

# My Thoughts on Sex Work and the Law

## Dear Alan Shatter, Minister for Justice, Defence and Equality; On the flaws of the Joint Oireachtas Committee on the Review of Prostitution Legislation

Dear Alan Shatter, Minister for Justice, Defence and Equality,

It is my view that the conduct of the Joint Oireachtas Committee on Justice, Defence and Equality on the review of prostitution legislation chaired by David Stanton was flawed and therefore that its report and recommendations published last June 27th ought to be rejected.

David Stanton wrote you a letter of reply on November 6th 2013 after you had asked him for a number of clarifications regarding the Joint Committee report. In his letter of reply, he appeared to take issue, perhaps even umbrage, with your concern that there was a “factual deficit” regarding the nature of prostitution in Ireland and the experiences of those involved in it.

<http://www.oireachtas.ie/parliament/media/committees/justice/Addendum-to-Prostitution-Report.pdf>  
(<http://www.oireachtas.ie/parliament/media/committees/justice/Addendum-to-Prostitution-Report.pdf>) (Page 15)

I find Mr Stanton’s concern here curious however given that in the

joint committee's final report published on June 27th 2013, Mr Stanton made clear that one of the reasons he supported the "Swedish model" of criminalizing the purchase of sex was because there had been over 800 written submissions to the joint Oireachtas Committee on the review of prostitution legislation and that he claimed therein that over 80% of them supported the "Swedish model".

<http://www.oireachtas.ie/parliament/media/committees/justice/1.Part-1-final.pdf>

(<http://www.oireachtas.ie/parliament/media/committees/justice/1.Part-1-final.pdf>) (Page 2)(Page 74)

However, the general public, such as myself, only have access to, I count, 30 written submissions from separate individuals or organizations, not 800 plus. They are here.

<http://www.oireachtas.ie/parliament/media/committees/justice/Witnesses-and-Submissions-on-Review-of-Legislation-on-Prostitution.pdf>

(<http://www.oireachtas.ie/parliament/media/committees/justice/Witnesses-and-Submissions-on-Review-of-Legislation-on-Prostitution.pdf>)

Mr David Stanton writes that 24 individuals and organizations gave oral evidence at one of the 4 public sessions as well as at a private session. He writes that only written submissions of those organizations and individuals invited to his committee for an oral hearing were published.

<http://www.oireachtas.ie/parliament/media/committees/justice/1.Part-1-final.pdf>

(<http://www.oireachtas.ie/parliament/media/committees/justice/1.Part-1-final.pdf>) (Page 2)

Only written submissions from some individuals and organizations that were invited to one of the 4 public oral submission sessions that took place on December 12th 2012, January 16th 2013, January 23th and February 6th as well as a private evidence session that took place on February 20th 2013 were published. There was a private evidence session on February 20th 2013 in which a number of sex workers, past and present, were invited to make oral submissions.

David Stanton appears to be of the view that since he says it, that is over 80% of 800 written submissions support the Swedish model, we ought to believe him. I, however, subscribe to a different point of view, namely, that anyone's assertion, especially one as consequential as this,

is subject to verification.

I ask you, Minister Shatter, to challenge Mr Stanton to produce the remaining hundreds of written submissions that Mr Stanton asserted that his committee received so that all of us can verify his claim that over 80% of all the written submissions supported the Swedish model of criminalizing the purchase of sex. If he cannot produce these documents and if he, in the spirit of democracy and transparency, fails to publish them for the perusal of the general public, I suggest that you announce, with the support of the Taoiseach and the Tanaiste, that the Joint Committee on the review of the legislation on prostitution was a misfire and that therefore its report and recommendations ought to be disregarded.

In my opinion, the conduct of the Joint Oireachtas Committee on the review of prostitution legislation has not been comprehensive and has therefore been unprofessional.

Contrast this with the professional conduct of the Northern Ireland Assembly Justice Committee where the Human Trafficking and Exploitation bill is presently being reviewed during the ongoing Committee stage of the bill which is to last until the beginning of April.

All the written submissions are published. You can access them here.

