Electronic Court Records & Online Dating: The Swedish Case

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Abstract

This socio-legal research investigates the online dating outcomes of individuals with a Swedish criminal history. By utilising a self-administered questionnaire, this research has asked respondents several questions which helped to paint a picture of what kind of impact the online availability of court records has within the online dating realm in Sweden. By drawing on Foucauldian theories of law, power and disciplines, this research was able to map out the disciplinary mechanism that is generated through the online availability of court records in Sweden. Further, the outlining of such disciplinary mechanism also enabled the understanding of informal modes of operation present across respondents and which exist parallel to the formal modes of operation generated by the Swedish principle of public access to information. Moreover, this research has also highlighted how elements of dominance power and resistance are closely intertwined and co-existing. The results of this research showed the presence of a stigma across respondents, particularly against sexual offenders and it showed the importance that a criminal history plays in the decision-making process of respondents when rejecting potential dates. However, resistance was also a strong element present across respondents, showing the intricate relationship the latter has with the exercise of power. This research concludes by warning of the possible risks the online availability of court records poses within the online dating realm in Sweden and it suggests the possibility of further research being carried in the field.

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Chapter 1: Introduction

"He is seen, but he does not see; he is the object of information, never a subject in communication"

(Foucault, 1975:200)

1.1 Background

In March 2022, the online background check platform called "Garbo" has announced that it will allow Tinder users in the US to perform background checks on individuals on the platform. Garbo's new background check platform will be launched through Tinder's Safety Center, and it will be the first partnership of this kind within the online dating industry (Tinder Newsroom, 2022). Such a platform will allow Tinder users to access public information about "violent or harmful behaviour", and Tinder Newsroom argues this will allow people to "make more informed decisions about who they interact with in real life" (Tinder Newsroom, 2022). The latter event signals a new stage in late modern society: a stage in which accessing criminal records has become a matter of minutes but might have long term effects on individuals who carry the burden of a criminal history.

While scholars and individuals have argued that background checks are a necessary element on dating apps to ensure their users' safety (O'Day, 2013), it is also possible to interpret such a phenomenon as part of a surveillance process. This research draws on Foucauldian perspectives to examine this issue in light of accelerating online surveillance. Further, this research highlights how issues of classification, stigma and resistance impact the online dating outcomes of individuals with a Swedish criminal history.

1.2 Overview of criminal records keeping in Sweden

In the period ranging from the 1960s to the 1970s, the focus of crime policy in Sweden was characterised by the conceptualisation of crime as a societal failure, and there was a widespread belief in the necessity to rehabilitate offenders (Backman, 2011:118; Corda et al. 2020:254). Following the latter belief, the secrecy of criminal records was considered necessary in the process of rehabilitation of offenders. In fact, a government proposal in 1963 depicted potential negative consequences that might have arisen from criminal records keeping. The latter was considered a possible "burden" for individuals who committed criminal offences and needed to be rehabilitated into society (Backman, 2011:123). However, the latter changed following 1980, where "penal welfarism" shifted the focus to a more punitive approach that placed the victim at the centre of the picture (Backman, 2011:118). This new shift in focus also brought about the concept of "transparency" into the discussion and emphasised the need for *subject access* to criminal records as their secrecy was not understandable for individuals with criminal records (Backman, 2011:128). After the government's approval of *subject access* to criminal records, since 2000, "the number of subject access requests from individuals has been on a steady increase" (Backman, 2011:131), suggesting a possible misuse of such access due to some employers requesting criminal background checks to job applicants on unjustifiable grounds.

1.3 The Swedish principle of public access to information & the modern digital era

With the advancement of technology and internet use, a new phenomenon has arisen in Sweden, as it has in some other countries such as the USA: the online availability of court records, which give information about the crimes committed by an individual. In Sweden, individuals' personal data (such as name, address, birth date, and court records) are available online, which is legally permitted under *the principle of public access to information* (Ministry of Justice, 2020). The latter principle enables the following rights, as presented by the Swedish Ministry of Justice in its legislation brief:

i) Everyone is entitled to read the documents of public authorities

ii) Officials and others who work in the public sector have the right to tell outsiders what they know

iii) Officials and others who work in the public sector are normally entitled to make information available to the mass media for publication or to publish information themselves

iv) The public and the mass media are entitled to attend trials

v) The public and the mass media may attend the chamber of the Riksdag (the Swedish Parliament), municipal assemblies, county council assemblies and other such decision-making bodies

(Ministry of Justice, 2020:7)

However, all the above rights may be restricted in some instances (Ministry of Justice, 2020).

Given such rights, various companies in Sweden have established websites where individuals can access other individuals' personal information, such as addresses, birth dates and salaries. However, two websites in particular also allow access to individuals' court records with a fee: Lexbase.se and Mrkoll.se. These websites do not publicise criminal records specifically. Instead, they publicise court records that include a specific verdict against an individual, thus providing information about the criminal offences committed (Corda et al. 2020:254). The reason why they publicise court records rather than criminal records is that they are allowed to publicise court hearings under the publishing license they are given by the state (Herlin-Karnell, 2020:95; Corda et al. 2020:255; Österdahl, 2016:31), which allows the publication of public documents.

1.4 Aim and research question

A wide range of literature explores the relationship between criminal record-keeping and its impact on the labour and housing market as well as on college admissions (Evans et al., 2020:2). However, criminal records also have an impact in other areas of the social field, something that in the US, for example, "has been heightened dramatically by the increasing availability of online criminal records to the general public" (Uggen et al., 2015:1888). In fact, when it comes to romantic relationships, Uggen et al. have found that 47% of people who are single but dating, look up information about their potential dates online (Uggen et al., 2015:1888).

Given the online availability of court records in Sweden, questions arise concerning this availability with respect to its impact on dating outcomes. Thus, this thesis utilised a computerised self-administered questionnaire comprised of both quantitative and qualitative questions, in order to understand if the knowledge of a potential date's criminal history would lead an individual to reject them. The research question formulated for this thesis is as follows:

How does the online availability of court records in Sweden affect the online dating outcomes of individuals with a Swedish criminal history?

1.5 Outline

This thesis is divided into six chapters. As seen previously, Chapter One set the context of the research and provided an overview of criminal records keeping in Sweden as well as the Swedish principle of public access to information and the role it plays in today's digital era. The aim and research question were also presented in this chapter. Further, Chapter Two provides an in-depth discussion of the literature and previous research within the field of the online publicity of criminal records, including the legal, social and theoretical aspects of the issue. In Chapter Two, the research gap will also be addressed. Chapter Three presents the theoretical approach taken in this research

and discusses the different theoretical themes that will aid the analysis of the results gathered through the survey. Chapter Four presents the method that has been utilised in this research and discusses the different steps taken when creating and carrying out the survey. Further, Chapter Five presents the results of the survey as well as the analysis. Finally, Chapter Six presents the conclusion of the study, where all the different elements are brought together, and an answer to the research question is discussed. The possibility of further research will be also addressed within this chapter.

Chapter 2: Literature review

2.1 Online publicity of criminal records

Multiple scholars have explored the consequences arising from the online availability of criminal records, and they have shed light on the negative effects they have on individuals who have been previously involved with the criminal justice system (Jacobs et al., 2008; Murphy et al., 2011; Uggen et al., 2015; Corda et al., 2020). Jacobs et al., for example, explain in their research how the advancement of technology has changed the dynamics of criminal records' publicity. In fact, they explain how the availability of court records has been present for a long time in American history. However, in the past, when a searcher wanted to retrieve a record, they had to go through a long process of discovering which court held the record, where the court was located and then travelling to such court (Jacobs et al., 2008:183,184). With the advancement of technology and the computerisation of records, dynamics have changed, and accessing court records can now take only a few minutes and provide the searcher with a vast amount of information (Jacobs et al., 2008). Jacobs et al.'s research provides a valuable insight into today's digital age, where the online publicity of sensitive personal information such as criminal records are negatively impacting individuals with a criminal past. Murphy et al. explore how the "explosion in electronic backgrounding" rendered a criminal record a "permanent symbol of a spoiled identity" that cannot disappear and which ensures "an even faster societal reaction" (Murphy et al., 2011:112). Thus, the labelling process arising from electronic criminal records, as Murphy et al. explain, creates a marginalisation which may even lead offenders to follow the rationale that returning to prison would lead to being "more accepted by the prison society than by the free society" (Murphy et al., 2011:113). The latter is a relevant conceptualisation of the consequences electronic criminal records bear on individuals. Whilst it could be debatable that individuals bearing labels resulting from criminal records might follow the rationale that the prison society would accept them

more than the free society, and thus wish to return to prison, it is nevertheless a valuable insight into what might be the beliefs of certain individuals with a criminal history.

Uggen et al. add a new dimension to the field of the online publicity of criminal records by exploring a "second revolution" that has heightened the effects of collateral consequences arising from criminal records. Such a dimension focuses on how "new and disruptive information technologies now make criminal records more accessible and consequential, blurring the boundaries between public and private information" (Uggen et al., 2015:1874). In line with Murphy et al., Uggen et al. hold that the criminal labels arising from electronic criminal records are "virtually impossible to peel off", thus increasing marginalisation and stigmatisation of individuals who have been involved with the criminal justice system (Uggen et al., 2015:1874). By diving deeper into the issue, Uggen et al. also explore the informal social consequences arising from online criminal records. In fact, as mentioned earlier, they report that a recent survey they carried out showed that "47% of single daters research their dates online", thus increasing the chances of online criminal records as possibly having "initial disqualifying effects" (Uggen et al., 2015:1890). In line with Uggen et al.'s arguments is Corda et al.'s concept of "disordered punishment", which is caused by the exploitation of criminal record data which are "sold or variously disclosed and managed, frequently in violation of the spirit of transparency and privacy laws and policy" (Corda et al., 2020:259). Corda et al. contribute to the field of online criminal records publicity by illustrating and exploring such phenomenon within the European region, specifically by looking at the case of the United Kingdom and Sweden. Concerning the Swedish case, Corda et al. explore how since 2014, "the exposure of people with a criminal record reached an unprecedented level" in Europe since the website Lexbase.se was established. On Lexbase.se, the Swedish public can access court cases by paying a small fee (Österdahl, 2016:32). Corda et al. also explore the argument promoted by websites such as Lexbase.se, which is the one of "modernisation". The latter argument downplays the negative effects of criminal record

disclosure by suggesting that such websites are making "the principles of open government meet the digital age" (Corda et al., 2020:255).

2.2 Swedish vs European data protection laws

Two scholars in particular, have explored the relationship between Swedish and European data protection laws. Österdahl, for example, has investigated "the conflict between Swedish openness and EU law on the protection of personal data" (Österdahl, 2016:28). In his research, Österdahl highlights how the principle of open government, as well as public access to official records, represent fundamental elements within Sweden's political, cultural and constitutional heritage (Österdahl, 2016:28). The latter is indicative of the fact that when joining the EU, Sweden did not allow the modification of such constitutional principles, thus making the Swedish Freedom of the Press Act prevail over EU law (Österdahl, 2016:29). The latter, as Österdahl explains, directly conflicts with the "prevailing doctrine of EU law, which states that the EU law precedes national law in case of conflict" (Österdahl, 2016:30). In line with this view is Herlin-Karnell's reflection note on EU data protection rules and the lack of compliance in Sweden. Herlin-Karnell's argument builds around the fact that publishing licenses given to websites such as Lexbase.se or MrKoll.se, seem not to be about freedom of expression but rather "about conducting business" and therefore, the Swedish Freedom of the Press Act prevailing over EU law lacks a proportionality assessment which represents an EU constitutional principle (Herlin-Karnell, 2020:95,101). The latter principle is based on the idea that "interference with EU law rights should be kept to a minimum" and when such interference occurs, a test is necessary in order to "ascertain whether it has been manifestly disproportionate to interfere with these rights" (Herlin-Karnell, 2020:95,101). However, according to Herlin-Karnell, even if a proportionality assessment was to be carried out in the Swedish case, it would not stand the proportionality test since the question revolving around websites such as Lexbase.se and MrKoll.se is not one "about freedom of expression [...] but about obtaining information about private individuals from

authorities that [do] not have any public interest [...] and re-publish it online" without the consent of the individual at stake (Herlin-Karnell, 2020:101). Even though the latter represents Herlin-Kernell's personal assessment of what the outcome of a proportionality assessment would be for the case of Sweden, such literature provides an interesting and relevant perspective into the legal aspect of the publicity of court records in Sweden. Further, from the research present in the field it is possible to observe an apparent conflict between Swedish and EU law on data protection laws, specifically between the Swedish Freedom of the Press Act and the GDPR.

