

**Submission to the Joint Oireachtas Committee  
on Justice, Equality and Defence**

**on the**

**Future Direction of Prostitution Legislation  
in Ireland**

**Submission by:**

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## Executive Summary

### Recommendations

- The criminalisation of demand for paid sexual services.
- Shift the focus away from the supply side of prostitution. i.e. do not criminalise people engaged in prostitution.
- Increased penalties and custodial sentences for persons who profit from the organisation and control of prostitution i.e. the pimps, landlords and people recruiting abroad.
- Remove the defence of 'strict liability' in relation to child prostitution and victims of trafficking.
- Establish effective exit programmes for those engaged in prostitution.
- Develop gender specific, safe and purpose built accommodation for victims of sex trafficking.
- Develop unified Asylum Process and clear and concise Immigration Legislation.

### About Doras Luimní and our work

Doras Luimní is an independent non-governmental organisation working to support and promote the rights of migrants living in Limerick city and county. The core areas of our work are direct support, advocacy and campaigning, and integration planning. We have a dedicated anti-trafficking office and lead an outreach project for those engaged in street based prostitution.

### National Context

- Evidence suggests that between 93-97% of women working in prostitution in Ireland are migrants (Kelleher et al, 2009).
- There is a large number of migrant women involved in both indoor and outdoor prostitution.
- Migrant women are particularly vulnerable due to issues relating to social welfare, language, and other barriers.

### Prostitution in Limerick

- Limerick has a high level of organised prostitution. Since 2010, 126 people have been arrested as part of one Garda-led operation alone<sup>1</sup>. There have been a number of high profile court cases recently indicating the lucrative nature of the business.
- There is a particularly high involvement of organised crime in prostitution in Limerick<sup>2</sup>.

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<sup>1</sup> No Author (2011) No entrapment in prostitution arrests, says Garda;  
16/12/2012 <http://www.irishexaminer.com/ireland/no-entrapment-in-prostitution-arrests-says-garda-177414.htm>

- The Gardaí in Limerick launched two effective operations against prostitution in 2011-2, focusing on both the pimps and men who buy sex. We believe that this operation offers a template for an effective police response to prostitution.
- The recent Garda operations resulted in significant public debate locally on prostitution and men who buy sex which, we believe, highlights the need for a widespread change in attitudes towards prostitution<sup>3</sup>.

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<sup>2</sup> Hurley, D. (2012) 'Two charged with operating brothels at three apartments in Limerick city' 9/5/12 ; <http://www.limerickleader.ie/news/local/two-charged-with-operating-brothels-at-three-apartments-in-limerick-city-1-3823928>

<sup>3</sup> Browne, C. 'Sting in the tale: Pay for sex and you won't be named and shamed', Irish Examiner, 21/12/11 <http://www.irishexaminer.com/features/sting-in-the-tale-pay-for-sex-and-you-wont-be-named-and-shamed-177839.html>

## 1. About Doras Luimní

Doras Luimní (Doras) is an independent non-governmental organisation working to support and promote the rights of migrants living in Limerick city and county. The core areas of our work are direct support, advocacy and campaigning, and integration planning. We operate an advice and information centre for migrants, facilitate and lead on integration planning locally and campaign at a regional and national level on key issues that affect the human rights of migrants.

Doras is a key member of the Turn Off the Red Light Campaign (TORL) which lobbies for the introduction of criminal sanctions against the purchasers of sex as a way to discourage demand for prostitution. This campaign is run by an alliance of 56 networks, umbrella groups, trade unions and professional bodies with considerable membership across a broad spectrum of Irish society.<sup>4</sup>

### Our Expertise:

- **Migrants' rights:** Doras operates an Advice and Information Centre with experienced case workers who work on a daily basis with migrants on a variety of immigration related issues.
- **Asylum and immigration law:** Doras has an experienced Legal Officer and Intern who are both highly experienced in the area of asylum, immigration and refugee law.
- **Anti-trafficking legislation:** Doras operates an Anti-Trafficking Office, which works closely with other organisations in the area of human trafficking. This office also participates on local and national campaigns on anti-trafficking measures and on the implementation of the National Action Plan To Prevent and Combat Trafficking of Human Beings 2009-2012.

