



Ruhama

Fighting Sexual Exploitation, Prostitution and Human Trafficking

Submission DSGBV 3rd National Strategy

About Ruhama

Ruhama is an Irish NGO and registered charity that offers nationwide support to women impacted by prostitution, sex trafficking and other forms of commercial sexual exploitation. Ruhama's vision is of a world free of the sexual exploitation of women, where all women's lives are valued. Ruhama's contribution to this strategy consultation stems from an understanding from its frontline work that sexual exploitation constitutes a form of domestic, sexual and gender-based violence (DSGBV).

Ruhama's mission is to support and empower women impacted by prostitution and sex trafficking by providing safe, accessible, psychological and practical assistance to co-create opportunities to enhance their lives. Ruhama raises public awareness and advocates to influence policy that will support and protect women.

This submission will examine sexual exploitation as a priority area for the consultation on DSGBV under the four pillars of the Istanbul Convention – prevention, protection, prosecution, and co-ordinated policies.

Prevention

The removal of individual agency is a key part of the process of sexually exploiting an individual through the commodification of that person for the sexual gratification of another. The causes of this lack of agency can vary greatly from individual to individual and can include areas such as a lack of financial stability, issues with drug and alcohol dependency, and coercion. The conclusion therefore is that in order to prevent the exploitation of women for sexual purposes, the strategy needs to provide for the development of supports for vulnerable women across a range of areas – some of these will be discussed later in the submission under the “co-ordinated policies” section.

What is undoubtedly clear from Ruhama's experience is that socio-economic inequality and the vulnerability that stems from that is an important aspect to address in the strategy as it relates to sexual exploitation. For many women who engage with the sex trade, poverty and desperation are persistent common coercive influences that lead to their vulnerability to sexual exploitation. It is vital that the root causes of women's inequality are addressed in the upcoming strategy as a measure in preventing DSGBV.

The role of the NGO in this process provides an important link in the development and implementation of the preventative pillar of the strategy on DSGBV. Frontline NGOs bring a key source of data and expertise in the prevention of sexual exploitation that inform many aspects of an impactful strategy. Chief among these is the delivery of training to other frontline services and private sector entities on identifying individuals who may be vulnerable to sexual exploitation, on how these individuals may present to different stakeholders, and on the optimum way to support these individuals. Having an informed, multi-stakeholder environment to support women who are vulnerable to sexual exploitation is key to timely interventions to support them in that vulnerability and prevent their exploitation or further exploitation of those who are already in the sex trade.

Awareness raising and education are also key tools in the prevention of sexual exploitation. Awareness raising campaigns play an important role in educating the wider public on the harms and consequences associated with sexual exploitation. It is crucially important to highlight to the public at large that sexual exploitation can have deep and far-reaching effects on the mental, physical and emotional wellbeing of its victims. Awareness raising campaigns also play a role in empowering the public to recognise the signs of sexual exploitation and to report this to relevant support services. Furthermore, education modules in schools and universities focusing on relationship and sexual education are crucial to teaching a valuable lesson at formative stages about the inequality at the centre of sexual exploitation and teaching sexual health practices rooted in mutual consent and equality to combat this.

Protection

The introduction of the equality model legislation, the Criminal Law (Sexual Offences) Act 2017 was undoubtedly an important step forward in the direction of protecting victims of sexual exploitation. While cognizant of the ongoing review process in relation to this legislation and the outcomes that may be presented in this review, there are two key aspects of the legislation that need to be emphasised in the context of the DSGBV strategy – these are the decriminalisation of the individual selling sexual services and the targeting of demand via criminalisation of the sex buyer. The full decriminalisation of the sex seller provides new legal protections to exploited persons and empowers those individuals to access key supports and pursue legal remedies for crimes perpetrated against them without fear of repercussions related to the selling of sexual services.

A related and crucial part of the successful operation of this legislation in other jurisdictions is the accompanying strategy of providing statutory exit pathways. These provide victims with opportunities to discontinue selling sexual services if they so choose and to have a state supported method of achieving this that provides them with protection. The importance of this lies with the barriers that can face women who wish to exit prostitution, particularly as it relates to accessing education, employment, and other development opportunities. It is undeniable that there are many women across Ireland who are selling sexual services who would exit if offered a choice. It would be a key recommendation from

Ruhama considering the overwhelming experiences of our service users that the development and implementation of statutory exit pathways is essential to protecting victims of sexual exploitation and protecting the potential re-victimisation of those who have already exited but have done so unsuccessfully.

In the specific context of victims of sexual exploitation who are also victims of human trafficking for sexual exploitation, the implementation of gender-specific accommodation for victims in the Direct Provision system is crucial. At the time of writing this submission, gender specific accommodation has been a key recommendation by stakeholders and experts at national and international level for many years and has yet to be delivered. The experiences of Ruhama service users would speak to the fact that this type of accommodation is an urgent necessity for the protection of victims of human trafficking for sexual exploitation. This type of accommodation provides a safe space where victims can be protected while in recovery or engaging in legal processes. It also provides certainty and safety for these victims at a time when they are most vulnerable and helps to prevent potential re-victimisation.