2.3 Criminal stigma and online dating

As mentioned previously, numerous studies have explored the consequences of criminal records within the labour and housing market and in the area of college admission (Evans et al., 2020:2). However, limited research has explored the effects of criminal records in the dating realm and how criminal stigma affects relationship prospects, especially on dating apps (Evans et al., 2020:2; Evans et al., 2021:36). Douglas Evans, a leading scholar in the field, has carried out three studies concerning the relationship between parole disclosure and online dating outcomes (Evans, 2019; Evans et al., 2020; Evans et al., 2021). In all three studies, Evans et al. utilise an experimental audit design in order to test how disclosing parole on dating app profiles may impact online dating outcomes. In one study, Evans carried out such an experiment utilising female online dating profiles, which "were created using pre-rated, open access photographs of women that varied in race: Black, White, [and] Latino" (Evans, 2019:179). In this study, Evans found that in the parole disclosure condition, Black and Latino profiles got significantly fewer matches compared to White female profiles (Evans, 2019). The latter results varied from those gathered by a similar study that instead focused on Black, Latino and White male dating profiles. In such a study, Evans et al. found that parole disclosure increased matches for White males while decreasing them for Black males. However, Latino males' matches were not affected (Evans et al., 2020). In a study carried out in 2021, on the other hand, Evans et al. utilised Black,

Latinx, and White male and female dating profiles. In the latter research, results showed that the "White female profile disclosing parole was the only one to match with significantly fewer users" (Evans et al., 2021:1). Overall, there seemed to be a correlation between parole disclosure and fewer matching rates (Evans, 2019; Evans et al., 2020; Evans et al., 2021).

2.4 Theoretical approaches in the field

Different studies have approached the issue of criminal stigma and social relationships from different theoretical perspectives. A prevailing theory in the field is labelling theory. As an example, Evans (2019) and Murphy et al. (2011) approach the issue of criminal stigma in society through a labelling perspective which emphasises the importance of establishing a deviant identity in order to control specific groups of people (Murphy et al., 2011:105; Evans, 2019:181). Such a labelling process produces a "spoiled identity" whereby an individual with a criminal past suffers from being constantly discredited and marginalised due to society's reaction to their deviance (Murphy et al., 2011:105). Labelling theory has proved to be useful in the field of electronic criminal records as researchers discovered the burden that the label of an easily accessible criminal record represents for an individual with a criminal past. However, it must be said that labelling theory has provided useful results specifically within the field of criminology. Such a theory may not be fully appropriate within the field of sociology of law as it may not, compared to other socio-legal theories, necessarily provide relevant tools that can aid a bottom-up investigation of the issue of online court records.

Moreover, when carrying out a study concerning the way in which Black women in Southern California suffered the consequences of the criminal-legal system in their relationship status, Monterrosa (2021) utilised a Black feminist theory perspective and intersectional research methods. By approaching the topic through such a perspective, Monterrosa was able to highlight Black women's "distinct experiences with

interlocking systems of oppression" and "inform policy regarding victimisation of African Americans and other racialised groups" (Monterrosa, 2021:428). Thus, Black feminist theory and intersectional perspectives proved to be useful tools in highlighting how criminal stigma and the criminal justice system affect racialised groups disproportionately.

Furthermore, in their research concerning the exploitation of criminal records and the creation of "disordered punishment", Corda et al. propose a different theoretical perspective within the field. According to such a perspective, "the current unprecedented ease of availability and dissemination of criminal records is largely the result of independent technological and bureaucratic shifts that created various appetites for such records" (Corda et al., 2020:248). The latter view distinguishes itself from the doctrinal idea of the circulation of criminal records as something linked to public safety and broad policy preference (Corda et al., 2020:248). Corda et al.'s theoretical perspective can represent a relevant tool in the new understanding of electronic court records as commodities that can generate profit for private companies such as Lexbase.se and MrKoll.se, thus diverging from the doctrinal view of criminal records as important elements of approaches to public safety (Corda et al., 2020:248).

2.5 Debates within the field of criminal stigma and online dating

Evans et al.'s different studies showed a correlation between parole disclosure and fewer matching rates (Evans, 2019; Evans et al., 2020; Evans et al., 2021), thus suggesting the possibility of criminal stigma affecting dating initiation online. Furthermore, studies such as Lageson's (2016) have highlighted the negative impacts that arise from the justice system's contact with individuals in the sphere of reintegration. More specifically, Lageson discusses how the simplicity with which one can access criminal records online has been utilised by multiple actors "as a way to assess morality and character" (Lageson, 2016:129). The latter, combined with criminal records being transformed into multiple data sources lacking "federal

oversight, regulation, or mandated updates", which can lead to some erroneous results, have proved to be problematic for individuals who try to "seal or expunge their criminal history" (Lageson, 2016:130).

In contrast to such views is O'Day's (2013) who proposes amendments to the Communication Decency Act in the US and proposes changes to the legislation which would, in turn, require dating websites to perform criminal background checks and inform users about their results once they receive a recommended date (O'Day, 2013:330). O'Day's motives behind such a proposal are that a girl going on a date with a potential sexual offender that might harm her is something that can be avoided and prevented if criminal background checks are performed by online dating websites (O'Day, 2013:329). Such motive, as presented by O'Day in their study, seems however to possess a certain bias. In fact, one could argue that even though girls might be more at risk compared to men on dating apps in a heterosexual setting, the risk is still present for men, especially on dating apps designed for LGBTQ people (Steinfeld, 2020). Nevertheless, O'Day proposes a different view within the field of criminal stigma and online dating, suggesting that informing users about their matches and dates' criminal offences can contribute to their safety and minimise potential harm, therefore opposing the view of criminal background checks as something negative.

2.6 Research gap

As explored throughout the literature review, a vast extent of writings have examined the negative effects of the publicity of criminal records on the internet generally (Jacobs et al., 2008; Murphy et al., 2011; Uggen et al., 2015; Corda et al., 2020), with Evans et al. providing data on the effects of parole disclosure on matching rates on dating apps in the US (Evans, 2019; Evans et al., 2020; Evans et al., 2021). Further, Österdahl (2016), Herlin-Karnell (2020), and Corda et al. (2020) have provided an insight into the conflict between Swedish and EU law on data protection laws, highlighting the legal tensions between the two. However, a gap seems to arise when looking at the

impacts of the online availability of court records in Sweden and the effects the latter might have in the realm of online dating. This makes the regional focus of this thesis an original one which is lacking in the field, since this research will focus on the consequences of online court records in Sweden, and it will examine the online dating effects of individuals with a Swedish criminal history. Further, as seen throughout the literature review, studies have mostly used labelling theory when exploring the topic of the publicity of criminal records. This research will utilise a Foucauldian theoretical approach to the study, which represents a novelty within the field of electronic criminal records and online dating outcomes.

Chapter 3: Theory

This research will utilise a Foucauldian theoretical approach. Such theoretical choice for the present study is due to the fact that Foucault's theories of power, discipline and law are particularly suitable for the topic at hand. In fact, the topic of this study may seem to transcend disciplinary boundaries, such as that of criminology and sociology of law, resembling Foucault's intent to "break down artificial disciplinary boundaries" himself (Hunt et al., 1994:5). Further, Foucault's characteristic within the academic realm is his ability to place himself in different fields, thus enabling different ways one can read his writings. It is the latter that makes a Foucauldian theoretical approach best suitable for this topic, a topic which can be studied within different fields, and which holds elements that can be of interest to different disciplines.

Moreover, since the topic at hand holds criminological and socio-legal elements, a Foucauldian theoretical approach seems to be the best choice of theory. The latter is best explained by the fact that in his writings, Foucault not only covered aspects that are highly relevant to the criminological field, but he also addresses the issues of norms and normalisation as well as the relationship between the law and the disciplines. This also contributes to his position as a relevant scholar within the socio-legal field and makes him a highly relevant theorist for this study.

A fundamental theoretical concept upon which this study will rely on is that of *panopticism* as understood by Foucault (1975) and revisited by Gandy (2021). Foucault's analysis of the Panopticon as a disciplinary mechanism that is reflected throughout society will be beneficial to the understanding of the online availability of court records in Sweden as part of the process of panopticism. However, given the digital age we live in, and the social dynamics and mechanisms that were consequently adapted to such an age, Gandy's revisitation of Foucault's understanding of panopticism will contribute to set the context of this research and complement Foucault's theory.

To begin with, this chapter will briefly present Foucault's position in the socio-legal field and how he conceptualises law and power. Further, this chapter will critically engage with some of Foucault's prominent ideas related to the phenomenon of panopticism, which will be the theoretical basis of this research. Moreover, Gandy's revisitation of Foucault will be explored so to incorporate his prominent ideas into the digital age we live in. Finally, four central theoretical themes that will guide the analysis of this research will be introduced and discussed. Such themes are anonymous surveillance and classification, stigma and resistance.

3.1 Foucault and the socio-legal field

Law and the disciplines

When dealing with the concept of law, Foucault places his focus on the issue of power. As will be seen throughout the theory chapter of this research, Foucault considers power as both negative and positive and as a productive element that generates social relations and produces subjects as well as institutions (Wickham, 2013:218). As Wickham explains, when Foucault addresses the "psy sciences (psychiatry, psychology, etc)", he holds that such sciences enabled the law's capacity to "guarantee truth" and to turn towards "a certain sort of individual" (Wickham, 2013:218). In this way, the law represents a negative power that controls individuals and shows itself through "the category of the dangerous individual" (Wickham, 2013:218). According to Foucault, the subjects that emerge from the law are subjected to the negative power of the law, and they have rights. However, such rights are only given to them so that "negative power can operate through law" (Wickham, 2013:219). Foucault further considers the law as being "colonised" by the disciplines. In fact, when he explores "the core of disciplinary power techniques of surveillance" he shows the intricate web in which the law and the disciplines operate (Wickham, 2013:219,220). More specifically, Foucault highlights "the shifting dependence of legal thinking on other systems of knowledge", showing how the psy sciences have colonised legal thought by

bringing some of their elements within the law (Hunt et al., 1994:42). The latter is clear when looking at how law usually resulted in a sanction after an offence, whereas now, the focus has broadened from the criminal committing an offence to the dangerous individual as a potential criminal (Hunt et al., 1994:42). Further, Foucault also sheds light on the "interaction and interdependence of disciplinary practices and their legal framework", thus helping the understanding of how "formal and informal modes of operation" operate parallel to each other (Hunt et al., 1994:47). This understanding of the law and the disciplines is a core theoretical pillar that can aid the understanding of the results gathered through this study. In fact, such a theoretical approach will reveal the informal disciplinary practices emerging from the results gathered in this thesis and how they are exercised parallel to the Swedish legal framework surrounding the publicity of personal data such as court records.

Norms and normalisation

Another essential element of Foucault's theoretical approach to the concept of power is *normalisation*. According to Foucault, power that is exercised through law alone is less productive and more negative. On the other hand, power that is exercised through disciplines and norms is more productive and more positive. The latter is due to power taking charge of life through "continuous regulatory and corrective mechanisms" (Wickham, 2013:220).

Foucault holds that the discourse of *discipline* distinguishes itself from that of law since what defines it is the code of normalisation rather than the code of law (Hunt et al., 1994:49). In fact, disciplines differ from the law since they are not "constituted by minor offences" but instead by norms and standards which people internalise and manifest in their behaviour (Hunt et al., 1994:49). Consequently, these standards and norms enable "a mode of regulation" which intends to correct deviations and "secure compliance" (Hunt et al., 1994:49). In this way, normalisation is juxtaposed to the model of law, which entails prohibition and punishment. Additionally, inferential to

the "norm" is the element of surveillance which also allows the identification of a norm infraction, which would then be categorised as deviance (Hunt et al., 1994:49,50).

Moreover, Taylor explains how according to Foucault, a norm is normalising if:

> It links the increase of capacities and expansion of possibilities to an increase and expansion of the proliferation of power within society. Simply put, normalising norms encourage subjects to become highly efficient at performing a narrowly defined range of subjects (Taylor, 2009:47)

Thus, through time, repeated and consistent behaviour is not simply considered as a norm that prevails over others but rather as the "normal" and "inevitable" standard (Taylor, 2009:47; Hunt et al., 1994:50). Further, norms and normalisation contribute to the displacement of the juridical system of law, giving rise to new forms of power, such as qualifying, hierarchising and measuring (Hunt et al., 1994:450). Additionally, another consequence arising from the modern disciplines is also that of judges and judging. In fact, Foucault holds that:

> The activity of judging has increased precisely to the extent that the normalising power has spread [...] the judges of normality are present everywhere. We are in the society of the teacher-judge, the doctor-judge, the educator-judge, the social worker-judge (Foucault, 1978:304)

The relevance of Foucault's ideas surrounding norms and normalisation are vital elements in the understanding of respondents' answers to the survey as norms emerge across responses and show how normalisation is a constant element in respondents' assessments of potential dates. Further, from the answers gathered, it will also be possible to see how several respondents also assume the role of judges who contribute to the disciplinary mechanism and surveillance practices, which will be later explored.

3.2 Foucault and the Panopticon

In *Discipline and Punish: The Birth of the Prison*, Foucault presents measures that were to be taken during the seventeenth century when the plague started to appear in a particular town (Foucault, 1975:195). In doing so, Foucault explains how such measures were based on a surveillance system that entailed permanent registration, which included "reports from the syndic to the intendants, from the intendants to the magistrates or mayor" (Foucault, 1975:196). Such a surveillance system was also based on the enclosing of individuals in segmented, fixed spaces (their houses) who had to answer to the authority of those in charge of surveilling them and making sure they did not violate their quarantine. Foucault argues that such a system constitutes a model of the "disciplinary mechanism" and that the plague enabled "an intensification and a ramification of power" (Foucault, 1975:197,198). Such a disciplinary mechanism, Foucault argues, finds its architectural composition in Bentham's Panopticon. The Panopticon comprises a circular building with numerous cells at its periphery. At the centre of the building is located a tower with wide windows that enable full vision of the different cells. Each cell has two windows: one that overlooks the tower's windows and the other one which overlooks the outside of the building. As Foucault explains,

> By the effect of backlighting, one can observe from the tower, standing out precisely against the light, the small captive shadows in the cells of the periphery. [...] Each individual, in his place, is securely confined to a cell from which he is seen from the front by the supervisor; but the side walls prevent him from coming into contact with his companions (Foucault, 1975:200)

Thus, as Foucault describes the individual in the cell, "he is seen, but he does not see; he is the object of information, never a subject in communication" (Foucault, 1975:200). Foucault finds relevance in the Panoptic structure due to its innovative disciplinary mechanism, which enables the automatic functioning of power through the

state of permanent and conscious visibility that every individual in the cell is subjected to.

