

Processes associated with the punitive turn in Swedish criminal policy

by Henrik Tham

NSfK working group meeting, Helsinki 1-2 November 2016

“Are Nordic Countries Getting tough on crime?”

Expansion and contraction of penal law legislation in Sweden 1965 – 2016 by type of government

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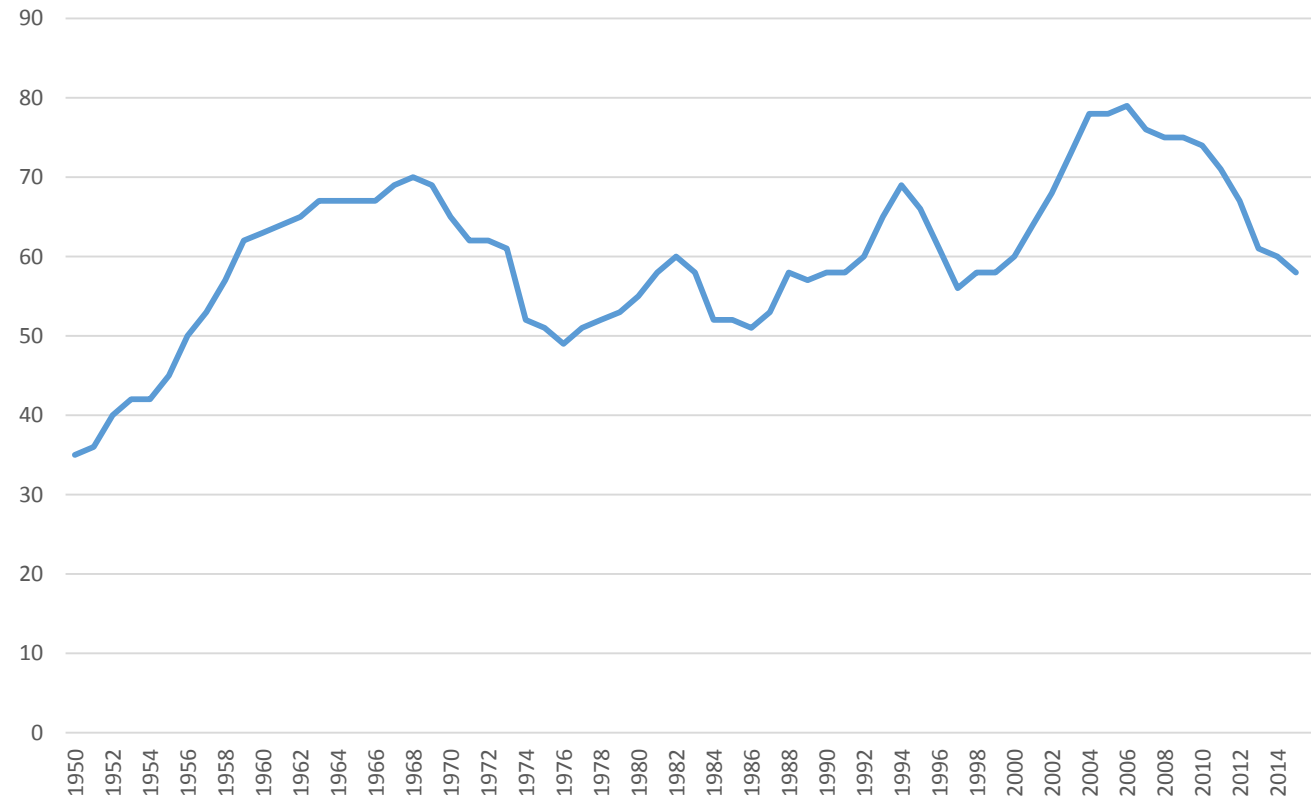
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1968-1976 Social democratic	1968:7 Drugs 1969:13 Drugs 1971:10 Tax fraud 1971:92 Aircraft high jacking 1972:67 Drugs 1973:37 Terrorism 1973:115 Temporary arrest 1975/76:82 Debt crimes	1970:125 Pornography 1972:138 Military arrest 1972:138 Death penalty in war 1972:146 Prison term 1974:20 Prison regime 1974:70 Abortion 1975/76:42 Theft and robbery 1975/76:42 Recidivism 1975/76:113 Drunkenness
1976-1982 Center right	1978/79:62 Prison regime 1979/80:66 Receiving 1979/80:100 Gambling 1980/81:76 Drugs 1980/81:108 Environment. crime 1981/82:43 Women battering 1981/82:85 Economic crime 1981/82:141 Drugs in prison 1981/82:142 Economic crime 1981/82:187 Pornography	1976/77:104 Conversion of fines 1978/79:212 Youth prison 1980/81:1 Prison regime 1980/81:44 Prison two weeks 1980/81:76 Internment 1981/82:153 Parole
1982-1991 Social democratic	1982/83:141 Drugs 1983/84:105 Sex crimes 1983/84:148 Prison regime 1984/85:46 Drugs 1984/85:116 Pornography 1987/88:71 Drugs 1987/88:120 Recidivism 1987/88:137 Women battering	1982/83:85 Half time parole 1982/83:93 Conversion of fines 1986/87:106 Contract treatment 1989/90:2 Drink-driving 1989/90:7 Community service
1991-1994 Center right	1991/92:35 Sex with children 1992/93:4 Parole 1992/93:141 Assault, threats etc. 1992/93:142 Consump. of drugs 1993/94:44 Drink-driving 1993/94:101 Hate crimes	1991/92:109 Community service 1993/94:184 Electron. supervision
1994-2006 Social democratic	1996/97:135 Witness threats etc. 1997/98:55 Abuse of women 1997/98:55 Buying sex 1997/98:96 Parole 1998/99:43 Drugs while driving 1999/00:109 Insider trading 1999/00:124 Smuggling 2001/02:124 Trafficking, sex. 2002/03:138 Graffiti 2004/05:45 Rape 2005/06:177 Special powers	2001/02:126 Restorative justice 2004/05:34 Electr. supervision

