

Ruhama strongly welcomes legislation to criminalise the sex buyer but expresses concern that the Criminal Law (Sexual Offences) Bill 2015 is lacking in its intention to protect those most vulnerable in prostitution.

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Ruhama gives a qualified welcome to the publication of the Criminal Law (Sexual Offences) Bill 2015. As a frontline service, working directly to support women affected by prostitution and sex trafficking for over 25 years, Ruhama has long advocated for legislation to focus on the demand which drives the sex trade. However, while warmly welcoming provisions in the Bill to criminalise the purchase of sex, Ruhama notes with concern that those involved in street-based prostitution will remain criminalised.

Ruhama CEO, Sarah Benson commented: “We are very thankful to Minister Fitzgerald for taking such landmark measures to address the demand for prostitution, created by the sex buyers – who are directly responsible for fuelling the commercial sex trade. Without demand there would be no supply. We witness every day the ugly consequences of prostitution and sex trafficking, which is the heinous form of modern sex slavery.”

Sarah Benson said: “While this Bill is an important step forward in combating sexual exploitation within the sex trade, we are however concerned that the spirit and intention of the law cannot be fulfilled without also removing the offence for soliciting which continues to subject highly vulnerable and exploited women and men, based in street prostitution, to criminalisation.

The Joint Oireachtas Justice Committee’s Report on Prostitution, unanimously recommends Ireland taking its lead from the Swedish example. Northern Ireland has already done this by implementing *dual* measures of criminalising the sex buyer, while repealing the soliciting offence for those selling sex.

Sarah Benson said: “The Minister has indicated a desire to have an ‘All-Island’ approach to combating the exploitative nature of prostitution. In order to achieve this, Ruhama is hopeful that an amendment to address this shortfall in the Bill will be achieved at Committee Stage. We welcome the Minister’s comments today that she will be examining the possibility of introducing proposals which would decriminalise a person offering sexual services by repealing the existing offences of soliciting under the Criminal Law (Sexual Offences) Act 1993.”

Sarah Benson said: “Ruhama has for years seen the terrible consequences that women have borne having been convicted of soliciting offences and treated as perpetrators rather than vulnerable persons in the eyes of the law. It can create a complete barrier when women want to leave prostitution and rebuild their lives. The risk of a criminal charge can also act as an inhibitor to women in reporting crimes committed against them. We believe that nobody should be criminalised for their own exploitation.”

Sarah Benson said: “Through a highly successful Garda initiative in Dublin 7, we witnessed how this proposed law could work in practice. The Gardai set up ‘Operation Kerb’ in 2011, which took a victim-centred, human rights approach to policing street-based prostitution. Through this initiative they targeted the buyers but did not criminalise those selling sex on

the streets, whom they acknowledged as vulnerable persons. Instead Gardai offered those in prostitution assistance and referral to health, drugs and other support services. The local community welcomed this initiative as an effective means of dealing with the public order elements of prostitution. It resulted in a 0% recidivism rate by the buyers that were apprehended, and increased confidence in women to come forward and report crimes against them.

Sarah Benson concluded: “This is a unique opportunity to do justice across the island of Ireland for those who have been exploited in the sex trade. We hope the final legislation will reflect its full intention by decriminalising those who sell sex.”

ENDS

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