Further, since anyone can take on the role of "supervisor" within the tower, the dynamic that is established between the individual in the cell and the supervisor in the tower sustains "a power relation independent of the person exercising it" (Foucault, 1975:201). The fact that individuals in the cells are totally seen without ever seeing, and the supervisor in the tower sees everything without ever being seen "disindividualises" the mechanism of power, making irrelevant who exercises power and increasing the anxious awareness of individuals in the cells of possibly being observed (Foucault, 1975:202). Further, the Panopticon also enables the opportunity of drawing up differences among individuals in the cells and observing their different symptoms. For example, Foucault illustrates the latter by arguing that if school children are placed in such cells, then their performances can be observed and monitored (Foucault, 1975:203).

Another relevant element of Foucault's theoretical approach is his idea of the Panopticon as a disciplinary mechanism that is democratically controlled. In fact, he holds that:

> The seeing machine was once a sort of dark room in which individuals spied; it has become a transparent building which the exercise of power may be supervised by society as a whole (Foucault, 1975:207)

Such a theoretical approach will be the conceptual pillar of this study. Foucault's theory of the panopticon as a disciplinary mechanism is a prominent and unique theory within the field. In fact, his ideas regarding surveillance practices and the power dynamics installed through them by society as a whole, offer an excellent conceptual mirror through which the topic at hand can be reflected and analysed. Such a theory further aids the understanding of the respondents' role as observers and the power which is

conferred to them through such an observatory role, making the disciplinary mechanism generated by websites such as MrKoll and Lexbase, democratically controlled. The latter is particularly relevant as it aids the understanding of the surveillance practices exercised by the respondents as a democratic process that is not solely controlled through the law or through a singular entity. The law, by giving permission to websites such as MrKoll and Lexbase to publish court records online, has enabled the rise of surveillance habits that represent the informal mode of operation existing parallel to the formal mode of operation created by the law (i.e., the publishing license).

3.3 Gandy's Panoptic Sort

The limitation of Foucault's theoretical approach to the panoptic mechanism is that of *space*. In their work, *The Panoptic Sort: A Political Economy of Personal Information*, Gandy revisits Foucault's theoretical understanding of Panopticism and explains that the "locational constraints, the notion of separation by space [...] and surveillance as visual" are elements that limit Foucault's construct, if viewed in today's age, an age comprised of "electronic networks, virtual memory, and remote access to distributed intelligence and data" (Gandy, 2021:38). Thus, considering the latter elements, Gandy argues that surveillance is no longer limited to "single buildings" or observation through "line of sight" (Gandy, 2021:38). However, Gandy emphasises the importance of Foucault's work when applying the idea of a panoptic system to our digital age.

In their work, Gandy presents the concept of the "panoptic sort", which entails "the all-seeing eye of the difference machine that guides the global capitalist system" (Gandy, 2021:15). According to Gandy, the panoptic sort is a kind of "high-tech, cybernetic triage" that sorts individuals according to their presumed political or economic value (Gandy, 2021:15,16). Even though Gandy's focus is placed on the role and attitude of corporations in targeting consumers, their revisitation of Foucault's conceptual pillars of panopticism helps set the context of this research and will enable the understanding

of the online availability of court records in Sweden as part of such phenomenon in today's digital age.

3.4 Anonymous surveillance and classification

A key theoretical element in Foucault's panopticism is that of *anonymous surveillance*. As Gandy explains, what makes the panoptic design efficient is that anyone can exercise the power of observation, and, as Foucault suggests, "the more numerous these anonymous and temporary observers, the greater the risk for the inmate of being surprised and the greater his anxious awareness of being observed" (Gandy, 2021:37; Foucault, 1975:202). The concept of anonymous surveillance as part of the panoptic design is something that can be applied to the issue of the online availability of court records in Sweden. In fact, on the website MrKoll for example, anyone can pay the fee to access an individual's court records while remaining fully anonymous. Such function enables any individual willing to pay the fee to become, metaphorically speaking, the observer within the tower that can see without ever being seen. Further, such a power dynamic can make individuals within the society aware of their criminal history possibly being observed by anyone, thus increasing a level of anxiety, and enabling the process in which the individual inscribes "the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection [sic]" (Foucault, 1975:202,203). In this way, the Swedish principle of public access to information is the law that enabled a form of disciplinary mechanism generated by websites such as MrKoll that give rise to this productive and positive power.

Moreover, if we look at *classification*, Gandy defines it as:

> a technology of control [that] is driven by the purposes or interests of the actors who seek to take advantage of knowledge regarding the factors that produce or underlie the similarities and differences [in] people (Gandy, 2021:102)

Gandy further argues that Foucault characterises classification as an instrument closely linked to the exercise of power (Gandy, 2021:102). In fact, Foucault asserts that the disciplines enable anonymous instruments of power, such as "hierarchical surveillance, continuous registration, perpetual assessment and classification" (Foucault, 1975:220). Thus, classification is a tool enabled by the exercise of power and contributes to the disciplinary mechanism in our digital age. Such a concept will help understand how the online availability of court records facilitates the classification of individuals with a criminal history through the perceived severity of the crimes they committed and how it aids the installing of power relations based on hierarchical surveillance.

3.5 Stigma

In this thesis, the notion of stigma will be utilised in order to analyse respondents' answers to the survey. In their work, Hannem explores Goffman and Foucault's theoretical approaches to stigma and highlights how they can complement each other. Related to the notion of stigma is Foucault's idea of truth. Foucault does not believe in truth as an objective phenomenon: rather, he considers it "relative to the structures of power that created it" and varies across space and time (Hannem, 2012:21). Further, those who hold a position of power "are able to shape possibilities of knowledge" and have control over what constitutes "truth". However, according to Hannem, Foucault did not address well enough the "contested nature of truth and knowledge", and they go on to observe that:

> Individual experiences may constitute a form of truth without becoming knowledge [...] while power may create knowledge that is not in fact true (Hannem, 2012:21).

To illustrate such an observation, Hannem takes as an example the stereotype. They hold that stereotype is an inaccurate depiction of a specific group of individuals that becomes accepted knowledge while excluding the "truth" of experiences belonging to individuals within such groups (Hannem, 2012:21). On the other hand, Goffman

conceptualises stigma not solely as an attribute but also as a relationship between stereotype and attribute (Hannem, 2012:15). The latter, as Hannem explains, entails that:

> An individual possesses a particular attribute (i.e., the quality of having a conviction for a criminal offence) defined by others, based on stereotypes, as an undesirable or negative characteristic (Hannem, 2012:15).

Thus, for Goffman, stigma is an attribute that leads to the discrediting of an individual and shows itself through "creating tension or avoidance behaviour" (Hannem, 2012:15). However, Goffman's main focus on interaction and his neglection of power differentials within some interactions may be limiting when looking at stigma's relationship with power and its effects on knowledge (Hannem, 2012:21). Thus, Goffman and Foucault's theoretical approaches around stigma can complement each other and aid the analysis of this research.

3.6 Resistance

According to Foucault, power is relational and not absolute. Thus, resistance can always be found where there is power, as the former is an integral component of the latter (Hannem, 2012:21; Khan et al., 2021:5). Foucault, therefore, acknowledges "the potential for individuals to question knowledge and truth" (Hannem, 2012:21) and holds that resistance and domination power are discontinuous and fragmented. The latter, in turn, entails that they also hold elements of each other (Khan et al., 2021:5). As Khan et al. explain, resistance is not only in terms of direct revolutionary attacks to the state but also "local struggles that challenge institutions and normalisation" (Khan et al., 2021:5).

Foucault refers to resistance as inherent to the exercise of power that marginalises, silences, and excludes. Even though he conceptualises resistance as an element belonging to the marginalised, silenced and excluded, who are always present, he also

holds that there is no "single locus of great refusal, no soul of revolt, source of all rebellions, or pure law of the revolutionary" (Foucault, 1978:95,96). Instead, Foucault holds, there is "a plurality of resistances" (Foucault, 1978:95,96). Such resistances, in turn, are not fixed nor stationary. Rather, resistance is mobile and transitory and produces "cleavages in a society that shift about, fracturing unities and effecting regroupings" (Foucault, 1978:96). The latter point is of particular relevance to this thesis since the survey focused on respondents and their attitude towards individuals with a criminal history on dating apps. Thus, the marginalised and excluded (i.e., individuals with a criminal history) will not be the focus of this research, but instead, the resistance exercised by other respondents will be analysed as it emerged across responses. Even though one could argue that this type of resistance does not voice the marginalised and the excluded in a representative way, it could be argued that it belongs to the plurality of resistances that Foucault refers to. It is for these reasons that the theme of resistance will aid the analysis of this research as it will shed light on several respondents' resistance which transpires from their answers.

Chapter 4: Method

The present study utilised a computerised self-administered questionnaire as a method for collecting data. The questionnaire was made through the SUNET programme and was self-administered by following a link online. SUNET is a web-based survey programme offered by Lund University to its staff and students. However, anyone within society was able to access the questionnaire, thus enabling the collection of a wider sample compared to only university students and staff. As it will be explored more in depth in Chapter Five, a total number of 58 respondents participated in the survey. As shown through the overall demographic results, the majority of respondents were female and belonged to both the age group 18-24 and 25-30.

4.1 Question Formation

Due to the fact that the questionnaires lacked an interviewer or supervisor, it was crucial to formulate the questions clearly and comprehensively (Bryman, 2016:222). Further, Fowler (2013) writes that one should avoid ambiguity when asking survey questions to avoid confusion. In fact, Fowler (1992) found that people respond to questions that include ambiguous terms, consequently producing distorted data since they lack an understanding of the questions. In addition, Fowler argues that researchers cannot assume that participants will ask for clarification (Fowler, 1992). Consequently, to ensure validity, one should formulate questions in a way that participants understand clearly, and this was the focus when formulating the questions in this survey.

Moreover, Fowler (2013) writes that even with well-educated respondents, one should use simple, short, widely understood words, and avoid unfamiliar terms that have multiple meanings. Consequently, the thesis incorporated these strategies during question formulation to aid understanding for the participants. Further, the questions avoided any technical language, academic language or any vocabulary that would require field-specific knowledge.

Turning to the language selected for the questionnaire, using an only English questionnaire may have limited the participation of only-Swedish speakers, thus reducing the sample to individuals who could also speak English. The latter may seem counterproductive since the research focuses on Swedish society. However, Sweden has a high number of English speakers, with 71% having English proficiency (Klazz, 2019). The latter makes the selected language effective for the purpose of the thesis. Further, using English as a language for the questionnaire allows individuals who may have come from different countries and backgrounds and who are residing/have resided in Sweden to respond to the survey. The latter widens the net for responses and provides new cultural perspectives to the issue while also complementing the "Swedish" perspectives.

Using closed questions makes it easier to respond and can maximise returns (Fowler, 2013). The latter is one helpful reason to utilise them in the line of questioning. However, some challenge the usefulness of using open answers within self-administered questionnaires due to the lack of the interviewer to probe, provide clarity and adhere to the objectives of the study (Fowler, 2013). Further, open answers within self-administered questionnaires are difficult to code and could reduce the respondent's willingness to participate. Consequently, the open-ended questions appear towards the end of the survey and are optional for participants. Moreover, rather than coding them, they will be analysed through a Foucauldian discourse analysis (FDA) to support the data and aid the analysis of the findings.

4.2 Socially sensitive activities

Over the years, dating apps have started to become more socially accepted. However, social stigma still persists in certain cultural contexts (Comunello et al., 2020). If we consider dating as a whole and dating apps specifically (due to the social stigma) a sensitive subject, or maybe an embarrassing one, it may be useful to consider relevant approaches to the topic. Researchers have found that in terms of sensitive questions, it

is most effective to utilise self-administered questions rather than having an interviewer ask them. For example, Tourangeau and Smith (1996) asked adults about sensitive questions such as sex partners and illegal drug use; they found "that computer-assisted self-administration increases respondents' willingness to make potentially embarrassing admissions in surveys" (Tourangeau et al., 1996:299). Consequently, considering the topic of this study a sensitive and embarrassing subject for some participants, the use of self-administered questionnaires online seems to be the most appropriate option to ensure validity.

4.3 Interviewer effects

Using questionnaires rather than interviews was suitable for this topic because it avoids interviewer effects. Fowler (2013) writes that the ethnic background, age, or gender of the interviewer may affect answers. To avoid the latter, the self-administered questionnaires had an absence of an interviewer and so should produce more valid responses from participants.

4.4 Social desirability bias

Social desirability is the propensity of participants to reply to questions in a way they deem to be most socially acceptable, rather than giving their honest or accurate answer to the question (Lavrakas, 2008). As the collection of the most valid data is essential for this study, it was crucial to take the necessary measures to lower the chance of social desirability bias.