2006-2014 Center right	2007/08:53 Drink-driving 2007/08:97 Mentally ill 2007/08:163 Special powers 2008/09:118 Murder 2008/09:149 Grooming 2009/10:50 Statute of limitation 2009/10:70 Child pornography 2009/10:105 Drug test, children 2009/10:147 Violent crimes 2009/10:152 Trafficking 2010/11:45 Stalking 2010/11:77 Buying sex 2011/12:79 Bribes 2011/12:109 Guns 2012/13:69 Intrusive photography 2012/13:108 Abuse of women 2012/13:111 Rape 2013/14:120 Hiding one's child 2013/14:121 Insider trading 2013/14:194 Murder 2013/14:226 Guns	2009/10:191 Criminal records
2014- Social democratic/ Green party	2015/16:78 Terrorism 2015/16: 50 Theft of Identity 2015/16:111 Drugs 2015/16:113 Organized crime 2015/16:151 Recidivism	2014/15:37 Penalty reduction

Prison population in Sweden per 100 000 inhab. 1950 – 2015

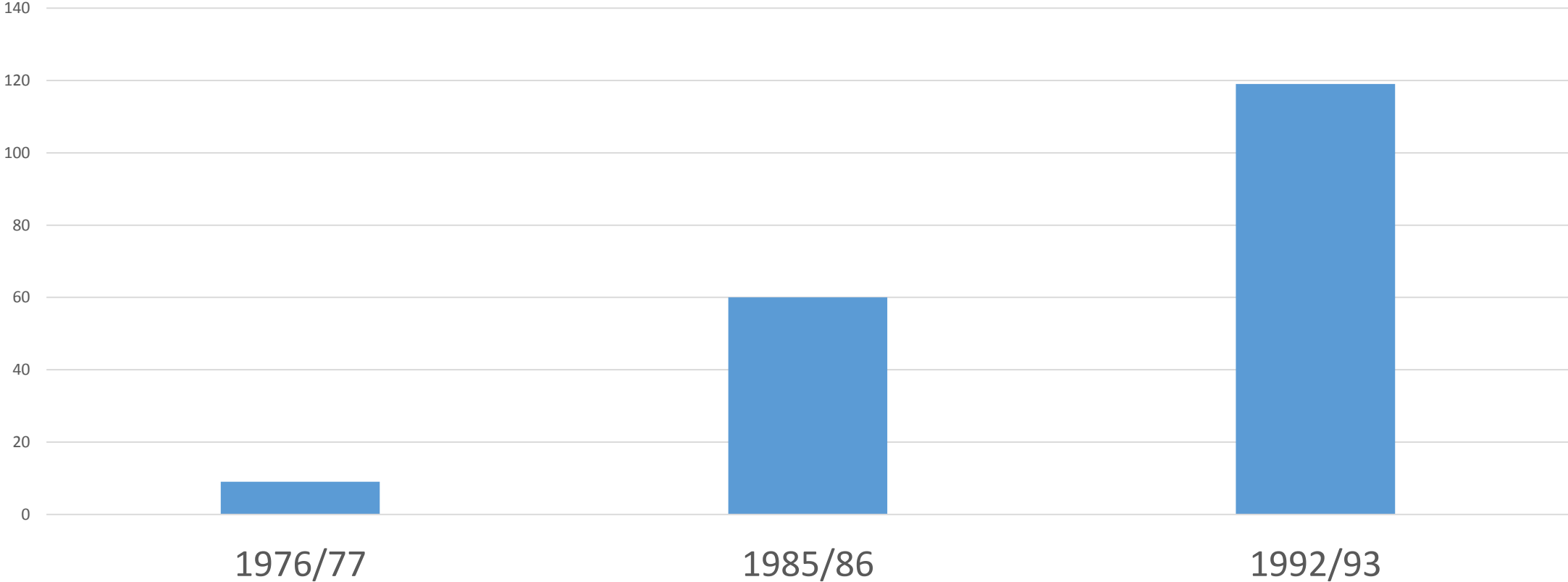


Processes associated with the criminal policy change

- From experts to politicians
- From optimism to alarmism
- From consequential to non-consequential penal legislation
- From alcohol to narcotics
- From theft to violence
- From single perpetrators to organized crime

Number of reservations in in the Justice Committee in Swedish Parliament 1976 – 1993

Source: D. Victor 1995



From optimism to alarmism

- - A couple of hundred prison places for those who are dangerous will suffice.
(Lennart Geijer, Minister of Justice, in adress to meeting for Swedish and Finnish social workers, Åbo, August 5, 1974)
- - With increased demands on ourselves we shall together fight the growing internal insecurity
(Göran Persson, Prime Minister 1994, tranferring ca 300 milj. euro from the military defense to the criminal justice and the police)
- - Sweden is not any longer the safe country that is used to be. Criminality spreads and is becoming more heinous ... and contributes to a brutalized society.
(A working group on criminal policy for the Alliance (center right) parties 2006)