### Doras Luimní's work in Anti-Trafficking

Anti-Trafficking is one of our core campaign areas and we have a dedicated Anti-Trafficking Officer. This office participates in local and national campaigns against forced prostitution and sex trafficking in Ireland and manages the Doras street outreach project to people affected by prostitution. We also facilitate a multi-agency anti-trafficking steering group in Limerick ensuring a regional response is represented at a national level.

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<sup>4</sup> 1] The TORL alliance includes so far: AkiDWA, Aoibhness Refuge, APT (Act to Prevent Trafficking), Barnardos, Bray Women's Refuge, Communications Workers' Union, Domestic Violence Advocacy Service, Doras Luimni, Dublin Rape Crisis Centre, Focus Ireland, FOF (Feminist Open Forum), FOMACS (Forum on Migration and Communications), Freedom From Pornography Campaign, Group of Independent Senators Taoiseach Nominees, ICTU, Immigrant Council of Ireland, Impact, Inchicore Women's support Group, Irish Country Women's Association, Irish Feminist Network, Irish Girl Guides, Irish Medical Organisation, Irish Nurses and Midwives Organisation, Labour Party, Men's Development Network, MRCI, NASC Cork, National Women's Council of Ireland, Public Service Executive Union committee, Rape Crisis Network Ireland.

## Doras Luimní's work with migrants affected by prostitution in Limerick

Doras Luimní developed a counter trafficking street outreach project in 2011 in partnership with a Limerick-based Sexual Health Centre. The rationale for developing this project related to our concerns and evidence that the majority of people working on the streets are migrant women (mostly Romanian and Eastern European) and our concern for the safety and well-being of this marginalised cohort. We firmly believe that many of these women may be victims of trafficking and our aim is to support them to exit their situation.

This work involves weekly outreach working with migrant women engaged in prostitution to open up avenues of service provision locally. This cohort is particularly vulnerable to abuse and exploitation and are marginalised from mainstream society and services for the following reasons:

- Engagement in on street prostitution is widely stigmatised and socially constructed to be immoral and deviant;
- Little or no recourse to the law as the illegal nature of their work deters them from reporting crimes committed against them by pimps or members of the public;
- Limited access to social welfare due to restrictions of the Habitual Residency Condition (HRC);
- Difficulties due to the language barrier as most women engaged in on-street and indoor prostitution in Limerick are migrant women
- Usually prostitution-related activity takes place at night, which places them outside the remit of most social-based services. This renders them particularly vulnerable to abuse and exploitation and could prevent them from leaving prostitution.

## 2. The experience of migrants affected by prostitution

People engaged in on-street prostitution also engage in indoor prostitution as well as travel to various other cities and towns throughout Ireland to satisfy purchasers demands. The following are some of the reasons why migrant women are trapped in this cycle of exploitation:

- **Barriers to social welfare entitlements:** According to a recent Doras/Nasc/Crosscare publication <sup>5</sup> migrants face many barriers to social welfare entitlements due to poor information provision, adversarial approaches, misapplication of the Habitual Residency Condition (HRC), processing delays, loss of social welfare entitlements due to temporary absences from the State leading to temporary homelessness (due to failure to continually satisfy HRC). This is especially problematic for women who are primary care givers of children and face the risk of being exploited through being placed in a position of economic vulnerability. Migrants often do not satisfy the HRC as they have not been habitually resident in the country to meet the qualifying factors. This is especially problematic for women who wish to access services such as rent allowance schemes, domestic violence shelters (where obtaining a place is based on one's ability to obtain rent allowance) and also prevents people from living independently, which again, increases their vulnerability to abuse and exploitation.