Sudman and Bradburn's (1982) study, which compared postal questionnaires to personal interviews, found that those in an interview setting were more likely to exhibit social desirability bias. Due to the importance of reducing social desirability bias, the method of self-administered questionnaires can be useful in this sense. Joinson (1999) found that those who answered questionnaires online rather than written questionnaires scored significantly lower on measures of social desirability. They also found that

anonymous participants scored lower on measures of social desirability. During the process of this thesis' study, participants were shown a page that asked for consent from them (as will be discussed later in the methodology) before proceeding to the questionnaire. This page, which participants must have agreed to in order to proceed, highlights twice the anonymity of the study, in which it is written that "this survey is entirely *anonymous*" and "the answers […] will remain anonymous". Such steps taken by the researcher hoped to highlight the anonymity of the survey to the participant and, in turn, reduce the social desirability bias that may have been present.

Moreover, Bäckström et al. write that in self-report inventories, "items with an obvious valence, positive or negative, activate social desirability to a higher extent than more neutral items" (Bäckström et al., 2008:339). Consequently, this study tried to keep the questions as neutral as possible through short and concise questions that do not hold a positive or negative tone.

Further, Larson (2018) used three tools to try to test the ability to reduce social desirability bias in marketing experiments and surveys. The latter were: anonymity, online survey, and neutralised questions. Through such tools, Larson found that their study confirmed the benefits of social desirability bias control methods that they utilised. The latter is further proof of the success of interventions and, consequently, support this thesis' methods to reduce social desirability bias.

4.5 Online study

The benefit of an online study is that participants can fill out the survey at a time that suits them rather than sticking to a predetermined time that one might need to conduct an interview. Further, an online study can enable the participation of more individuals across Sweden as no in-person participation is needed.

4.6 Ethics

Safety measures

Particularly given the COVID-19 pandemic, it was important to use a self-report online study. Doing so ensured that safety measures were in place, and nobody was endangered through the carrying out of the study. In the same way, this method may have increased participation as the participants may have felt safer carrying out a study online rather than in person.

Anonymity

Due to the social stigma around dating apps, anonymity may have improved participation as respondents may have felt more inclined to participate. Further, anonymity may improve validity as respondents may have felt as though they could be more honest. Moreover, the questions do not have many identifiers (Fowler, 2013:95) such as specific age or location, so to aid anonymity. The latter ensured participants promised anonymity.

Introduction to the Survey and Consent

When discussing survey introductions, Fowler writes, "[m]inimise a sense of judgment; maximise the importance of accuracy" (Fowler, 2013:95), noting the importance of avoiding vocabulary that implies the researcher would value certain answers negatively. Bosnjak et al. (2010) found that willingness to participate in a mobile phone survey was based on particular factors, such as the perceived usefulness of participation, the trustworthiness of the medium, as well as the anonymity and the personal data not being misused. Consequently, the introduction of the study (which has been posted on the internet accompanied by a link to the study) introduced the researcher, the subject of her masters and the subject of the thesis. The latter was done in order to convey to the participants the legitimacy of the study. The introduction then

asserted that the primary focus of the study is those who use dating apps, so to have a relevant sample. The introduction concluded by saying that participation would be appreciated. This introduction was phrased so to gain the trust of the participant whilst also providing them with information, aiding informed consent. Further, it used neutral language and minimised the sense of judgement that was necessary to maximise accuracy. It was further highlighted in the introduction that the survey should take less than 5 minutes and was fully anonymous. The latter is a method of attracting more participants to reach a larger sample size.

The consent form is illustrated in Figure 1. As shown, the respondent had the option to either accept or reject participation. If a respondent pressed *agree* they were allowed to participate in the survey. However, should they refuse, they are further asked, "Are you sure you want to refuse our Terms and Conditions? This will also remove your profile from this survey". The "leave survey" button at the top remained present throughout the survey to give them the option to withdraw at any point.

ⓘ Preview

This survey is entirely **anonymous** . No personal information is required. Please try to answer as honestly as possible. The answers to the survey will be used for a masters thesis and will remain anonymous. Agree before proceeding to the survey.

🚫 I refuse   ✔ I Agree
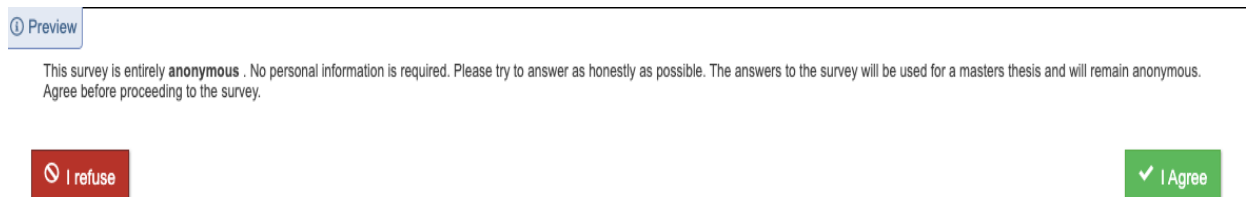
Figure 1

As discussed in the previous section, there are no identifiers in the questions, in order to ensure anonymity. The latter is highlighted in the consent form in which it says: "[n]o personal information is required". To ensure validity, the consent form asks participants to "please try to answer as honestly as possible". It also highlights that this survey will be used for a master's thesis so that the participants understand how the data they provide will be used.

4.7 Sampling

The sampling method that was used for the survey, was convenience sampling. This method is a well-established method of data collection. It is beneficial to this study as it does not cost money. The survey was posted with the preface that it was for people who use or have used dating apps, so as to only get the most relevant sample of participants. The introduction and link to the survey were posted on a number of online sites such as Facebook, Reddit, Instagram and LinkedIn. Consequently, the sample frame consists of individuals who visit the aforementioned websites. It must also be noted that three of the dating apps listed as an option within question four of the survey (see Appendix 1) offer the opportunity to sign up to the app through Facebook, thus indicating that dating app users are likely to also have a Facebook account. The latter makes the sampling strategy more efficient.

4.8 Limitations of the method

The shortcoming of convenience sampling is that it may only represent a specific population (Waterfield, 2018). However, the demographic of the sample is somewhat indicative of the relevant population: dating app users. Generally, the disadvantage of utilising internet surveys is that the sample is solely of internet users (Fowler, 2013). However, in the context of this study, seeing as the questions revolve around dating apps (which require internet access), this may serve as an advantage rather than a disadvantage, as the use of an app like this requires a phone with internet connection. Moreover, Facebook log in is given as a way of streamlining the creation of a dating app account as the app, such as Tinder, Hinge or Bumble can extract the information and pictures from one's Facebook account. In fact, at one point in time, Facebook was a necessary factor for creating a Bumble account (Bumble, nd). Consequently, making Facebook a useful place to find participants for this survey. Furthermore, a significant amount of Tinder users also have Instagram accounts. In fact, a study found that in a sample of 400 participants, 129 had a linked Instagram account (Cobb et al., 2017).

The latter indicates that utilising social media sites such as Instagram can help show the survey to the demographic that is representative of the relevant population for the study. This further aligns the sample frame with the target population for the study.

As argued throughout, the absence of an interviewer is well thought-out and appropriate in the context of the study. However, without an interviewer, challenges can be met in terms of helping the participants understand the questions. To mediate the latter, there has been a thoughtful planning process to formulate questions.

Despite giving information to the participant and enforcing a stage in which they must give consent, a researcher cannot be certain that they have read the conditions before accepting and participating in the study, and it is difficult to determine to what extent they understand the information provided in the informed consent (Toepoel, 2017). To counteract the latter, the survey was posted to social media with an introduction (as discussed in section 3.6) and then there was a second round of information when participants entered the survey.

4.9 Analysis of empirical data

As the questionnaire consists of both qualitative and quantitative questions, it has utilised two different methods of data analysis. In terms of the quantitative data, this thesis utilised a statistical analysis software, specifically SPSS. As for the qualitative data, this thesis employed a Foucauldian discourse analysis.

Foucauldian discourse analysis (FDA) is a constructionist approach whose epistemological roots are derived from structuralism (Khan et al., 2021:3). However, as scholars in the post-structuralist school of thought have observed, "the idea that one can determine the definite meaning of a text" and sustained that "all texts lead to different and multiple interpretations" (Khan et al., 2021:4). Post-structuralism further holds that subjects are created through culture and discourses, which leads to the idea that reality is fragmented and relative to a particular cultural context. Post-structuralism

is relevant to highlight when discussing FDA as Foucault also shifted from a structuralist to a post-structuralist approach (Khan et al., 2021:4). Foucault considers this "truth-making process" a "discursive process in which power relations are embedded, and an individual engages in constructing [their] subjectivity" (Khan et al., 2021:4). Thus, FDA will guide the analysis of the answers gathered in questions 10 and 11 of the survey (see Appendix 1), while enabling the understanding of what the statements of the respondents "do" instead of what they "say", and how they "systematically construct a version of the social world" (Khan et al., 2021:5). Further, FDA will lead to question different aspects of the statements provided by respondents, such as which perspectives are legitimised and which are silenced (Khan et al., 2021:5). FDA has been selected as a method of analysis as it provides a highly relevant tool, especially within this study, which utilises a Foucauldian theoretical approach. Utilising FDA will be a great asset in the understanding of the various meanings that the respondents' answers will offer, and it will shed light on the "truth-making" process in which such respondents engage.

Chapter 5: Results

The survey utilised in this research was accessible to the public for a duration of three weeks (from the 11th of March to the 1st of April 2022), and data from 58 respondents were gathered.

Questions 1 to 3 of the survey (see Appendix 1) were intended to identify basic demographic characteristics of the respondents, such as age group and gender identification. Question 1 allowed respondents to identify with a specific age group, and the results showed that 44.6% of the respondents were between the age of 18 to 24, 44.6% were between the age of 25 to 30, and 10.7% were between the age of 31-40. Thus, there were no respondents belonging to the age category of 41-50, 51-59 and 60+. The latter could be explained by the fact that people in their youth have been found to engage more in internet activity compared to their older peers (Herring 2008:71). Furthermore, Tinder, one of the top used dating apps, found that the largest proportion of US users were aged between 18-29 years old, making up 48% of users. With the second largest group being users between the ages of 30-49 making up 38% of users (Pew Research Centre, 2020). Whilst these statistics only apply to the US, with how widespread the use of dating apps is, this could help us understand why the demographic of respondents is young.

Question 2 allowed respondents to select their gender identification, resulting in 69.6% identifying as female, 28.6% identifying as male and 1.8% identifying as other. Researchers have found that women are more likely to participate in surveys compared to men (Porter and Whitcomb, 2005), and the same is especially true for online surveys (Smith, 2008). The aforementioned research can help us understand the lop-sided response from participants in this study. Further, question 3 asked respondents if they live or have lived in Sweden so that data from respondents who answered "no" to this question could be discarded since the study is based on individuals who live or have lived in Sweden. One respondent's results were discarded for this reason.

Judging from the overall demographic results, it is possible to observe that the majority of respondents were female and belonged to both the age group 18-24 and 25-30.

Moreover, question 4 (see Appendix 1) asked respondents if they utilised any of the dating apps listed as an answer option, so to also enable the researcher to discard data gathered from respondents who have not utilised any dating app. Among the respondents, 98.2% utilised the dating app Tinder, 23.2% utilised the app Badoo, 26.8% utilised the app Bumble, 12.5% utilised the app Hinge, and 16.1% stated that they utilised other dating apps. Among respondents who selected the option "other", seven individuals specified which alternative dating apps they utilised. One respondent selected only the option "other" and then wrote in the box created for individuals to specify which alternative dating app/s they used, the word "no". The latter resulted in the individual's data being discarded due to questions regarding their validity.

Looking for further information about people

Question 5 of the survey (see Appendix 1) asked respondents if they looked for further information on the internet about potential online dates. The question was multiple choice to ensure more accuracy in the responses since the respondents were asked about different scenarios instead of just the binary yes/no answers. Of all 56 respondents, 5.4% selected the option (1) "always", 9% selected the option (2) "when I am first interested in them", 7.1% selected the option (3) "when I match with them, 25% selected the option (4) "when I start chatting to them", 21.4% selected the option (5) "before going on a date with them", 25% selected the option (6) "on a case-by-case basis", and 7.1% selected the option (7) "never". Options 4, 5 and 6 had a vast amount of selections, indicating that respondents tend to look for further information about potential dates when they start chatting to them, before going on a date with them or on a case-by-case basis.

Question 6 aimed to clarify which platforms respondents used in order to look for further information about potential online dates. The results showed that 78.6% of respondents used the platform Facebook, 78.6% used the platform Instagram, 12.5% used the platform Twitter, 46.4% used the platform Google, 3.6% used the platform Lexbase, and 10.7% used the platform MrKoll. Of the respondents, 14.3% chose the option "other" and specified which alternative platforms they utilised. Additionally, 7.1% chose the option "I do not look for further information". Thus, the results showed a trend among the respondents to utilise the platforms Facebook and Instagram to look for further information about potential online dates. However, the platform Google is also significantly used by respondents.

Rejecting a potential date due to their criminal history

Question 7 of the survey (see Appendix 1) asked respondents if they were more likely to reject individuals with or without a criminal history, on dating apps. Once again, the question was multiple choice so to ensure more accuracy in the responses. Of the respondents, 41.1% selected the option "an individual with a criminal history", 57.1% selected the option "depends on the severity of the crime", and 1.8% selected the option "the criminal history of an individual would not affect my decision". The results thus show the criminal history of an individual as a significant factor in the rejection process of potential online dates by individuals using dating apps.

