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# Beyond Client Criminalization: Analyzing Collaborative Governance Arrangements for Combatting Prostitution and Trafficking in Sweden

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## Abstract

Sweden is well-known as the first country in the world to adopt client criminalization in the effort to control and eventually eliminate prostitution. Less known and discussed is the emergence of extensive collaborative governance arrangements that serve as complements to the legal framework. The aim of this article is to provide new knowledge as it investigates the multifaceted ways in which governance arrangements have developed in Sweden, employing collaborative governance theories and the Regulatory-Intermediaries-Target (RIT) model for this purpose. Also explored are the strategies of responsabilization directed towards target groups that have been utilized in implementing policies to control prostitution and trafficking. The article analyzes not only the rationale behind the adoption of collaborative governance in Sweden, but also the complex governance practices, in which a range of actors are involved in policy making and application as well as regulation, that have emerged in this regard. We conclude that the previous understanding of the Swedish model needs to be revised, and that although collaborative governance has made a fruitful contribution to the field in question, it also introduces new types of problems, particularly a significant increase in informality and decision-making outside the legal framework, primarily by civil society actors.

# 1. Introduction

Sweden is well-known worldwide for criminalizing the buyer of sexual services in the effort to combat prostitution. But in contrast to what might be expected of a legal regime that formally relies upon punitive sanctions in this respect, policing and legal compliance have not been the main focus of the government's prostitution strategy during the last ten years. Collaborative activities have instead become increasingly characteristic of the governance practices now associated with the national policy concerning prostitution and trafficking. Public agencies and private actors thus work together in the implementation of governing strategies that diverge from the correctional rationality of criminal justice and punishment.

There is a rich body of literature concerning the Swedish prostitution policy of client criminalization, but the primary focus has fallen either on its background and underlying discourse (e.g. Svanström 2004a; Dodillet 2009; Erikson 2017; Månsson 2017), or on its effects (e.g. Jakobsson and Kotsadam 2013; Kuosmanen 2011; Jakobsson and Kotsadam 2011). Although a small number of studies have addressed encounters with the police and social agencies (Hulusjö 2013; Levy 2014) and the motives of public actors involved in the combat of sex trafficking (Heber 2018), little interest has been shown in the organization and implementation of the efforts taken by Swedish authorities to control prostitution. On the European level, however, increased attention has recently been directed to the utilization of governance in the implementation of policies to regulate prostitution (Wagenaar et al. 2017; Jahnsen and Wagenaar 2018).

Studying the implementation of national policy is of the utmost importance for gaining an understanding of actual policy in practice. As Wagenaar and colleagues argue,

without a detailed exposition and analysis of the design and implementation of prostitution policy at different scales of governance, statements about its nature or outcomes remain necessarily superficial and are at worst misleading (Wagenaar et al. 2017, 258).

They further maintain that collaborative governance involving stakeholders comprises a particularly promising strategy for overcoming challenges in the field of prostitution policy (Wagenaar et al. 2017, 235-250).

Our aim in the present discussion is to survey and explore the specific collaborative arrangements in place on the national level in Sweden. We will utilize the Regulation-Intermediary-Target Model (RIT model) to illustrate how governance has been implemented as a complementary method for combatting prostitution and trafficking in a country characterized by a regime of client criminalization.

The analysis is guided by two research questions. First, what was the rationale for the government's decision to move towards a strategy emphasizing collaboration rather than policing and the initiation of criminal proceedings against those who buy sex? Second, how are the collaborative governance arrangements organized, and how can they be conceptualized, along with strategies directed towards specific groups of targets, by means of the RIT model? We take as our starting point the definitions of prostitution and trafficking stated in the Swedish Penal Code since we will investigate governance in respect to the implementation of the related national policies.<sup>i</sup>

Our main findings show that the strategy of collaborative governance has to a large extent been implemented in Sweden since 2008 by engaging in “partnership” with civil society organizations. The rationale for this strategy resides upon previous positive experiences with collaboration as well as dissatisfaction with the status quo. Our analysis also shows that while public actors dominate the networks in question, the involvement and input of civil society is characterized by an extensive co-production of policies, a sharing of information, and even the monitoring of activities and co-decision-making authority. In respect to targets, we found that the strategies implemented ascribe agency to victims, including the option *to choose* whether to cooperate with public authorities. This finding is interesting in light of the critique often raised against the abolitionist model that it ignores the agency of women in prostitution (Showden and Majic 2014). While our study to some extent supports claims concerning the benefits of collaborative governance as a means to overcome challenges in the field of prostitution policy— we are also of the opinion that these claims themselves need to be problematized, particularly in respect to the role of civil society (see also Larsson 2019).

The article is structured as follows. Section 2, which immediately follows, discusses the previous research concerning prostitution as well as the Swedish case. Section 3 describes the theoretical foundation we employ, which includes collaborative governance, the RIT model, and the use of strategies beyond criminalization for altering the behavior of target groups. In Section 4 we present our empirical analysis of the Swedish governance of prostitution and trafficking. We conclude the discussion in Section 5 by bringing these various elements together in order to provide a comprehensive picture of the collaborative governance arrangement (CGA) and the governing tools associated with the Swedish model of prostitution and trafficking. An effort is made to evaluate their strongpoints and shortcomings.

## **2. Previous Research on Prostitution and the Swedish Case**

Research concerning prostitution has to a large extent focused on various national policy approaches and their normative foundations, typically defined as *abolitionism*, *prohibitionism*, and *regulation* (Outshoorn 2004). The fact that countries share many challenges in spite of divergent national policies, such as forced prostitution/trafficking and difficulties with policy implementation, has to date often been overlooked. Several studies have addressed the consequences of implementing differing policies for women in prostitution in terms of identities, discursive constructions, and rights (Showden and Majic 2014; Crowhurst et al. 2012; Yttergren 2012), as well as in respect to the reintegration and recovery of women exposed to sex trafficking (Brunovskis and Surtees 2008, 2012). But only recently have researchers adopted an organizational and public administrative perspective concerning such issues and engaged more systematically with the implementation of national prostitution policy (Wagenaar et al. 2017; Jahnsen and Wagenaar 2018). For example, Jahnsen and Wagenaar’s (2018) assessment of prostitution policies in 22 countries sheds light on the complex legal frameworks and local variations associated with the implementation of prostitution policy across Europe. Wagenaar et al. (2017) present a detailed comparative case study of Austria and the Netherlands that involves an analysis of the governance of prostitution on local and national levels, and they find it to be a complex process which largely unfolds at the local level that may deviate from, and even undo, national policy-making (Wagenaar et al. (2017, 258). They also argue that collaborative governance involving civil society actors “answers both to the localism aspect that is inherent in prostitution policy and the intrinsic pragmatism of public policy” (Wagenaar et al. 2017, 235). We will draw on these insights as we address governance arrangements in the case of Sweden, a country characterized by an abolitionist approach to prostitution.

The 1998 criminalization of buying sex, which did not criminalize selling sex, accorded well with Sweden's abolitionist history (Svanström 2004b; Erikson 2017). Although it was unique at the time, it has since been adopted by a number of other countries, including Iceland (2009), Norway (2009), Canada (2014), Ireland (2014), and France (2016) (Månsson 2017). One distinguishing feature of the Swedish perspective on prostitution and trafficking for sexual purposes today is that the demand for sexual services is regarded as the primary driving force of both activities.<sup>ii</sup> However, at the time of the adoption of the ban trafficking was not discussed on the political agenda and these phenomena are covered by separate legislation – national regulation banning trafficking was adopted into law in 2002, being later revised in 2004 and 2010<sup>iii</sup> – they are mainly addressed and dealt with together in both political and practical terms.

But while the Swedish model has been successfully exported to other countries as a means for combating prostitution and trafficking, its consequences and effectiveness remain disputed (see Skilbrei and Holmström 2013, 56 for an overview). An evaluation conducted ten years after the introduction of client criminalization concluded that the conviction rate remained low, with only 800 convictions for the purchase of sexual services since 1998 (SOU 2010:49). More recent statistics also indicate a continued low conviction rate (Brå rapport 2017:5, 142).<sup>iv</sup> Furthermore, the Police describes the conviction rate for sex trafficking as very low in their own report, with only 6 convictions between 2010-2015 (Polisens lägesrapport 17, 2016).<sup>v</sup> In addition to legislation, such social measures as education, support, and prevention have also been important elements of the Swedish model for combatting prostitution, although they have received less attention in the debate (see however Florin 2012; Yttergren and Westerstrand 2016; Månsson 2017).

Over the 20 years that have passed since the criminalization ban was adopted in Sweden the national as well as the international context has changed significantly. Not only is prostitution now discussed as intrinsically linked to trafficking, there has also been a shift from government to governance in the general political debate which will be discussed further below. This shift has entailed that civil society today has a more prominent role in policy making than before, at the same time as the role of public agencies such as social services has been altered. To implement normative policy such as the criminalization ban is in itself a challenging task and these extensive contextual changes make it even more demanding to implement a policy adopted two decades ago.

