU Väst. Retrieved from:
<https://goteborgsregionen.se/download/18.216fcccc172c517364fb72f7/1592816867256/Psykosociala%20insatser%20till%20k%C3%B6pare%20av%20sexuella%20tj%C3%A4nster.pdf>
- Israel, M. (2015). *Research ethics and integrity for social scientists: beyond regulatory compliance* (2nd ed.). SAGE.
<http://dx.doi.org/10.4135/9781473910096>
- Jahnsen, S.Ø., & Wagenaar, H. (2018). *Assessing Prostitution Policies in Europe* (1st ed., Vol. 1). New York: Routledge.
- Jakobsson, N., & Kotsadam, A. (2011). Gender equity and prostitution: An investigation of attitudes in Norway and Sweden. *Feminist Economics*, 17(1), 31–58.

<https://doi.org/10.1080/13545701.2010.541863>

Jonsson, G. (1938). Soutenören som psykologisk och social typ. Festskrift tillägnad Olof Kinberg. Stockholm: Stockholms universitet.

Joseph, L., & Black, P. (2012). Who's the Man? Fragile Masculinities, Consumer Masculinities, and the Profiles of Sex Work Clients. *Men and Masculinities*, 15(5), 486-506. <https://doi.org/10.1177/1097184X12458591>

Jorgensen, C. (2018). Badges and Brothels: Police Officers' Attitudes Toward Prostitution. *Frontiers in Sociology*, 3(16).

Kaestle, C. (2012). Selling and Buying Sex: A Longitudinal Study of Risk and Protective Factors in Adolescence. *Prevention Science*, 13(3), 314–322.

<https://doi.org/10.1007/s11121-011-0268-8>

Kennedy, M. A., Klein, C., Gorzalka, B. B., & Yuille, J. C. (2004). Attitude Change Following a Diversion Program for Men who Solicit Sex, *Journal of Offender Rehabilitation*, 40:1-2, 41-60. https://doi.org/10.1300/J076v40n01_03

Kempadoo, K., Sanghera, J., & Pattanaik, B. (2012). *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights* (2.nd ed.). Boulder, Colo.: Paradigm.

Kitsuse, J. & Spector, M. (1973). Toward a Sociology of Social Problems: Social Conditions, Value-Judgements, and Social Problems. *Social problems*, 20(4), 407–419.

Kjellgren, C., & Svedin, C.G. (2012). Utvärdering av samtalsbehandling med köpare av sexuella tjänster (KAST). Delrapport 6 ur Prostitution i Sverige – Kartläggning och utvärdering av prostitutionsgruppernas insatser samt erfarenheter och attityder i befolkningen. Linköping University Electronic Press, 2012 URL: <http://urn.kb.se/resolve?urn=urn:nbn:se:liu:diva-75377>

Kuosmanen, J. (2011). Attitudes and perceptions about legislation prohibiting the purchase of sexual services in Sweden. *European Journal of Social Work*, 14(2), 247–263. <https://doi.org/10.1080/13691451003744341>

Kuosmanen, J. & Starke, M. (2015). The ideal victims? Women with intellectual disability as victims of prostitution-related crime. *Scandinavian journal of disability research*, 17(1), 62–75. <http://dx.doi.org/10.1080/15017419.2013.813409>

Loseke, D. R. (1999). *Thinking about Social Problems: An Introduction to Constructionist Perspectives*. CRC Press.