Usage of Lexbase and MrKoll

Question 8 of the survey (see Appendix 1) was intended to understand the trend in usage among respondents of search databases that provide access to the criminal history of individuals in Sweden, specifically Lexbase and MrKoll. The results show that 71.4% of the respondents have not or would not utilise such databases, as opposed to 28.6% who have used or would use them. Despite the majority of respondents that are not interested in such databases, 28.6% can be considered a significant figure.

Question 9 linked to the previous question since it provided a scenario in which the respondents had to select the option that represented how they were more likely to act. Such a scenario was based on MrKoll's website design and services, which enabled individuals to see for free if people they looked up had any crime associated with their name. However, the payment of a small fee was necessary in order to see the exact criminal offence committed. Indicative of the constantly developing digital era in which MrKoll operates, the database modified its services – after the survey was disseminated and accessible to potential respondents – and now no longer allows individuals to see for free if people they look up have a crime associated with their name. Instead, two fees apply: one to see if any crime is associated with an individual's name and another to see the exact offence committed. This research includes answers gathered in question 9 as they provide a valuable insight into the possible past behaviour of respondents and given that fees still apply on the database MrKoll.

The scenario depicted in the question asked respondents if, after they saw on the website MrKoll that a potential online date had a crime associated with their name, they were more likely to pay the small fee to see the exact criminal offence committed, or if the knowledge of the criminal history would be enough for them to reject the individual, or, lastly, if the criminal history of an individual would not affect their decision. The results showed that 35.7% of the respondents would pay the small fee to see the exact criminal offence committed, 50% of the respondents would not pay the fee and simply reject the potential date due to their criminal history, and 14.3% would not be affected by the knowledge of the criminal history of a potential date in their decision-making process.

Even though MrKoll's website design has changed, such results are highly relevant as they show the importance of the criminal history of an individual in the decision-making process of the respondents.

Qualitative questions

The last two questions of the survey (see Appendix 1) were qualitative and optional in order to guarantee more flexibility to the respondents and avoid the scenario in which some respondents would leave the survey incomplete and compromise the gathered data.

Question 10 asked respondents the question "In your view, should criminal records be available online?" and asked them to also motivate their response. Of all respondents, 55.4% chose to answer the question. Of those, 19.4% answered with a binary response yes/no without motivating their answer. The latter data will still be taken into account as it represents a valuable insight into respondents' beliefs in regard to the availability of criminal records online.

Question 11 was structured the same way as to question 10 (see Appendix 1) and asked respondents the question: "In your view, should Sweden implement a sexual offenders' registry?" and asked them to also motivate their response. Of all respondents, 54% decided to answer the question, and of those, 20% answered with a binary response yes/no without motivating their answer. The latter data will also be taken into account for the same reason mentioned previously. A sexual offenders' registry is a list that includes all individuals convicted of a sex offence within a particular country. The reason why this question was asked was due to the fact Sweden does not have a sexual offenders registry, but it does have electronic court records which provide information about criminal offences committed by individuals. Thus, given this context, it was interesting to see how respondents felt in relation to the establishment of a possible sexual offenders' registry in Sweden and what the outcomes of such a registry could be.

The answers gathered from questions 10 and 11 will be analysed through FDA.

5.1 The urge to classify and assess potential dates

As mentioned in the theoretical section of this study, with the advent of the disciplines we saw an increase in the activity of "judging". In fact, the "judges of normality" can be found pretty much everywhere in society. To offer more clarity on what "judges of normality" entails within this research, it is the idea that people across society perform surveillance practices and engage in the categorisation and assessment of individuals who infringed the norms and standards of behaviour within society (i.e. possess a criminal record). Such a theoretical understanding was reflected in the survey's results and showed the role of "judges of normality" that several respondents assume in the online dating realm. In fact, an interesting result that was observed in the survey concerned the number of respondents who claimed to look up further information about potential dates. The considerable percentage of respondents who claimed to look up information about potential dates either when they start chatting to them or before going on a date with them (see Figure 2) might suggest that respondents engage in surveillance practices due to reasons such as "safety". This is shown through respondent No. 7's answer to the question if criminal records should be available online:

> Yes, it's safer especially for women / trans people so that they don't put themselves in harms way. Can already see if said person is violent from what they're convicted of. (Respondent No. 7)

Figure 2

Respondent No. 7 can be interpreted as placing at the centre of the picture the issue of "safety" of individuals who might come into contact with people with a criminal past. Considering respondent No. 7's answer and looking at what is not being said, it is clear that there is a lack of reference to the perspective of rehabilitation. The latter could be interpreted as the result of respondent No. 7 silencing such a perspective or, perhaps, rejecting it. A counterargument that could arise from such an interpretation is that the lack of reference to the perspective of rehabilitation does not entail its silencing or rejection. However, this can be juxtaposed to the fact that respondent No. 7 mentioned in their answer that one "can already see if said person is violent from what they're convicted of" thus possibly leading the reader to assume that going on a date with an individual with a criminal record poses a risk. The latter argument, one could argue, is further supported by the fact that respondent No. 7 seems to believe in the idea that individuals who committed a violent crime in the past are inherently violent. This idea

is counter to the one of rehabilitation, which holds that individuals who served their sentence can be considered rehabilitated.

Further, a substantial percentage of respondents also claimed to look up information about potential dates on a "case-by-case basis", thus leading to the assumption that "safety" might not be the only reason. In fact, respondents might possess different biases which then impact their surveillance practices. Thus, looking up information about potential dates on a "case-by-case basis" may be dictated by the desire of respondents to look for more information about potential dates they are interested in pursuing, and social media (i.e., Facebook, Instagram, etc.) are a great window through which one can observe different personal aspects of an individual (i.e., lifestyle, passions, etc.). On the other hand, one could also argue that respondents looking up further information are installing a power relation between them and the potential dates since they engage in surveillance practices that lead them to take up the role of "judges of normality" who assess potential dates. The latter point can be explored more in-depth if one looks at the 10.7% of respondents who claimed to look up potential dates on the database MrKoll and the 3.6% who claimed to look up further information on the database Lexbase. Such platforms vary from the others since they offer, as already explored earlier, different types of services compared to ordinary social media (i.e., Facebook, Instagram, etc.). In fact, through such websites, individuals are able to access other individuals' court records and find out their criminal history. Such a phenomenon can be considered a form of *panopticism* that enables individuals who are willing to classify potential dates based on their criminal history, to not only become "judges of normality" but to also take up the role of the "observer within the tower", metaphorically speaking.

In order to better understand the latter point, it is essential to take into account the data gathered from question 7 (see Figure 3), where a majority of respondents showed that criminal history plays a role in their decision-making process involved in rejecting

potential dates. The latter signifies a power relation between respondents who look for criminal histories and the potential dates. Such a power relation further illustrates how databases such as MrKoll and Lexbase can be considered as belonging to the process of *panopticism*, by which a disciplinary mechanism is enacted and aims at surveilling and regulating people's behaviour. In fact, it can be understood as doing precisely this. When finding out that a potential date has a criminal offence, it is clear from the results that 40.1% of respondents are willing to exclude them from dating prospects, as the disciplinary mechanism enables them to do, by providing them with the necessary information that makes them question "the normality" of such a potential date. In fact, questioning the "normality" of potential dates is the code characteristic of the disciplines which is juxtaposed to the code of law. Through the normalisation code, individuals exercising surveilling practices aim to identify other individuals within society who have infringed the norms and behavioural standards. This argument seems to be reflected in the results gathered in question 9 (see Figure 4), where some respondents showed that they would assess the severity of a crime in their decision-making process and a significant percentage of respondents showed that the knowledge of a criminal history, despite the severity of the crime, would be enough for them to reject a potential date. Such results illustrate the "normalisation" process enacted among respondents that leads to the categorisation and assessment of potential dates. Moreover, such "normality" assessment of potential dates can be also seen in respondent No. 46's answer to the question if criminal records should be available online:

> Y red as they absolutely should, I'm not trying to go on a date with a rapist or pedophile. So yeas it definitely should. However I wouldn't mind going on a date with guy let's say he sold drugs or guns. And the reason why I would is biggest criminals are these politician etc (Respondent No. 46)

On dating apps, are / would you be more likely to reject an individual with a criminal history or an individual without a criminal history?

Figure 3

If you saw on the website MrKoll that the person you're interested in on a dating app, has a criminal conviction, would you pay the small fee to see the exact criminal offense they committed or would the knowledge of a criminal history be enough for you to reject the person?

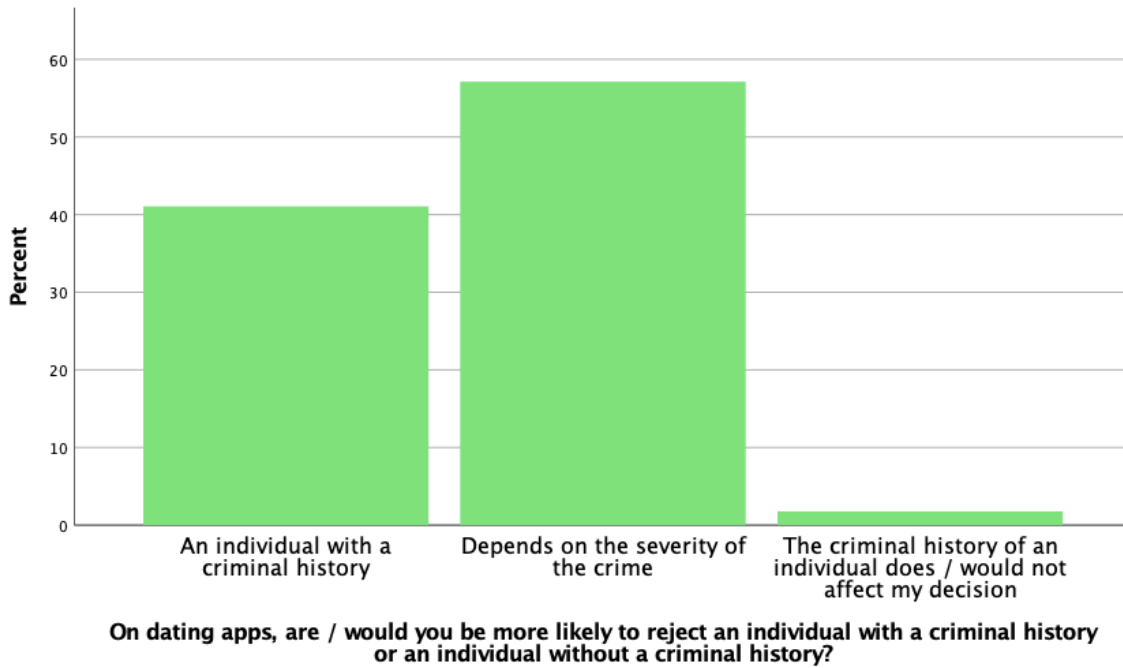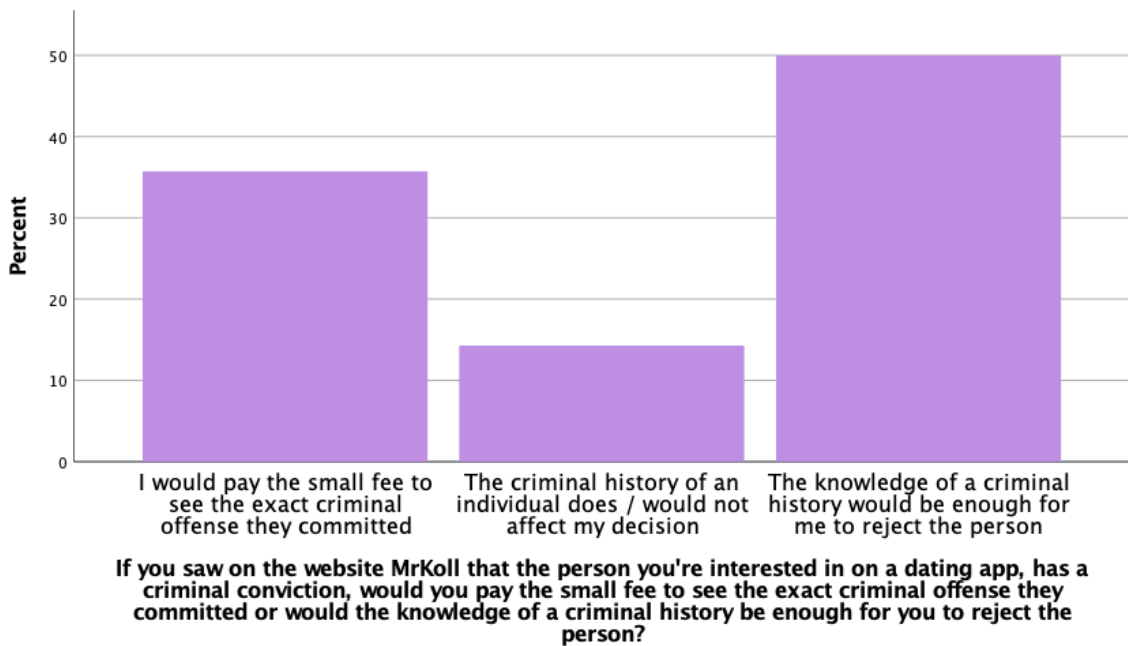*Figure 4*

In their response, respondent No. 46 constructs the labels of "rapist" and "paedophile" as unforgivable crimes, which make individuals falling under such labels individuals who infringed the norms and standards of behaviour within society, and thus are in need of surveillance and consequent exclusion from dating prospects. This is also clear when respondent No. 46 compares such labels to the ones of "drug dealers" and "gun sellers", who, according to the respondent, are more deserving of dating prospects. By looking at what is not being said in the response, one could argue that the lack of reference to perspectives of rehabilitation may signal respondent No. 46's silencing of such perspectives, or possibly, their rejection. As mentioned previously, one might argue that the sole fact that respondent No. 46 did not make any references to such perspectives does not necessarily entail their silencing or rejection. However, this can be counterposed to the fact that respondent No. 46 clearly states that they are not "trying" to go on a date with a "rapist" or "pedophile", thus leading to the assumption that respondent No. 46 sees a risk in doing otherwise. It can be further argued that seeing a risk in dating individuals who committed a sexual offence in the past might signal a perspective that is counter to the one of rehabilitation.