While the Swedish case regarding prostitution is interesting in itself because of the element of client criminalization, it is also intriguing from the perspective of public administration – not only do conviction rates remain low in spite of the international success story of the Swedish model, the adoption of a collaborative governance strategy by an abolitionist regime was unexpected. Examining this case can thus shed light on the complex relations between national policy and its implementation, regardless of the specific official model that has been selected.

We will now turn our attention to the theoretical framework we have developed for our case study and the key concepts that have guided our empirical analysis.

### 3. Theory and Methodology

#### Collaborative Governance

It is widely accepted today that many countries have undergone a political and institutional change that constitutes a general shift from *government* to *governance* (Rhodes 1997; Ansell 2000). The term *government* refers to the exercise of formal sovereign rule through specific policy instruments associated with state structures, including executive, legislative, judicial, and coercive powers, as well as the implementation of programs and policies by means of the public administration. In contrast, *governance* entails the emergence of new actors and new types of rationalities, policy instruments, and strategies for governing society (Rose and Miller 2013) which involve complex processes of governing that exist beyond legal frameworks, formal regulations, and public administration (Bevir 2010, 2).

One of the more well-known alternatives today to government and sovereign rule is *collaborative governance*, which resides upon the use of extensive connections between public and private actors in public rule. It may be defined as a

governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programs or assets (Ansell and Gash 2008, 544).

Collaborative governance is also regarded as a particular type of governance that relies upon the utilization of knowledge, expertise, and practical skills. This approach has grown in popularity as scholars, politicians, and public administrators have vigorously explored and promoted collaboration and networks as a new way in which to address and resolve public problems (Lewis 2011). In this regard, Wageenar et al. argue that collaborative governance, under the right conditions, offers a promising strategy for the implementation of prostitution policy that relies upon localism and pragmatism (Wageenar et al. 2017), 235), although, as will be discussed below, collaborations and networks can become both numerous and elusive when applied as a solution to an entire policy field.

In the present discussion, we use the term collaborative governance arrangement (CGA) to identify a broad range of networks and forms of collaboration that have come to be used to create and implement policies for combating prostitution and trafficking. In this respect, the terms arrangement and regime indicate that multiple networks within a given policy area are interconnected with each other in a manner that adds to the complexity and informality of collaborative governance well beyond the formal legal framework and organizational structures that exist on the national level. Networks and collaborations do not comprise a specific organizational form, but may instead take many different shapes. For example, networks not only may consist of public and/or private actors, they may also facilitate *coordination*, *consultation*, *co-production*, and even *co-decision-making* across the public/private divide, thereby substantially shaping policy content, service delivery, regulation, and programs (Verweij et al. 2013, 1037; Emerson et al. 2012).

As such, policy fields often comprise a multitude of overlapping collaborations and networks that provide flexibility, but they may also be problematic in terms of accountability and legitimacy (Black 2008, 137; H eritier and Lehmkuhl 2010; Erikson, 2017). It is in fact often difficult within most policy fields to separate policy production from implementation since collaborative governance makes it possible for

pragmatic problem-solving to take place without involving or providing feed-back to regulatory bodies (Mathur and Skelcher 2007, 229).

This complexity creates a methodological problem insofar as gaining an understanding of a given policy field demands that researchers do more than merely examine legislation and formal organizational models, which in fact often misrepresent how governance, regulation, and practices are implemented. In the effort to specify and analyze the emergence of collaborative governance in Sweden as it is aimed at combating prostitution and trafficking, we utilize the RIT model to further understand the relationships between public and private actors in these complex collaborative arrangements while also remaining attentive to the governing of specific target groups beyond criminalization.

## **The Regulatory-Intermediaries-Target Model**

Abbott, Levi-Faur, and Snidal (2017) developed the RIT model in order to better articulate the relations between rule-makers and target groups by specifying the importance of intermediary actors. We noted above that while networks may be viewed as collaborations of public and private actors, they carry the potential risk of introducing contradictory and overlapping ways of approaching policy problems within a given policy area. In addition, the form of regulation that emerges from collaborative efforts is not always explicit, and it may involve new informal rules and operational practices that contradict formal legislation. The RIT model is intended to clarify differing roles and reveal how governance is conducted within collaborative governance arrangements.

Abbott et al. (2017) note that regulation has typically been regarded as a relationship between a rule-maker (R) and a rule-taker or target (T). But insofar as rule-makers often require various forms of external assistance and resources in order to pursue their interests and attain their goals, they may engage (or be engaged by) various intermediaries (I) who, depending on the context, may act either on their own behalf, or in conjunction with rule-makers as they endeavor to reach their regulatory goals and policy objectives. The RIT model thus makes possible a new conceptualization of regulatory governance as involving more complex relationships between three (or more) parties with shifting responsibilities and roles. In addition, rule-makers, intermediaries, and even targets within a collaborative governance arrangement often participate in a number of different networks.

We believe it is necessary to distinguish between two different types of intermediary actors, namely, *facilitative* and *regulatory intermediaries*. We define those intermediaries who possess regulatory functions, participate in policymaking, and/or manage specific programs as *regulatory intermediaries*. In principle, any actor – public or private, domestic or international – can act as a regulatory intermediary. In addition, intermediation can either be the primary responsibility of a particular actor, or one of many responsibilities and roles (Abbott et al. 2017, 14-15). A second type of intermediary actor, whom we refer to as *facilitative intermediaries*, comprises those who participate in the governance of a given issue on a voluntary basis. They may be important partners even though they neither bear formal obligations, nor play a role in policy-making.

This distinction is important for understanding the Swedish case since collaborative governance has a rather different meaning and applicability when the intermediary role only resides upon a voluntary commitment. For instance, a voluntary intermediary may simply opt out of collaboration arrangements at any point without being sanctioned (see also Carter and Mahallati 2017).

Governance ultimately aims to influence and alter the behavior of specific groups understood as targets. In this regard, we must take into consideration the ways in which both targets and governing subjects are created through social constructions and knowledge claims (Rose and Miller 2013; van Wijk 2018) as well as the fact that not all attempts at correcting or altering behavior can be managed by criminalization and the punishment of target groups (Scoular and O'Neill 2007; Garland 2001). We may thus also speak of *responsibilization* as a notion that permits us to analyze how targets can be governed by means of processes in which governments and/or governing regimes transfer responsibility to actors in order to increase their awareness and encourage them to make sound choices *ex ante* rather than punish them *ex post* (Garland 1997, 2001).

Responsibilization may be briefly described as comprising an alternative technique whereby subjects are governed without being subsumed under formal legislation. This accord well with the RIT model in that it is applied to a phenomenon whose targets include both victims and perpetrators. Previous studies of responsibilization in respect to the governance of prostitution in the United Kingdom found that this type of strategy was directed primarily towards sex workers in prostitution (Matthews 2005; Scoular and O'Neill 2007, 770; Zeegers 2018).<sup>vi</sup>

## **The Case-study Approach, Materials, and Methods**

Investigating today's emerging governance strategies and practices requires a detailed contextual knowledge that can only be provided by an in-depth case study. The empirical study in the present article is based upon central policy documents, texts presented on official web sites, reports, other written or graphic sources, and interviews. The written documents we use have been selected through an extensive reading of public documents published in recent decades by the government and public agencies that describe public initiatives and implementation in respect to collaborative governance. We have also included material provided by the largest NGO active in this field, namely, the Swedish Platform Civil Society against Human Trafficking (the Platform). The policy documents that we have examined in our analysis include the two most recent action plans against prostitution and trafficking, the National Referral Mechanism against Prostitution and Trafficking (NRM), materials produced by the National Support Program (NSP), and two public reports concerning prostitution and the efforts undertaken to control and eliminate it. Various websites also present important additional information that we have analyzed concerning the situation in reality and the practices adopted. For example, the website of the National Task Force against Prostitution and Trafficking (NMT) makes available a substantial amount of information describing their activities, partners, and campaigns, while the website of the County Administrative Board in Stockholm (CABS), which hosted the National Coordinator of activities to combat prostitution and trafficking until the beginning of 2018, provides information on a number of networks, partners, and activities.

To complement these sources, we have conducted ten informant interviews with key governors from the Ministry of Justice, CABS, the NMT, and the Platform. These interviews not only comprise a means for critically assessing the information in the written material we have examined, they also provide additional information concerning actual practices. We selected informants both from the agencies most involved as indicated by the written material, and from civil society in order to obtain a broader and unbiased understanding. The interviews were conducted between August and November 2017 and lasted for approximately 60 minutes each. The questions revolved around what may be termed governance in practice as well as the activities of particular agencies and organizations. In order to avoid



bias, we began with broad open questions so that the respondents could describe their own work and their relations with various private and public actors, posing more specific questions towards the end of the interviews (Kvale 2008). These interviews have been important for our understanding of the empirical case in question, but not all are referred to the present article for various reasons. We have triangulated our analytical findings using our different sources (Schwartz-Shea and Yanow 2013). We have also conducted a fact check in which we offered informants the possibility to read the final manuscript in order to avoid any misrepresentations or misunderstanding.