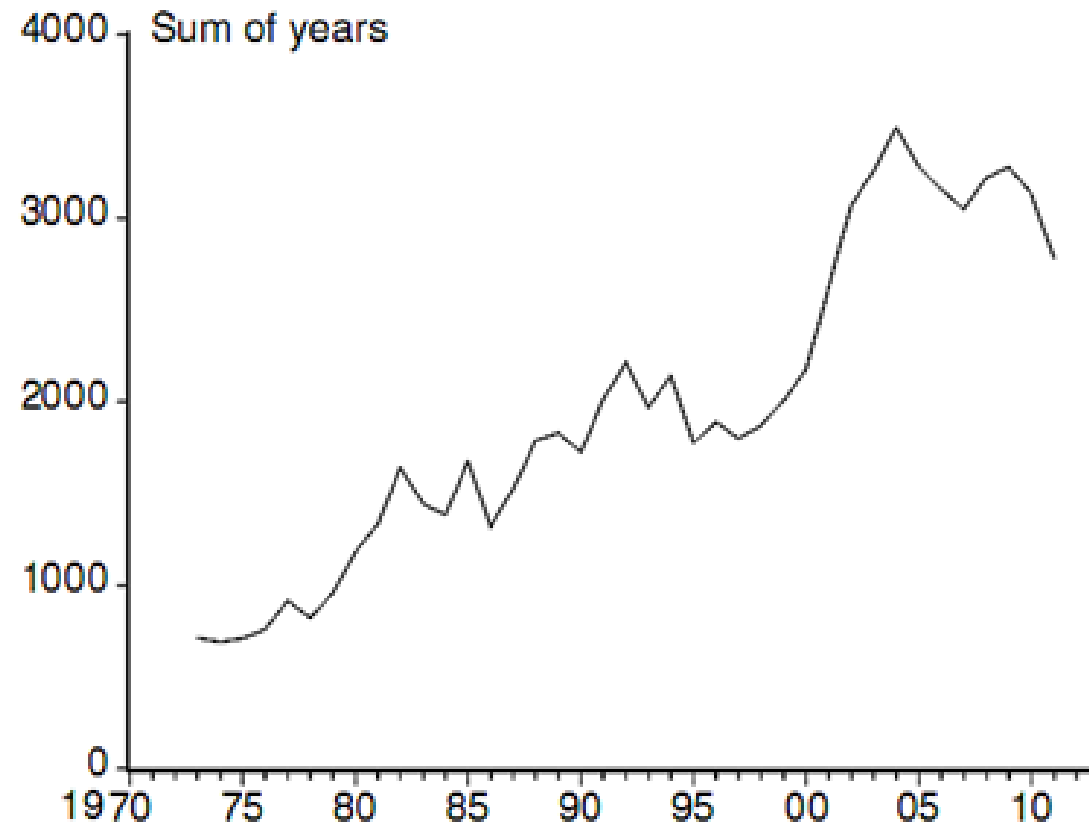
Penal theories and punitivity in Swedish legislation, 1965 – 1987 and 1988 – 2016

	Conseq. theories				Non-conseq. theories			
	General prev.		Individual prev.		Just deserts		Symbolic legislation	