Further, respondent No. 46 also constructs the category of "politicians" as being the "biggest criminals" without however specifying which crimes they commit. Respondent No. 6's answer to the question if Sweden should implement a sexual offenders' registry is another example of the construction of particular labels and the categorisation of specific crimes (such as rape) as unforgivable and individuals committing them as undeserving of dating prospects due to their norms infringment:

> Yes. Sexual offenders are sexual offenders. (Respondent No. 6)

Respondent No. 28's answer to the question if criminal records should be available online further shows the willingness of some respondents to assess potential dates in

order to determine, through surveillance practices, if they have infringed norms and standards of behaviour set across society:

> Yes, so you know who you are dealing with (Respondent No. 28)

Such a response can be interpreted in several ways. Arguably, one might interpret respondent No. 28 as constructing individuals with a criminal history as people who need to be subjected to surveillance practices since people within society need to know who they are "dealing with". However, the expression "so you know who you are dealing with" opens up room for interpretation, thus leaving some unclarity of what exactly are the consequences of knowing "who you are dealing with". However, it could be argued that through the expression "so you know who you are dealing with", respondent No. 28 makes reference to identifying who has violated the norms and standards of behaviour within society, by, as in this case, having a criminal record. Further, one could argue that what is clear through respondent No. 28's answer, is their approval of the disciplinary mechanism that enables surveillance practices and habits.

Further, even though 57.1% of respondents claimed that they would look at the "severity of the crime" before rejecting potential dates, they are still contributing to the disciplinary mechanism which urges individuals to behave according to the social norms and rules. Moreover, by looking at the severity of the crime, it can be argued that 57.1% of respondents are observers within the tower who are trying to figure out the "symptoms" of the potential dates by looking at what kind of crimes they have committed and if they can be considered as having infringed certain norms and rules. The latter point is illustrated in several respondents' answers to the question if criminal records should be available online:

> Yes- if they are serious crimes like rape, sexual assult, murder, battery, drunk driving ect (Respondent No. 24)

Yes but only for severe crimes (Respondent No. 40)

In a sense no, since it goes against their integrity, but if the crime would be severe, rape, murder etc then yes (Respondent No. 42)

One could argue that respondents who look up further information about potential dates, specifically on the websites MrKoll and Lexbase, exercise anonymous surveillance, which also becomes hierarchical. It is true to say that dating is intrinsically hierarchical as it entails individuals ranking each other based on several qualities such as looks, income or criminal history. However, one could argue that when the criminal history of an individual is considered to be a negative quality, then there is a link between attribute (having a criminal history) and stereotype (a criminal history of an individual makes him "the dangerous individual") (Hannem, 2012:15). Thus, ranking individuals based on their criminal history and excluding them from dating prospects due to the latter, signals the presence of stigma among respondents. Further, excluding potential dates due to their criminal history resembles the disciplinary mechanism which aims to regulate people's behaviour and correct deviance. And when individuals infringe the norm (i.e. commit a criminal offence and consequently have a criminal history), they are then identified through surveillance practices which enable the process of qualifying and creating a hierarchy within the dating realm, based on such infringement. Thus, even though it is true to say that looks, income, and other qualities of this kind are elements that play a role in the dating rank of individuals, they do not represent a norm infringement, and thus, it could be argued, the outcome resulting from such qualities is not reflective of the disciplinary mechanism at play. The quality of a criminal history and the negative outcomes arising from it are, instead, the result of the disciplinary mechanism at play.

5.2 Stigma emerging from respondents' answers

Another element that is observable in the survey results is the apparent surfacing of a particular stigma. Some answers in section 5.1 have already shown a particular stigma against sexual offenders. In fact, if one looks at several other respondents' answers to the question if Sweden should implement a sexual offenders' registry, it seems that the thought of sexual offenders as individuals who deserve to be excluded and surveilled within society is a prominent idea among respondents:

> Yes! People who commuted those types of crimes should be feeling the consequences. (Respondent No. 12)

> Yes they should, it may help a lot of people stay out of certain situations if they know someone's past. These situations could include abuse etc. (Respondent No 18)

Respondent No. 12's answer constructs sexual offenders as individuals who "should be feeling the consequences" of their crimes. One could interpret such statement as implying that sexual offenders should be feeling some type of consequence due to their criminal record as sexual offenders. Even though the type of consequences they should feel are unclear in respondent No. 12's answer, it can be argued that respondent No. 12 approves of the surveillance practices that a sexual offenders' registry would offer to individuals within society. Further, one might also argue that respondent No. 12 believes that the presumed "consequences" which would arise from a sexual offenders' registry will have the "deserved" impact on individuals with a sexual offence record. On the other hand, in their answer, respondent No. 18 could be intepreted as focusing primarily on individuals who may come across sexual offenders and supports the idea of a sexual offenders' registry primarily for people's safety, implying, one might argue, that sexual offenders are people who need to be avoided as they pose a danger. This construction reflects the informal mode of operation characteristic of the disciplinary

mechanism which is made possible through the enabling of surveillance practices that aid the identification of those who infringe norms and standards of behaviour.

The latter ideas are in line with Cubellis et al.'s study on sex offender stigma, in which they discuss how sexual offenders in the US experience stigma in several ways: "from discrimination and exclusion from social participation to violent victimisation and murder" (Cubellis et al., 2019:225). Such findings are particularly interesting when considering how the US carries out registrations of sexual offenders, and several studies have explored the collateral consequences of this practice (Cubellis et al., 2019:225). Evans et al. have explored how registered sexual offenders face some of the most long-lasting punishments after being released from prison compared to other types of offenders. Specifically, being required to register with law enforcement leads to their personal information and offence details being released to the public. The latter, in turn, makes housing and employment prospects highly difficult for sexual offenders and also challenges their opportunities in forming relationships, including romantic ones (Evans et al., 2014:594).

Moreover, other answers to the question if Sweden should implement a sexual offenders registry show how some respondents construct the categories of "rapists" and "sexual offender" and emphasise the need for everyone in society to have the exact knowledge of who belongs to such categories so that they can be subjected to surveillance practices within society and possibly excluded:

> Yes. I wouldn't want to risk meeting someone who has a record of being a sexual offender. (Respondent No. 23)

> Yes. Eveyone deserves to know who the rapists are (Respondent No. 24)

Respondents No. 23 and No. 24's answers see the construction of the categories of "rapists" and "sexual offender" as belonging to the category of the "dangerous

individual". The latter argument can be supported by the fact that in their response, respondent No. 23 states that they would not want to run the risk of meeting an individual with a criminal history of sexual offences, thus implying, it could be argued, that there is a possibility for the individual with a sexual offence record to be "a potential criminal" and pose a danger to individuals within society. This is particularly reflective of the relation between the disciplines and the law, through which the shift has changed from "criminals" who have committed an offence, and thus deserve to be punished, to individuals who due to some of their qualities might represent "a potential criminal" that needs to be closely surveilled. The latter point, one could argue, is particularly reflected in respondent No. 24's answer where they claim that "everyone deserves to know who the rapists are", thus legitimatising surveillance practices that can aid the identification of individuals who infringed the norms and standards of behaviour present across society. Moreover, by looking at what is not being said in respondents No. 23 and 24's answers, it can be argued that the lack of references to perspectives of rehabilitation signals their silencing or, alternatively, their rejection. The latter argument is supported by respondent No. 23 and respondent No. 24's idea of dating a sexual offender as constituting a "risk", thus implying, one could argue, that individuals who committed a sexual offence in the past are inherently dangerous and consequently not rehabilitated.

> Yes, not all people who are released have been rehabilitated enough that they aren't a threat to society and vulnerable groups such as children and women. (Respondent No. 45)

Respondent No. 45's answer, on the other hand, sees the construction of two different categories of sexual offenders: those who have not been rehabilitated enough and thus might pose a threat to society and vulnerable groups, such as that of "children" and "women", and the implied one of sexual offenders who have been rehabilitated and thus, one could argue, do not pose a danger. Despite the creation of two separate

categories of sexual offenders, respondent No. 45 still supports the idea of a sexual offenders' registry in Sweden. Thus, one could argue, respondent No. 45 legitimises surveillance practices that can help identify individuals who infringed the norm and social rules.

Such a stigma against sexual offenders can be considered a norm that is exercised through a more positive and productive power that takes charge of life and complements the power exercised through the law alone (Wickham, 2013:220). The latter makes the disciplinary mechanism created by websites such as MrKoll and Lexbase effective in regulating certain categories of individuals, specifically sexual offenders. The latter, it must be noted, is a process enabled and generated by the Swedish principle of public access to information which gives such websites the power to provide such sensitive information about individuals within Swedish society.

One could argue that these websites have some of the same characteristics that make them similar to the registration of sexual offenders in the US. Thus, we can draw comparisons as it allows the general public to find out about the crimes of other members of society. Such comparisons can also inform us of the dangers of such practice, especially for sexual offenders, as highlighted by Cubellis et al. (2019) and Evans et al. (2014).

5.3   **Resistance**   **across**   **respondents**

As seen previously, several respondents have shown their willingness to classify and assess individuals through surveillance practices. Further, the element of "normality" also played a role in respondents' ideas about crimes and individuals with a criminal history, with some respondents considering, for example, sexual offenders as belonging to the category of the "dangerous individual" who infringed the norms and standards of behaviour within society. For this reason, several respondents approved of the use of surveillance practices that help identify such individuals.

However, since power is relational, resistance "is an integral component of power relations and overlaps with it" (Khan et al., 2021:5). Resistance is a central element that needs attention in this analysis as it shows the capability individuals have in questioning "knowledge and truth" (Hannem, 2012:21). In a context where numerous respondents have shown stigma and willingness to be part of the disciplinary mechanism at play, resistance is an element that arises among other respondents and goes to show that power and resistance are overlapping components. One might argue that the resistance exercised by respondents is not a directly representative resistance as it is not exercised by those "marginalised, silenced and excluded" (i.e. individuals with a criminal history). However, resistance is not a singular element that can only be exercised by one entity or in one form. The latter is true for the results gathered from the survey. In fact, even though several respondents have shown their willingness to make use of surveillance practices that aid the identification of deviant behaviour, and thus, metaphorically speaking, approved of their role as observers within the tower, several other respondents have shown resistance to anonymous surveillance and emphasised the importance of individuals' integrity and privacy:

(Do you think criminal records should be available online?)

> No, it seems unethical and a violation of a person's right to privacy. (Respondent No. 27)

In their answer, respondent No. 27 can be seen as showing resistance to the stigma found previously across several respondents and described the publicity of criminal records as something "unethical", thus questioning the "truth" established by structures of power such as MrKoll and Lexbase. While answering the same question, respondent No. 39 also showed resistance to the power exercised by such powerful structures and highlighted how such a disciplinary mechanism might be degenerative in the long run:

No, some crimes are small and people don't deserve the public hate / if they are punished in the system the public hatred is unnecessary and just makes reintegration harder for the criminal in the long run = worse for society in the long run (Respondent No. 39)

In their answer, respondent No. 39 can be interpreted as challenging the power of such a disciplinary mechanism and power structures by holding that they could generate "public hate" towards individuals with a criminal history which would, in turn, hinder their reintegration into society. Respondent No. 39 further frames such consequences as "worse" for society as a whole. Thus, one could argue, respondent No. 39 seems to be putting at the centre of the picture what is beneficial to the collective sphere rather than only to individuals with a criminal past. Arguably, the latter is a different type of resistance compared to respondent No. 27, as the former focuses on an individual's right to privacy, whereas the latter focuses on the collective security and benefit of a society. However, both respondent No. 39 and respondent No. 27 can be considered, one might argue, as exercising resistance against the disciplinary mechanism generated by websites such as MrKoll and Lexbase. Additionally, it can also be observed by what is not being said in respondents No. 27 and No. 39's answers the lack of reference to the possible dangers going on a date with individuals with a criminal past could pose. However, such lack of reference could be understood as part of the resistance process, by which respondent No. 27 and No. 39 seemingly oppose the idea of having a criminal record as something that makes individuals inherently dangerous or, in some cases, violent. Further, even though in this case such resistance is not exercised by individuals with a criminal history, and thus it is not directly representative of their voices and struggles, it belongs to the "plurality of resistances" which can be found wherever power is exercised. In fact, "resistance" as such is not a singular and unique element. Rather, it is mobile and exercised in several different ways. This is also clear by two other respondents' answers to the same question:

No, because of the potential consequences for the convict such as stigmatisation. (Respondent No. 48)

Not, It will leave stigma on individuals and beside people changes. (Respondent No. 52)

The type of resistance exercised by respondent No. 48 and respondent No. 52, is constituted by a different theme compared to, for example, respondent No. 27 who focused on the issue of privacy. In fact, respondent No. 48 and 52 seem to put at the centre of the picture the issues of "stigma" and "stigmatisation". In fact, these respondents seem to pose resistance to the stigma that labels individuals with a criminal history (especially sexual offenders) as in need of surveillance and possible exclusion. Particularly, one could interpret respondent No. 52's statement as welcoming the perspective of rehabilitation by stating that "people changes", thus constructing individuals with a criminal history as people who can be "normalised" again through rehabilitation and need not be surveilled or excluded. Further, it can be argued that these answers also show how these respondents challenge the institution that websites such as MrKoll and Lexbase represent and engage in the struggle against normalisation. Additionally, one could argue that respondents No. 48 and No. 52 also exercise resistance to the disciplinary mechanism which enables the surveillance and consequent exclusion of individuals with a criminal history.