We utilize a two-step analytical framework in which we first examined the rationale for the establishment of a collaborative governance strategy in terms of how problems in the field of prostitution and trafficking were viewed at the time of its introduction, on the one hand, and how collaborations and networks were regarded as a solution, on the other. In the second step we described how the main networks are organized and investigated their functions and governing strategies by utilizing the RIT model.

It should be noted that the analysis focuses on the period from 2009 until 2018, when the Gender Equality Agency replaced CABS as host of the national coordinating team. While no further organizational or ideological shifts have been announced, it remains to be seen whether and how the collaborative governance arrangements that we examine evolve and are managed in the future.

## 4. Empirical Analysis

### The Rationale of Collaborative Governance Arrangements

In 2008 the Swedish Government announced that they intended to take action in order to develop partnerships on the national level between public agencies and NGOs in order to pursue the fight against prostitution and human trafficking in a more effective manner.<sup>vii</sup> In line with the international framework of “the four Ps”<sup>viii</sup> for combatting the various forms of slavery, the Swedish government’s 2008 action plan against prostitution and human trafficking for sexual purposes argued that *partnerships* should be added as a fourth P alongside the three Ps of prevention, protection, and prosecution. The action plan states that

Collaboration not only across borders between crime prevention agencies, social agencies, national and international organizations, but also between agencies and organizations within a given country’s borders is of decisive importance. We can therefore now add a fourth P – partnerships – as a prerequisite for successfully combating human trafficking.<sup>ix</sup>

The government also expressed their intention to make use of what had been learned from a previous partnership against trafficking that was funded by the European Social Fund’s EQUAL Community Initiative during 2005-2007, in which NGOs, public agencies, religious communities, museums, and universities participated. While this partnership was described as “unique,” the Government maintained that “Agencies and NGOs have acquired experience through this project that we should take advantage of and develop further.”<sup>x</sup>

The rationale for this new approach to governing not only resided upon the implicit assumption that a continuation of the status quo was not a satisfactory alternative, it also reflected the normative belief

that partnerships consisting of many different actors from a variety of sectors would be capable of responding in a more effective way than the public administration could acting on its own. The primary underlying problem representation concerning collaborative governance was the complexity of the multi-faceted policy area involved, which entailed a range of problems regarding the coordination of policies and activities. Patrik Cederlöf, who in 2009 was appointed Coordinator of the NMT (further discussed below), confirmed that there were in fact significant organizational problems at that time involving the police in different regions and a number of public agencies that hindered effective action.<sup>xi</sup> Helen Lundkvist-Nymansson, who was then head of the Gender Equality Committee at the Ministry of Justice, expressed a similar view, remarking that collaboration and better coordination were needed since “the larger cities in Sweden possessed knowledge and expertise in this area that smaller regions with fewer cases of prostitution and trafficking lacked.”<sup>xii</sup>

A second problem discussed concerned the persistence of prostitution and trafficking in Sweden in spite of client criminalization, accompanied by low conviction rates for clients. Although data in this field is inherently problematic, the 2007 report from the National Board of Health and Welfare maintained that

We can deduce that street prostitution according to our information is gradually returning, after a rapid disappearance with the introduction of the act on purchase of sexual services.<sup>xiii</sup>

The preparatory work for increasing the maximum penalty for buying sexual services from six months to one year, not least the 2008 governmental inquiry, also acknowledged that the low conviction rate was a problem.<sup>xiv</sup> While this problem representation is not as clearly linked to the collaboration strategy as the first, it nevertheless contributed to the sense of dissatisfaction with the status quo. Moreover, the governmental inquiry also pointed to the need for supportive social measures and “lasting structures for collaboration and knowledge sharing” in addition to an increased maximum penalty.<sup>xv</sup>

The support for collaborative governance does not seem to have decreased over time. On the contrary, continued strong support for collaboration can be found in the current (2018) *Action Plan against Prostitution and Trafficking in Human Beings*, which explicitly states that “Collaboration is imperative for success in the work against trafficking.”<sup>xvi</sup>

We conclude that although perceived problems with the status quo were an important reason for the adoption of a new governance strategy, the underlying rationale also reflected a strong normative inclination towards collaborative governance instead of other types of regulation and governance strategies.

## **Collaborative Governance Arrangements in Practice**

### ***Overview***

Collaborative governance in the struggle against prostitution and trafficking was launched in 2009, with CABS being assigned responsibility for coordinating activities nationally.<sup>xvii</sup> CABS appointed Patrik Cederlöf as National Coordinator, and he was placed in charge of a small team of people working explicitly with these issues. Although this group was organizationally subordinated to CABS, they had a country-wide mandate and enjoyed a great deal of latitude in organizing and conducting their activities.<sup>xviii</sup> Cederlöf emphasized that as long as the group’s activities were in accord with existing legislation, he “had the possibility to work in a very, very unrestricted fashion.”<sup>xix</sup> It should be noted that

there are only a very small number of national policy documents in this field. Prostitution and trafficking are mainly to be dealt within the framework of existing legislation, such as the social services act, and it was not until 2011 that national guidelines for public agencies and NGOs involved in combatting prostitution and trafficking were developed. Only in 2016 was the NRM developed as a specific manual and framework for dealing with trafficking.<sup>xx</sup>

In practice, the National Coordinator's team has not only been closely involved in developing these documents, they also took the lead in establishing and managing a number of networks that have been active in this area. While the most important is the NMT, an operative network that engages with various public agencies and NGOs, also significant is the Working Group against Trafficking and Prostitution (LAMP), which includes representatives from all 21 county administrative boards in Sweden. The team at CABS was also directly involved in the creation of the Platform. While many NGOs and the public actors in the NMT engage in Platform activities on a daily basis with persons in prostitution and trafficking, and may be responsible for operative collaboration in individual cases, LAMP is more of a knowledge sharing network between counties, and it could thus be viewed as a network aimed at coordination and consultation. The development of educational materials, policy documents for practitioners, and public campaigns are also important elements of the work conducted within such networks.

We will now analyze in depth the various networks involved in these activities before turning to the different public programs developed for reaching the pertinent target groups.

### ***The National Task Force against Prostitution and Trafficking (NMT)***

Shortly after the appointment of a National Coordinator in 2009, the NMT was established and placed under the jurisdiction of CABS, which enabled it to utilize the latter's facilities. Its goal is to serve as an operational and strategic resource for developing and facilitating cooperation between public agencies and NGOs in the activities undertaken against prostitution and trafficking.<sup>xxi</sup>

The NMT is organized as a forum in which select public agencies are given a role in the production of policies and the formation of regulations that shape the governance of prostitution and trafficking. It comprises a network that engages in co-decision making, gathers together a wide set of regulatory intermediaries, and operates across the organizational boundaries of public authorities. Its function is to resolve operational problems, smooth difficulties concerning coordination, and respond to new challenges and practices in the business of prostitution and trafficking without necessarily requesting new formal regulations from the Government or the Parliament. It thus comprises a regulatory intermediary that serves to overcome the disconnection between rule-makers and the implementation of policy and fill in the gaps that emerge when a weak regulatory framework provides no operational guidelines.

The most prominent members of the NMT are such public agencies as the Social Services, the Police Authority, the Swedish Migration Agency, and the Swedish Prosecution Authority. Civil society actors also collaborate with the NMT, including the Platform, the International Organization for Migration (IOM), and the Mika and KAST specialist public health units, which work with women in prostitution/victims of trafficking and clients, respectively. However, civil society actors play only a consultative role in this network.