Majic, S. (2014). Teaching Equality? "John Schools," Gender, and Institutional

- Reform. *Polity*, 46(1), 5-30. <https://doi.org/10.1057/pol.2013.37>
- Matthews, R. (2008). *Prostitution, politics and policy*, London: Routledge-Cavendish.
- McNeal, B., & Walker, A. (2016). Parental Effects on the Exchange of Sex for Drugs or Money in Adolescents. *American Journal of Criminal Justice*, 41(4), 710–731. <https://doi.org/10.1007/s12103-015-9313->
- Miller, A. (2011-2012). Sugar Dating: New Take on an Old Issue. *Buffalo Journal of Gender, Law and Social Policy*, 20, 33-68.
- Milrod, C. & Monto, M. A. (2012) The Hobbyist and the Girlfriend Experience: Behaviors and Preferences of Male Customers of Internet Sexual Service Providers. *Deviant Behavior*, 33(10), 792-810. <https://doi.org/10.1080/01639625.2012.707502>
- Milrod, C., & Weitzer, R. (2012). The Intimacy Prism: Emotion Management among the Clients of Escorts. *Men and Masculinities*, 15(5), 447–467. <https://doi.org/10.1177/1097184X12452148>
- Ministry of Health and Social Affairs. (2016). *Makt, mål och myndighet - feministisk politik för en jämställd framtid. Skr. 2016/17:10*. Retrieved from: https://www.regeringen.se/4ace09/globalassets/regeringen/dokument/socialdepartementet/jamstalldhet/makt-mal-och-myndighet---feministisk-politik-for-ett-jamstallt-samhalle-skr.-2016_17-10.pdf
- Ministry of Health and Social Affairs. (2018). *Handlingsplan mot prostitution och människohandel. Bilaga till regeringsbeslut 2018-02-08 nr II:1*. Retrieved from: https://www.regeringen.se/4a7d0d/contentassets/24797d74f0bf447998138bc6b18aadb9/handlingsplan_prostitution-manniskohandel_aug-2018.pdf
- Ministry of Justice. (2015). *The Swedish Judicial system*. Retrieved from: <https://www.government.se/contentassets/9ebb0750780245aeb6d5c13c1ff5cf64/the-swedish-judicial-system.pdf>
- Monto, M., & Mcrec, N. (2005). A Comparison of the Male Customers of Female Street Prostitutes With National Samples of Men. *International Journal of Offender Therapy and Comparative Criminology*, 49(5), 505-529.
- Mossige, S., Ainsaar, M. & Svedin, C. G. (Eds.) (2007). *The Baltic Sea Regional Study on Adolescents' Sexuality*. NOVA – Norwegian Social Research. NOVA report 18/2007. Retrieved from: https://www.med.lu.se/content/download/50864/326576/file/2812_1.pdf
- Månsson, S-A., (1998). *Den köpta sexualiteten*. In Lewin, B., (Ed.) et.al. (1998). *Sex i*

- Sverige: *Om sexuallivet i Sverige 1996* (pp. 235–261) (3. uppl. ed., Folkhälsoinstitutet, 1998:11). Public Health Institute.
- Månsson, S-A. (2006). Men's demand for prostitutes. *Sexologies*, 15(2), 87-92.
<https://doi.org/10.1016/j.sexol.2006.02.001>
- Månsson, S-A. (2017). The History and Rationale of Swedish Prostitution Policies. *Dignity: A Journal on Sexual Exploitation and Violence*, 2(4), article 1.
<https://doi.org/10.23860/dignity.2017.02.04.01>
- Månsson, S-A. (2018). *Prostitution Aktörerna, relationerna och omvärlden*. Lund: Studentlitteratur.
- Månsson, S-A., & Linders, A. (1984). *Sexualitet utan ansikte Könsköparna*. Stockholm: Carlsson & Jönsson.
- di Nicola, A., Cauduro, A., Lombardi, M., & Ruspini, P. (2009). *Prostitution and Human Trafficking: Focus on Clients*. New York, NY: Springer New York.
- Ompad, D. C., Bell, D. L., Amesty, S., Nyitray, A. G., Papenfuss, M., Lazcano-Ponce, E., Villa, L. L., & Giuliano, A. R. (2013). Men Who Purchase Sex, Who Are They? An Interurban Comparison. *Journal of Urban Health*, 90(6), 1166–1180.
<https://doi.org/10.1007/s11524-013-9809-8>
- Outshoorn, J. (2004). Introduction: Prostitution, Women's Movements and Democratic Politics. In J. Outshoorn (Ed.), *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce*. (pp. 1–20) Cambridge: Cambridge University Press.
- Pedersen W., & Hegna, K. (2003). Children and adolescents who sell sex: A community study. *Social Science & Medicine*, 56(1), 135-147. [https://doi.org/10.1016/S0277-9536\(02\)00015-1](https://doi.org/10.1016/S0277-9536(02)00015-1)
- Persson, L. (1981). *Horor, hallickar och torskar : En bok om prostitutionen i Sverige*.
- Petterson, T., & Tiby, E. (2003). The production and reproduction of prostitution. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 3:2, 154-172.
<https://doi.org/10.1080/14043850310013179>
- Phoenix, J. (ed.) (2009) *Regulating Sex For Sale: Prostitution Policy Reform in the UK*. Bristol: Policy Press.
- Priebe, G., & Svedin, C. G. (2012). *Sälja och köpa sex i Sverige 2011. Förekomst, hälsa och attityder: Delrapport 1 ur Prostitution i Sverige – Kartläggning och utvärdering av prostitutionsgruppernas insatser samt erfarenheter och attityder i befolkningen*.