5.4 Domination and resistance power across respondents

Power and domination are irregular and fragmented components, with both containing parts of each other (Khan et al., 2021:5). Wherever power is located, resistance can be found as well. As seen previously, the concept of "resistance" does not exclusively belong to those marginalised, silenced and excluded, but instead is wrapped within a "plurality of resistances" that show themselves in different ways and forms. Considering the latter, it can be said that a form of resistance that can be found in certain

instances is a resistance deeply intertwined with the domination power at play. Thus, some forms of resistances may not be absolute in their purpose and form. The latter is the case for several respondents' answers, which show patterns of both domination power and resistance. This is not a strange occurrence, as power and resistance hold elements of each other. Such a theoretical conceptualisation can aid the understanding of several respondents' answers to the question if criminal records should be available online:

> I don't think they should be available to the general public, but in the case of dating I believe it is important to have this information. In the U.K. we have a law that allows a person to find out the criminal history of their partner as a method to prevent people becoming victims of domestic abuse, which can be helpful. But in wider society I think it is wrong because it could cause unnecessary discrimination and cause problems for people rejoining society after prison. (Respondent No. 1)

In their answer, respondent No. 1 can be interpreted as opposing the idea of criminal records being available to the general public, thus posing a type of resistance to the disciplinary mechanism enabled by websites such as MrKoll and Lexbase. However, respondent No. 1 seems to be welcoming the idea of the availability of criminal records within the dating realm since they construct it as a "method to prevent people becoming victims of domestic abuse". One could argue that the latter shows how the respondent constructs individuals with a criminal history as belonging to the category of the "dangerous individual" and approves of surveillance practices that can help identify such individuals who violated the norms and standards of behaviour within society. Further, when looking at the perspective of rehabilitation, it is possible to identify two different conceptual ideas within respondent No.1's statement. In fact, when looking at what is not being said in the first and second sentence of their answer, respondent No. 1 does not make any reference to the perspective of rehabilitation, something that

can lead to the argument that such perspective is silenced, or possibly, even rejected in the case of dating. However, this dynamic mutates in the last sentence of their answer, as respondent No. 1 states that the availability of criminal records online is "wrong" since it could cause "unnecessary discrimination" and cause "problems for people rejoining society". Through the latter statements one could interpret respondent No. 1 as referencing and voicing the perspective of rehabilitation, implying that the availability of criminal records could hinder that process. Thus, one might argue that respondent No. 1 might consider "rejoining society" as part of the process of rehabilitation which can be obstructed by the online availability of criminal records. It is in this last section of their answer that respondent No. 1 returns to show a type of resistance to the disciplinary mechanism which enables the surveillance and consequent exclusion of individuals with a criminal history from the dating realm. Respondent No. 1's answer shows both dominance and resistance power elements which are inconsistent but co-exist. Thus, it is interesting to see how respondent No. 1 both opposes aspects of the disciplinary mechanism that MrKoll and Lexbase generate but welcomes other elements of it, such as the surveillance and possible exclusion of individuals with a criminal history from the dating realm. Respondent No. 1 is not the only one to have shown both resistance and dominance power in their answer. In fact, when answering the same question, respondent No. 20 had a similar power dynamic:

> Yes because it's always useful to know especially in a work setting but also no because a convicted has already paid for the crime (Respondent No. 20)

In their answer, one could interpret respondent No. 20 as constructing the online availability of criminal records as something "useful", especially in the "work setting". The latter, one might argue, shows how respondent No. 20 considers the work setting a relevant place where to exercise surveillance practices that help identify those who infringed the norms and standards of behaviour by having committed a crime in the past and thus possessing a criminal record in the present. However, in the second

section of their answer, respondent No. 20 contradicts themselves by saying "also no because a convicted has already paid for the crime". The latter statement is a type of resistance exercised by the respondent against the disciplinary mechanism which enables surveillance and exclusion. Thus, respondent No. 20's answer shows the intricate web within which domination power and resistance operate and relate to each other. Resistance, in some instances, is not absolute, and it holds dominance power elements which create contradictory beliefs that co-exist in the same place. Respondent No. 56 has shown a similar stance when it comes to the surveillance and possible exclusion of individuals with a criminal past within the work environment:

Not for the public but in for exampel in a hiring situation (Respondent No. 56)

As respondent No. 20, it can be argued that respondent No. 56 shows resistance to the disciplinary mechanism by holding that criminal records should not be available to the general public. However, respondent No. 56 shows support for such a mechanism when it comes to the work environment as they hold that the online availability of criminal records can be fruitful in a "hiring situation".

Respondent No. 29 also showed a similar power dynamic within their response:

I don't have strong opinion on this. It may significantly affect the resocialisation of the offender. I can maybe imagine the justification for such data for a serious crimes, but for sure not for minor offenses. (Respondent No. 29)

Like the previous respondents, one could argue that respondent No. 29 states their doubts about the online availability of criminal records and starts by constructing such phenomenon as something that can affect the "resocialisation" of the offender, thus showing resistance to the surveillance practices which affect individuals with a criminal record. However, respondent No. 29 then also shows support for such a mechanism when it comes to "serious crimes" but still resists it when it comes to "minor

offences". Respondent No. 29 thus constructs a hierarchy among individuals with a criminal history and considers those who committed only minor offences as more deserving to be reintegrated into society and not in need of further surveillance and exclusion. Respondent No. 29 can also be considered to take the stance of, metaphorically speaking, the observer in the tower who tries to determine the symptoms of the individuals within the cells so to assess their "normality".

Moreover, when answering the same question, respondent No. 41 showed patterns of both resistance and dominance power:

> I do not know enough about this to comment. On the one hand it seems like an invasion of privacy, on the other it could be useful for people to know and contemplate their safety. (Respondent No. 41)

In their answer, respondent No. 41 states that their knowledge is limited when it comes to the online availability of criminal records. However, they show a type of resistance to the disciplinary mechanism by holding that such a phenomenon could appear "like an invasion of privacy", thus constructing individuals with a criminal history as having the right not to be observed and thus rejecting their role as an observer within the tower. Nevertheless, respondent No. 41 then shows support for the disciplinary mechanism by stating that the online availability of criminal records "could be useful for people to know and contemplate their safety", thus constructing individuals with a criminal past as belonging to the category of the "dangerous individual". Considering the latter, one might argue that respondent No. 41 also contradicts their previous point and approves of their role as an observer within the tower.

Chapter 6: Conclusion

The Swedish principle of public access to information, while existing under the fundamental concept of transparency, raises questions concerning the privacy of individuals with a criminal history and their success in reintegrating into Swedish society. The latter queries derive primarily from the practice of the availability of court records in Sweden through websites such as MrKoll and Lexbase. This research has focused on the effects of such practice on individuals with a criminal past within the online dating realm and has found different elements that can help paint a picture of the dynamics encountered among the respondents. It is clear that the law surrounding the Swedish principle of public access to information has enabled websites such as MrKoll and Lexbase to generate a disciplinary mechanism that became democratically controlled. In fact, by applying a Foucauldian theoretical approach, this research has found a power dynamic among respondents that signals the creation of a hierarchy among individuals on dating apps. The latter is evident by the role that a criminal history plays in the decision-making process of respondents, which in several cases entails the rejection of potential dates with a criminal past. Further, several respondents have shown stigma against individuals with a criminal history, particularly sexual offenders. Such stigma led several respondents to approve and justify the use of surveillance practices to identify those who infringed the norm and standards of behaviour, specifically when it comes to sexual offenders.

The panoptic characteristics that MrKoll and Lexbase seemingly have, represent an innovative disciplinary mechanism that enables the automatic functioning of power through the state of permanent and conscious visibility that individuals with a criminal history are subjected to. Further, this research has also highlighted the power dynamic created among respondents, which can be understood through the metaphor of the "observer within the tower" of Foucault's panopticism. In fact, since anyone can access other people's court records on websites such as MrKoll and Lexbase, and thus become

the "supervisor within the tower", a power relation is established between the respondents looking at individuals' criminal records and the potential dates. The latter, as the research showed, is in line with the idea of panopticism since power is "disindividualised" and makes it irrelevant who exercises it. Additionally, through this study it was possible to observe how the surveillance practices and habits of several respondents were an essential element of their online dating experience. Interestingly, several respondents also showed the importance that a criminal history plays in their decision-making process when selecting potential dates, thus showing a particular stigma against individuals with a criminal record. Such a stigma, it can be argued, is the informal mode of operation that exist parallel to the formal modes of operation enabled by the Swedish principle of public access to information. Such a legal framework has enabled the establishment of websites such as MrKoll and Lexbase, which in turn saw the exercise of surveillance practices and habits by several respondents, who then were able to exercise their dominance power fueled, one might argue, by a stigma against people with a criminal history. In fact, such a stigma arises from the idea that the attribute of having a criminal record is inherently a negative element. The latter idea, that can be considered a stereotype, leads individuals to exercise surveillance practices and assume the role of observers within the tower as they aim to identify those who have infringed the norm and did not meet the behavioural standards of society.

Further, this research seems to be in line with the studies carried out by Evans (2019), Evans et al. (2020), and Evans et al. (2021). The latter is illustrated by the fact that an overwhelming majority of respondents showed that criminal history plays a role in their decision-making process involved in rejecting potential dates with a criminal past. This coincides with the abovementioned studies, which showed an overall correlation between parole disclosure and fewer matching rates. Further, this research has also shown some factual evidence for Uggen et al.'s suggestion that online criminal records may have "initial disqualifying effects" when it comes to online dating (Uggen et al.,

2015:1890). The latter was also apparent in the percentage of respondents who claimed that they were more likely to reject an individual with a criminal history and the percentage of respondents who claimed they would not pay the fee to see the exact criminal offence committed by an individual and instead simply reject them due to the knowledge of a criminal history.

Moreover, the FDA carried out when analysing the last two qualitative questions of the survey (see Appendix 1) has found evidence of Murphy et al.'s idea of electronic backgrounding as a phenomenon that rendered a criminal record a "permanent symbol of a spoiled identity", which enables "an even faster societal reaction" (Murphy et al., 2011:112). Such a societal reaction was apparent among several respondents' answers to the qualitative questions of the survey, where they showed stigma against individuals with criminal records, specifically sexual offenders.

However, stigma and the willingness to be a part of the disciplinary mechanism that websites such as MrKoll and Lexbase generate, are not the only results which emerged from this research. In fact, resistance among several respondents' answers to the survey was found. The latter is in line with Foucault's idea of power and resistance as elements which do not exist separate from each other: where there is power, there is resistance. The latter was an interesting and innovative result within the field as it showed the resistance that several respondents posed to the disciplinary mechanism that foresees the exclusion and surveillance of individuals with a criminal history. Even though such resistance was not specifically exercised by individuals with a criminal history, and thus it is not directly representative of such group, the resistance found among respondents was part of a plurality of resistances that showed itself in different ways and forms. The willingness of several respondents to prioritise the privacy and reintegration into society of individuals with a criminal past has shown another side of the picture, proving that not all individuals are in favour of the disciplinary mechanism in place and not everyone is in agreeance with ideas surrounding surveillance practices

of individuals who presumably infringed norms and standards of behaviour set across society.

When discussing resistance, another element arose among the results of this research. Due to resistance and domination power being discontinuous and fragmented, and both containing elements of each other (Khan et al., 2021:5), this research has also found through several respondents' answers that some individuals have shown both a type of support for the disciplinary mechanism generated by MrKoll and Lexbase as well as a type of resistance. The latter is in line with Foucault's conceptualisation of the dynamics of power and helped us grasp the complexity of power relations among respondents and individuals with a criminal history within the online dating realm.

The results that arose from this research have shown a complex dynamic when it comes to the effects the online availability of court records in Sweden has on the online dating outcomes of individuals with a Swedish criminal history. In fact, even though a significant number of respondents claimed that they would or have looked up further information about potential dates on the websites MrKoll and Lexbase, such number did not represent more or even half of the respondents. Thus, it is not clear to what scale marginalisation and stigma of individuals with a criminal history occurs within the online dating realm. However, the fact that 28.6% would use or have used such databases is indicative that stigma and marginalisation occur to some extent. Additionally, when it comes to the usage of MrKoll and Lexbase, other questions within the survey informed us about the ideas respondents have concerning individuals with a criminal history and their decision-making process when it comes to selecting potential dates. As seen within Chapter Five, an overwhelming majority of respondents showed that the criminal history of an individual plays an essential role in the rejection of potential dates. The latter informs us of the possible damaging effects the online availability of court records might have on a larger scale on individuals with a Swedish criminal history if more people were to use the websites MrKoll and Lexbase.