The NMT's main functions are knowledge sharing and coordination between its partners; the publication of relevant information, such as manuals and identification tools; the organization of workshops and

training programs; and direct engagement in the implementation chain by means of operational support. All partners of the NMT are engaged in their daily work with activities related to combating trafficking and prostitution. The previous National Coordinator noted that operations in this area cannot be organized into formal routines since it is necessary to be flexible, focus on victims, and work on a case-by-case basis, stating that

Very many issues have to be taken into consideration while constantly keeping legislation and structures in mind – how we can work and what we do or do not have a mandate to do. But we cannot be afraid of trying to do things in new ways and break new ground. The way in which trafficking operates makes it necessary at times to make decisions very quickly – new decisions, new ways of working.<sup>xxii</sup>

An important part of this work is the hotline that the NMT operates to provide daily help to NGOs and public agencies across the country on such issues as assisting women in prostitution and victims of trafficking and dealing with suspected instances of trafficking. This often includes finding suitable shelter, providing information, or sharing contacts.<sup>xxiii</sup>

A close relationship between public and private actors has emerged as a result of the NMTs operative orientation and the active participation of NGOs, now organized in the Platform, in caring for victims of trafficking and prostitution. This work has created a level of trust such that information regarding individual cases is shared.<sup>xxiv</sup> The Platform's coordinator, Ninna Mörner, describes their relationship with the National Coordinator as very close, stating that "We share names and cases between us, which is necessary."<sup>xxv</sup> She explains that this might involve a situation in which the National Coordinator needs help from the Platform in securing shelter for a victim or obtaining assistance from the National Support Program (NSP), which is managed by the Platform, or it could be that a victim seeks the Platform's help in obtaining social support or legal assistance in proceedings with the Migration Agency. Mörner emphasizes that the Platform always requires an individual's consent before sharing information about his/her situation.<sup>xxvi</sup> This illustrates how co-production and co-decision-making can take place between two networks as well as within a single network.

In addition to its educational and operational activities, the NMT also operates large-scale campaigns directed to various targets in order to influence public norms associated with prostitution and trafficking. We will further address this issue below.<sup>xxvii</sup>

### ***Regional Cooperation – The LAMP Network***

In addition to the National Task Force against Prostitution and Trafficking (NMT), the team at the County Administrative Board in Stockholm (CABS) has also coordinated LAMP, which comprises a network consisting of all of the county administrative boards in Sweden that meets regularly. LAMP's goal is to improve regional coordination between public agencies and NGOs, work for a shared understanding of problems, and improve the efficiency of field work.<sup>xxviii</sup> This is of great importance insofar as coordinated action and familiarity with issues of regional importance are key to a coherent national strategy.<sup>xxix</sup> In this respect, the former National Coordinator regarded the fact that the various counties at times approach and deal with prostitution and trafficking from different perspectives as a significant challenge.<sup>xxx</sup> He observed, for example, that

In one part of the country people might have a more liberal view and discuss the issue in a certain way, while in another they may be more concrete and less flexible.<sup>xxxii</sup>

LAMP has undertaken informational and educational campaigns directed towards such strategic groups of facilitative intermediaries as taxi companies, hotels, and restaurants.<sup>xxxiii</sup> Although these private actors do not take part in either policy production or the implementation of formal rules, they are regarded as important partners in the fight against prostitution and trafficking due to their proximity to certain risk environments. Both the owners and staff working at these types of private companies are encouraged to participate in training courses and workshops in order to learn how to detect signs of prostitution and trafficking, how to act in such cases, and whom they should alert. These individuals and groups participate in such efforts on a voluntary basis, and their engagement may be regarded as one response to the criticism that companies and staff in these business sectors have at times actively facilitated prostitution and trafficking.<sup>xxxiii</sup>

In contrast to the NMT, LAMP is not an operative network and all partners are public actors, even though it may invite NGOs to specific meetings. In addition to the sharing of information and knowledge, its main function is to strive for the coherent implementation of national policy across all regions. This remains a challenging task since even though the county administrative boards represent governmental authority, a significant percentage of social work in the fight against prostitution and trafficking is managed by municipalities, who enjoy extensive autonomy.

### ***Swedish Platform Civil Society against Human Trafficking (the Platform)***

The Platform brings together the most prominent actors from civil society devoted to combatting trafficking and caring for the victims of trafficking. Although it has been assigned responsibility for several public tasks since its establishment in 2013, it is an independent organization that does not rely upon any public funding for its operations. The Platform arranges membership meetings on a monthly basis on various topics related to the fundamental issues with which it deals, and it cooperates with authorities on the local, national, and regional levels with the aim of strengthening dialogue and cooperation in respect to the needs of the victims of trafficking.<sup>xxxiv</sup> Approximately 20 NGOs and individual experts are members of the Platform on the basis of their human rights perspective, and most of them work directly with victims of trafficking in one way or another. Taken together, the various organizations cover the complete chain of assistance for victims – identification, first aid, medical care, clothing, legal advice, trauma treatment, short and long term support, safe return, and integration.<sup>xxxv</sup> The majority of participating organizations share the national abolitionist approach to prostitution to a significant degree and support client criminalization, which the Platform's Coordinator states is a necessary condition for its close relations with public authorities.<sup>xxxvi</sup>

This makes it easier from a pragmatic point of view. It is also more straightforward when we work with official agencies and the government or represent Sweden.<sup>xxxvii</sup>

The Platform was established in 2013 through the initiative of Ninna Mörner, its founder and current chairperson, with the support of the NMT's National Coordinator, Patrik Cederlöf, and the participation of a diverse group of civil society representatives. It officially became an independent organization in 2017. Cederlöf maintains that the establishment of a single platform, instead of dozens of organizations

operating relatively independently, has significantly facilitated cooperation between public agencies and civil society.<sup>xxxviii</sup> In fact, nearly all collaboration today between public agencies and civil society in combatting prostitution and trafficking proceeds by means of the Platform. The Platform has also contributed to improved coordination among NGOs, which often have too few resources to assist all victims in respect to shelter and other needs. This has led to greatly heightened efficiency and improved relations among volunteer actors in this regard. The Platform may be viewed as a civil society collaboration that performs all four tasks commonly associated with networks, namely, coordination, consultation, co-production, and co-decision-making. However, since the Platform closely collaborates with the NMT and the national coordinating team, it should also be viewed as a *regulatory intermediary* that exercises extensive influence over the development of how prostitution and trafficking are regulated.

The importance ascribed to the Platform by public agencies is demonstrated by the fact that in 2016 it was given a central role in the development and implementation of two publically supported national programs – the NSP, which was delegated from CABS to the Platform, and the National Referral Mechanism manual (NRM), which was written in close cooperation with the national coordinating team. The Platform has also worked with the NMT on issues related to the prevention of prostitution, including public informational campaigns. Additional aspects of the Platform’s activities – which may be described as public functions insofar as they could have been assigned to a public agency instead – include the certification of NGOs that wish to provide shelter and support for victims of trafficking within the support program, the collection of statistics concerning victims of trafficking, and the prompt implementation of the international conventions to which Sweden is a party.<sup>xxxix</sup>

Continued collaboration with civil society is recognized as an important element of future public strategy in this area in the 2018 *Action Plan*, which explicitly mentions the Platform as an important organization in this regard.<sup>xl</sup> This is further demonstrated by the continued public funding of the NSP, which the Platform manages.<sup>xli</sup> In addition, both the National Coordinator and the Platform’s coordinator maintain that civic society is indispensable in efforts to provide victims with the support they need,<sup>xlii</sup> with the national team stating that

Many times civil society steps in when public agencies should do so.... Civil society has taken on a growing role in these issues.<sup>xliii</sup>

In summary, the Platform’s close ties with public actors serves to illustrate the point that the Swedish collaborative governance arrangement (CGA) is extensive in character and includes a number of differing but interrelated networks. The Platform has in fact not only been highly involved in policy production and implementation through the development and management of national programs, but also exercises exclusive authority in the certification process. This is a further example of its function as a regulatory intermediary, which will be examined in greater detail below.

We will now examine the most prominent of the national programs in this field as well as the informal regulations and strategies employed, which will enable us to see how targets are governed within and beyond the legal framework. It should be noted that while prostitution and trafficking for sexual purposes are mentioned together in most public documents, activities are in fact directed primarily against trafficking, which serves to deflect attention away from combatting prostitution in spite of the official policies.<sup>xliv</sup>

### ***The National Referral Mechanism Manual (NRM)***

The National Task Force against Prostitution and Trafficking (NMT) developed the NRM, which was completed and published in 2016 in close collaboration with its various partners, including NGOs.<sup>xlv</sup> The NRM brings together existing legislation and knowledge based upon operational experiences.