- Linköping University. Retrieved from: <http://urn.kb.se/resolve?urn=urn:nbn:se:liu:diva-75340>
- Records of Proceedings from the Chamber. (2017). (Report No. 2017/18:117.) Retrieved from: https://www.riksdagen.se/sv/dokument-lagar/dokument/protokoll/protokoll201718117-onsdagen-den-23-maj_H509117
- Rodríguez G. M., & Gillis, K. (2018). Morality Politics and Prostitution Policy in Brussels: A Diachronic Comparison. *Sexuality Research and Social Policy*, 15(3), 259-270. <https://doi.org/10.1007/s13178-017-0298-5>
- Sandell, G., Pettersson, E., Larsson J., & Kuosmanen, J. (1996). *Könsköparna Varför går man till prostituerade?* Natur och Kultur: Stockholm.
- Sanders, T. (2008). *Paying for pleasure men who buy sex*. Devon: Willan Publishing.
- Sanders, T. (2009). Kerbcrawler rehabilitation programmes: Curing the 'deviant' male and reinforcing the 'respectable' moral order. *Critical Social Policy*, 29(1), 77-99. <https://doi.org/10.1177/0261018308098395>
- Scaramuzzino, G. (2014). *Sexsäljares och sexköparens kollektiva handlande på internet: En svensk "fuckförening"?* (Linnaeus University dissertations; 167).
- Schneider, A., & Ingram, H. (1993). Social construction of target populations: implications for politics and policy. *The American Political Science Review*, vol 87(2), 334-347.
- Serughetti, G. (2012). Prostitution and Clients' Responsibility. *Men and Masculinities*, 16(1), 35-48. <https://doi.org/10.1177/1097184X12467008>
- SFS 1998:408. *Svenska författningssamlingen. Lagen om förbud mot köp av sexuella tjänster*. (Swedish Code of Statutes. Act Prohibiting the purchase of sexual services). Retrieved from: <http://rkrattsbaser.gov.se/sfst?bet=1998:408>
- SFS 2005:90. *Svenska författningssamlingen. Lag om ändring i brottsbalken*. (Swedish Code of Statutes. The Act implementing changes to the Criminal Code and prohibiting the purchase of sexual services). Retrieved from: <http://rkrattsdatab.gov.se/SFSdoc/05/050090.PDF>
- SFS 2005:716. *Svenska författningssamlingen. Utlänningslagen*. (Swedish Code of Statutes. Aliens Act) <http://rkrattsbaser.gov.se/sfst?bet=2005:716>
- SFS 2009:400. *Svenska författningssamlingen*. (Swedish Code of Statutes. The Public Access to Information and Secrecy Act. Retrieved from: <http://rkrattsdatab.gov.se/SFSdoc/09/090400.PDF>
- SFS 2011:517. *Svenska författningssamlingen. Lag om ändring i brottsbalken*. (Swedish

