

**Oral Presentation:
Joint Oireachtas Committee on
Justice, Defence and Equality
'Review of Legislation on
Prostitution'**



12th December 2012

Hello Chairperson, Deputies, Senators, Committee Members. Thank you for inviting us to present to the Committee today on our written submission. We welcome the review process and the opportunity for organisations and individuals to have a say in the development of new legislation that reflects the changing nature of prostitution in Ireland.

Nasc, the Irish Immigrant Support Centre, is a non-governmental organisation working for an integrated society based on the principles of human rights, social justice and equality. Nasc (the Irish word for link) works to link migrants to their rights through protecting human rights, promoting integration and campaigning for change. Nasc was founded in 2000 in response to the rapid rise in the number of asylum seekers and migrant workers moving to the city of Cork. It is the only NGO offering legal information and advocacy services to immigrants in Cork. Nasc's legal team assist some 1,000 immigrants annually in navigating Ireland's protection, immigration and naturalisation systems. We also assist migrants and ethnic-minority Irish people who encounter community-based and institutional racism and discrimination.

Nasc is a member of the Turn Off the Red Light Campaign and supports their call to criminalise the purchase of sex. The information we present today is based on our written submission to the Committee, which is in turn based on our experiences working with migrants, in particular cases where migrant women and children have been trafficked into Ireland for sexual exploitation. We are especially concerned with how any new prostitution legislation will impact

and affect victims of trafficking and sexual exploitation and address their long term needs for support and protection.

Migration has had a significant impact on the sex industry globally and in Ireland and the existing legislation does not reflect this global reality. Migration and sexual exploitation are structurally linked, and woman and children bear the brunt of this exploitation worldwide. Numerous studies have shown that human trafficking for the purposes of sexual exploitation is a means of supplying the sex industry, as up to 80% of people trafficked worldwide are destined for the sex industry. In Ireland, between 83-97% of people engaging in prostitution are believed to be migrant women and children.

At Nasc, we have provided support to victims and suspected victims of trafficking and sexual exploitation. We also have extensive anecdotal evidence of the relationship between trafficking and sexual exploitation among migrant women and children in Ireland, particularly in Cork. From this work, we are well aware of the limitations of the current legislation in combating trafficking and sexual exploitation and in providing the necessary supports and protections for victims. Depending on their cultural and ethnic backgrounds and their previous experiences, migrant women and children (both trafficked and non-trafficked) can be particularly vulnerable to poverty, social exclusion and sexual exploitation. Victims of trafficking and sexual exploitation often do not know where to seek support, are fearful of disclosing their identities or situations, and in many cases go underground rather than seek out help from the authorities or support services.

We believe the current conditions are not facilitating or promoting opportunities for identification and disclosure and thus extremely vulnerable women and children are not receiving the appropriate protection and support. Any changes to legislation must take these most vulnerable women and children into account and prioritise their needs, health and well-being.

Nasc recommends the following in relation to a review of the prostitution legislation:

- Criminalisation of the purchase of all forms of sexual services, with the corresponding removal of any legislation which targets the prostitute or victim of trafficking and/or sexual exploitation
- Any changes relating to the criminalisation of prostitution must be victim-centred and provide any other necessary reforms to trafficking legislation
- Trafficking must be dealt with as a human rights issue, not as an immigration issue, particularly in relation to issues such as residency, repatriation and cooperation in criminal investigations
- Comprehensive, victim-centred support and protection for victims of sexual exploitation and trafficking
- Ongoing consultation directly with victims of sexual exploitation, trafficking and sex workers

Perhaps the greatest success of the criminalisation of the purchase of sex in Sweden to date has been the apparent shift in public attitudes around prostitution and trafficking. Prostitution and trafficking are not inevitable, unchangeable aspects of our society. We can and must make changes in legislation, support services, and attitudes with regards to the inhuman and degrading treatment of people that comes from turning a blind eye to the trading and purchase of people's bodies. Any changes in legislation must be part of a comprehensive, victim-centred approach that provides support and protection for victims of sexual exploitation, especially victims who have been trafficked into this country illegally and who have likely experienced tremendous physical, mental and emotional suffering.