	Exp.	Con.	Exp.	Con.	Exp.	Con.	Exp.	Con.
1965 - 1987	14	5	1	9	3	3	1	-
1988 - 2016	20	-	2	6	14	1	5	-
<hr/> Sum:	34	5	3	15	17	4	6	-

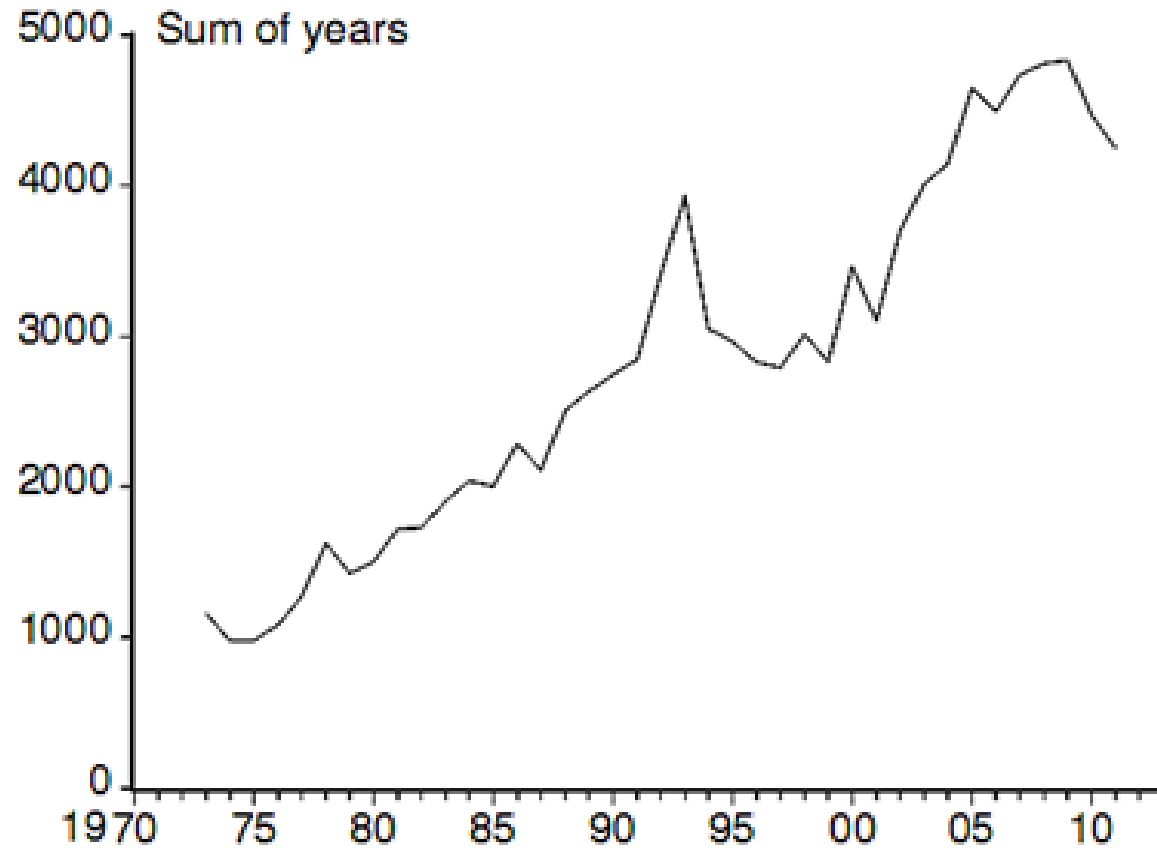
Imprisoned 1969 and 2015, cross section, according to type of main crime