The purpose of the manual is to support professionals, such as the police, social services, and officials at the Swedish Migration Agency, who are involved in identifying and assisting those persons who have been subject to human trafficking. The manual clarifies the responsibilities that public agencies have regarding the support and protection of victims of human trafficking, presenting a detailed five-step guide involving identification, protection, long-term social inclusion, support for voluntary return, and criminal proceedings. It thus specifies a number of measures for ensuring that public agencies provide efficient and secure referral as well as support and protection for trafficked persons. Furthermore, civil society organizations are explicitly assigned an important role throughout this process as an intermediary actors, not only in identifying those who may be involved, but in respect to the other four steps as well.<sup>xlvi</sup>

It must be noted, however, that even though the NRM makes available a large amount of detailed information concerning the rights and responsibilities of the victims of trafficking, there are nevertheless shortcomings with the existing legal framework. For instance, although international conventions stipulate that victims have the right to a 30-day reflection period with support before they decide whether to cooperate in a legal investigation, this right is in practice subject to conditions. In Sweden – victims of trafficking must file a police report in order to be entitled to support.<sup>xlvii</sup>

Contrary to the principle of assistance based upon individuals' needs or rights, this requirement constitutes a type of responsabilization of victims such that they must make an active choice to be entitled to social support. But while the assumption that victims possess agency may be positive in other circumstances, it places victims of trafficking in a dangerous situation since it forces them to cooperate with the Swedish authorities even as they face deportation to their countries of origin, where it is not possible for the Swedish state to protect them. There are in fact known instances in which the children of trafficking victims were murdered because their parents cooperated with the Swedish police.<sup>xlviii</sup>

### ***The National Support Program (NSP)***

In 2010, the County Administrative Board in Stockholm (CABS) was assigned the task of developing a support program for individuals who were either victims of trafficking or engaged in prostitution. Because of difficulties that had been encountered in designing and implementing such a program, the Platform was delegated the responsibility and granted funds for this purpose in 2015.<sup>xlix</sup> The successful 2016 pilot program was extended, and it is now managed by the Platform with public funding from the Gender Equality Agency.<sup>i</sup>

The NSP's origins are associated with the fact that GRETA, the European Council's expert group on combatting trafficking, as well as various civil society actors, had complained that adequate support for the victims of trafficking was not provided by existing regulations in Sweden, even though international conventions clearly indicated their rights.<sup>ii</sup> The NSP is referred to in official terms as providing "supplemental support" with housing and personal needs in those cases where individuals are not eligible for support within the formal system described in the NRM manual.<sup>iii</sup> Stated otherwise, the NSP

is intended to deal with problems that follow from the fact that victims of trafficking are required to file a police report in order to have access to public support.

CABS states that the overall aim of the NSP is “to identify and develop forward looking efforts that assist the victim in regaining control over their own life situation.”<sup>liii</sup> This accords well with the basic tenants of responsabilization and appears to advance the empowerment of victims. In contrast to traditional forms of support for victims, the emphasis here is placed upon choice and agency insofar as the program is intended to “provide victims with the best conditions for getting out of the situation [prostitution/trafficking] through their own efforts.”<sup>liv</sup>

In order to ensure the quality of programs, NGOs who wish to apply for support on the behalf of a given victim must meet certain criteria established by the Platform, which involve their work routines, methods, documentation, and staff training, by passing a certification procedure fully managed by the Platform.<sup>lv</sup> Organizations thus certified are also required to provide the Platform with statistics concerning the number of victims whom they have met and report on the individuals who have obtained support within the program.

The Platform is not recognized as an official authority in the strict sense, but it nevertheless takes part in policy production in this area and is an actor in the management of public responsibilities and regulations. This is particularly significant in respect to the certification system and in the management of the NSP. It is in fact the Platform that decides whether individual cases are to be admitted to the NSP’s assistance program, although it should be noted that to date they have admitted everyone not entitled to public support who is in need of help as long as sufficient resources were available. The work of the Platform is thus characterized by a substantial regulatory function on the part of its members as well as a high level of collaboration with the national coordinating team. Moreover, certificated NGOs have become regulatory intermediaries themselves through their engagement with the Platform and various other public authorities.

### ***Public Campaigns Directed towards Targets***

The NMT has produced a number of informational campaigns aimed at changing norms and attitudes concerning prostitution. This type of activity might at first appear unnecessary in the light of client criminalization and the abolitionist approach, but it nevertheless accords with the overall goal of the 1998 legislative reform, which was to change societal norms concerning the possibility of buying sexual services (Erikson 2017).

One such campaign, “You decide!”, conveys the message that the buyer of sex has a choice and is responsible for not taking advantage of the victims of trafficking and prostitution.<sup>lvi</sup> The most important part of this campaign is an informational film of men buying sex that the NMT has produced and distributed on social media which strongly expresses the view that it is indeed the buyer of sexual services who takes advantage of individuals in vulnerable situations.<sup>lvii</sup>

In addition to the juridical instruments associated with criminalizing the client, additional soft instruments are thus used to raise awareness and inculcate a sense of responsibility in potential buyers of sex in order to decrease demand, which is regarded as the main driving force of both prostitution and trafficking for sexual purposes. In this respect, the strategy used is to alter the behavior of individuals *ex ante* rather than *ex post* punishment by emphasizing agency (“you decide”) in order to deter sex buyers



from committing an illegal act rather than punishing them afterwards. Again, the low conviction rates for both sex buyers and traffickers shows the need for complementary strategies directed to targets on the supply side of prostitution and trafficking. In the case of victims, however, responsabilization and empowerment as a means for inducing agency may be misdirected due to the lack of choice on the part of those who have been subject to trafficking. Traffickers in fact control their victims by means of a substantial reduction of their agency in order to make them feel that they have no choice but to comply. There may thus be sound reasons to reconsider responsabilization strategies that are directed to victims and highly vulnerable groups.

## **5. Discussion of CGAs, the RIT model, and Responsibilization**

The strategy of collaborative governance has to a large extent been implemented in Sweden since 2008 by engaging in “partnership” with civil society organizations.<sup>lviii</sup> The rationale for the interest in complementing the Swedish model of client criminalization in this manner resides upon previous positive experiences with collaboration as well as dissatisfaction with the status quo in respect to efforts to grasp the complexity of the problems involved in combatting prostitution so that proper legal action could be taken. However, networks and collaborative undertakings can take many different forms – not only can they be both plentiful and elusive, they are often marked by contradictory methods, highly informal regulations, and overlapping efforts and practices. Against this background, we employed the RIT model (Abbott 2017) in the effort to gain a sound understanding of the type of governance that emerges from collaborative efforts, or what we term the collaborative governance arrangement (CGA). The analytical advantage that this model provides turns upon emphasizing the roles of intermediary agents in order to illuminate how collaborative governance operates in detail.

We found that the National Coordinator and the coordinating team at the NMT, who comprise the lead organization in respect to both policy formation and governance arrangements, collaborate with a significant number of diverse networks that consist of both public and private actors who have several functions. One particular strength of this arrangement is that the various networks involved have been able to develop a sense of mutual trust, which has led to heightened coordination and an improved operational capacity for assisting victims of prostitution and trafficking.

Our analysis shows that while public actors dominate the networks in question, the involvement and input of other partners, not least the Platform, is characterized by an extensive co-production of policies, a sharing of information, and even the monitoring of activities and co-decision-making authority through the Platform’s management of the NSP. Indeed, the development of the NSP demonstrates the far-reaching mandate delegated to civil society, and it clearly indicates the extent to which collaborative efforts have come to exist beyond formal and legal frameworks.

In contrast to the NGOs noted above, which function as regulatory intermediaries within the current CGA in Sweden, private actors from the business sector serve as facilitative intermediary agents to the extent that they assist other actors by calling attention to suspicious behavior, even though they perform no regulatory functions and possess no access to policy making. The aim of the educational campaigns made available to hotel personnel and taxi companies, for example, is to induce owners and personnel to take action against illegal activities by raising their awareness of prostitution and trafficking. But since no legal sanctions are directly associated with a refusal to intervene, their participation in the governance structure is completely voluntary and based upon self-interest, such as the garnering of

social good-will. In this regard, such actors voluntarily play a facilitative role with no official responsibility.

The connections between these various networks and actors are indicated in Figure 1 below:

Figure 1: Collaborative Governance Arrangements on the National Level

The present study has also revealed the close collaboration that has evolved between public and civil society actors, which involves a high level of cooperation in the formation and implementation of policy. As a consequence, the actual governance of prostitution and trafficking has significantly diverged from the expectations associated with the client criminalization framework that has come to be known as “the Swedish model.” The most important programs, namely, the NRM and the NSP, are the direct results of collaboration between the NMT and the Platform, and the RIT model further displays how policy production and implementation have become closely intertwined by means of such developments. NGOs have thus become important regulatory intermediaries in combatting prostitution and trafficking.<sup>lix</sup>

The NRM and the NSP, which comprise the most salient output of such collaboration, are characterized by their informal yet regulative function in describing how public and private actors should deal with victims of trafficking. For example, the NRM prescribes the actions to be taken at the various stages of the process, from the identification of victims to criminal proceedings, while the NSP is involved with the right of individuals to assistance beyond formal legislation. Such programs are examples of how important policies are designed and implemented without formal decision-making, resulting at times in the circumvention and exclusion of such traditional rule-makers as the Government and the Parliament.

In respect to targets, we found that the strategies implemented ascribe agency to victims, including the option *to choose* whether to cooperate with public authorities. This finding is significant in light of the critique often raised against the abolitionist model that it ignores the agency of women in prostitution (Showden and Majic 2014). The overall policy, which is evident in the activities of both the NRM and the NSP, is directed towards the empowerment and support of certain choices, primarily leaving prostitution, rather than the enforcement of legal sanctions by the police or patronizing supportive measures on the part of social services.

