

The Naked Anthropologist

Dr Laura Agustín on Migration, Trafficking and Sex

Conviction and punishment in Sweden for buying sex, 1999-2009

1 June 2011 in [sex work](#) by [laura agustin](#) | [5 comments](#) | [print](#)

Like

0

5



<http://www.lauraagustin.com/wp-content/uploads/2011/05/red2.jpg>) Back in March people in Canada contacted me to ask about Gunilla Ekberg's claim, in talks given there, that there have been 3500 men found guilty under the Swedish law against buying sex (*sexköpslagen*) since it was passed in 1999. Why would Ekberg make a mistake about something that can be verified on the website of the [Swedish National Council for Crime Prevention \(BRÅ\)](#) (http://www.bra.se/extra/pod/?action=pod_show&id=1&module_instance=11)? The total is **757** over eleven years.

Until recently, the maximum penalty for those convicted of buying sex was six months in jail or a rather small fine. No one was ever jailed, as far as I can tell; jail-time is not mandated when penalties are minor. Therefore, the nearly unanimous [vote in the Swedish parliament](#) (<http://www.rod.se/content/sexk%C3%B6p-ska-straffas-h%C3%A5rdare>) last month was about making it possible for a convicted person to go to jail, as a year-penalty pushes the crime upwards in importance. Perhaps one

could say, then, that this apparently fierce vote was more about making the original 1999 law more coherent: if you seriously believe something is a crime, then you don't want it to be never punished. If you see what I mean.

Numbers of convictions for buying sex in Sweden by year, 1999-2009

Year	Total convictions	Of those, fine paid, no trial
1999	10	5
2000	29	22
2001	38	18
2002	37	21
2003	72	49
2004	48	26
2005	94	46
2006	108	85
2007	105	54
2008	83	49
2009	133	93
Total	757	468

(<http://www.lauraagustin.com/wp-content/uploads/2011/06/sexkopdata.jpg>)

Source: BRÅ

Is this a large or small number of convictions? How many men were detained by the police but the case dropped? That information isn't available. Activists and scholars tend to focus on the law's rhetoric and presumptions, but it is never easy to put such a law into practice.

Consider the [document BRÅ published in 1999](#)

(<http://www.bra.se/extra/measurepoint/?>

[module_instance=4&name=0003238839.pdf&url=/dynamaster/file_archive/050124/39bbe64c25c0419622be93c8a1aa7a52/0003238839.pdf](http://www.bra.se/extra/measurepoint/?module_instance=4&name=0003238839.pdf&url=/dynamaster/file_archive/050124/39bbe64c25c0419622be93c8a1aa7a52/0003238839.pdf))

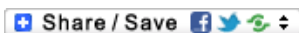
on the subject of these difficulties from a policing point of view:

Evidential difficulties are the most common reason for the discontinuation of police investigations into suspected offences of this type. The most difficult thing to prove has been that the parties have entered into an agreement that sexual services will be provided in exchange for payment. It is an offence without a complainant and even though the prostitutes are obliged to give evidence, this obligation is limited since they are not obliged to reveal that they have themselves participated in an act of prostitution. Even if the prostitutes might consider giving evidence about the incident, it has been deemed difficult to reach them to obtain their co-operation in investigations since they often have no fixed address or telephone number.

So although the Swedish parliament recently raised the maximum penalty from six months' incarceration to a year, the difficulty of getting convictions remains.

Thanks to [Louise Persson \(http://www.louisep.net/blogg/\)](http://www.louisep.net/blogg/) for help with the numbers.

-Laura Agustín, *the Naked Anthropologist*



(http://www.addtoany.com/share_save?url=http%3A%2F%2Fwww.lauraagustin.com%2Fnumber-of-convictions-in-sweden-for-buying-sex-1999-2009&title=Conviction%20and%20punishment%20in%20Sweden%20for%20buying%20sex%2C%201999-2009&description=Dr%20Laura%20Agust%C3%ADn%20on%20Migration%2C%20Trafficking%20and%20Sex)

Tags: [clients](#), [laws](#), [sweden](#)

5 comments

[Comments feed for this article](#)

Trackback link: <http://www.lauraagustin.com/number-of-convictions-in-sweden-for-buying-sex-1999-2009/trackback>

Maggie McNeill on [2 June 2011 at 03:28](#)

Laura, do you think that Ekberg was mistaken, or that she simply didn't let the facts get in the way of a good story?

[Reply](#)

Laura Agustín on [2 June 2011 at 09:31](#)

I have never met Ekberg but wrote about her role in the bizarre satanist sex panic recently. She may not bother to keep up on the facts in Sweden; she may not even go there often. I don't see why exaggerating the number of convictions helps her cause much, but then a lot of anti-prostitution thinking escapes me.

[Reply](#)

redpesto on [3 June 2011 at 14:42](#)

"The most difficult thing to prove has been that the parties have entered into an agreement that sexual services will be provided " – correct me if I'm wrong, but if the selling was legal, the seller does not run the risk of self-incrimination if s/he said there was an agreement. But that then highlights the problem of the seller being free to offer a sexual service, but the person who agrees to pay for it immediately breaks the law. And why (unless the buyer was committing some other offence) would the seller help the police if it was a consensual (and private) agreement?

[Reply](#)

Per Hagwall on [4 June 2011 at 23:49](#)

Adding to the loyalty to the customers, and not willing to scare them away, comes other legislation: If You're a sex worker, Your landlord is forced to evict You from Your flat – even if it's not used in the trade – lest he will be charged with pimping himself. If You're a sex worker, that's reason enough for the town council to take custody of Your children.

[Reply](#)

Laura Agustín on [5 June 2011 at 11:21](#)

per, someone was asking me about that the other day. are there media stories documenting any of this at all recently? i know a couple of sex workers who have had these things done to them without ever becoming public.

[Reply](#)

Reply

Your email address will not be published. Required fields are marked *

Name *

Email *

Website

Your comment

You may use these [HTML tags and attributes](#): `` `<abbr title="">` `<acronym title="">` `` `<blockquote cite="">` `<cite>` `<code>` `<del datetime="">` `` `<i>` `<q cite="">` `<strike>` ``