	1969	2015
	%	%
Theft and robbery	49	18
Violence and sex crimes	10	33
Drug crimes	2	25
Drunken driving	14	2
Other crimes	25	22
<hr/> All crimes	100	100

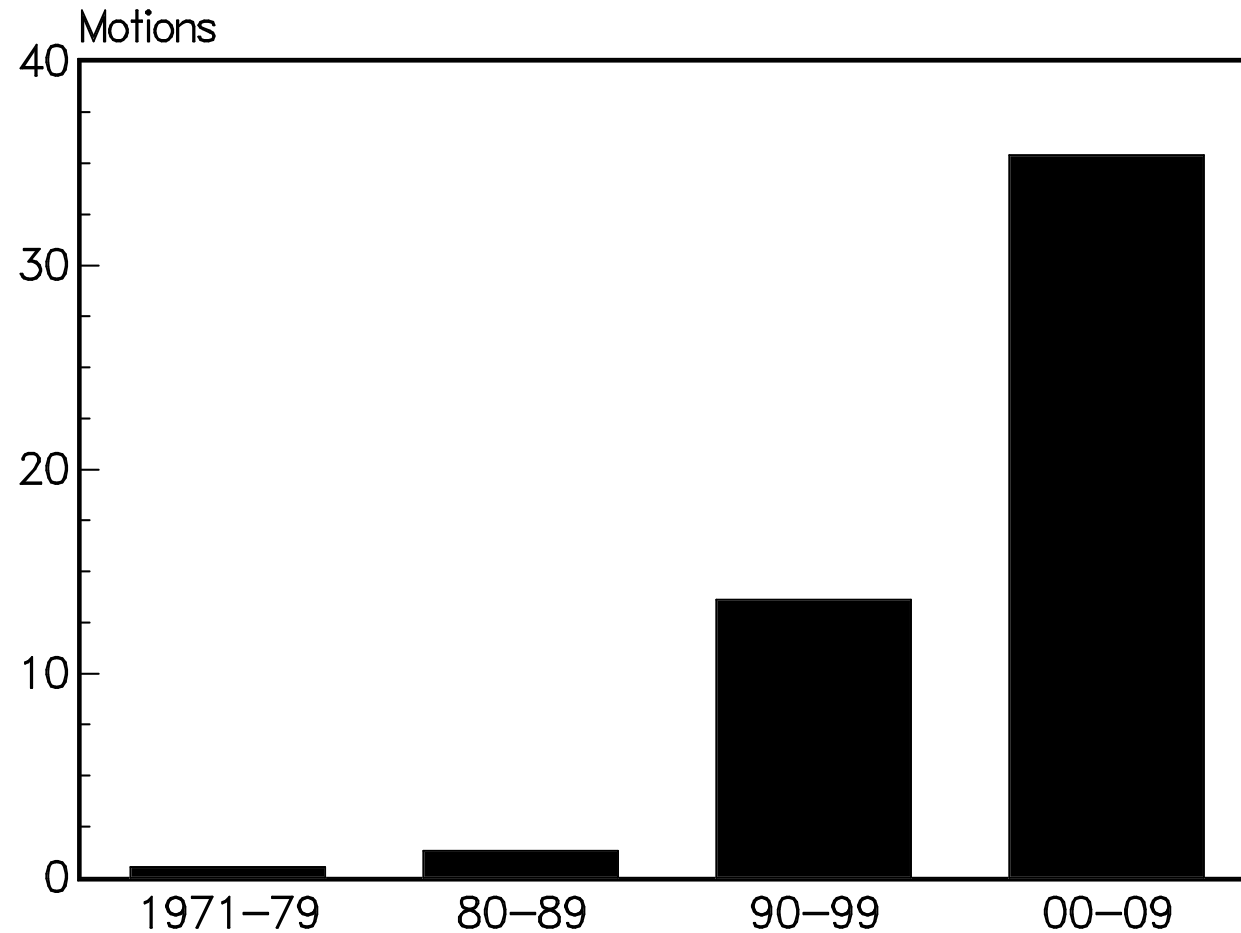
Imprisonment meted out in Sweden for drug crimes 1970-2011