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<sup>5</sup> Person or Number? Issues Faced by Immigrants Assessing Social Protection - A "snapshot" of 54 cases presenting to NGOs across Ireland - Doras Luimní, Nasc, Crosscare. 2012

- **Undocumented status:** Migrants are vulnerable to exploitation if they enter the country undocumented or, if they later become undocumented.
- **Work permit issues:** Migrants sometimes become undocumented due to restrictions of work permits and exploitation of employers of work permit holders. This is particularly pertinent to women working as carers or domestic workers<sup>6</sup>.
- **Trafficking:** Women and children are trafficked into Ireland and forced into prostitution.

### **The asylum process and its impact on vulnerable female migrants**

Immigration law, practice and policies in Ireland have contributed to the changing nature of prostitution. The delay in the asylum and immigration process, direct provision, and the lack of clarity in relation to general immigration issues has significantly affected the nature of prostitution.

The issue of women, single or otherwise, being left in hostels, that are usually located in isolated areas not permitted to work, and with little or no chances of integration leaves them vulnerable to exploitation (it is worthy to note that men in the same situation are also known to be engaged in male prostitution due to the very precarious situation they find themselves in).

The Direct Provision (DP) system was established with the aim of processing asylum claims over a 6 month period. However, this is not the case and Asylum Seekers often spend years in the asylum process leading to poverty and frustration which leaves women vulnerable to prostitution. Furthermore, the EU Council Directive 2003/9/EC 'laying down minimum standards for the reception of asylum seekers' states asylum seekers should be allowed to work 6 months after having lodged a claim for asylum. Ireland has not opted into the clause which allows asylum seekers to work.<sup>7</sup> There have also been instances where women have been approached outside of DP Centres and solicited for commercial sexual services<sup>8</sup>. Additionally we are concerned at the lack of gender guidelines in the asylum and reception processes (Akidwa, 2010; 2012).

### **3. Prostitution in Limerick**

Outside of Dublin, Limerick has recorded the highest number of detections of prostitution and brothel keeping in the Republic<sup>9</sup>. In 2010, 68 prostitution offences were recorded in Limerick. There were two major targeted policing operations (Freewheel and Quest) in November 2011 and May 2012, which led to widely reported raids, arrests and prosecutions in Limerick. This has ensured the issue remained prominent in public consciousness locally.

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<sup>6</sup> Work Permits and Exploitation: Time for Reform; Dublin, MRCI Policy Paper. 2010

<sup>7</sup> <http://www.inis.gov.ie/en/INIS/Pages/EU%20Legislation>

<sup>8</sup> <http://www.irishexaminer.com/ireland/claim-women-in-refugee-centres-being-re-victimised-by-men-seeking-sex-104301.html>

<sup>9</sup> <http://www.limerickpost.ie/index.php/navigation-mainmenu-30/local-news/3349-crackdown-on-prostitution-continues-in-limerick.html>

Doras Luimní is concerned with the high numbers of migrant women engaged in on-street and organised prostitution in Limerick, largely controlled by pimps acting with relative impunity. We are also concerned with the lack of support services available to this group in terms of providing for their health needs as well as offering support to exit prostitution.

### **Organised crime and prostitution in Limerick**

There is evidence of organised criminal gangs organising and profiting from prostitution across the country. This is evident in the extent of Operation Quest in May 2012 where 140 brothels were raided in a cross border crack down on organised prostitution on the island of Ireland, 120 of which were located in the Republic<sup>10</sup>, and 14 in Limerick.<sup>11</sup>

In the same month another prominent prostitution-related case came before the courts when two named individuals - a well-known Dublin-based Irish business man in his 50s and a Brazilian woman in her 30s - were charged with several offences under the Criminal Law (Sexual Offences) Act, 1993 for operating a number of brothels in Limerick city and living off the earnings of prostitution. One of the charges they will be tried under is that they 'compelled or coerced' at least one person to be a prostitute for personal gain. They were remanded on bail and will come before the courts again in the autumn<sup>12</sup>.