<http://www.niassembly.gov.uk/Assembly-Business/Committees/Justice/Legislation—Committee-Stage-of-Bills/The-Human-Trafficking-and-Exploitation-Further-Provisions-and-Support-for-Victims-Bill—Committee-Stage/Written-Submissions/> (<http://www.niassembly.gov.uk/Assembly-Business/Committees/Justice/Legislation—Committee-Stage-of-Bills/The-Human-Trafficking-and-Exploitation-Further-Provisions-and-Support-for-Victims-Bill—Committee-Stage/Written-Submissions/>)

It includes written submissions such as this one here, which was a few lines written on a piece of paper:

<http://www.niassembly.gov.uk/Documents/Justice/human-trafficking-bill/written-submissions/A-Robinson.pdf>  
(<http://www.niassembly.gov.uk/Documents/Justice/human-trafficking-bill/written-submissions/A-Robinson.pdf>)

All written submissions are accepted and published.

I also put it to you, Minister Shatter, that the Chairman of the Committee, David Stanton, had already made up his mind regarding his support for the Swedish model of criminalization of the purchase of sex even before oral submissions commenced. The Committee had visited Sweden in November 2012 to evaluate the law there but visited no other places, for example, Germany or Holland where there is a legalization regime for sex work or New South Wales in Australia or New Zealand where sex work has been decriminalized. Indeed, as recorded in the Department of Justice website, there had already been a fact-finding visit to Sweden by officials of the Department of Justice and "Swedish model" legislative approach supporters in 2010.

<http://www.justice.ie/en/JELR/Stockholm-VisitOfDignityProjSept2010.pdf/Files/Stockholm-VisitOfDignityProjSept2010.pdf>  
(<http://www.justice.ie/en/JELR/Stockholm-VisitOfDignityProjSept2010.pdf/Files/Stockholm-VisitOfDignityProjSept2010.pdf>)

I would also like to express my unhappiness with the fact that there is no transcript available for the Joint Oireachtas committee hearing of February 20th when 2 present sex workers and 3 past sex workers were invited to give testimony.

Once again, I would like to contrast this with the openness of the Northern Ireland Assembly Justice Committee which invited a sex worker who works in both Scotland and Ireland, Laura Lee, to give oral testimony and whose evidence session transcript has been published.

[http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140109\\_HumanTraffickingetcBill\(InternationalUnionofSexWorkers\)](http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140109_HumanTraffickingetcBill(InternationalUnionofSexWorkers))  
([http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140109\\_HumanTraffickingetcBill\(InternationalUnionofSexWorkers\)](http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140109_HumanTraffickingetcBill(InternationalUnionofSexWorkers))).pdf

Indeed, audio and video is also available.

I also want to express unhappiness that the operator of the uglymugs.ie website was not invited to give oral evidence to the Joint Oireachtas Committee on the review of prostitution legislation. She was however invited to the Northern Ireland Assembly Justice Committee to give evidence. Transcript was taken and published here.

[http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140130\\_HumanTraffickingetcBill\(UglyMugs\)\(http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140130\\_HumanTraffickingetcBill\(UglyMugs\)\).pdf](http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140130_HumanTraffickingetcBill(UglyMugs)(http://www.niassembly.gov.uk/Documents/Official-Reports/Justice/2013-2014/140130_HumanTraffickingetcBill(UglyMugs)).pdf)

Audio and video is also available.



I find it breathtaking that the Joint Oireachtas Committee sought no interview with the operator of such a vital service given the reality that sex work remains partially criminalized in the Republic of Ireland meaning that adult sex workers are weary of going to the police to report any crime committed against them because of a fear that they themselves may be accused of committing a crime, a fear, by the way, that will be increased if a Swedish style sex purchase act is ever enacted in the Republic of Ireland. The uglymugs.ie scheme is a vital service that enables sex workers in Ireland to share information together on dangerous individuals to avoid who may be clients or people posing as clients or other individuals. It deserves Department of Justice funding and sponsorship just like the National Uglymugs scheme in the UK has received Home Office funding and sponsorship.

In upcoming emails, I will advocate for the decriminalization of all adult sex work in Ireland, north and south, along the lines of the New Zealand legislative approach.

I have also carbon copied this email to all other Fine Gael and Labour TDs and Senators.

Best Wishes,

Paul Carr,  
Concerned Citizen of the Republic of Ireland

 FEBRUARY 12, 2014     PAULCARR

BLOG AT WORDPRESS.COM. | THE SORBET THEME.

Follow

Follow “My Thoughts on Sex Work and the Law”