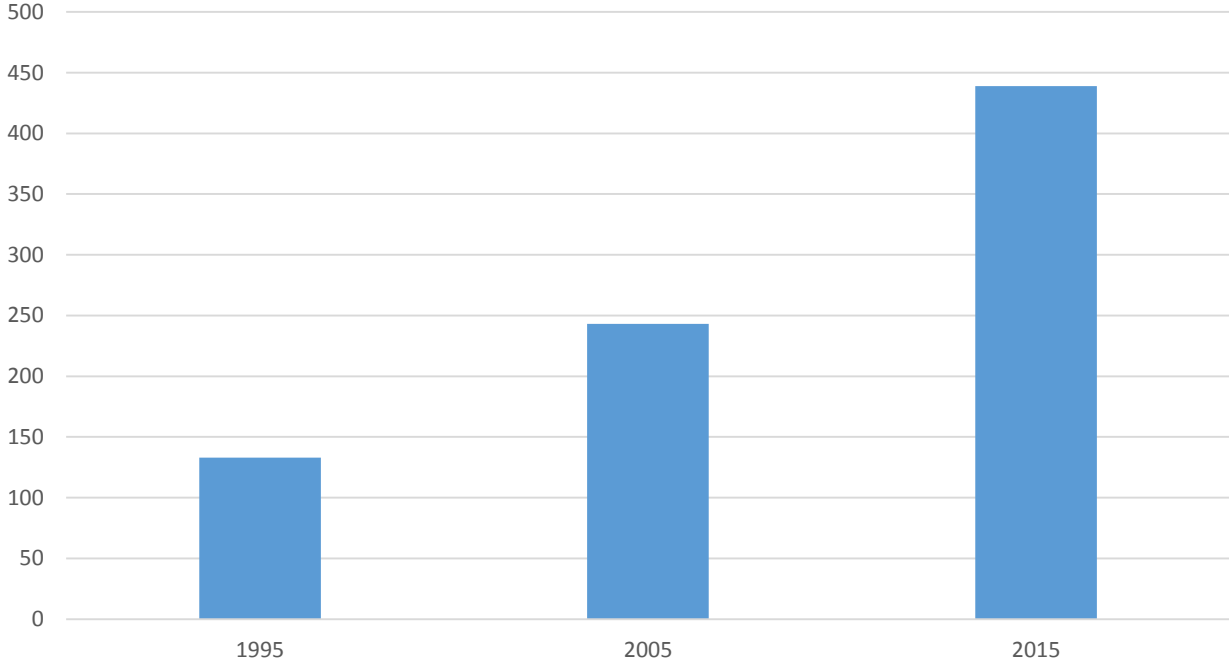
Imprisonment meted out in Sweden for violence and sex crimes 1970-2011