### **Response of Gardaí in Limerick to prostitution**

As an organisation we are encouraged by the work of the Gardaí in Limerick in tackling the level of organised prostitution and demand for prostitution and not focusing overly on the women being prostituted in on-street or indoor prostitution. It is important to remember that, while the women are the public face of the prostitution 'industry' they are, in fact, being controlled for gain by pimps and handlers, many of whom are not immediately obvious to the public eye as they operate behind the scenes. This has become obvious in the course of our weekly outreach sessions, where women are often 'accompanied' by men and women acting on their behalf and accepting payments on their behalf.

### **'Operation Freewheel'**

Operation Freewheel, which was established in 2010, is a multi-phase investigation devised by Limerick Garda Division in response to identified crime trends and complaints by residents and the business community about brothel and street-based prostitution in specific areas of Limerick city. The stated aims of the investigation are to identify and prosecute offenders, detect any possible links to human trafficking and other criminal enterprises, and increase awareness amongst those involved in prostitution, particularly women, of the availability of diversion services (Statement by the Minister for Justice, Equality and Defence, Alan Shatter, T.D. Debate on Independent Senators' Private Members' Motion on Criminalising the Purchase

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<sup>10</sup> <http://www.irishtimes.com/newspaper/frontpage/2012/0530/1224316915754.html>

<sup>11</sup> <http://www.limerickpost.ie/index.php/navigation-mainmenu-30/local-news/4628-fourteen-limerick-brothels-raided.html>

<sup>12</sup> <http://www.irishtimes.com/newspaper/ireland/2012/0510/1224315843947.html>

of Sex in Ireland to Curb Prostitution and Trafficking [18/4/2012]). As a result of the operation numerous arrests, prosecutions and convictions for a range of offences have been pursued under the 1993 legislation.

One of the most prominent developments to arise from 'Operation Freewheel' was the arrest of 27 men between November 11th and December 4th 2011, for attempting to solicit or importune plain-clothed female Gardaí in Limerick city centre. At a hearing of Limerick District Court on December 6th, 21 of the men who pleaded guilty were fined €470 each, which they were ordered to pay to Doras Luimní<sup>13 14</sup>. The 6 other men who had been charged with the offences had their cases adjourned. The names, ages and addresses of the 21 men were listed in reports in several national newspapers.<sup>15</sup> When these cases came up for review by the courts in March, 17 of the men who had admitted soliciting undercover Gardaí avoided conviction when their cases were struck out because they had complied with the judges order to pay a fine to Doras Luimní. At the hearing a warrant was issued for the arrest of one man who did not appear in court and had not paid the required fine. Another man who was present in court but had not paid the fine was fined €700 and formally convicted. Three of the cases were adjourned until April 26th 2012.<sup>16</sup>

By mid-December 2011 Operation Freewheel had resulted in 126 people arrested, 87 people charged (including the 27 men involved in above case), 42 convictions, 31 warrants issued to search premises suspected of being brothels. In two of the searches Gardaí found 2 minors who are now in the care on the HSE.<sup>17</sup>

### **'Operation Quest'**

Operation Quest was initially established in the Dublin Metropolitan Region in 2003 as a response to the growth of lap-dancing clubs. In 2005 it was revived to target brothel keeping, organised prostitution and the advertising of prostitution. The focus of Operation Quest is on monitoring, gathering and acting upon intelligence relating to brothel keeping, organised crime and the advertising of prostitution. It has targeted specific individuals and networks involved in the organisation of prostitution, unearthing complex prostitution rings operating in the Republic and abroad.

This operation has continued and expanded and came to public attention again in May 2012 when Gardaí and PSNI coordinated joint cross-border raids on over 130 premises in the Republic and Northern Ireland. This was a significant development because of the scale of the

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<sup>13</sup> (precedents of this include orders by judge Tom O'Donnell allocating money seized as proceeds of prostitution to be donated to the Limerick Rape Crisis Centre, including €2,000 seized from a Latvian woman working as a prostitute in Limerick city (judge order in May 2007) and €900 seized from two Latvian women in another premises judge order in February 2007).