- Code of Statutes. The amendments on maximum penalty for the purchase of sexual services.) Retrieved from: <http://rkrattsdb.gov.se/SFSdoc/11/110517.PDF>
- SFS 2018:618. *Svenska författningssamlingen. Lag om ändring i brottsbalken.* (Swedish Code of Statutes.) Retrieved from: <https://svenskförfattningssamling.se/sites/default/files/sfs/2018-05/SFS2018-618.pdf>
- Siring, A. (2008). Sexhandel, sexköpslagsstiftning och myndighetsförståelse. Ett svenskt exempel. In C. Holmström, & M-L. Skilbrei. (Eds.), *Prostitution i Norden: Forskningsrapport* (pp. 327–356). Nordic Council of Minister.
- Skilbrei, M-L., & Holmström, C. (2013). *Prostitution policy in the Nordic region: ambiguous sympathies.* Ashgate Publishing Ltd.
- Skilbrei, M-L., & Holmström, C. (2017). Linking Prostitution and Human Trafficking Policies: The Nordic Experience. In H. Nelen, & D, Siegel. (Eds.) *Contemporary Organized Crime. Studies of Organized Crime*, vol 18. (pp. 65-79) Springer.
- Spector, M. and Kitsuse, J. (1973). Social problems: A Re-Formulation. *Social Problems*, 21(2), 145-159.
- Stockholm County Administrative Board. (2015). *Prostitution i Sverige 2014. En omfattningskartläggning.* Retrieved from: <https://www.nmstverige.se/sites/default/files/prostitution%20kartlaggning%202014.pdf>
- Sullivan, E. & Simon, W. (1998). *The Client: A social, psychological, and behavioural look at the unseen patron of prostitution.* In J. E. Elias, V. L. Bullough, V. Elias, & G. Brewer (Eds.) (1998). *Prostitution: On Whores, Hustlers, and Johns.* New York: Prometheus Books.
- Svanström, Y. (2000). *Policing public women: the regulation of prostitution in Stockholm 1812-1880.* (Doctoral Thesis, Stockholm University). <http://su.diva-portal.org/smash/get/diva2:179878/FULLTEXT01.pdf>
- Svanström, Y. (2006). Prostitution as Vagrancy: Sweden 1923-1964. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 7(2), 142–163. <https://doi.org/10.1080/14043850601025065>
- Svensson, F., Fredlund, C., Svedin, C., Priebe, G., & Wadsby, M. (2013). Adolescents selling sex: Exposure to abuse, mental health, self-harm behaviour and the need for help and support – a study of a Swedish national sample. *Nordic Journal of Psychiatry*, 67(2), 81–88. <https://doi.org/10.3109/08039488.2012.679968>
- Swedish Government Bill. (1997). *Kvinnofrid.* (Bill No. 1997/98:55). Ministry of Health

- and Social Affairs. Retrieved from:
<https://www.regeringen.se/rattsdokument/proposition/1998/02/prop.-19979855/>
- Swedish Government Bill. (2004). *En ny sexualbrottslagstiftning*. (Bill No. 2004/05:45). Ministry of Justice. Retrieved from:
<https://www.regeringen.se/rattsdokument/proposition/2004/11/prop.-20040545/>
- Swedish Government Bill. (2010). Skärpt straff för köp av sexuell tjänst (Bill No. 2010/11:77). Ministry of Justice. Retrieved from:
<https://www.regeringen.se/49bb81/contentassets/deb7e6f8c8484bca8ff0ed0f2f179420/skarpt-straff-for-kop-av-sexuell-tjanst-prop.-20101177>
- Swedish Government Official Report. (1949). *Utredning med förslag om lösdrivarlagens upphävande m. m.* (Report number 1949:4). Retrieved from:
https://weburn.kb.se/metadata/076/SOU_1458076.htm
- Swedish Government Official Report. (1976). *Sexuella övergrepp Förslag till ny lydelse av brottsbalkens bestämmelser om sedlighetsbrott avgivet av sexualbrottsutredningen*. (Report number 1976:9). Ministry of Justice. Retrieved from:
https://weburn.kb.se/metadata/191/SOU_7258191.htm
- Swedish Government Official Report. (1981). *Prostitution i Sverige. Bakgrund och åtgärder*. (Report number 1981:71). Ministry of Health and Social Affairs. Retrieved from: http://weburn.kb.se/metadata/732/SOU_7260732.htm
- Swedish Government Official Report. (1995). *Könshandeln. Betänkande av 1993 års prostitutionsutredning*. (Report number 1995:15) Ministry of Health and Social Affairs. Retrieved from: http://weburn.kb.se/metadata/592/SOU_7265592.htm
- Swedish Government Official Report. (2010). *Förbud mot köp av sexuell tjänst En utvärdering 1999–2008. Betänkande av Utredningen om utvärdering av förbudet mot köp av sexuell tjänst*. (Report number 2010:49) Ministry of Justice. Retrieved from:
<https://www.regeringen.se/49bb8a/contentassets/2ff955c847ed4278918f111ccca880dd/orbud-mot-kop-av-sexuell-tjanst-en-utvardering-1999-2008-sou-201049>
- Swedish Government Official Report. (2016). *Ett starkt straffrättsligt skydd mot köp av sexuell tjänst och utnyttjande av barn genom köp av sexuell handling, m.m.* (Report number 2016:42) Ministry of Justice. Retrieved from:
<https://www.regeringen.se/49d8c0/contentassets/e6f8d9b7f55b4945bf89d72bc5951129/ett-starkt-straffrattsligt-skydd-mot-kop-av-sexuell-tjanst-och-utnyttjande-av-barn-genom-kop-av-sexuell-handling-mm-sou-2016-42.pdf>