Given the fact of client criminalization, it is noteworthy that the governing strategy concerning buying sex is not managed solely in respect to the criminalization frame and punitive actions. Sex buyers are also the target of such informational campaigns as “You decide!”, which utilize responsabilization and the creation of awareness to deter individuals from buying sex. This is a correction technique that complements client criminalization in the pursuit of the underlying policy goal in Sweden, which is to combat and eliminate the demand for sexual services as the driving force of both prostitution and trafficking.

## Conclusion

This article has employed a combination of collaborative governance theory, the RIT model, and the strategy of responsabilization in the effort to survey and explore the specific collaborative arrangements utilized at the national level in Sweden for combatting prostitution and human trafficking. While this still constitutes an emerging approach (Wagenaar et al. 2017, Jahnsen and Wagenaar 2018), previous research has overly emphasized the importance of national policy and legal frameworks, directing little attention to implementation and evaluation. It is quite often necessary, however, to provide a detailed exposition and analysis of the design and implementation of the means utilized to regulate prostitution and trafficking in order to understand how this policy field is governed (Wagenaar 2017, 258). Our findings support the need for empirical studies of implementation in order to understand prostitution policy in practice.

In this regard, the use of collaborative governance in Sweden not only was unanticipated from a formal point of view, it has also proven to be complex insofar as the many actors involved participate in overlapping networks. Sweden is today one of the leading nations in the fight against prostitution and trafficking, and the notion that it relies primarily upon a client criminalization model in this regard needs to be corrected by a broader understanding both of its collaborative governance arrangements, and of the alternative strategies that have been implemented for reaching the various target groups affected. These findings should be seen in the light of broader shifts towards new governing models in policy making over the last decades and the international debate on trafficking.

Furthermore, scholars have argued that collaborative governance involving stakeholders comprises a promising strategy for overcoming the specific challenges that arise in the field of prostitution policy (Wagenaar et al. 2017, 235-250). While there has been no systematic evaluation of the activities undertaken, which are difficult to measure, the national coordinating team claims that the new collaborative strategy has led to an improvement in support for the victims of trafficking. They also maintain that the primary strengths of the collaborative model are heightened efficiency in the operations of the National Task Force against Prostitution and Trafficking (NMT), regional coherence, and improved coordination with civil society.<sup>lx</sup> This view is in part supported by the Swedish Agency for Public Management, who concluded in their 2014 evaluation of national efforts to combat prostitution and trafficking that the NMT has succeeded in their efforts at operational collaboration. However, they also called for increased involvement on the part of municipal representatives, particularly at the management level.<sup>lxi</sup>

But although our study to some extent supports claims concerning the benefits of collaborative governance, we are also of the opinion that these claims themselves need to be questioned. On the positive side, our study finds that the inclusion of civil society actors in collaborative networks has succeeded in taking into consideration the victim's perspective and developing, for instance, programs with their actual needs in mind, such as the National Support Program (NSP). On the negative side, however, this has given rise to the risk that the subsequent close relations between public actors and NGOs, including the latter's engagement in gathering data for public statistics, may undermine the critical voice and independence of civil society actors. In addition, the actual extent to which the widespread adoption and implementation of collaborative governance has improved the situation in combating prostitution and trafficking in Sweden continues to remain unclear.

In conclusion, it is important to take into account how the utilization of collaborative efforts has contributed to informal regulation as well as practices beyond the national legal framework. Future research should also further examine the effectiveness and output of collaborative networks in the policy field of prostitution and human trafficking in order to assess both their strongpoints and shortcomings.

## Bibliography

- Abbott, Kenneth W., David Levi-Faur, and Duncan Snidal. 2017. "Theorizing Regulatory Intermediaries." *The ANNALS of the American Academy of Political and Social Science* 670 (1):14-35. doi: doi:10.1177/0002716216688272.
- Ansell, C., and A. Gash. 2008. "Collaborative Governance in Theory and Practice." *Journal of Public Administration Research and Theory* 18 (4):543-571.
- Ansell, Chris. 2000. "The Networked Polity: Regional Development in Western Europe." *Governance* 13 (2):279-291. doi: 10.1111/0952-1895.00136.
- Bevir, Mark. 2010. *The SAGE Handbook of Governance*. Thousand Oaks, CA: Sage.
- Bevir, Mark. 2011. "Governance and Governmentality after Neoliberalism." *Policy and Politics* 39 (4):457-471. doi: 10.1332/030557310x550141.
- Black, Julia. 2008. "Constructing and Contesting Legitimacy and Accountability in Polycentric Regulatory Regimes." *Regulation & Governance* 2 (2):137-164. doi: 10.1111/j.1748-5991.2008.00034.x.
- Brunovskis, Anette and Rebecca Surtees. 2008. "Agency or Illness – The Conceptualization of Trafficking: Victims' Choices and Behaviors in the Assistance System." *Gender, Technology and Development* 12 (1):53-76.
- Brunovskis, Anette and Rebecca Surtees. 2013. "Coming Home: Challenges in Family Reintegration for Trafficked Women." *Qualitative Social Work* 12 (4):454-472.
- Brå rapport 2017:5. *Brottsutvecklingen i Sverige fram till år 2015* [Crime Trends in Sweden until 2015]. Stockholm: Swedish National Council for Crime Prevention.
- Carter, David P. and Nadia Mahallati. 2017. "Coordinating Intermediaries: The Prospects and Limitations of Professional Associations in Decentralized Regulation." *Regulation & Governance*. doi: 10.1111/rego.12167.
- Crowhurst, Isabel, Joyce Outshoorn, and May-Len Skilbrei. 2012. "Introduction: prostitution policies in Europe." *Sexuality Research and Social Policy* 9 (3):187-191.
- Dean, Mitchell. 2007. *Governing Societies: Political Perspectives on Domestic and International Rule*. Buckingham, UK: Open University Press.
- Dean, Mitchell. 2010. *Governmentality: Power and Rule in Modern Society*, 2nd ed. Thousand Oaks, CA: SAGE Publications.
- Dodillet, Susanne. 2009. *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970- talet*. Stockholm/Sala: Vertigo.
- Emerson, Kirk, Tina Nabatchi, and Stephen Balogh. 2012. "An Integrative Framework for Collaborative Governance." *Journal of Public Administration Research and Theory* 22 (1):1-29. doi: 10.1093/jopart/mur011.

- Erikson, Josefina. 2011. *Strider om mening: en dynamisk frameanalys av den svenska sexköpslagen*. Uppsala: Uppsala University.
- Erikson, Josefina. 2017. *Criminalising the Client. Institutional Change, Gendered Ideas, and Feminist Strategies*. New York: Rowman and Littlefield International.
- Florin, Ola. 2012. "A Particular Kind of Violence: Swedish Social Policy Puzzles of a Multipurpose Criminal Law." *Sexuality Research and Social Policy* 9 (3):269-278.
- Garland, David. 1997. "Governmentality and the Problem of Crime: Foucault, Criminology, Sociology." *Theoretical Criminology* 1 (2):173-214.
- Garland, David. 2001. *The Culture of Control: Crime and Social Order in Contemporary Society* Oxford: Oxford University Press.
- Heber, Anita. 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.
- Héritier, Adrienne and Dirk Lehmkuhl. 2010. "New Modes of Governance and Democratic Accountability." *Government and Opposition* 46 (1):126-144.
- Hulusjö, Anna. 2013. *The Multiplicities of Prostitution Experience: Narratives about Power and Resistance*. Malmö: Malmö University, Faculty of Health and Society.
- Jahnsen, Synnove Okland and Hendrik Wagenaar. 2018. *Assessing Prostitution Policies in Europe*. London: Routledge.
- Jakobsson, Niklas and Andreas Kotsadam. 2011. "Gender Equity and Prostitution: An Investigation of Attitudes in Norway and Sweden." *Feminist Economics* 17 (1):31-58.
- Jakobsson, Niklas and Andreas Kotsadam. 2013. "The Law and Economics of International Sex Slavery: Prostitution Laws and Trafficking for Sexual Exploitation." *European Journal of Law and Economics* 35 (1):87-107.
- Kuosmanen, Jari. 2011. "Attitudes and Perceptions about Legislation Prohibiting the Purchase of Sexual Services in Sweden." *European Journal of Social Work* 14 (2):247-263.
- Kvale, Steinar. 2008. *Doing Interviews*. Thousand Oaks, CA: SAGE.
- Larsson, Oscar. 2019. "A theoretical framework for analyzing institutionalized domination in network governance arrangements." *Critical Policy Studies* 13 (1):81-100. doi: 10.1080/19460171.2017.1393440.
- Lewis, Jenny M. 2011. "The Future of Network Governance Research: Strength in Diversity and Synthesis." *Public Administration* 89 (4):1221-1234.
- Levy, Jay. 2014. *Criminalising the Purchase of Sex: Lessons from Sweden*. Abington, UK: Routledge.
- Mathur, N. and C. Skelcher. 2007. "Evaluating Democratic Performance: Methodologies for Assessing the Relationship between Network Governance and Citizens." *Public Administration Review* 67 (2):228-237.
- Matthews, Roger. 2005. "Policing Prostitution Ten Years On." *The British Journal of Criminology* 45 (6):877-895. doi: 10.1093/bjc/azi046.
- Månsson, Sven-Axel 2017. "The History and Rationale of Swedish Prostitution Policies." *Dignity: A Journal on Sexual Exploitation and Violence* 2 (4).
- Outshoorn, Joyce. 2004. *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce*. Cambridge: Cambridge University Press.