<sup>14</sup> Rape centre to receive €2,000 from prostitute' by Leader Reporter 24/5/2007

<sup>15</sup> <http://www.irishtimes.com/newspaper/ireland/2011/1207/1224308683120.html>

<sup>16</sup> <http://www.limerickleader.ie/news/local/prostitution-cases-are-struck-out-at-limerick-court-1-3620966>

<sup>17</sup> <http://www.irishtimes.com/newspaper/ireland/2011/1216/1224309150557.html>

investigation and the fact that it targeted a network involving prostitution, organised crime, money-laundering and trafficking.

In May 2012 Gardaí raided 14 brothels in Limerick city as part of Operation Quest. While it was reported that Gardaí encountered up to 20 prostitutes and a number of male clients during the brothel searches in Limerick in May 2012, no arrests were made<sup>18</sup>

Later in May 2012 a case came before the Limerick courts relating to the assault and robbery of two Spanish women who had been engaged in indoor prostitution from an apartment in the city. Three young men with Limerick addresses were charged with attacking the women – one had made an appointment with the women through an operator. The incident took place on March 4th 2011. The women in this case were unnamed while the men's names and addresses were reported.

### **Public opinion in Limerick about prostitution**

Some aspects of the media coverage and public discussion on prostitution in the Midwest region has given us cause for concern. We were surprised with the level of controversy and criticism directed at the Gardaí following the arrest of 27 men in Limerick (Operation Freewheel) who were charged with attempting to solicit or importune plainclothes female Gardaí in the city centre<sup>19</sup>. For instance, the view that the operation would tarnish Limerick's reputation and the accusation that the Gardaí had used inappropriate policing techniques<sup>20</sup>.

We have observed that much discussion and coverage has tended to revolve around the traditional themes of street prostitution as a nuisance and public order issue. We have consistently tried to broaden and deepen the debate by challenging the view that prostitutes are the beginning and end of the problem and drawing attention to the demand side which had been completely ignored. We believe that without the input of Doras Luimní and our TORL partners, the human rights perspective would be largely neglected or obscured in public discussion. Our joint contributions have resulted in greater appreciation for the complexity of the issues and greater consideration of the exploitative nature of the industry.

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<sup>18</sup> <http://www.limerickleader.ie/news/local/limerick-brothels-raided-during-operation-quest-1-3896612>

<sup>19</sup> Operation Freewheel

<sup>20</sup> <http://www.limerickleader.ie/news/local/mayor-of-limerick-questions-garda-operation-targeting-prostitution-1-3337133>

## 4. Impact of current legislation on tackling prostitution

### Criminal Law (Sexual Offences) 1993, Act

The introduction of the Criminal Law (Sexual Offences) 1993, Act<sup>21</sup> contributed immensely to the present trend in prostitution. Before the introduction of the Act, prostitution was on street, in localized areas. This changed due to the increased threat of prosecution under the Act. While “buying or selling sex” or prostitution itself is not defined or considered a crime under the 1993 Act, the following actions associated with prostitution are considered an offence: soliciting, loitering, controlling prostitution for gain, compelling or coercing someone for gain, brothel keeping, and living off the earnings of prostitution are all criminal offences. These actions will only become an offence if they are carried out in the street or in a public place.

While the act created barriers to profiting from and controlling prostitution, the stark reality is that the law criminalised prostituted women and continues to do so disproportionately to men who are mostly profiting from prostitution.

This is reflected in prostitution related offences recorded in Ireland in 2010; 65 people were convicted in total: 6 of these were men, and the remaining 59 were women. This indicates that the current laws are disproportionately criminalising women in relation to prostitution. It is also noteworthy that the age range of women is younger: all of the convicted men were over 25 years while 21 of the women convicted were aged between 18 and 24 years<sup>22</sup>.

### Weaknesses in the current legislation

The 1993 Act as it stands does not tackle indoor prostitution. The act of trying to buy sex is only illegal when the importuning takes place on the street.