- Swedish National Council for Crime Prevention. (2000). *Förbud mot köp av sexuella tjänster. Tillämpning av lagen under första året. (Report number 2000:4)*. Retrieved from: <https://www.bra.se/publikationer/arkiv/publikationer/2000-05-04-forbud-mot-kop-av-sexuella-tjanster.html>
- Swedish Police Authority, (2020). *Lägesrapport 21 Människohandel för sexuella och andra ändamål*. Retrieved from: <https://polisen.se/aktuellt/nyheter/2020/november/fler-anmalda-brott-om-manniskohandel/>
- Swedish Research Council. (2017). *Good research practice*. Retrieved from: <https://www.vr.se/english/analysis-and-assignments/we-analyse-and-evaluate/all-publications/publications/2017-08-31-good-research-practice.html>
- Tikkanen, R., Abellson, J., Forsberg, M., & Göteborgs universitet. Institutionen för socialt arbete. (2011). *UngKAB09: kunskap, attityder och sexuella handlingar bland unga*. (Skriftserien / Göteborgs universitet, Institutionen för socialt arbete, 2011:1). Institutionen för socialt arbete, Göteborgs universitet.
- Träskman, P.O., (2009). Purchase of a sexual service - a lawful private delight or an offence?; a study of criminal legislation in the Nordic countries. *Scandinavian studies in law*, 54, 289–303.
- Vuolajärvi, N. (2019). Governing in the Name of Caring—the Nordic Model of Prostitution and its Punitive Consequences for Migrants Who Sell Sex. *Sex Res Soc Policy* 16, 151–165. <https://doi.org/10.1007/s13178-018-0338-9>
- Wagenaar, H. (2018). Introduction. Prostitution policy in Europe – an overview. In S.Ø. Jahnsen, & H. Wagenaar (2018). *Assessing Prostitution Policies in Europe* (1st ed., Vol. 1). (pp. 1-28) Routledge.
- Wagenaar, H., & Altink, S. (2012). Prostitution as Morality Politics or Why It Is Exceedingly Difficult To Design and Sustain Effective Prostitution Policy. *Sexuality Research and Social Policy*, 9(3), 279–292. <https://doi.org/10.1007/s13178-012-0095-0>
- Wagenaar, H., Amesberger, H., & Altink, S. (2017). *Designing Prostitution Policy: Intention and Reality in Regulating the Sex Trade*. Bristol: Policy Press.
- Waltman, M. (2011). Sweden's prohibition of purchase of sex: The law's reasons, impact, and potential. *Women's Studies International Forum*, 34(5), 449-474. <https://doi.org/10.1016/j.wsif.2011.06.004>
- Weitzer, R. (2005). New directions in research on prostitution. *Crime, Law and Social Change*, 43(4-5), 211-235. <https://doi.org/10.1007/s10611-005-1735-6>