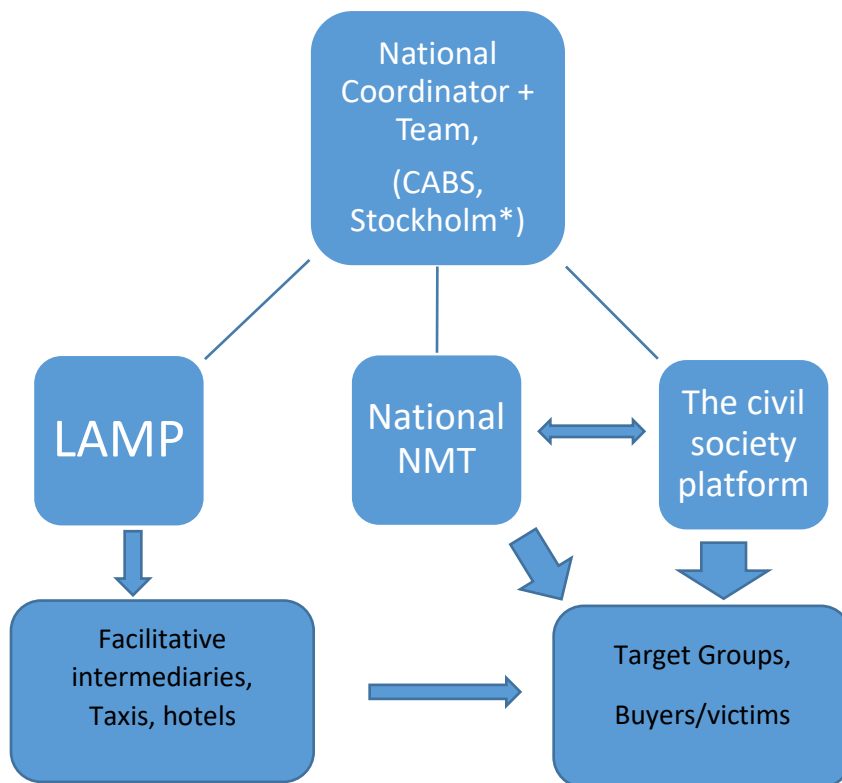
- Outshoorn, Joyce. 2014. "The Contested Citizenship of Sex-Workers. The Case of the Netherlands." In *Negotiating Sex Work. Unintended Consequences of Policy and Activism*, edited by Carisa R. Showden and Samantha Majic. Minneapolis: University of Minnesota Press.
- Polisens lägesrapport 17. *Människohandel för sexuella och andra ändamål, 2016* [Police Situation Report 17, Human Trafficking for Sexual and Other Purposes].
- Provan, Keith G. and Patrick Kenis. 2008. "Modes of Network Governance: Structure, Management, and Effectiveness." *Journal of Public Administration Research and Theory* 18 (2):229-252. doi: 10.1093/jopart/mum015.
- Rhodes, R.A.W. 1997. *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*. Buckingham, UK: Open University Press.
- Rose, Nikolas and Peter Miller. 2013. *Governing the Present: Administering Economic, Social and Personal Life*. Hoboken, NJ: Wiley.
- Schwartz-Shea, Peregrine and Dvora Yanow. 2013. *Interpretive Research Design: Concepts and Processes*. London: Routledge.
- Scoular, Jane and Maggie O'Neill. 2007. "Regulating Prostitution: Social Inclusion, Responsibilization and the Politics of Prostitution Reform." *The British Journal of Criminology* 47 (5):764-778. doi: 10.1093/bjc/azm014.
- Showden, Carisa R. and Samantha Majic. 2014. *Negotiating Sex Work: Unintended Consequences of Policy and Activism*. Minneapolis: University of Minnesota Press.
- Skillbrei, M. and C Holmström. 2013. *Prostitution policy in the Nordic region. Ambiguous Sympathies*. Farnham: Ashgate.
- SOU 2010:49. *Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008*. [Ban on the Purchase of Sexual Services. An Evaluation 1999-2008]. Stockholm: Regeringskansliet.
- Svanström, Yvonne. 2004a. "Criminalising the John: A Swedish Gender Model?" In Joyce Outshoorn (ed.), *The Politics of Prostitution: Women's Movements, Democratic States, and the Globalisation of Sex Commerce*. Cambridge: Cambridge University Press.
- Svanström, Yvonne. 2004b. "Handel med kvinnor. Debatten i Sverige och Nederländerna om prostitution och trafficking." [Trade in Women. The Debate about Prostitution and Trafficking in Sweden and the Netherlands] In *Framtiden i samtiden: Könrelationer i förändring i Sverige och omvärlden*, edited by Christina Florin and Christina Bergqvist. Stockholm: Institutet för framtidsstudier.
- van Wijk, Eeelo. 2018. "The Responsibilization of Market Actors in Legalized Local Prostitution in the Netherlands." Presentation at the 5th European Conference on Politics and Gender (ECPG), University of Lausanne, Switzerland, 8-10 June 2017. Under review for publication in an upcoming special issue of *Regulation & Governance*.
- Verweij, Stefan, Erik-Hans Klijn, Jurian Edelenbos, and Arwin Van Buuren. 2013. "What Makes Governance Networks Work? A Fuzzy Set Qualitative Comparative Analysis of 14 Dutch Spatial Planning Projects." *Public Administration* 91 (4):1035-1055.
- Wagenaar, Hendrik, Helga Amesberger, and Sietske Altink. 2017. *Designing Prostitution Policy*. Bristol: Bristol University Press.
- Zeegers, Nicolle. 2018. "Responsibilization of Intermediaries in the Governance of Prostitution." Unpublished manuscript, under review for inclusion in an upcoming special issue of *Regulation & Governance*.

Yttergren, Åsa and Jenny Westerstrand. 2016. "The Swedish Legal Approach to Prostitution. Trends and Tendencies in the Prostitution Debate." *NORA-Nordic Journal of Feminist and Gender Research* 24 (1):45-55.

Yttergren, Åsa. 2012. "Swedish Gender Equality for Trafficked Women?: Radical Official Remedies and Ethnic Otherness." *feminists@law* 2 (1):1-27.

**Figures:**

Figure 1.



Note – since January 1 2018, the National Coordinator moved to The Swedish Gender Equality Agency, a new public agency located in Gothenburg.

## Notes

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<sup>i</sup> Prostitution is thus defined as “purchases of sexual services” on occasions when “Anyone acquires a temporary sexual bond for compensation (SFS 1962:700, Chapter 6, §11). Trafficking for sexual purposes is defined as a situation in which “Anyone through unlawful force, deception, utilization of anyone’s exposed situation or by other such inappropriate means recruits, transports, transfers, houses or receives a person for the purpose of exploiting him or her for sexual purposes.” *Brottsbalken* [Swedish Penal Code] SFS 1962:700, Chapter 4, §1a.

<sup>ii</sup> *Handlingsplan mot prostitution och människohandel för sexuella ändamål* [Action Plan against Prostitution and Trafficking for Sexual Purposes]. Regeringens skrivelse 2007/08:167, p. 3.

<sup>iii</sup> *Brottsbalken* [Swedish Penal Code], SFS 1962:700, Chapter 4.

<sup>iv</sup> The prevalence of prostitution is inherently difficult to estimate, but all available data indicate that the number of convictions is extremely low in relation to the actual number of cases. For instance, it is estimated that 200-250 women were involved yearly in street prostitution between 2011- 2014, while 7000 ads selling sex were published online in 2014. In addition, a population survey estimated that between 106 000 and 153 000 individuals bought sex between 1998-2011. See *Prostitutionen i Sverige 2014. En omfattningskartläggning av Länsstyrelsen i Stockholm* [Prostitution in Sweden 2014. A Comprehensive Survey Conducted by the County Administrative Board in Stockholm]. Also see Gisela Priebe and Carl Göran Svedin (2011), *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* [Selling and Buying Sex in Sweden 2011. Prevalence, Health, and Attitudes: Interim Report 1 of Prostitution in Sweden – Survey and Evaluation of the Efforts of Prostitution Groups together with the Experiences and Attitudes of the Population] (Linköping: Linköping University).