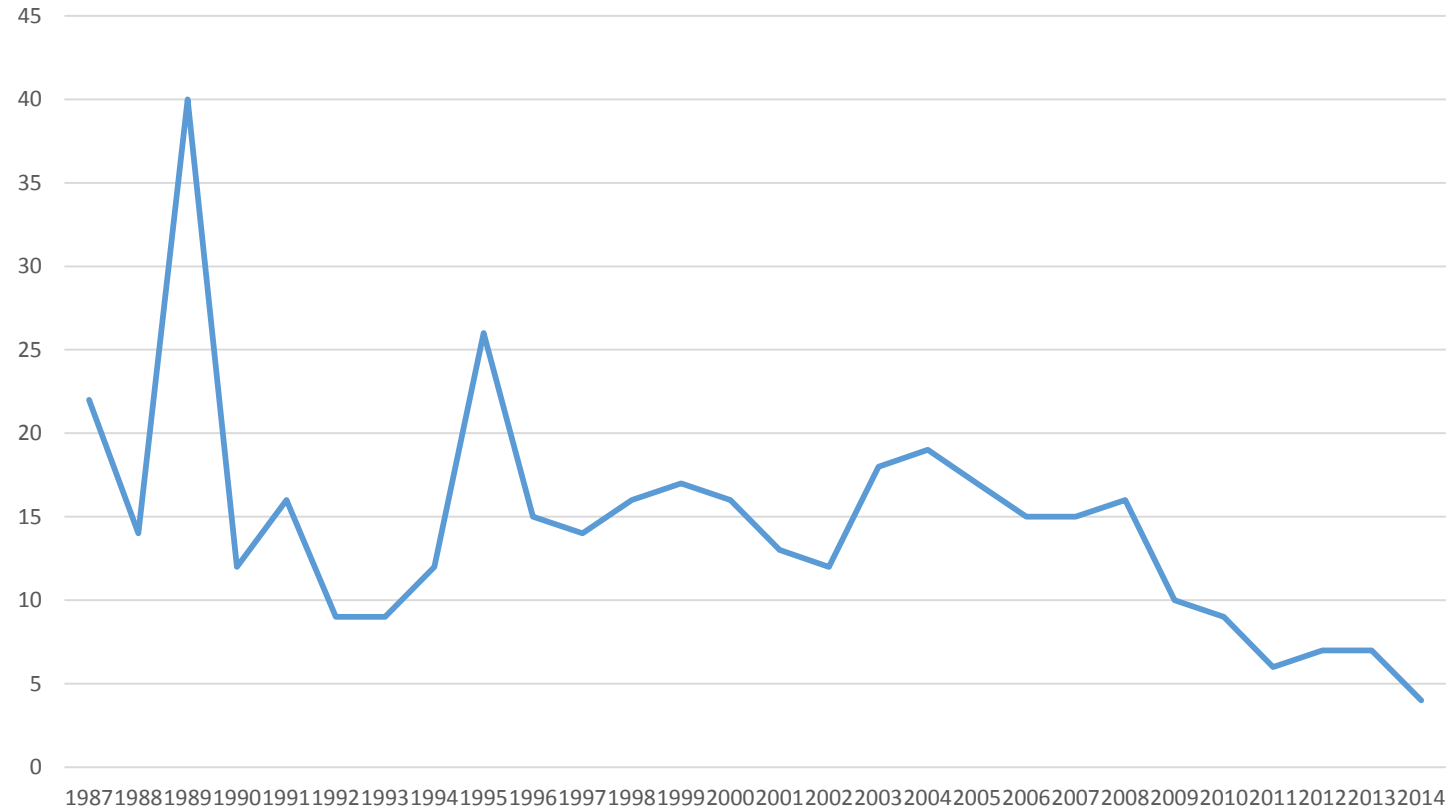
Private members' bills relating to crime victims in the Swedish Parliament