- Weitzer, R. (2009). Sociology of sex work. *Annual Review of Sociology*, 35, 213-234.
<https://doi-org/10.1146/annurev-soc-070308-120025>
- Weitzer, R. (2012). *Legalizing Prostitution: From Illicit Vice to Lawful Business*. NYU Press.
- Westerstrand, J. (2001, 21 April). Juris doktor: Ge inte bort sexköpslagen till antifeminister. *Newsvoice*. <https://newsvoice.se/2011/04/sexkopslagen-antifeminister/>
- Wilcox, A., Christmann, K., Rogerson, M., & Birch, P. (2009). *Tackling the Demand for Prostitution: A Rapid Evidence Assessment of the published research literature*. (Research Report; No. 27). Home Office. <http://www.uknswp.org/wp-content/uploads/homeofficedemandlitreviewwilcoxetal09.pdf>
- Wong, C. (2014). *Prohibition in Swedish Law of the Purchase of Sexual Service*. In C. di Alberto. *Prostituzione e diritto penale: problemi e prospettive*. (pp. 177–195). Dike Giuridica Editrice and Università degli Studi di Parma.
- Wortley, S., Fischer, B., & Webster, C. (2002). Vice lessons: A survey of prostitution offenders enrolled in the Toronto John School diversion program. *Canadian Journal of Criminology*, vol 44(4), 369-402.
- Åkerman, I., & Svedin, C. G. (2012a). *Kartläggning av insatser mot prostitutionen i Stockholm, Göteborg och Malmö: Delrapport 2 ur Prostitution i Sverige – Kartläggning och utvärdering av prostitutionsgruppernas insatser samt erfarenheter och attityder i befolkningen*. Retrieved from: <http://liu.diva-portal.org/smash/get/diva2:506208/FULLTEXT03.pdf>
- Åkerman, I., & Svedin, C.G. (2012b). *Ett års kontakter med prostitutionsenheterna (KAST). En beskrivning av insatser till personer med erfarenhet av Köp av Sexuella Tjänster/problematiske sexuellt beteende (KAST). Delrapport 4 ur Prostitution i Sverige – Kartläggning och utvärdering av prostitutionsgruppernas insatser samt erfarenheter och attityder i befolkningen*. Linköping University Electronic Press, 2012 URL: <http://urn.kb.se/resolve?urn=urn:nbn:se:liu:diva-75369>

Websites

Fuckförbundet

<https://www.fuckforbundet.com/>

The National Task Force against Prostitution and Human Trafficking

<https://www.nmtsverige.se/>

The Swedish Crime Victim Authority

<https://www.brottsoffermyndigheten.se/>

The Swedish Gender Equality Agency

<https://www.jamstalldhetsmyndigheten.se/>

The Swedish General Courts

<https://www.domstol.se/>

The Swedish National Council for Crime prevention

<http://www.bra.se>

The Swedish Prosecution Authority

<http://www.aklagare.se>

Appendix 1.

Interview guide with professionals at KAST

1. Beskrivningar av arbetet och arbetsuppgifter, vem är det som jobbar här och centrala arbetsuppgifter
 - a. Samarbeten med andra KAST-mottagningar eller lokala samarbeten
2. Beskrivningar av personer som söker sig till KAST
 - a. "Personuppgifter" (kön/ålder/familj/socio-ekonomisk bakgrund etc)
3. Att söka hjälp
 - a. Varför söker man hjälp?
 - i. Sexköp / ej sexköp
 - ii. Tänkt på sexköp / genomfört ett sexköp
 - b. Vad får en att söka hjälp?
 - c. När kommer man? (tid på året)
 - d. Hur får man information om KAST
 - e. Ensam eller tillsammans
4. Beskriv ett typiskt ärende
 - a. Vad sker i mötet med klienten
 - b. Hur många träffar
 - c. Vad avgör när träffarna avslutas
 - d. Talar klienterna om de personer som de köpt sex av?
 - e. Kommer lagstiftningen upp som ämne under behandlingen?
5. Tillämpning av svensk prostitutionspolicy
 - a. Hur ser ni på KASTs roll i tillämpningen av svenska prostitutionspolicy?
 - b. Vilka faktorer påverkar det lokala arbetet och till vilken grad styrs arbetet av dessa? (Den nationella policyn och lagar, lokala föreskrifter, aktuella mediala händelser, organisering och samverkan, resurser, frågans tyngd i förhållande till annan kriminalitet och personliga ställningstaganden etc)
 - c. Framgångsfaktorer och svårigheter i arbete med målgruppen

- d. Reflektioner om arbetet, finns det något som borde ändra/utvecklas
- e. Domarna handlar främst om heterosexuell prostitution – vad kan tänkas bidra denna heterosexuella styrning?

6. Avslutning

- a) Reflektioner om intervjun och dess innehåll
- a) Något som jag missat
- b) Övriga frågor