



Statement of Ireland

40th session of the Human Rights Council

Report of the Special Rapporteur on the Sale and Sexual Exploitation of Children

5 March 2019

Mr President,

Ireland wishes to welcome the Special Rapporteur on the sale and sexual exploitation of children and express its support for her mandate.

Ireland was honoured to host the Special Rapporteur in 2018 and has already submitted its comments to the Special Rapporteur on her country report.

Ireland notes the recommendation of the Special Rapporteur in relation to the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Ireland is committed to ratifying the optional protocol. Preparation is underway and it is anticipated that it will be ratified in 2019.

With regard to the recommendations on the care, recovery and reintegration of children, we would like to reiterate Ireland's efforts to implement a 'One House' service, based on the Icelandic Barnahus model.

The 'One House' will bring together forensic, child protection, health, therapeutic and policing services in a child centred way to support children and the families of children, who have suffered sexual abuse. The first pilot centre will open in Galway in 2019 and it is expected that centres in other locations will follow. It should be noted that in the meantime, specialist forensic examination services are available.

With reference to the Special Rapporteur's recommendations in relation to policies, plans and strategies, we wish to reiterate that the Children First Act 2015 provides for a number of key child protection measures, including raising awareness of child abuse and neglect, providing for reporting and management of child protection concerns and improving child protection arrangements in organisations providing services to children.

The Act makes specific provision for the mandatory reporting of child protection concerns by certain categories of persons (mandated persons) to the Child and Family Agency, Tusla. It should be also noted that under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 that it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years.

Joint working between Tusla and An Garda Síochána, Ireland's national police service, forms an integral part of the child protection and welfare service and, a number of joint working initiatives are underway.

Ireland also notes the Special Rapporteur's recommendation with regard to child participation and empowerment in the context of policy development. Ireland is one of the few countries to have developed a policy designed to facilitate the active involvement of children in policy discussions. The National Strategy on the participation of children and young people in decision-making 2015-2020, recognises the need for a focused effort on ensuring the voice of seldom heard young people is included and also acknowledges the importance of embedding efforts to ensure due regard. In this context it is also important to note that Tusla is working on the development of its Participation Strategy for Children and Young People.

Ireland was also the first country in the world to introduce a National Youth Strategy specifically for people in the LGBTI+ community. Among other objectives, the strategy aims to create a more supportive and inclusive environment for LGBTI+ young people in formal education settings and encourage their positive representation and participation in culture, society and sport.

On the issue of Mother and Baby Homes, Ireland's view is that the scope of the statutory investigation by the Commission of Investigation into Mother and Baby Homes is focused and comprehensive. The Commission is also obliged to report on any specific matters outside its scope which it considers may warrant further investigation in the public interest as part of its work. The Irish Government is on record as stating that it will consider any recommendations made by the Commission in this regard.

Ireland would like to note that the Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries – otherwise known as the McAleese Report, was published in February 2013. That detailed Report, amounting to 1,000 pages, sets out the details of how, inter alia, the laundries operated under the relevant legislation of the time. It is regarded as a comprehensive and objective report of the factual position regarding the operation of the Magdalen laundries.

Subsequent to this, the Magdalen Commission Report, published in May 2013 and authored by Mr. Justice Quirke, established the Magdalen Restorative Justice ex-gratia scheme which addresses the unpaid nature of the work undertaken by the residents of the laundries.

Ireland would like to take this opportunity to thank the Special Rapporteur for her important work and her report. We wish to take this opportunity to reiterate our policy of standing invitations to all special rapporteurs and mandate holders.

ENDS