

The Swedish model

The 1999 Swedish model of sex work law is heavily marketed as a ‘progressive solution to prostitution’, and versions of it have been implemented in Sweden, Norway, and Iceland. Also referred to as the ‘Nordic model’, ‘sex buyer law’, or ‘end demand’ approach, it purports to decriminalise the sex worker and instead criminalise the client.

If this legal model had no negative effects – or even improved the lives of people who sell sex – sex workers and sex worker-led organisations would support it. However, sex worker-led organisations all over the world (along with organisations like the Global Alliance Against Traffic in Women, Human Rights Watch, and the World Health Organization) oppose the Swedish model because it seriously harms people who sell sex, whether those people are working through choice, circumstance or coercion. Crucially, it has not been shown to reduce the number of people who sell sex – instead, it simply makes the conditions in which they do so more dangerous.

The Swedish model reduces street-based sex workers’ power when interacting with potential clients, meaning street-based sex workers are pushed into situations where they are more vulnerable to violence and HIV.

When the clients of street-based sex workers are criminalised, they are jumpy and nervous, and a sex worker – who still has to make money – has to cater to the client’s desire for the initial interaction to be quick if the worker wants to keep the client’s business. This means that the time that street-based sex workers have to assess whether a client is dangerous is drastically reduced – as is the time to agree

services, prices, and condom-use. In Glasgow, a woman described the effects of anti-client laws on the street: *“What I have started doing is going out later – two or three in the morning – to avoid the police ... I didn’t used to go with anyone too drunk or under the influence of drugs, but I do now because I just want to get out of there quick, before the police come. It has got more dangerous”*¹.

This experience is corroborated by the findings of UK Home Office researchers, who found targeting clients means *“women, sometimes desperate to earn money to fund drug use, will still go out on the streets, often at a later hour, remaining there for longer, thus increasing their vulnerability. Also, in order to avoid the police, women have been found to spend less time negotiating business with clients, increasing the likelihood of being unable to spot a ‘dodgy punter’”*². The Norwegian government’s 2004 report on the effects of the law in Sweden found that *“violence has increased after the change in the law”, and “this [increase in violence] is particularly the case for the weakest group – the addicts, the mentally ill, and people from other countries – the forced prostitutes”*³. UNAIDS condemned the Swedish model on these grounds, writing: *“the approach of criminalising the client has been shown to backfire on sex workers. In Sweden, sex workers who were unable to work indoors were left on the street with the most dangerous clients and little choice but to accept them”*⁴.

A BRIEFING summary

from SCOT-PEP

This is the summary of a longer briefing note on the same issue, available on our website

PROMOTING HEALTH AND DIGNITY
Fighting for social justice and inclusion



1 Violence and Sex Work in Britain, Hilary Kinnell, p79

2 http://mesmac.co.uk/files/tackling_street_prostitution.pdf, p24

3 https://www.regjeringen.no/globalassets/upload/kilde/jd/rap/2004/0034/ddd/pdfv/232216-purchasing_sexual_services_in_sweden_and_the_netherlands.pdf, p13

4 http://www.unaids.org/sites/default/files/sub_landing/files/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf, Annexe One, p4

The Swedish model reduces indoor sex workers' power when interacting with potential clients, meaning indoor sex workers are pushed into situations where they are more vulnerable to violence and HIV.

A safety strategy that indoor sex workers might use is arranging to meet a client in the sex worker's workplace. That way, the worker is in a stronger position because the client is in an unfamiliar space – and some sex workers arrange for a friend to be on hand in the next room. However, when clients are criminalised, the easiest way for the police to find clients is by surveillance of sex workers. As a result, clients are less willing to come to sex workers' workplaces for fear of being caught by the police, instead ask sex workers to come to the client's house or hotel (an 'out-call'). That means that the sex worker is in an unfamiliar space, and the client can lock the door – or have associates present with the intention of harming the worker. The Norwegian government's 2014 report into the law stated that: *"women ... report [having] a weaker bargaining position and more safety concerns now than before the law was introduced. At the indoors market, prostitutes express concerns for 'out?door calls'. They prefer to have customers visiting them at their own apartment or own hotel room"*⁵. They concluded that women selling sex in Norway describe the situation after the implementation of the law as a *"buyer's market"*⁶. This undermines claims by proponents of the law that the criminalisation of clients gives sex workers more power and safety.

The Swedish model increases sex workers' reliance on managers.

The Swedish National Board of Health and Welfare reports: *"there are probably more pimps involved in prostitution nowadays. [Our] informant says the law against purchasing*

*sexual services has resulted in a larger role and market for pimps, since prostitution cannot take place as openly ... Informants from the Stockholm Prostitution Centre also mention that the law has opened the door to middlemen (pimps), because it has become more difficult for sellers and buyers of sexual services to make direct contact with one another"*⁷. The Norwegian government, when it investigated the effects of the law in Sweden, found that: *"Prostitutes' dependence on pimps has increased because street prostitutes cannot work as openly. The police informed us that it is more difficult to investigate cases of pimping and trafficking in human beings"*⁸.

Policymakers are open about the fact that part of the intention of the law is to create harms for people who sell sex.

The head of Sweden's anti-trafficking unit recently stated, *"of course the law has negative consequences for women in prostitution, but that's also some of the effect that we want to achieve with the law"*⁹. This echoes the Swedish government's evaluation of the effect of the law – which acknowledged that sex workers feel "hunted", and that stigma against them has increased, but concluded: *"for people who are still being exploited in prostitution, the above negative effects of the ban that they describe must be viewed as positive from the perspective that the purpose of the law is indeed to combat prostitution"*¹⁰. Creating a law that deliberately sets out to cause harms to people who sell sex on the basis that *"the purpose of the law is to combat prostitution"* cannot be considered an acceptable, progressive, or human rights-based approach to policymaking.

Sweden writes: *"no causal connections can be proven between legislation and changes in prostitution"*¹¹. Instead, these laws simply make people selling sex more vulnerable to violence, exploitation and HIV.

5 <http://www.eu-norway.org/Global/SiteFolders/webeu/Evaluation.pdf>, p4

6 <http://www.eu-norway.org/Global/SiteFolders/webeu/Evaluation.pdf>, p3

7 http://www.socialstyrelsen.se/Lists/Artikelkatalog/Attachments/8806/2008-126-65_200812665.pdf, p47

8 *Dangerous Liaisons: A report on the violence women in prostitution in Oslo are exposed to*, Ulla Bjørndahl Oslo, 2012, p34

9 <http://www.lrb.co.uk/blog/2014/01/20/valeria-costa-kostritsky/on-malmskillnadsgatan/>

10 Skarhed Report, p34

11 http://www.nswp.org/sites/nswp.org/files/Swedish%20Law%20to%20Criminalise%20Clients_A%20Failed%20Experiment%20in%20Social%20Engineering_2012.pdf, p7