Further, this research has shed light on the stigma several respondents had toward sexual offenders particularly. The latter showed the even more damaging effects the availability of court records online or the implementation of a sexual offenders' registry might have on sexual offenders. The latter is also in line with Cubellis et al. (2019) and Evans et al. (2014) studies on sex offender stigma in the US.

6.1 Limitations

For the purpose and timeframe of this research, there are some limitations to the study. Limitations of the method have been discussed in-depth in section 4.8. However, when it comes to the theory chosen for the analysis of this study, one could argue that labelling theory could have been highly relevant due to many scholars having utilised it to explain the labels that a criminal record might create and their consequences. Nevertheless, the choice of theory for this research not only brought an innovative theoretical approach to the field of the online availability of court records and the dating realm, but also seemed to be the most appropriate theory for the development and analysis of certain concepts and ideas within the study. In fact, the innovative aspect of the theoretical approach utilised for this study lays within the conceptual ideas brought forward in the analysis, which helped paint a picture of the availability of court records in Sweden and their impact within the dating realm. Such conceptual framework and exploration are currently lacking within the field.

Further, due to this research not being carried out in the criminological field specifically, the researcher deemed appropriate to utilise a theoretical approach that could provide conceptual and analytical tools relevant to the field of sociology of law. Consequently, criminological theories such as labelling theory have not been used as theoretical pillars of this study. The latter is due to the fact that such criminological theories do not fully provide the essential tools needed for a bottom-up investigation which looks at how the legal and social spheres intertwine and affect each other,

something that, on the other hand, socio-legal theories provide in a more comprehensive way.

Moreover, the small sample size limits its generalizability to the entire population of online daters in Sweden. Given resource and time constraints, this study was what was feasible, and many steps were taken to encourage participation as detailed in Chapter Three. Despite these limitations, this study has the potential to give inspiration to further larger scale studies with stronger generalizability.

6.2 Further research

This study has shed light on several aspects arising from the issue of the online availability of court records in Sweden within the online dating realm. However, more research is needed to better understand the scale of stigma and marginalisation within the Swedish online dating realm and how these may vary across cultural and ethnic groups. Evans et al.'s study (2020) provides a great example of the experimental audit design that could be utilised in order to determine these factors in the Swedish case. Moreover, further research could also focus on the perceived stigma on behalf of individuals with a criminal history and their success in matching rates and relationship forming on online dating apps. The latter can help provide an account of how individuals with a criminal history perceive their position within society after being subjected to the disciplinary mechanism generated by websites such as MrKoll and Lexbase and if they personally perceive the power exercised through this disciplinary mechanism. Additionally, further research may also focus on a comparison between Sweden and another EU country when it comes to dating outcomes for individuals with a criminal history. Being a unique case within the European Union and considering the legal tensions between its domestic legal framework and the EU legislation in regard to data privacy, comparing Sweden to another EU country may shed light on how its legislation affects online dating outcomes of ex-offenders in Sweden compared to ex-

offenders in another EU country whose laws on data privacy differ from the Swedish ones.

Bibliography

Backman, C. (2011), "Regulating Privacy: Vocabularies of Motive in Legislating Right of Access to Criminal Records in Sweden", in *Computers, Privacy and Data Protection: an Element of Choice*, (Springer)

Bäckström, M., Björklund, F. and Larsson, M.R. (2009), Five-factor inventories have a major general factor related to social desirability which can be reduced by framing items neutrally. *Journal of research in personality*, Vol. 43, Issue 3, pp. 335-344

Bosnjak, M., Metzger, G., and Gräf, L. (2010), Understanding the Willingness to Participate in Mobile Surveys: Exploring the Role of Utilitarian, Affective, Hedonic, Social, Self- Expressive, and Trust-Related Factors, *Social Science Computer Review*, Vol. 25, pp. 350–70

Bryman, A. (2016), *Social research methods* (Oxford university press)

Bumble (nd), *You Don't Need Facebook to Use Bumble Anymore.* Available at https://bumble.com/it/the-buzz/non-facebook-login [last accessed 10 May]

Callegro, M,, (2008) Social Desireability, in Lavrakas, P. J. (2008). *Encyclopedia of survey research methods*. (Sage publications)

Cobb, C., & Kohno, T. (2017). How public is my private life? Privacy in online dating. In *Proceedings of the 26th International Conference on World Wide Web,* pp. 1231-1240

Comunello, F., and Parisi, L., Dating Apps**,** in Ross, K., Bachmann, I. and Cardo, V., (2020.) *The international encyclopedia of gender, media, and communication.*. (Bognor Regis: John Wiley & Sons Ltd.)

Corda, A., and Lageson, S. (2020), Disordered Punishment: Workaround Technologies of Criminal Records Disclosure and the Rise of a New Penal Entrepreneurialism, *The British Journal of Criminology*, Vol. 60, Issue 2, pp. 245–264

Evans, D. (2019), Full disclosure: experimental analysis of female online dating on parole, *Journal of Experimental Criminology*, Vol. 15, Issue 3, pp. 179-199

Evans, D., and Blount-Hill, K. (2020), Swipe Right?: Experimental Analyses of App-Based Dating in the Age of Criminal Stigma, *Corrections*, pp. 1-23

Evans, D., and Vega, A. (2021), Experimental analysis of male online dating on parole, *Journal of Crime and Justice*, Vol. 44, Issue 1, pp. 33-48

Foucault, M. (1975), *Discipline and Punish: The Birth of the Prison*, (Penguin Books)

Foucault, M. (1978), *The History of Sexuality: An Introduction*, (Vintage Books)

Fowler Jr, F.J. (2013), *Survey research methods*. (Sage publications)

Gandy, O. (2021), *The Panoptic Sort: A Political Economy of Personal Information*, second edition, (Oxford University Press)

Hannem, S. (2012), "Theorizing Stigma and the Politics of Resistance: Symbolic and Structural Stigma in Everyday Life", in *Stigma Revisisted: Implications of the Mark* by Hannem, S. and Bruckert, C., (University of Ottawa Press)

Herlin-Karnell, E. (2020), Reflection Note: EU Data Protection Rules and the Lack of Compliance in Sweden, *Nordic Journal of European Law*, Vol. 3, Issue 2, pp. 95-104

Herrling, S. (2008), "Questioning the Generational Divide: Technological Exoticism and Adult Constructions of Online Youth Identity", in *Youth, Identity and Digital Media* by Buckingham, D., (Cambridge: MIT Press)

Hunt, A., and Wickham, G. (1994), *Foucault and law: towards a sociology of law as governance*, (Pluto Press), ebook

Jacobs, J., and Crepet, T. (2008), The Expanding Scope, Use, and Availability of Criminal Records, *N.Y.U. Journal of Legis*

ation and Public Policy, Vol. 11, pp. 177-213

Joinson, A. (1999), Social desirability, anonymity, and Internet-based questionnaires. *Behavior Research Methods, Instruments, & Computers*, Vol. 31, Issue 3, pp. 433-438.

Khan, T., and MacEachen, E. (2021), Foucauldian Discourse Analysis: Moving Beyond a Social Constructionist Analytic, *International Journal of Qualitative Methods*, Vol. 20, pp. 1-9

Klazz (2019), Share of population with knowledge of English in non-native European countries as of March 2019 [Graph], in *Statista*. Available at https://www.statista.com/statistics/990547/countries-in-europe-for-english/, [last accessed 16 March]

Lageson, S. (2016), Found Out and Opting Out: The Consequences of Online Criminal Records for Families, *The ANNALS of the American Academy of Political and Social Science*, Vol. 665, Issue 1, pp. 127-141

Larson, R. B. (2019), Controlling social desirability bias. *International Journal of Market Research*, Vol. 16, Issue 5, pp. 534-547.

Ministry of Justice (2020), *Public access to information and secrecy: The legislation brief*, Government Offices of Sweden

Monterrosa, A. (2021), Romantic (In)Justice: Criminal-Legal System-Impacted Black Women's Romantic Relationship Status and Quality, *Feminist Criminology*, Vol. 16, Issue 4, pp. 424-446

Murphy, D., Fuleihan, B., Richards, S., and Jones, R. (2011), The Electronic "Scarlet Letter": Criminal Backgrounding and a Perpetual Spoiled Identity, *Journal of Offender Rehabilitation*, Vol. 50, Issue 3, pp. 101-118

O'Day, R. (2013), Rapists, Sexual Offenders, and Child Molesters: Who is Your Romantic "Mach"? Why Dating Websites Should Perform Criminal Background Checks, *Valparaiso University Law Review*, Vol. 48, Issue 1, pp. 329-368

Österdahl, I. (2016), Between 250 years of free information and 20 years of EU and Internet, *Etikk i praksis Journal of Applied Ethics*, Vol. 20, Issue 1, pp. 27-44

Pew Research Center (2020), Share of adults in the United States who have used online dating sites or apps as of October 2019, by age [Graph], in *Statista*. Available at https://www-statista-com.ludwig.lub.lu.se/statistics/309461/us-adults-online-dating-site-usage-age/, [last accessed 9 May]

Porter, S., and Whitcomb, M. (2005), Non-response in student surveys: The role of demographics, engagement and personality, *Research in higher education*, 46(2), pp. 127-152.

Smith, G. (2008), Does gender influence online survey participation?: A record-linkage analysis of university faculty online survey response behavior, *ERIC Document Reproduction Service,* No. ED 501717

Steinfeld, J. (2020), Forced out of the closet: As people live out more of their lives online right now, our report highlights how LGBTQ dating apps can put people's lives at risk, *Journal Indexing & Metrics*, Vol. 49, Issue 2, pp. 101-104

Sudman, S., and Bradburn, N. (1982). *Asking Questions: A Practical Guide to Questionnaire Design*, (San Francisco: Jossey-Bass.)

Taylor, D. (2009), Normativity and Normalization, *Foucault Studies*, Issue 7, pp. 45-63

Tinder Newsroom (2022), *Garbo Launches Background Check Platform to Public and On Tinder*. [online]. Available at: https://www.tinderpressroom.com/2022-03-09-Garbo-Launches-Background-Check-Platform-To-Public-and-On-Tinder [Accessed 10 March 2022]

Toepoel V. (2017), Online Survey Design., in Fielding, N. G., Lee, R. M., & Blank, G. (Eds.). (2008). *The SAGE handbook of online research methods*. (Sage)

Tourangeau, R., and Smith, T. W. (1996), Asking sensitive questions: The impact of data collection mode, question format, and question context. *Public Opinion Quarterly*, Vol. 60, Issue 2, pp. 275–304

Uggen, C., and Stewart, R. (2015), Piling On: Collateral Consequences and Community Supervision, *Minnesota Law Review*, Vol. 99, pp. 1871-1910

Waterfield J., Convenience Sampling in, Frey, B.B. ed., 2018. *The SAGE encyclopedia of educational research, measurement, and evaluation*. (Sage Publications)

Wickham, G. (2013), "Foucault and Law", in *Law and Social Theory* by Banakar, R. and Travers, M., (Hart Publishing)

Appendix I

What's your age group?

☐ 18-24
☐ 25-30
☐ 31-40
☐ 41-50
☐ 51-59
☐ 60+

How do you identify?

☐ Female
☐ Male
☐ Other

Do you live or have lived in Sweden?

☐ Yes
☐ No

Do / Have you use / d any of the following dating apps in Sweden? Tick as many as apply

☐ Tinder
☐ Badoo
☐ Bumble
☐ Hinge
☐ Other (specify which one/ones)

When you are looking at the dating profile of another person on a dating app, would / do you look for further information about that person on the internet?

☐ Always
☐ When I am first interested in them
☐ When I match with them
☐ When I start chatting with them
☐ Before going on a date with them
☐ On a case-by-case basis
☐ Never

1

If you look for further information about the person, where do you look? Tick as many as apply

☐ Facebook

☐ Instagram

☐ Twitter

☐ Google

☐ Lexbase

☐ MrKoll

☐ Other (specify which one / ones)

[   ]

☐ I do not look for further information

On dating apps, are / would you be more likely to reject an individual with a criminal history or an individual without a criminal history?

☐ An individual with a criminal history

☐ An individual without a criminal history

☐ Depends on the severity of the crime

☐ The criminal history of an individual does / would not affect my decision

Would / have you use / d websites (such as Lexbase and MrKoll) to find out the criminal history of a person you were interested in on a dating app?

☐ Yes

☐ No

If you saw on the website MrKoll that the person you're interested in on a dating app, has a criminal conviction, would you pay the small fee to see the exact criminal offense they committed or would the knowledge of a criminal history be enough for you to reject the person?

☐ I would pay the small fee to see the exact criminal offense they committed

☐ The knowledge of a criminal history would be enough for me to reject the person

☐ The criminal history of an individual does / would not affect my decision

In your view, should criminal records be available online? (Specify why) - Optional

[   ]

In your view, should Sweden implement a sexual offenders' registry? (Specify why) - Optional

[   ]