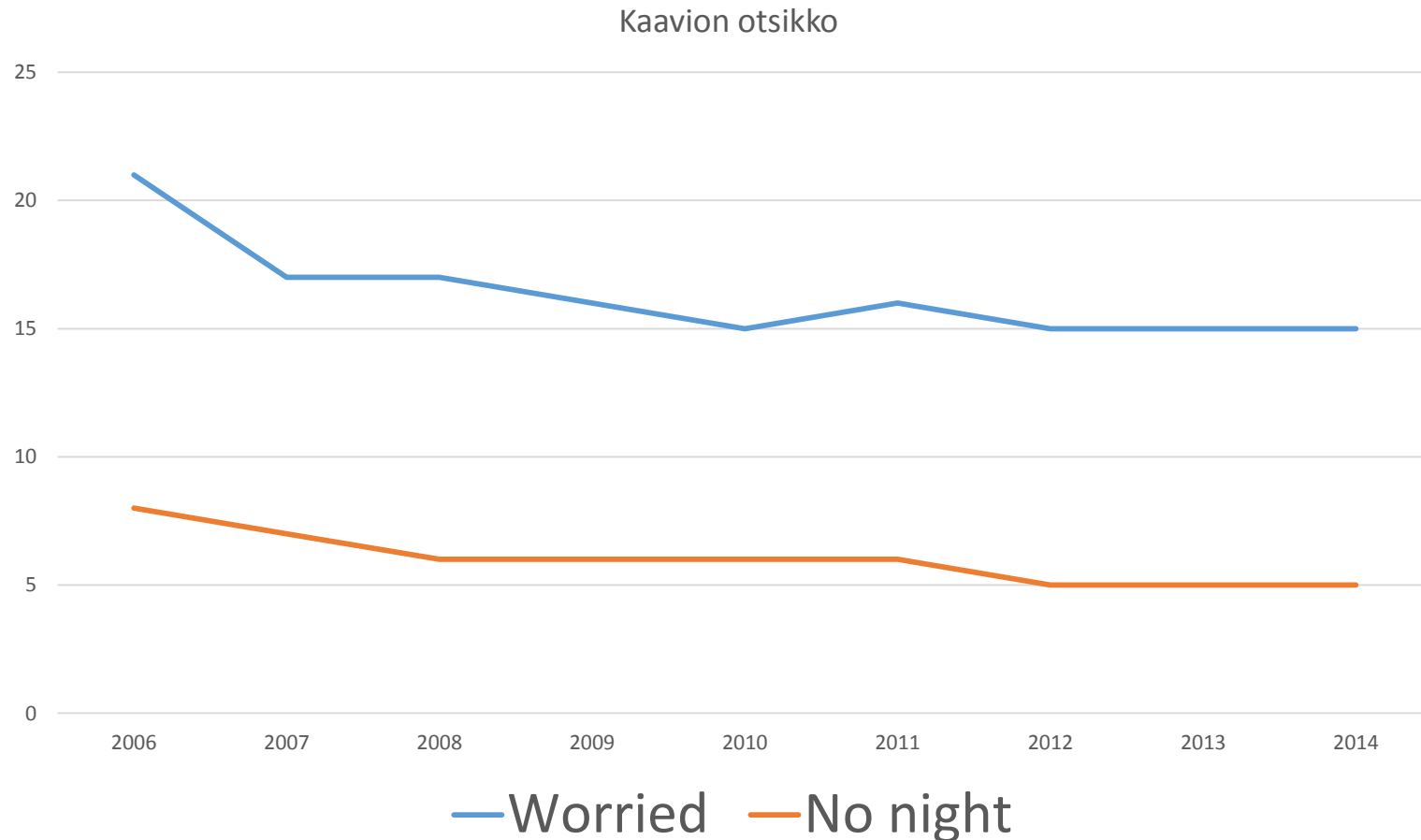
Articles on organized crime in Swedish metropolitan press 1995, 2005 and 2015



Proportion in the Swedish population regarding law- and-order as a major problem, 1987 - 2014



Proportion in the Swedish population worried of crime or afraid for going out after dark, 2006 - 2014



From a general to a concrete sense of justice, Sweden 2009

Source: K. Jerre 2013