Though the Criminal Justice (Public Order) Act 1994 criminalises the advertising of prostitution and brothels on the Internet, it does not cover adverts placed by persons outside of the State.

Though the 1993 Act criminalises the organisation and control of prostitution, the penalty for the offence is relatively low. Those who gain from prostitution i.e pimps, managers of brothels and landlords, continue to ply their trade in spite of recent court cases where minor fines were imposed for organising and controlling prostitution. We argue that stronger penalties and prison sentences should be given to those who profit the most from the prostitution of others. To date, pimps continue to engage in brothel keeping for example one high level pimp on bail for €500 pending a further court date is still visibly operating in Limerick city<sup>23</sup>.

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<sup>21</sup> <http://www.irishstatutebook.ie/1993/en/act/pub/0020/index.html>

<sup>22</sup> Table 13.3; p.68  
[http://www.cso.ie/en/media/csoie/releasespublications/documents/crimejustice/2010/gardacrimestats\\_2010.pdf](http://www.cso.ie/en/media/csoie/releasespublications/documents/crimejustice/2010/gardacrimestats_2010.pdf)

<sup>23</sup> <http://www.irishtimes.com/newspaper/ireland/2012/0510/1224315843947.html>

No aspect of the current legislation discourages demand for paid sexual services. The Criminal Law (Human Trafficking) Act, 2008 provides for the prosecution of any man who knowingly engages in sex with a trafficked person. This provision is however diluted as the 2008 Act provides further that *'in proceedings for an offence under this section it shall be a defence for the defendant to prove that he or she did not know and had no reasonable grounds for believing, that the person in respect of whom the offence was committed was a trafficked person'*.<sup>24</sup> Strict liability is not enforced, and the argument of 'not knowing' someone was trafficked can be used as a defence. Therefore the only article currently in Irish legislation to discourage demand for paid sexual services, is impracticable.

We are aware that local landlords make significant financial gains by renting apartments to be used as brothels with a view that they could avoid prosecution by relying on the defence provided for in the 2008 Act. Therefore, it is necessary to increase the penalties for those who rent apartments to pimps and brothel keepers. We believe the argument of 'not knowing' is not relevant as it should be the responsibility of the landlord to ensure that the premises being leased are not being used for prostitution-related purposes. Currently those who knowingly make available apartments for prostitution related activity are guilty on summary conviction to a fine of no more than €1000, or 6 month prison sentence, or both. This is not a sufficient deterrent. We believe strengthening the legislation to include strict liability for landlords, and tougher penalties for those who are found to be renting for prostitution related purposes, would serve to act as a deterrent.

The Act as it stands does not address the specific issues faced by migrants who are involved with prostitution. Migrants are usually faced with immigration issues that would further leave them vulnerable to exploitation and abuse.

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<sup>24</sup> <http://www.irishstatutebook.ie/2008/en/act/pub/0008/index.html>

## 5. Recommendations

### Increased penalties

1. Increase penalties on those **who control prostitution for gain**. Pimps, procurers and handlers play a crucial role in the cycle of exploitation of those engaged in prostitution. Penalties should match the severity of the action. From a local perspective the organised element of prostitution, while not always immediately visible, is essential to the running of prostitution-related offences. While women are the public face of the prostitution industry, their pimps and handlers work behind the scenes ensuring that demand is met and high profits are made.
2. Make it a criminal offence **to recruit women abroad** for prostitution-related activity in Ireland. Therefore we would encourage the government to make it a criminal offence (within the confines of the law) to recruit women for prostitution abroad. There is anecdotal evidence that migrant women working in prostitution have been recruited in their home countries by either Irish or foreign-born pimps. While these women do have right of movement within the EU (especially those from EU accession countries who form the significant majority of those engaged in on street prostitution in Limerick) we are concerned for their welfare, how they were recruited, and under what circumstances they came to understand their future employment prospects in Ireland.
3. Create tougher penalties for landlords who knowingly **rent apartments** to those organising prostitution.