<sup>v</sup> Statistics gathered by civil society have identified 70 individual victims in the year 2016, with the number most likely being significantly higher in the light of hidden statistics. See <https://manniskohandel.se/plattformen-civila-sverige-mot-manniskohandel/statistikinsamling>, accessed October 25th, 2018.

<sup>vi</sup> We have instead identified forms of awareness creation in the present study. This includes the induction of choice directed both towards the victims of prostitution and trafficking, and towards buyers of sex. This will be addressed further in the empirical section below.

<sup>vii</sup> *Handlingsplan mot prostitution och människohandel för sexuella ändamål* [Action Plan against Prostitution and Trafficking for Sexual Purposes]. Regeringens skrivelse 2007/08:167, p. 27.

<sup>viii</sup> The framework is outlined in the United Nation’s *Trafficking in Persons Protocol* and the United States’ *Trafficking Victims Protection Act (TVPA)*.

<sup>ix</sup> *Handlingsplan mot prostitution och människohandel för sexuella ändamål* [Action Plan against Prostitution and Trafficking for Sexual Purposes]. Regeringens skrivelse 2007/08:167, p. 8.

<sup>x</sup> *Ibid.*, p. 28.

<sup>xi</sup> Patrik Cederlöf, National Coordinator, National Task Force against Prostitution and Trafficking (NMT), interview conducted August 25th, 2017.

<sup>xii</sup> Helen Lundkvist-Nymansson, former head of the Gender Equality Committee, Ministry of Justice, interview conducted September 8th, 2017.

<sup>xiii</sup> *Kännedom om prostitution 2007* [National Board of Health and Welfare report *Knowledge of Prostitution*], p. 61.



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<sup>xiv</sup> SOU 2010:49, *Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008* [Ban on the Purchase of Sexual Services. An Evaluation 1999-2008]; Parliamentary committee report 2010/11: JuU22; Parliamentary protocol 2010/11: 101.

<sup>xv</sup> SOU 2010:49, *Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008*. [Ban on the Purchase of Sexual Services. An Evaluation 1999-2008], p. 233.

<sup>xvi</sup> *Handlingsplan mot prostitution och människohandel 2018* [Action Plan to Combat Prostitution and Trafficking in Human Beings] (Appendix to government decision 2018-02-08 nr II:1), p. 10.

<sup>xvii</sup> Government decision, October 2nd, 2008, IJ2008/1968/JÄM. In 2013, the NMT coordinating team was mandated to expand their work to include all types of trafficking. See Government Decision Ju2013/1492/PO.

<sup>xviii</sup> Patrik Cederlöf, interview; Endrit Mujaj, Development Coordinator, County Administrative Board in Stockholm (CABS), interview conducted September 5th, 2017.

<sup>xix</sup> Patrik Cederlöf, interview.

<sup>xx</sup> In 2018, the government decided to transfer responsibility for national coordination in the field of prostitution and trafficking from CABS to the newly established Gender Equality Agency in order to make the mandate permanent and thereby create better conditions for further development and the long-term pursuit of goals. While no other organizational changes were proposed, Mats Paulsson replaced Patrik Cederlöf as National Coordinator. See *Handlingsplan mot prostitution och människohandel 2018* [Action Plan against Prostitution and Trafficking in Human Beings 2018] (Appendix to government decision 2018-02-08 nr II:1), p. 11.

<sup>xxi</sup> NMT, <https://www.nmtsverige.se/om-oss>, accessed August 15th, 2017.

<sup>xxii</sup> Patrik Cederlöf, interview.

<sup>xxiii</sup> *Ibid.*

<sup>xxiv</sup> Ninna Mörner, Coordinator, Swedish Civil Society against Human Trafficking (the Platform), interview conducted September 1st, 2017.

<sup>xxv</sup> *Ibid.*

<sup>xxvi</sup> Ninna Mörner, email 23rd August, 2018.

<sup>xxvii</sup> NMT, <https://www.nmtsverige.se/om-oss>, accessed August 15th, 2017.

<sup>xxviii</sup> CABS, <http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstallldhet/prostitutionochmanniskohandel/Pages/nationell-samordning.aspx>, accessed September 1st, 2017.

<sup>xxix</sup> CABS, <http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstallldhet/prostitutionochmanniskohandel/Pages/nationell-samordning.aspx>, accessed August 25th, 2017; Helene Lundkvist-Nymansson, interview.

<sup>xxx</sup> Patrik Cederlöf, interview.

<sup>xxxi</sup> *Ibid.*

<sup>xxxii</sup> CABS, <http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstallldhet/prostitutionochmanniskohandel/Pages/nationell-samordning.aspx>, accessed August 25th, 2017.

<sup>xxxiii</sup> Patrik Cederlöf, interview.

<sup>xxxiv</sup> The Platform, <https://manniskohandel.se/plattformen-civila-sverige-mot-manniskohandel/samarbetet-i-plattformen/>.

<sup>xxxv</sup> *Ibid.*, accessed September 12th, 2017.

<sup>xxxvi</sup> Ninna Mörner, interview.

<sup>xxxvii</sup> *Ibid.*

<sup>xxxviii</sup> Patrik Cederlöf, interview.

<sup>xxxix</sup> *The Platform, Verksamhetsberättelse 2016* [Annual Report 2016], <https://manniskohandel.files.wordpress.com/2015/12/plattformen-verksamhetsberc3a4ttelse-2016.pdf>, accessed September 6th, 2017.

<sup>xl</sup> *Handlingsplan mot prostitution och människohandel 2018* [Action Plan against Prostitution and Trafficking in Human Beings 2018] (Appendix to government decision 2018-02-08 nr II:1).

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<sup>xli</sup> The Platform, <https://manniskohandel.se/plattformen-civila-sverige-mot-manniskohandel/nationellt-stodprogram/>, accessed October 23rd, 2018.

<sup>xlii</sup> Patrik Cederlöf, interview; Endrit Mujaj, interview; Ninna Mörner, interview.

<sup>xliii</sup> Endrit Mujaj, interview.

<sup>xliv</sup> For instance, the national guidelines for work against prostitution and trafficking (2011), which are not explicitly analyzed here because of the obvious overlap with the later Referral Mechanism (2016), primarily targeted trafficking.

<sup>xlv</sup> *National Referral Mechanism: Protecting and Supporting Victims of Trafficking in Human Beings in Sweden* (English version, 2016). Report 2016:29, ISBN 978-91-7281-711-1.

<sup>xlvi</sup> Ibid.

<sup>xlvii</sup> CABS, <http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutionochmanniskohandel/Pages/stodprogram.aspx>, accessed September 11th, 2017; Ninna Mörner, interview.

<sup>xlviii</sup> *Nationellt Stödprogram, pilot program 2015-2016* [National Support Program, Pilot Program 2015-2016], <https://manniskohandel.se/plattformen-civila-sverige-mot-manniskohandel/nationellt-stodprogram/>, accessed October 29th, 2018.

<sup>xlix</sup> Ibid. See also Swedish Agency for Public Management (SAPM) Report 2014:4, *Utvärdering av samordningen av arbetet mot prostitution och människohandel vid Länsstyrelsen i Stockholms län* [Evaluation of the Coordination of Work against Prostitution and Trafficking at the County Administrative Board in Stockholm].

<sup>l</sup> The Platform, <https://manniskohandel.se/plattformen-civila-sverige-mot-manniskohandel/nationellt-stodprogram/>, accessed October 23, 2018.

<sup>li</sup> Group of Experts on Action against Trafficking in Human Beings (GRETA), Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Sweden (2014) 11; NSP; Article 12 of the European Convention against Human Trafficking.

<sup>lii</sup> CABS, <http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutionochmanniskohandel/Pages/stodprogram.aspx>, accessed September 11th, 2017; NSP, *Pilot Program* (2015-2016), printed version.

<sup>liii</sup> CABS, <http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutionochmanniskohandel/Pages/stodprogram.aspx>, accessed September 5th, 2017.

<sup>liv</sup> Ibid.

<sup>lv</sup> Ninna Mörner, interview.

<sup>lvi</sup> NMT, <https://nmtsverige.se/duavgor>, accessed August 27th, 2017.

<sup>lvii</sup> Ibid.

<sup>lviii</sup> *Handlingsplan mot prostitution och människohandel för sexuella ändamål* [Action Plan against Prostitution and Trafficking for Sexual Purposes]. Regeringens skrivelse 2007/08:167, p. 27.

<sup>lix</sup> Amanda Netscher, CABS Project Coordinator for Violence Prevention, interview conducted September 1st, 2017.

<sup>lx</sup> Patrik Cederlöf, interview; Endrit Mujaj, interview.

<sup>lxi</sup> Swedish Agency for Public Management (SAPM), Report 2014:14, p. 54.