Protecting the wellbeing of survivors is a key factor in the successful rehabilitation of victims of DSGBV, and specifically for victims of sexual exploitation. Many supports for victims are provided by semi-state and NGO entities such as Ruhama. Many survivors of sexual exploitation have experienced adverse childhood events, further exacerbated in adulthood by the violent and unstable environment in which the sex trade in Ireland operates hence, providing stability to survivors in the process of recovery is crucial and this cannot be overstated. With a view to providing that stability, a system of multi-annual funding is key for NGOs to develop long term plans for service provision and ensure that they can provide consistency of service for a cohort of victims of DSGBV who are subjected to so much instability throughout their experience of sexual exploitation. Multi-annual funding also provides services with the opportunity to expand and adapt as necessary while maintaining consistency of a quality service, as evidenced by the overwhelming impacts of the ongoing COVID-19 pandemic and the necessary adaptations that have followed.

Prosecution

The 2017 legislation relating to sexual offences and the decriminalisation of those selling sexual services contained therein has undoubtedly led to a greater accessibility to law enforcement and reporting of crimes for victims of sexual exploitation. Many victims of sexual exploitation can experience reluctance in dealing with law enforcement as a result of fear of being criminalised for selling sexual services or as a result of previous adverse experiences with law enforcement in Ireland or in their country of origin. In cases relating to sexual exploitation, the capacity of the victim coming forward can be an essential piece of prosecuting pimps, traffickers, and sex buyers. In this way, the continued emphasis in the DSGBV strategy on awareness raising as to the full decriminalisation of those selling sexual services is key. This aspect of awareness raising relates not only to the prosecution of sexual exploitation crimes but also crimes often related to sexual exploitation, such as sexual and

domestic violence, brothel keeping, and other types of criminality associated with organised criminal gangs.

The prosecution of cases related to sexual exploitation can be extremely complex in light of the organised criminal nature of the sex trade in Ireland. This is an area in relation to tackling the sexual exploitation of women where more progress needs to be made – to date, there has been one successful prosecution for sex trafficking in Ireland and there has been limited success in prosecuting individuals for matters relating to sexual exploitation. The next strategy on DSGBV needs to renew its calls for increased resourcing for Garda Units relating to the areas of sexual exploitation – the Organised Prostitution Investigation Unit and the Human Trafficking Investigation and Co-ordination Unit. It is vital that those who would seek to sexually exploit women look to the legislative and justice environment surrounding the prosecution and conviction of exploiters and see an environment where their crimes are actively and successfully prosecuted.

While the voices of survivors are key in all aspects of the consultation on, design of, and implementation of any strategy on DSGBV, there is perhaps no area where this is more pertinent than in the provision of greater access to justice for victims of sexual exploitation. Undoubtedly, more needs to be done to make legal remedies more accessible for victims of crime and make the court system itself more accessible for victims. Engaging with the justice system can often be a lengthy, complicated, and challenging process for victims and can be re-traumatising for them. Victims can require support in many ways, ranging from legal assistance to translation services, to wellbeing supports. It is key that there is a significant investment in these supports to ensure they are universally accessible to victims of DSGBV. Furthermore, it is important that members of the legal profession and judiciary are trained in victim sensitive legal practices in dealing with these cases. It is important that this training is consistent and applied universally to any legal professional who regularly interacts with victims of these crimes. This consistency could be achieved by altering the system of Continuous Professional Development (CPD) for legal professionals in areas that are most pertinent to sexual exploitation cases, such as family law and criminal law. Given the high importance of trauma-informed practices in areas such as these, the apportioning of a specific percentage of these CPD hours to trauma informed training would be an avenue to guaranteeing consistency of access to trauma informed legal professionals for victims of sexual exploitation.

Co-ordinated Policies

In the area of sexual exploitation, the need for co-ordinated policies across the whole of government is key to providing a holistic and comprehensive government response to the needs of victims of sexual exploitation. Victims of sexual exploitation can face challenges across a multitude of areas relating to justice, housing, health, children, education and more. For this reason, it is important that there is a co-ordinated approach to tackling the issue of sexual exploitation. This co-ordination needs to apply, not only at the national/governmental level but also at a more localised administrative level to assist in

accessing key state supports for victims of sexual exploitation. It is also important in an ever-changing political landscape that these issues take root in a cross-departmental fashion to create stability and continuity that is resistant to any changes at ministerial level in a single department.

On a related point, the appointment of an independent chair to oversee the strategy would also give the strategy greater scope to lobby and advocate across several different departments. Many of the NGOs associated with the DSGBV strategy will have established relationships with existing government departments having engaged with them in relation to advocacy, awareness raising and funding. The appointment of an independent chair removes the capacity for the strategy to be viewed as being exclusively associated with the department most related to the NGO who occupies the chairing position. Furthermore, the appointment of an independent chair can bring new and diverse expertise to the area of DSGBV which can only be viewed as a strength in relation to the applicability of the strategy.

Implementation and Oversight of the Strategy

By the varied and multi-faceted nature of the strategy, there will inevitably be several intersectional work streams that need to be monitored and evaluated by the oversight committee. It is essential that the associated implementation plan features very clear metrics for measuring the impact and progress of the strategy.

The strategy needs to feature very clear, measurable key performance indicators with associated methodologies for measuring their implementation and a clear timeline for that implementation. On a related matter, it is important also that the strategy features quality assurance standards. These standards will serve as a method of evaluation on an ongoing basis to ensure that those who the strategy is intended to serve are getting the best outcomes possible.