### Shifting focus away from the supply side of prostitution

4. **Criminalise the purchase of sex both indoor and on street**. Demand fuels prostitution. We call for the criminalisation of the purchase of commercial sexual services. We acknowledge that this position alone will not deter an entire industry, however, it will send a clear message to the significant majority that paying for sex is a crime which is punishable by the law. We believe that this will decrease the demand for prostitution and sexual exploitation. We believe that changes in the law can bring about positive behavioural changes and attitudes. This will in turn put an end to the exploitation of people affected by prostitution. Arguably the law does play an important role in regulating the behaviour of the general public, in that it influences norms and attitudes, and creates clear undisputed boundaries around what is considered acceptable and unacceptable. Therefore the law is a normative social practice: it purports to guide human behaviour, giving rise to reasons for action.<sup>25</sup>
5. **Decriminalise women engaged in prostitution**. People who are involved in prostitution rarely exit unscathed. We are concerned for all women engaged in prostitution most especially for the young women working in prostitution in Limerick. The issue of young women working in prostitution is not specific to Limerick. The 2010 statistics reveal that

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<sup>25</sup> <http://plato.stanford.edu/entries/lawphil-nature/>

the age of women prosecuted under the 1993 legislation is in the age category of 18-24, while the age of men prosecuted for similar offences is above the age of 25. Also, the age of men buying sex reveals an older cohort as indicated by recent arrests in Limerick, which shows that those charged in court were aged between 23 to 67, with the average age being 42.7. Many were also in committed relationships at the time of the operation. Therefore, men buying sex are more likely to be older, middle class and in long term relationships. This is also the case nationally.<sup>26</sup>

This again reveals that women engaged in prostitution are not on an equal footing in socio-economic terms. Most of these women are vulnerable to exploitation by pimps and handlers due to their migrant status and failure to satisfy qualifying factors in the HRC process. It has been shown that men who exploit women through prostitution are mostly in committed relationships (and not single, as is often suggested).

6. **Establish exit programmes for those engaged in prostitution.** Funding should be made available to recognised and experienced groups to implement **exit strategy programmes** for those engaged in prostitution. Developmental and educational programmes should be made more widely available to provide counselling and stress management and educational programmes would be a way of improving women's educational advantage and would help lead to new career prospects.

### **Develop gender specific, safe and purpose built accommodation**

7. Ireland should consider opting in to the **European Union's Reception Directive**, EU Council Directive 2003/9/EC, which establishes minimum standards for reception centres and has been adopted by 25 of the 27 EU Member States.
8. Establish **women only accommodation centres**. This is especially pertinent for women who have suffered gender based violence in their home countries and also for victims of trafficking who have suffered sexual violence before, during or after exploitation.
9. Develop gender specific, safe and purpose built accommodation for **victims of sex trafficking**.
10. Develop gender specific, safe and purpose built accommodation for **women exiting prostitution**.
11. Remove any stipulation to HRC fulfillment for women trafficked from EEA countries.

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<sup>26</sup> <http://www.irishtimes.com/newspaper/ireland/2012/0825/1224322964697.html>

## 6. Conclusion

We welcome this consultation process and believe such a revision is timely given the changed nature of prostitution in Ireland. What was primarily an on street phenomenon until the 1990's is now comprised of an on street and off street lucrative business with the majority of sex workers now working indoors. This is startling given the numbers of women still working in on - street prostitution in cities and towns every night of the week.

The development of Irish laws on prostitution has always been driven by the need to protect the public and the morality of the society. Prostitution has always been seen as a 'necessary evil' that could be tolerated as far as it is not glaringly displayed in public. This opinion ties in with the old reference to prostitution as the "oldest profession". This falls short in relation to the present trend in prostitution.

We have laid out evidence of the Limerick context. We have outlined how prostitution is exploitative and harmful, while the people who control the business earn substantial financial gains. Following careful consideration, we have outlined a number of recommendations, based on the facts as they present themselves to us in our work. We hope our submission, which is based on our direct work experience locally and nationally, will contribute to shaping future legislation.